Introduction

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1. The impact of the 'new migration'

By 2016 the United Nations High Commission for Refugees (UNHCR) estimated 65.6 million displaced persons worldwide, increasing by about 300,000 a year. 40.3 million displaced persons remained within their own countries. 22.5 million were refugees—the most ever in human history. 5.5 million were Syrians, leaving Syria at a rate of 750,000 a year. 2.8 million were asylum-seekers. The potential for further exodus from the Middle East is enormous: an estimated 54.5 million migrants still remained in Middle Eastern countries; Syria contained 7.1 million, Iraq 4.7, Jordan 2.9, Yemen 2.8, Turkey 2.8, and Lebanon 1.5 (according to a report of the Pew Research Centre in Washington, D.C. in October 2016). Turkey now claims that as many as 3 million (primarily Syrian) refugees are left in that country. At least half a million people have lost their lives in Syria since the commencement of the present revolution and ISIS.

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Europe has received vast numbers of refugees from the Middle East, Africa, and South Asia. Over a million refugees and economic migrants reached Europe (initially mainly Greece and Italy) across the Mediterranean in 2015—more than twice as many as during the previous year (according to data collected by the UNHCR and International Organization for Migration). This flow was expected to slow down during the harsh winter months—it did, but over 100,000 migrants arrived in Europe during January and February of 2016; this represented more than in the first six months of the previous year.

During 2015, 839,561 maritime arrivals were recorded in Greece out of a total migrant influx of 885,386. 200,000 arrived just in October. Over half were Syrian, the others from other Middle Eastern countries and South Asia.

Between 1999 and 2013, an estimated half a million illegal or 'irregular' migrants entered Italy by sea; yet since then as many as 600,000 migrants have landed in Italy by sea (according to various estimates in the media). More than 153,000 arrived in 2015, another 181,000 the next year. Italy now has the highest number of arrivals by sea (according to the European Council on Refugees and Exiles). Most are male economic migrants from West Africa (Nigeria, Guinea, Ivory Coast, Gambia, Senegal, Mali), the Horn of Africa (Eritrea, Sudan, Somalia), with some from North Africa (Tunisia, Libya) and the Middle East (Syria), setting off from Libya, a failed state. Thousands have drowned in their attempt to reach Italy—at least 13,000; 700 drowned in just three days in May 2016; in fact, at one point the Italian navy was saving 10,000 *a week;* more than 2,000 had drowned so far by mid-2017. They continue to come at the rate of over 130,000 a year—a thousand migrants on an average summer day. Migrant smugglers are arrested, and their boats set on fire or blown up.

7,164 'irregular' migrants arrived in Spain and Portugal during 2015 (mostly Guineans, Moroccans, and Algerians), however Spain has attempted to plug the hole presented by Ceuta and Melilla, Spanish exclaves on the Moroccan north coast, a simple ferry ride away from Spain itself. The sea route between Morocco and Spain is currently claimed to be the fastest growing sea route. More than 8,000 sea-borne asylum-seekers have been recorded by Spain between January and mid-August 2017, compared to approximately 2,500 during the same period the previous year. In fact, 1,600 were intercepted and rescued by the Spanish coast guard in the Strait of Gibraltar in just a single day in August.

An increasing list of countries have been blocking migration routes: by March 2016 Greece, Macedonia, Hungary, Croatia, Slovenia, Austria. Although Greece had only 10,200 official applications, most migrants didn't wish to stay there anyway; moreover, Greece has felt mounting pressure from the EU to halt the flow of refugees by increasing border restrictions. During 2015 Hungary reluctantly received 174,425 applications for asylum, but again the vast majority of migrants had no intention to stay there—they were heading farther north, especially to Germany and Scandinavia; to stop the flow Hungary put up barbed wire fences all along its border with Macedonia and Croatia. Germany admitted 441,800 'first asylum' applicants during 2015 among 1.5 million migrants; from 2013 to 2016 Germany has experienced the highest inflow of foreign population of any country (increasing from 1.1 million in 2013 to 1.3 million in 2014 and over 2 million in 2015), as well as the greatest number of asylum applicants (according to European Commission/Eurostat, OECD, and Migration Policy Institute data). Yet the German government has specified that Morocco, Algeria, and Tunisia should be considered 'safe' countries, so asylum should not be available for migrants from these countries; a minimum two-year waiting period would be necessary for family reunification; benefits are to be confiscated unless migrants learn German and indicate integration; and some states are seizing assets over 750 Euro. With the closure of the border with Denmark, Germany has been obliged to scatter its migrants throughout smaller communities. The problem of integration is well illustrated by almost as many migrants recorded passing through the small city of Flensburg (pop. 85,000), on the Danish border, as the entire residential population. Sweden received 156,120 applicants in 2015 (actually less than 163,000 the previous year); however the government has warned (January 28, 2016) that 60-80,000 may be rejected; complicating matters, 35,000 were unaccompanied children. In other Scandinavian countries, Finland has announced that it may reject two-thirds of 32,000 applicants; Norway, with 30,460 applicants, has initiated a government anti-refugee campaign; Denmark, with 18,160, has placed advertisements in newspapers in Lebanon to dissuade Syrian refugees from coming. Part of the Brexit campaign in Britain was directed against immigrants. Meanwhile, refugee camps on the Channel coast in France have been cleared or burned to the ground. Switzerland, faced with 33,300 applications, has been confiscating possessions worth more than 1,000 Swiss francs. All told, the EU countries received 1,211,830 'first asylum' applicants during 2015, of whom 73% were adult males and less than 10% were children, but that included more than 100,000 who arrived alone (UNHCR and IOM data).

What is driving such massive migration? The answers are very complex, and must take into consideration 'push' factors (driving migrants away from their original countries—such as revolution and warfare, ethnic cleansing, poverty, recruitment into indenture and the sex trade) as well as 'pull' factors (luring them to resettle in new receiving countries—such as perceived economic benefit, improved living conditions, peaceful conditions in which to raise a family) (e.g. Loescher, 1993; Richmond, 1994; Stalker, 2001; Moorhead, 2006; Sanders, 2011; UNHCR).

2. The 'new migration' and 'minority rights'

During the past several decades, and especially at present, throughout Europe the traditional nation-state has been challenged by rapidly increasing ethnic diversity. European countries have increasingly become less homogeneous and more pluralistic. Now millions of refugees and economic migrants have been arriving. This special issue focuses on the impact and implications of this most recent influx on the possible (re)definition of 'minority rights'.

Relating to this general theme, the following specific problematic issues could be addressed:

Differential state recognition of 'minority rights' for different types of ethnic/linguistic/cultural minorities.

Are state policies to be directed differently toward traditional 'national minorities' and 'indigenous minorities', longer-settled ethnic groups lacking a territorial base (including 'metropolitan minorities' having a former or extant colonial origin), 'diaspora minorities' (such as Roma, who may/may not be considered a 'national minority'), new migrants and refugees from 'non-traditional' origins, etc.?

The possible effect of the 'new migration' on attitudes and changing state policies toward 'national minorities'.

Are state policies toward 'national minorities' changing, or will they likely be affected by nationalistic recriminations stimulated by the 'new migration' adding to the ethnic complexity within traditional nation-states?

The complicated situation of 'new minorities' settling within traditional national minority areas.

Are newcomers who are different culturally (and perhaps racially) from both national/nation-state populations and traditional minority populations, who settle within minority areas, obliged to learn, and have their children educated in, either the minority language or national language, or both?

Whether new refugees and economic migrants may be entitled to the same basic rights as longer-established minorities, including both regional minority populations and older ethnic minority populations concentrated within urban areas.

Given the increasing complexity of defining ethnic minorities within European countries (ranging from ethnic groups/nationalities claiming a traditional homeland to the current influx of new migrants—both economic migrants and refugees), how does or should state policy differentially recognize minority rights?

The policy implications of the 'new migration' serving to re-enforce long-existing urban ethnic concentrations in certain neighbourhoods, and possibly to develop new concentrations.

The historic 'national minorities' emphasize preservation of their traditional territories, languages and cultures as a basic right, whereas new migrants are subjected more to a policy of integration than cultural maintenance or geographical concentration (although certain concessions may be made, at various levels of government, to longer-settled primarily urban minorities for at least some education, services, etc. in their traditional languages).

Recognition of 'minority rights' within traditional or re-established nation-states compared to states built on the basis of ethnic pluralism in Europe.

Most countries in Europe developed historically as virtual nation-states; moreover, some which had formerly been an integral part of ethnic federations based on more than one nationality have more recently become independent nation-states. The concept of the nation-state has implied a significant degree of presumed ethnic homogeneity, with relatively limited national government interest in or appreciation of ethnic pluralism and diversity. Some European countries have varying degrees of political recognition of historic ethnic minorities, often considered as regional or localized populations with varying degrees of self-government or autonomy, yet still within broader nation-states dominated by a particular ethnicity, while relatively few countries could still be considered officially bicultural or multicultural at the national level.

Multiculturalism/ethnic pluralism policies in Europe compared to primarily immigrant-origin countries with diverse populations (including indigenous) beyond Europe.

How and why do European national or sub-national/regional policies differ from primarily immigrant-origin countries (such as Canada) which emphasize a broader multiculturalism policy inclusive of all ethnicities?

3. The populist backlash

Doubtless, attacks by self-defined Muslim terrorists in many European cities have stimulated anti-Muslim counter-attacks and anti-immigrant passions. These Jihadi-inspired terrorist attacks have included: Madrid (March 5, 2004) and Barcelona and Cambrils (August 17-18, 2017); the assassination of Theo van Gogh in Amsterdam (November 2, 2004); Stockholm (December 11, 2010, April 7, 2017); Paris (January 7 and November 11, 2015) and Nice (July 14, 2016); Brussels (May 2014, August 21, 2015, March 22, 2016, June 20, 2017) and Verviers (January 15, 2015); Berlin (December 19, 2016); London (July 7 and 21, 2005, June 29, 2007, May 22, 2013, October 20, 2016, March 22, 2017, June 3, 2017) and Manchester (May 22, 2017); Helsinki (August 18, 2017)—apart from many lesser attacks and incidents (other planned attacks by Muslim extremists have been foiled in Britain, France, the Netherlands and Belgium during the past couple of years).

All over Europe, recently and currently a populist backlash to this 'new migration'—to what they perceive to be too much immigration and too many refugees—has become almost omnipresent, concomitant with increasing 'Euroscepticism' (i.e. opposition to the EU) and rise of conservative 'ultra-nationalism' often driven by right-wing (and indeed sometimes by left-wing) political parties and movements (Sanders, 2012; Daniel and Knudsen, 2015; Murray, 2017).

In Germany, anti-immigrant ultranationalism has been pushed by the Alternative für Deutschland (AfD), and specifically anti-Muslim demonstrations organized by PEGIDA—Patriotische Europäer gegen die Islamisierung des Abendlandes (Patriotic Europeans Against the Islamization of the West); other far-right or neo-Nazi groups have included the NPD—Nationaldemokratische Partei Deutschlands (National Democratic Party of Germany), DVU-Deutsche Volksunion (German People's Union), and Die Republikaner (the Republicans).

In the Netherlands, Geert Wilders led a separation from the right-wing VVD – Volkspartij voor Vrijheid en Democratie (Party for Freedom and Democracy) to form his even more radical PVV – Partei voor de Vrijheid (Party for Freedom); however, he did not fare particularly well in the national election of March 2017.

In Belgium, the right-wing conservative nationalist Vlaams Blok (Flemish Bloc) gave birth to the more recent Vlaams Belang (Flemish Interest), while among Walloons the Front National paralleled its anti-immigrant namesake in France.

In France, the Front National, led by populist Marine Le Pen, has been making significant gains in national politics; in fact, in April 2017 Le Pen achieved the highest result (34%) for her Front National in its forty-five-year history in any national election (the election was won by centrist Emmanuel Macron, leader of the En Marche movement—strikingly, not an established political party). Other anti-immigrant and nationalist parties and movements cover the political spectrum: to the right, the Mouvement pour la France and Debout la France, and to the left the Leftist Front, led by Jean-Luc Mélenchon and Mouvement Republicain et Citoyen.

In Italy, the sudden rise of the Movimento 5 Stelle (Five Star Movement), led by Beppe Grillo, has overturned national politics. So, too, in Greece have left-wing Syriza, led by President Alexis Tsipras, and far-right ultra-nationalist Chrysi Avgi (Golden Dawn). As in Greece, in Turkey the Adalet ve Kalkinma Partisi (Justice and Development Party) of Recep Tayyip Erdogan has had to deal with vast numbers of Syrian and other refugees.

A strong stand against refugees has come to increasingly characterize the ultra-nationaist Jobbik Magyarorszagert Mozgalom (Movement for a Better Hungary) party of PM Viktor Orban; so too have Fidesz, Magyar Polgari Szovetseg (Hungary for Civic Alliance), Magyar Igazsag es Elet Partja (Hungarian Justice and Life Party), and Hatvannegy Varmegye Ifjusagi Mozgalom (64 Counties Youth Movement).

Other Balkan and East-Central European countries have followed suit, including Kotleba (Our Slovakia People's Party).

Next door, in Austria the Freiheitliche Partei Osterreichs (Austrian Freedom Party), led by Heinz-Christian Strache, has advocated right-wing populism, and Team Stronach für Osterreich

advocated Euroscepticism. In Switzerland, anti-migrant demonstrators have carried placards saying 'send them home!' and 'enough is enough!'.

Meanwhile, up north in Scandinavia, both Denmark and Sweden have recently adopted refugee deterrence policies, influenced by the right-wing conservative nationalist Dansk Folkeparti (Danish People's Party) and Sverigedemokraterna (Swedish Democrats Party).

The British Brexit movement, pushed most strongly by UKIP – the UK Independence Party, led by Nigel Farage, has been officially adopted by the governing Conservative Party of Prime Minster Theresa May; however strongly opposed by the Scottish Nationalist Party, led by First Minister Nicola Sturgeon, and Northern Ireland. Following the terrorist attack on June 3, 2017, no less than 120 Islamophobia incidents were recorded by police just in London; and a violent counter-attack against Muslims at a London mosque occurred on June 19.

In Spain, Catalan ethno-nationalism has been pushed by a wide variety of separatist political parties, including PODEMOS ('We Can') and the PSC – Partit dels Socialistes de Catalunya (Socialist Party of Catalonia), led by Miquel Iseta, which tend to be pro-EU.

How much influence the election of Donald Trump of the Republican Party in the United States may have had on populism and restricted immigration policies in Europe remains controversial. But in Poland, government leader Andrzej Duda has currently expressed admiration for Trump; while the claimed while cautious mutual admiration between Trump and Vladimir Putin of Russia seems rather more complex.

4. The dilemma

In sum, a rising tide of majority ethnic nationalism is stimulating a re-emphasis of the nation-state in Europe.

This renewed nationalism is largely directed against immigrants and refugees, especially Muslims and other 'visible' minorities who have been arriving in unprecedented numbers. These 'new migrants'—as well as their predecessors—are perceived as diluting traditional dominant nations and people, changing national traditional values and culture, and taking jobs from existing citizens of the dominant ethnicity (Carr, 2016; Verhofstadt, 2017).

However, tolerance of longstanding 'indigenous' (i.e. non-immigrant) minorities lessens, when these minorities fit awkwardly into the nation-state concept. Moreover, there is less tolerance for accommodation of *any* people who seem 'different', less interest in unique ethnic cultures, much less 'rights'.

There is increasing victimization of 'different' people, overt attacks and discrimination directed not only at unwanted 'newcomers', but perhaps also longstanding immigrant minorities (with generations born and raised in a country, for example Turks in Germany and North Africans in France, whose younger generation may no longer speak the traditional language and who may have never been in the country of origin); and even 'indigenous' minorities mostly with a territorial base in the country.

5. Solutions?

To repeat an important point: 'indigenous' minorities wish to *preserve* their unique cultures, whereas immigrant minorities are expected to *integrate*. This may well be seen as a rather artificial distinction, but has obvious bearing on exactly what sort of minority rights should be considered— remember: most types of 'indigenous' minorities claim a territorial base, whereas immigrant minorities cannot. But what, exactly, is 'integration'? Doesn't it imply conformity? A young Turk, say, in Germany may be completely German culturally, socially, and speak only German…but still *looks* Turkish, so unfortunately may often be attacked or discriminated-against by nationals who are intolerant of strangers (typical of xenophobia and ethnocentrism).

How to change this? Perhaps political and social emphasis of a welcoming society….but this only goes so far. Re-education, with an emphasis at least on *tolerance* and *acceptance*….but this can often be begrudging rather than genuine or sincere, and tolerance or acceptance may be short of interest in, much less encouragement of ethnic minority cultures. As for the problem of social integration, opportunities abound, but how much interaction is there on a personal level (on both sides)?

As European countries become more pluralistic, obviously the multiculturalism model would seem most appropriate and beneficial—if complex and controversial (Kymlicka, 2007; Meyer, 2012; Joppke, 2017). But this model is admittedly far easier to apply in predominantly

immigrant-origin countries such as Canada, the United States, and Australia than in European nation-states. Still, isn't Europe increasingly in need of moving away from, rather than increasingly toward, a traditional nation-state concept?

How ready is Europe to change? Change is not only *necessary* but *inevitable*….it is obviously happening, and at a faster pace. Granted, a strong argument has long been made for better control of immigration, and especially for improved international collaboration in dealing with refugee settlement (e.g. Cornelius, Martin, and Hollifield, 1995; Jacobson, 1997; Rodier, 2012) and more effective integration (e.g. Krane, 1975; Sassen, 1996/99; Legrain, 2002).

Europe's nations (in the sense of dominant/majority peoples) will obviously predominate for centuries to come…minorities are certainly not "taking over" (as some nationalist/populist politicians would suggest). Whereas acceptance of and interest in minorities, both traditional and newer, could immeasurably benefit the host political states where they could prosper.

So protection and enhancement of minority rights (now largely within the EU) seem as fundamental in former (re-created or re-emphasized) nation-states as in pluralist countries. Yet the essential question must be whether multiculturalism policies respecting pluralism could be accommodated within a more liberalized, much less traditional nation-state model, while 'indigenous' minority ethno-nationalism, politicization and separatism further complicate minority rights.

As Kjell Anderson has written, 'Tolerance must be ingrained in the "national ideology" of the state and in the concept of citizenship. Nation-states, founded on the notion of making the nation synonymous with the state, are premised on an intolerance of alternative identities. In contrast, states rooted in civic nationalism emphasize common citizenship as being the core identity of the state and that all bearers of citizenship are full bearers of rights' (K. Anderson, 2017).

6. This issue

The four articles comprising this special issue focus on four topics relevant to the general question of how the 'new migration' may affect 'minority rights'—not only the established rights of long-existing (i.e. traditional) ethnic minorities, but also the presumed rights of new migrants settling

largely in European countries which may still tend to be viewed—or view themselves—as 'nation-states', yet which are fast becoming increasingly transformed into virtual ethnic pluralist (i.e. multicultural) states by this very migration.

First, Armillei and Mansouri probe into the real meaning of 'ethnic democracy', and—comparing Italy and Australia—question what form contemporary policies toward increasing numbers of 'boat people' (migrants who arrive 'illegally' or 'irregularly' by sea) may take, given an authoritarian legacy in both countries.

Second, Carlsson delves into the problem of new migrants settling in existing traditional minority areas—including choice of language of integration, and how this relates to perceived economic benefits and national mobility—not only in Finland but also, comparatively, in Quebec, Catalonia, Flanders, and South Tyrol; in this discussion the changing meaning of multiculturalism is explored.

Third, Andreva ponders whether migration is jeopardizing human rights; specifically, how reaction to increased mass migration into the European Union (particularly the Schengen Area) is affecting the constitutional right of Roma to leave Macedonia.

Fourth, Boulter analyses, through three theoretical/methodological approaches, how media discourse pertains to the problematic question of redefining minorities and their presumed rights, given the 'new migration'.

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'Ethnic Democracy' and Authoritarian Legacies in Italy's and Australia's Contemporary Policies towards 'Boat People'

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Abstract

Asylum-seekers constitute a small percentage of the entire Italian and Australian populations and the volume of the claims recorded in these two countries is below those of many other industrialized and non-industrialized countries. Although the tendency is to frame this issue as 'moral panic' and to implement 'emergency' measures, this article argues that this attitude conceals a long-established institutional tradition of racism and control directed not only at asylum-seekers, but against 'otherized' communities. By drawing on Smooha's (2009) concept of 'ethnic democracy', we suggest that the legacies of 'White Australia' and 'Fascist Italy' continue to play a key role in fostering new ethnocentric 'Italian' and 'Australian' identities.

Keywords: 'boat people'; emergency measures; 'ethnic democracy'; Italy; Australia

In this article, the Italian and Australian governments' policies towards asylum-seekers are contextualized by looking at current theories on the use of 'emergency' as a frame for political action (e.g. Honig, 2009, 2014; Walters, 2011). These individuals are basically constructed as

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'permanent migrants', becoming 'abjects', neither subjects, nor objects, living 'inexistent states of transient permanence' (Isin and Rygiel, 2007: 198). This conceptualization clearly matches with what Walters (2011: 138) calls the 'emergence of the humanitarian border'. As Walters argues, the humanitarian construction of the measures towards the asylum-seekers turns them into something acceptable within strategies of control. In this context, 'emergency' measures are designed to contain a problem rather than solve it, and in so doing establish a permanent practice of exclusion and marginalization.[1] Both in Italy and Australia these approaches are framed as top-down crisis interventions, characterized by short-term responses, but lacking medium- and long-term strategies. Honig's work (2009, 2014) helps to clarify this point, reminding us that emergencies are much more common than we think.

The securitization of migration across the globe may suggest that the reactions enacted by these two governments are not unique. The growing emphasis on border control is a phenomenon which cannot be confined to the 'global North' (Johnson, 2014: 65). There is, in fact, growing evidence of current global trends of border securitization, which has led to the criminalization of immigration and the creation of 'prison-like' detention centres (Aas and Bosworth, 2013). This comparative study aims to show that, although Italy and Australia inhabit different geopolitical contexts, they also display parallels. The uniqueness of Italy's and Australia's policies with regard to this issue is part of a well-established historical trend of controlling practices directed towards the 'other'. In fact, the governments of both countries often resort to extraordinary measures to deal with other controversial social issues (see recent 'Northern Territory Emergency Response' [NTER] and 'Nomad Emergency Decree' directed at Aboriginal and Romani/'Gypsy' peoples, respectively). We argue that restrictive migration policies are not only a side-effect of the propagating idea of a global '(in)security' and the development of a transnational police network (Bigo, 2006; Huysmans, 2000), but they have deeper historical roots. Colonial legacies, in fact, are deeply embedded in contemporary policies which, similarly to the post-Unification/Federation period, privilege ethnocentric Italian or Australian identities.

The adoption of emergency measures is surely in line with the concept of 'moral panic', based on grossly exaggerated or misdirected public fear over a perceived threat to social order (Cohen, 2002; Krinsky, 2013). However, this theoretical framework can only partially inform the way 'boat people' (or marine arrivals) have been constructed. In fact, this study aims to go beyond the conceptualization of policies as constructing their subjects as mere objects of power and acknowledges them as fundamentally ideological devices. By codifying social norms and

values, policies do also contain implicit models of society. As instruments of governance they aim to organize people within systems of power and authority, empowering some while silencing others. The Romani and Aboriginal peoples constitute two emblematic cases of this attitude. These minorities are also subjected to special policies which pathologize their cultures and make them ungovernable or prone to violence, crime and social collapse. This signifies the emergence of a new form of racism that moves from 'biology' to making 'culture' the site of pathology (Clarke, 2008) and thus a pretext for state intervention (Armillei, 2014a; Kramer, 2012). Besides, proliferating discourses and exclusionary practices, not limited to Romanies and Aborigines—their case, in fact, could be compared to the case of Muslim citizens (see, for instance, Alietti and Padovan, 2013; Salleh-Hoddin and Pedersen, 2012)—, gained strength and are no longer limited to extreme Right movements (Re, 2010). It is thus no surprise that refugees are constructed as 'impenetrable, incomprehensible, sinister aliens' (Bauman, 1999, cited in Naidoo *et al.*, 2015: 77).

As part of this 'otherizing' process, the 'us' (ethnic majority), who are the same and share a common fate, common values and common behaviours, is constructed in opposition to 'them' within discourses of belonging and un-belonging (Tilbury, cited in Naidoo, 2014: 100). In a context where, as Newman (2005: 19) states, national borders still function as the territorial demarcators of state control, citizenship and, in some cases, national identity, this research will maintain that the Italian and Australian governments' policies towards asylum-seekers, as well as 'otherized' communities in general, can be interpreted as derivative of the model of 'ethnic democracy' theorized by Smooha (2001, 2009). According to this theory some of the different ethnic groups are viewed as inassimilable into mainstream society, allowing the ethnic majority to install a form of democracy with a strong ethno-nationalist drive. Rather than serving all its citizens equally, an 'ethnic democracy' privileges a supposed ethnic majority and its interest. Using Smooha's (2009, p. 56) words:

> If the ethnic majority perceives serious threats and thinks that its control over the state can effectively contain these threats, and wields such control while maintaining democratic procedures and norms to which the majority is committed, ethnic democracy is a rational choice.

In a globalized world, the existence of multicultural societies has become an indisputable fact (Nye, 2007). In order to deal with an increasing cultural diversity, Italy has been promoting its own approach based on intercultural theory and practice, but 'diversity was never seriously considered, let alone contributing to a re-definition of Italian identity in pluralistic terms' (Armillei, 2016). Australia, however, has embraced cultural diversity as its constitutive feature

and is now considered one of the forefathers of multicultural policies. Yet, non-British settlement in Australia has been always guided by a form of 'economic opportunism' rather than a real intention to change the ethnic make-up of the population and identity of the nation (Armillei and Mascitelli, 2017). In both contexts, a disengagement with the racist mechanisms underlying the ethnic majorities' hegemony is evident and is perpetuated through historical narratives which excluded 'othered' perspectives. As observed by McAllan (2011: 1), 'these mechanisms remain un-interrogated in public and political discourse, while systemic and institutionalised racism continues'. The dominance of an 'Italian' and 'Australian' ethnic majority remains largely unquestioned and unchallenged in these historical narratives. Critical race theory, which has been hardly applied, might help to challenge the exclusive character of Italian and Australian national identities (Love and Varghese, 2012). This article will thus make original and significant contributions to the ongoing debate raising questions as to how the Italian and Australian societies might be made more inclusive.

Our paper explores in a critical manner the literature emanating from the Italian and Australian governments. An in-depth literature review of the areas of interest was conducted examining the previous and current work of experts in the field of Italian and Australian history and identity to illustrate the contemporary government approach towards 'othered' communities and the impact of colonialist processes in constructing and maintaining white-dominated social hegemony. The project's methodology aimed to create a comprehensive picture of the approach adopted by the government of these two countries not only towards 'boat people', but cultural diversity more broadly (Creswell and Plano Clark, 2011). This research approach combines theoretical conceptual analysis, exploratory analysis, social documents analysis, and critical analysis of public policies. A broad range of secondary sources (e.g. policy reports, committee papers, published treatises, newspapers and magazines) were used in order to gain a closer understanding of the reasons Italy and Australia keep adopting emergency-type of measures when dealing with issues that are deemed to represent a threat to the character of state identities. In this context, the issue of borders and invasion from outside, as well as the growing cultural diversity, have been used to promote a sense of national 'insecurity'. Scapegoating attitudes emerged towards the Romanies and the Aboriginal people, for instance, often depicted as the 'enemies' within (Clough Marinaro, 2009; Moreton-Robinson, 2009). With regard to asylum-seekers, the introduction of increasingly selective immigration criteria has created discretional authority, 'a power of exception and a moment of sovereignty' (Miggiano, 2009: 14). The role of nationalism in this governing of marginal

populations is surely central to the way the Italian and Australian governments have been constantly enacting emergency approaches in order to deal with 'otherized communities'.

The next sections will offer important analyses of the Italian and Australian historical contexts. This will help to pinpoint the existence of long-term continuities between contemporary Italy and Australia and their national histories, the 'Fascist' and the 'White Australia' eras respectively. By placing the case of the 'boat people' within a wider historical perspective, we will argue that the presence of ongoing debates surrounding the definition of Italian and Australian identities and histories (Favero, 2010; Moses, 2008), the recent authoritarian approach towards the Romani and Aboriginal peoples, together with discriminatory laws and policies against immigrants, could all be interpreted as an indirect consequence of the government's incapacity to deal with a shameful past and its unbroken ties. In doing so, this study provides an appraisal of the strategy enacted by Italian and Australian dominant elites to establish, renew and maintain the hierarchy underpinning their privilege. In other words, emergency measures, reinforced by the construction of a threat as 'moral panic', signal the ethnic majority's intention to continue dominating the other groups.

1. Dominant national narratives and their implications for attitudes to the 'other'

1.1 *Italy and the Fascist era legacy*

Since political unification in 1861, three main features have played a key role in shaping government policies towards cultural diversity, and the identity of Italians as a nation, namely: a history of authoritarian tendencies; a monocultural Catholic national narrative; and well-established racist attitudes (Armillei, 2014a). But the lack of an in-depth and cohesive analysis of national history has hampered acknowledgment of these approaches as a 'temporal continuum'. The Fascist era, for instance, generally recognized as the darkest page in Italian history, is often described as if it was collateral damage in the process of democratic nation building. As a result, its roots in racism and imperialism under 'liberal Italy',[2] let alone its debt to post-war policy-making (the Christian Democrats' long dominance), are minimized (Armillei, 2016). Interestingly, not until recently were the war crimes of the Fascist regime submitted to scrutiny. Among them, the persecution and internment of Italian Romanies remain highly under-studied. Italy has not yet officially acknowledged its responsibility for their genocide.[3] For many years it was commonly believed that Fascism targeted Romanies 'exclusively as a problem of public order and not as a racial issue, unlike the Nazi regime'

(Clough Marinaro, 2009: 273). The growth of national patriotism is now inducing historical amnesia and revisionism, which is harming the health of Italy's democratic polity (Ventresca, 2006: 17) while allowing racism to re-emerge, together with the 'myth of Italian kindness and moral superiority' (Re, 2010: 1).

Italy has a long tradition as a country of emigration with an estimated Italian migrant population of around 60 million all over the world (Ambrosini and Caneva, 2012). Only in the 1970s was it possible to detect a trend inversion, moving from being a net exporter of migrants to a net importer (Bonifazi *et al.*, 2009). The multicultural paradigm that developed in many parts of Europe (chiefly the United Kingdom, Belgium and the Netherlands) in those years has never taken root in Italy. At the beginning of the 1990s, instead, a lively debate on intercultural issues developed, particularly within the Italian educational system. In 2007, Italy claimed its own model of cultural diversity, the so-called 'Italian way to Interculture' (Rossi and De Angelis, 2012). Although in the last few decades its population has become increasingly diverse, Italy can be hardly defined as a multicultural society, a concept and model that are largely lacking (Armillei, 2015). On December 31, 2015, the foreign population could be quantified at 5,026,153, amounting to 8.3% of the national population (Istituto Nazionale di Statistica - ISTAT, 2016). Each year an increasing number of immigrants arrive, especially from Africa and Central and Eastern Europe, raising Italy's profile as an immigrant nation, marked by high-volume flows and intensive 'illegal' immigration (Allievi, 2010).

Despite this situation, Italian law and policy in the area of immigration are still struggling to catch up with this phenomenon (Centre on Housing Rights and Evictions – COHRE, *et al.*, 2008: 11). Although immigrants contribute for about 8.8% of the Italian Gross Domestic Product (GDP) (Polchi, 2016), immigration still tends to be considered a socioeconomic 'emergency' rather than a structural phenomenon and a cultural or economic resource (Intercultural Dialogue, 2007). Within this context, the intercultural paradigm has slowly become a 'trendy' concept and has been adopted by local authorities in many projects that define themselves as 'intercultural', but too often employ the terminology uncritically. The Italian approach to cultural diversity can be best described as oscillating between entrenched ethnocentric 'monoculturalism' and an underdeveloped discourse around 'interculturalism' (Armillei, 2016). Migrants are racialized by the dominant culture which aim to homogenize Italian culture as 'White and European' (Love and Varghese, 2012: 13). They are seen as exogenous to Italian society and expected either to assimilate to the dominant culture or, in the worst case, be removed or expelled. Romani communities, in particular, have been subjected to

social exclusion for centuries. They are characterized as the outsider *par excellence* and have been often subjected to extraordinary actions. To this day, it is politically acceptable to pursue the institutionalization of Romanies in *campi nomadi* (nomad camps) and impose a state of emergency in doing so. That this policy approach provoked no public disquiet suggests a lingering legacy of Fascist and Nazi persecution.

1.2 *Australia and the white settler legacy*

Since the Second World War, Australia has resettled more than 700,000 refugees (Neumann, 2012), who have formed a significant proportion of the Australian population. British migrants alone could no longer satisfy an urgent need for labourers after the war. This first non-British mass migration flow rapidly changed Australia's demography, thereby laying the foundation for a multicultural Australia while beginning to undermine the project of building a 'White British' nation. For many years until the beginning of the 1970s, the so-called 'White Australia policy' intentionally restricted 'non-White' immigration to Australia, creating particularly anti-Asian forms of racism (Jupp, 2007). One goal of this approach was to 'keep down the Indigenous blacks' (Moses, 2011: 329). In 1973 'multiculturalism' was launched in recognition of a growing cultural diversity. Over the years, though, it has undergone irregular development and changing fortunes, always influenced by the ideology of the government in power (Lo Bianco, 2010). According to a number of scholars (e.g. Curthoys, 2000; Tilbury, 2007), just like the previous 'White Australia', 'multicultural Australia' was the result of a top-down political action, the best and most effective way to assimilate the massive arrival of continental European immigrants within the dominant culture. Its meaning is still debated and does not enjoy a univocal and shared interpretation (Henry and Kurzak, 2012; Lo Bianco, 2010).

Australia today is one of the most culturally diverse countries in the world and multiculturalism is often presented as a distinctive characteristic of its unique success story (Bowen, 2013). Yet the legacy of colonialism and 'White Australia' is still visible. The 'Anglo-Celtic' factor still upholds the privilege to 'manage' multicultural settings and decide on the positioning of different ethnic groups within the national framework (Stratton, 1998). James Jupp (2007: 7), for instance, defined Australia as 'the "most British" society in the world outside the United Kingdom'. Hage (2000) coined the term 'White multiculturalism', arguing that Australian multiculturalism has a 'White-centric' past and an assimilationist present. This was particularly evident under John Howard, who oversaw a return to monoculturalism (Tilbury, 2007: 1). During his government, a 'retreat of multiculturalism' was clearly observable

(Jakubowicz, 2009). To this day, more than 80 former colonies have gained their independence across the globe (United Nations, 2016). Australian Aborigines, though, like many other Indigenous peoples, have never retaken possession of their land, and it is still debatable whether, in a sense, Australia has ever been decolonized (Curthoys, 2000). As Veracini (2010) put it, there is nowadays a constant attempt to produce and reproduce a supposedly 'unbiased' Australian history through a selective national narrative.

This attitude has supported the consolidation of systematic racism, 'institutional in nature and practiced at all levels of society' (Australian Human Rights Commission – AHRC, 2001: foreword). This becomes an obstacle to efforts at tracing the historical truth and acknowledging the 'dark' aspects of Australian history and identity, which fuels and reinforces a 'collective consciousness of denial' (McGrath, 1995: 1). The basis for terms such as 'frontier conflicts' (Attwood and Foster, 2003), 'genocide' (Palmer, 2000), 'Stolen Generations' (Read, 1982)—all products of British settlers striving to displace the Aborigines from their land—has not been fully acknowledged yet (Johnson-Riordan, 2006). Over the years, important steps towards recognizing Aboriginal rights have certainly been taken, driven by growing internal pressure from Aboriginal movements and their advocates, in connection with mounting international criticism of the ethnocentric and racial approach adopted by Australian institutions. Yet Aboriginal peoples still live 'on the frontier' in their own country (Havemann, 1999: 1). In 1968, the anthropologist Stanner had lamented that Aboriginal people had been almost completely excluded from Australian history, except for the bare trace of 'a melancholy footnote' (Stanner, 2009, 190). The 'Great Australian Silence', as he named it, over the history between Indigenous and non-Indigenous Australians, still exists to this day (Broom, 2015). It's no wonder, then, that Indigenous people consistently protest against being framed as part of the multicultural discourse.

1.3 *'Boat People' in Italy*

Due to its centrality astride the Mediterranean route, Italy has become in recent years 'one of the most important gateways to the EU' (International Commission of Jurists, 2014: 3). Between January 1, 1999 and August 31, 2014, 494,555 migrants were smuggled to Italian shores (Fargues and Bonfanti, 2014: 7). In 2015 and 2016, these numbers were 153,842 and 181,436 respectively (Loria, 2017). According to the European Council on Refugees and Exiles (ECRE) (2014: 48), Italy currently records the highest number of arrivals by sea. The vast majority were recorded in the south of Italy, mainly Sicily (83%). The harbours which recorded

the highest number of landings were Augusta (25,624), Pozzallo (18,970), Catania (17,989), Messina (15,188), Palermo (15,083) and Lampedusa (11,557). As for the nationality of the migrants, most of them were from Nigeria (37,551), Eritrea (20,718), Guinea (13,342), Ivory Coast (12, 396), Gambia (11,929), Senegal (10,327), Mali (10,010), Sudan (9,327), Bangladesh (8,131) and Somalia (7,281). Yet boat arrivals represent only a fraction of the undocumented migrants residing in Italy. The majority of 'irregular' migration, in fact, consists of people arriving 'by plane or land, or as tourists who subsequently work and overstay' (Del Boca and Venturini, 2014: 5).

In recent years, border control measures, at both the Italian and European levels, have been intensified, mainly via bilateral agreements (e.g. with the former Libyan regime and Italy; Tunisia and France; Morocco and Spain), as observed by de Haas and Sigona (2012: 4). Although a more concerted effort has been gaining momentum, a true European response is still lacking (ECRE, 2014: 8). In November 2014, for instance, Frontex (the European border management agency) launched *Operation Triton* in response to the rising numbers of migrants trying to reach Europe across the Mediterranean. This new European Union mission began as the Italian rescue operation *Mare Nostrum* came to an end on October 31, 2014 (Motta, 2014). Yet, due to *Triton's* limited radius, the United Nations High Commissioner for Refugees (UNHCR) and human rights groups on several occasions expressed concern about the cessation of the Italian search-and-rescue operation. The UNHCR (2014) had previously welcomed *Mare Nostrum*, which helped in the rescue of some 150,000 refugees and migrants since the two tragedies off the coast of Lampedusa in October 2013.[4] It is questionable, though, whether Italian and European efforts have actually reduced the total number of people crossing the Mediterranean (Fargues and Bonfanti, 2014). In fact, as UNHCR's figures show, in 2015 over one million people (1,000,573) reached Europe across the Mediterranean, mainly to Greece and Italy (Clayton and Holland, 2015).

As de Haas (2007: 65) has argued, restrictive migration policies aimed at 'combating' irregular migration, rather than 'solving' this issue, produce more 'illegality' over time. In turn, the problem's persistence has pushed public institutions 'to adopt even more restrictive policies'. In a more recent study de Haas and Sigona (2012: 4) reiterated the warning that more border controls would only increase irregular migration. Francalacci (2014) argues that, during the calendar year 2013, landings on Italian shores tripled (with 42,925 arrivals compared to some 13,000 in 2012). This was also due to escalating civil war in Syria (Consiglio Italiano per i Rifugiati, 2014) to which Italy has shown itself ill-prepared. A similar situation had already

occurred in 2011, when the outbreak of the Arab Spring and the collapse of the social and political fabric in Libya generated a high volume of irregular arrivals (62,695 persons, mainly from Tunisia and Libya; Committee on Migration, Refugees and Displaced Persons, 2013: 1). Expressions such as 'human tsunami' and 'human flood' were used in order to implement emergency policy measures and a 'securitarian' regime (Garelli and Tazzioli, 2013). The immigration law has instituted 'reception centres', reiterating the language of hospitality, but stimulating highly politicized discourses around the notion of 'stranger', the alien who has to be kept under surveillance (Friese, 2010: 333).

If we consider that today only a portion of undocumented migrants (as of January 1, 2013 they were approximately 294,000 or 6% of the total foreign population; Fondazione ISMU, 2013) arrive in Italy by boat (for a map of major migratory routes to Italy see Canali, 2015), it could be argued that the push-back policy carried out by the Italian government from 2009 until October 2013, coinciding with the launch of *Mare Nostrum*, could not stop the rise of 'illegal immigration' or defeat its real causes (Hassan and Minale, 2010). Official records for the 2000-2006 period show a similar trend: between 4% and 16% of undocumented residents arrived in Italy by boat (European Commission, 2009: 73). The policy of externalizing border controls to North African countries (de Haas, 2007; de Haas and Sigona, 2012) certainly proved temporarily 'successful in reducing arrivals by sea' (Committee on Migration, Refugees and Displaced Persons, 2013). Relatively few arrivals were documented in 2009, 2010 and 2012 (9,600, 4,400 and 12,000, respectively). But the conformity of the Italian approach to international human rights and refugee law has been repeatedly questioned (Committee on Migration, Refugees and Displaced Persons, 2013: 5). At the same time, preferred routes into the EU had simply shifted, with many 'boat people' now going via Greece instead (Bethke and Bender, 2011).

1.4 *'Boat people' in Australia*

Asylum-seekers have been arriving by boat in Australia since the mid-1970s, when the first 'waves' were fleeing the Vietnam War. Over the next two decades, 'Australia was to resettle more than 100,000 Vietnamese refugees from various Asian countries. Only a small proportion, around 2000, came directly to Australia by boat to seek asylum' (Refugee Council of Australia - RCOA, 2012: 3). It is particularly in the wake of increased marine arrivals in 1989 that the Australian government strengthened its policies towards 'boat people'. In 1992, the Coalition (an alliance of largely centre-Right parties), by exploiting and contributing to public perception

of a migration 'control crisis', lent bipartisan support to mandatory detention (Garnier and Cox, 2012: 1). This involved excising external territories from the migration zone, and offshore processing. Enhanced coastal surveillance and increased engagement with transit countries such as Indonesia and Malaysia were also implemented to stop people smuggling at its source (Phillips and Spinks, 2013b: 10). Under the Howard government (1996-2007) the idea of 'armadas' of asylum-seeker boats coming to Australia was emphasized in order to spread the 'spectre of a "national emergency"' (Streatfeild, 2011: 51-52).

However, as Garnier and Cox (2012) argue, the differential treatment of asylum-seekers arriving by boat, the desirability of offshore processing, and the necessity of mandatory detention became part of a bipartisan consensus. In this context, Phillips (2009: 131) refers to the approach used by Australian armed forces, police and customs officials as if they were 'waging a war' on asylum-seekers to secure the nation-state's border. This takes the form of either spectacular mediatized incidents of violence or low-level surveillance, control and invisible violence. In a more recent article, MacCallum (2014) uses the 'language of war' concept to describe the Abbott government's political doctrine. According to him, a military campaign against asylum-seekers has been adopted as political camouflage, partly to inflate the importance of an 'irritant' issue, and partly to justify the cult of secrecy in order to cover government mismanagement. As Stratton (2009: 679) argued:

> The engineering of the Australian population's anxieties and fears around race and immigration, […] which were embodied in asylum seekers, served the same purpose for the eleven years the Coalition was in office.

Mid-2001 represented a crucial moment in Australian asylum-seeker policy (Klocker, 2004). Following a highly-politicized incident at the end of August 2001, in which rescued asylum-seekers on board a Norwegian ship (the *Tampa*) were denied access to Australia, the legislative scheme known as the *Pacific Solution* was implemented by the Coalition (Mansted, 2007). The new approach provided the government with the power, among other things, to remove any unauthorized ship from Australian waters while ensuring that no asylum applications were made by people on board the ship (State Library of New South Wales, 2011: 29). In September 2001, the terrorist attacks in the USA were a watershed in international relations among, and domestic policies within, various states. As Lafraie (2006: 110) argues, though, many countries, just like Australia, had already begun adopting tough policies and harsh measures towards asylum-seekers before 9/11. Then in early October 2001, just a few weeks prior to the federal election, the 'Children Overboard' incident was widely reported in the media, becoming a pivotal issue during the political campaign. The Australian government accused asylum-seekers

of throwing children into the ocean in an attempt to blackmail it into granting them asylum (Herd, 2006).

By looking at data elaborated by the RCOA (2016), Australia received 16,117 asylum applications in 2015 (20,677 asylum applications were still pending) and recognized 2,377 asylum-seekers as refugees (0.1% of the global total). This represents just 0.33% of the 4.9 million new asylum applications lodged in 2015 worldwide. As for the number of refugees recognized, registered or resettled in the same year, 0.48% were assisted by Australia (11,776 people). According to the RCOA, this is how Australia was ranked in 2015: 25th and 35th by total number of refugees and of asylum claims, respectively; 32nd and 45th on a per capita basis; 47th and 61st relative to national GDP. The number of asylum-seekers arriving in Australia by boat peaked at 25,173 in the financial year 2012-13. Boat arrivals dropped to 7,674 in 2013-14 and to 158 in 2014-15 (Parliament of Australia, 2017). In 2014, at least 348,000 people risked their lives in boats seeking asylum or a better life around the world. Interestingly, most of these (207,000) were recorded attempting to cross the Mediterranean, while approximately 54,000 people embarked on irregular maritime journeys in the Asia-Pacific region. However, the vast majority (53,000) departed from Bangladesh and Myanmar on their way to Thailand or Malaysia, and only a handful towards Australia (Phillips, 2015). As a consequence, the RCOA (2010: 1) states that 'these figures should put to rest any claims that Australia is being "flooded" by asylum seekers'. Nevertheless, successive governments and media have perpetuated the myth of Australia being swamped by 'boat people', with public opinion growing more hostile at the frightening idea of national borders being 'out of control' (Hartcher, 2013: 22).

2. Contemporary examples of dominant group supremacy and ethnocentric approaches

Recent approaches in dealing with marginalized Romani and Aboriginal peoples are emblematic. These two minorities represent a very small proportion of their national populations—0.25% in Italy (Associazione 21 Luglio, 2015) and 3% in Australia (Australian Indigenous HealthInfoNet, 2015)—and still suffer serious disadvantage due to a long history of discrimination and racism. To address this situation and improve these people's lives, the Italian and Australian governments have enacted what they both term 'extraordinary measures'. Although the 2007 NTER and the 2008 'Nomad Emergency' developed from very peculiar premises, their authoritarian tendency attracted bipartisan convergence and had similar effects on their targeted communities. The enactment of these policies aimed to address socioeconomic

disadvantage and contribute to a better quality of life among Romanies and Aboriginals. However, they amplified a well-established tendency to disempower and trap these peoples within a system of 'welfare dependency' (Anderson, 2007; Armillei, 2014b; Cugusi, 2011; Macoun, 2011). A lack of self-representation is often used to justify paternalistic approaches, while consolidating a well-rooted mechanism of control and assimilatory practices (Howard-Wagner, 2010; Office for Democratic Institutions and Human Rights, 2009).

In 2007 allegations of the sexual abuse of children in Aboriginal communities in Australia's Northern Territory brought Indigenous issues to national attention (Anderson and Wild, 2007: 7). This case was used by the Howard Coalition government as a way to implement an extraordinary measure, the NTER. In both cases, the declaration of a 'state of emergency' was strategically constructed by describing Romani and Aboriginal communities as 'national disasters' (Fiorucci, 2010; Manton, 2011) requiring special measures. In Italy, a number of high-profile crimes such as the violent murder of Mrs Giovanna Reggiani in October 2007, allegedly committed by people of Romani ethnicity, were extensively reported, exacerbating aggressive anti-Romani rhetoric (Amnesty International, 2012). The presence of Romani peoples came to be addressed as a security issue, leading to the 'Nomad Emergency'. Eventually, the NTER was 'presumed to be illegitimate', as recently stated by the Special Rapporteur on the situation of human rights and fundamental freedoms of Indigenous people (UNHRC, 2010: 8), and the 'Nomad Emergency' was considered 'unfounded and unsubstantiated', as reported by Amnesty International (2012: 8) in its recent briefing to the Committee on the Elimination of Racial Discrimination (CERD).

Yet an emergency-type of approach to these peoples is still in place today (Altman and Russell, 2012; Armillei, 2014a; Korff, 2015). This would suggest that, as theorized by Agamben (1998), lawful enforcement of a 'state of exception' can morph into a new permanent political category, despite the initial announcement of its provisional aim (Moreton-Robinson, 2009; Sigona, 2005). In Italy, although the government did not introduce a new official national policy to improve the conditions of the Romanies, it keeps promoting an emergency approach, based on the highly criticized 'camps policy' and forced evictions (Forleo, 2015). As for Australia, the 'Stronger Futures Programme'—a 10 years initiative introduced in 2011 (AHRC, 2012)—has replaced the previous NTER. Besides, these extraordinary measures were not the result of a sudden, unexpected situation requiring an immediate action, as the word 'emergency' might imply. On the contrary, the extreme poverty of the Romanies living in 'nomad camps' and of Aboriginal 'fringe dwellers' should be understood as the result of protracted institutional

racism towards them. In other words, the implementation of extraordinary measures was the result of a 'precise political will' (Guarnieri, as cited in Russo Spena, 2007, para. 3) or 'deliberate neglect' (Day, as cited in Crawford, 2013). This attitude has basically created the 'emergency' and the premises for a 'state of exception' as a circular response.

3. 'Ethnic democracy' at play

The model of 'ethnic democracy' was elaborated for the first time by Smooha in 2001. Its defining features, the circumstances leading to it and the conditions contributing to its stability had been originally introduced as applied to Israel, defined as an archetype and a springboard for its initial formulation. According to Smooha (2001), 'ethnic democracy' is inherently different from the two major western forms of democracy: liberal democracy (e.g. USA, France) and consociational democracy (e.g. Belgium, Switzerland). While in the first case 'ethnicity' is privatized, with the nation-state maintaining and fostering a single language, culture and identity in order to better assimilate the population, in the second one the main ethnic groups are recognized and managed through a series of mechanisms to reduce ethnic conflict (power-sharing, proportionality, veto power and politics of negotiation and compromise). As for the 'ethnic democracy', Smooha (2001: 477) points out the existence of states manifestly ethnic (e.g. Slovakia, Estonia, Latvia, all post-communist states defining themselves as states of a single ethnic nation), but also recognizes the spreading of this model among consolidating democracies with a record of ethnic nationalism.

In particular, Smooha refers to 'ethnicity', not 'citizenry', as the cornerstone of this type of democracy, which is characterized by the inherent contradiction between ethnic ascendance and civic equality. In fact, he used the term 'diminished' democracy to describe a state that, rather than serving all its citizens equally, privileges the majority and strives to advance its interest (Smooha, 2002: 478). In this context, the 'ethnic nation', while shaping symbols, laws and policies of the state for the benefit of the majority, create the 'others' as less desirable persons who cannot be full members of the society. Interestingly, Smooha (2002) also refers to a more recent, hybrid, form of democratic system, which he calls 'multicultural democracy'. Smooha describes in positive terms the shift towards multiculturalism that during the past thirty years characterized the liberal West (Smooha, 2002: 496). Surely by softening the dichotomy between liberal and consociational democracies, this emerging type of democracy recognizes cultural rights of minorities, but it neither makes these rights official nor institutionalizes the standard mechanisms of consociational democracy (van den Berghe 2002, cited in Smooha,

2002).

Enmeshed in different geo-political contexts, Italy and Australia have adopted their own cross-cultural paradigms towards cultural diversity—interculturalism and multiculturalism, respectively—with the official aim to foster tolerance of ethnic heterogeneity. This paper suggests that, despite established rhetoric emphasizing inclusion, supposedly providing 'non-core groups' with more political participation, influence, and improvement of status, these two countries' policy approaches could be better described as forms of political theatre/rhetoric (Kymlicka, 2012: 214). Following the model of 'ethnic democracy' theorized by Smooha (2001), in both the Italian and Australian contexts the (White) 'core ethnic groups' have enjoyed institutionalized supremacy long before the introduction of democracy. In the first case, Mussolini had succeeded in re-activating a number of latent *Risorgimento* (which literally means resurrection) topoi, such as the sense 'of belonging to a distinct racial family, ethnic community', or 'stock' (Re, 2010). In the second case, instead, the British colonizer, with the introduction of the 'White Australia policy', started shaping the human landscape, by dispossessing Aboriginal peoples of their land and restricting the immigration of non-White people (Veracini, 2010). Since the end of the Second World War the previous discriminatory government doctrines were slowly dismantled.

Yet, following the model elaborated by Smooha, instead of renouncing their traditional, structured dominance, there are clear signs of 'core ethnic groups' trying to make the new democracy serve them in a form of 'ethnic democracy'. In Italy, for instance, until the early 1980s Fascists came to play a key role as an anti-communist entity and there was a combination of *coups d'état* attempts and terrorism possibly aiming at establishing a military state (Celani, 2004; Roberts, 2010). In Australia, instead, with the massive arrival of 'continental European immigrants', the 'Anglo-Celtic factor' maintained the privilege to 'manage' multicultural settings and decide on the relative positioning of different ethnic groups within the national framework (Hage, 2000; Jakubowicz, 2003). More recent authoritarian approaches, particularly directed against 'non-core' ethno-cultural groups (immigrants, national minorities, Indigenous peoples), promote an ongoing sense of threat, which represents one of the condition for the survival of the 'ethnic democracy'. Interestingly, there is a well-established attitude among Italian and Australian mainstream societies to sustain the emergency policies constantly reiterated by the government of these two countries. In the case of 'boat people', this is often the result of misinformation and confusion concerning 'unauthorized/illegal' arrivals (Isernia and Olmastroni, 2014; Markus, 2014; Pagnoncelli, 2014; Phillips and Spinks, 2013a).

Conclusions

In the last few decades the Mediterranean and Pacific have been crossed by the centripetal trajectories of people in their hundreds of thousands fleeing war, violence and persecution. Italy and Australia slowly became two major destinations for migratory flows, coming mainly from African and Asian countries, respectively. Often, such migrants embark on a risky boat journey in hopes of getting to a safe haven. Unfortunately, tragedies at sea are not uncommon, with ships sinking on these perilous voyages and people perishing in their quest for a better life. Governments in Europe and the Asia-Pacific region have tried over the years to introduce more co-ordinated and centralized measures to help stop irregular migration and prevent the increasing number of deaths at sea. This phenomenon cannot be stopped without considering its linkage to policy and socioeconomic conditions in the sending and receiving countries. Italy and Australia,[5] in fact, have rarely used their diplomatic and economic power to directly address the causes of these flows. In many cases their actions have actually had the opposite effect, contributing to or even perpetuating the conditions that cause people to move.

Until now, political debate on this issue and the practices adopted by both governments were generally about preserving national security and 'stopping the boats', extraterritorial processing and repatriation, rather than about human rights and global responsibilities. Although 'boat arrivals' make up only a small proportion of 'illegal' immigrants in either country (Phillips, 2015; Blangiardo and Cesareo, 2013), the growing popular perception is of being 'swamped' by 'irregular' maritime arrivals. In addition, there is nowadays a perception that ethnicity and crime are connected, reinforced by a negative discourse about immigration (especially the issue of undocumented migrants and refugees). This concern, which takes the form of a 'moral panic', is exaggerated, as shown in a number of studies (e.g. Collins, 2007; de Haas and Sigona, 2012; Mares, 2011; Van Dijck, 2006), and the fear of crime is disproportionate to reality. This over-reaction in both Italy and Australia could be better described as continuance of 'othering' those who are different, and ethnic nationalism. This often leads to criminalizing entire communities and cultures, rather than mere individuals. That Italy and Australia increasingly penalize asylum-seekers entails a clear shift from 'democracy' to 'security' in a world of citizenships and circulation. Despite using wide discretional power, they have not yet been able either to prevent the upsurge in 'illegal immigration' or to resolve its real causes.

The case of the 'boat people' has been placed within a wider historical perspective. Rendered visible from this perspective are long-term continuities between contemporary Italy

and Australia and the darkest pages of their national histories—the 'Fascist' and 'White Australia' eras, respectively. Although a clear attempt was made to forge a new national identity from their ashes, 'imagined communities' are political projects that do not emerge in a completely arbitrary way (Anderson, 2006). Through the use of a selective national narrative, many aspects of Romani and Aboriginal histories have not yet been officially recognized, signalling a trend to 'whitewash' all traces of an inconvenient past (Baldini *et al.*, 2003; Stanner, 2009). Given the persistent inequality affecting Romani and Aboriginal communities alike, members of certain minorities are touched by several discriminatory issues. This particularly involves African communities and people of Asian, Middle Eastern and Muslim backgrounds, refugees and asylum-seekers (CERD, 2010; European Commission against Racism and Intolerance, 2012). In contemporary Italy and Australia, the rise of ethno-nationalism and legacies of past colonialism are now contributing to an institutional notion of supposed 'Italianness' and 'Australianness', clearly based on excluding the 'other' (Gummow, 2011; Jakubowicz, 2009; Merrill, 2014). The model of 'ethnic democracy' elaborated by Smooha (2009) is, thus, useful to describe both nations' political systems.

Notes

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[1] Our goal was not to verify or assess the effectiveness of immigration policies. We acknowledge the existence of a controversy around this issue. Some scholars have argued that states' policies have been largely ineffective in curtailing migration. Others instead highlight the level of sophistication reached by migration policies, with visa requirements and stricter border controls being able to affect the magnitude and composition of immigration flows (see for instance the comprehensive study by Czaika and de Haas, 2013). This paper rather tries to link past authoritarian stances with contemporary anti-immigration policies.

[2] See Rhiannon Noel Welch's (2016) book *Vital Subjects: Race and Biopolitics in Italy* for a comprehensive contribution to our understanding of the Italian post-unification period (1861–1920). By putting under rigorous scrutiny the Liberal era, the author investigates the key role played by racial discourse and colonial endeavour in the definition of modern Italian identity. The notion of white 'prestige' was promoted well before Fascism officially embraced biological racism in 1935.

[3] It is worth noting that the Italian culpability for the persecution of Jews also remains relatively unknown, and largely unacknowledged by Italians (Pavan as cited in Vitello, 2010). Yet, while the Jewish Holocaust is today highly recognized, the experience of the Romanies has remained on the periphery of genocide scholarship and is hardly ever analysed as a case of genocide in its own right (Armillei, Marczak, and Diamadis, 2016).

[4] The Mare Nostrum Operation was a year-long naval and air operation launched by the Italian government due to the dramatic increase in migration flows in the Strait of Sicily.

[5] It is worth mentioning the 'migration compact' proposed by the Italian government to the EU. Yet, the common debt issuance to fund the response to the refugee crisis proposed by former Renzi government has been repeatedly rejected by the German government (Barigazzi, 2016). At the moment, the lack of a truly European approach is thus impacting on the failure of the Italian government to address this issue (Armillei, 2017). As for the policies adopted by successive Australian governments towards asylum-seekers, these are based on deterrence with mutual commitment and cooperation with partners across

the Asia-Pacific region (UNICEF Australia, 2016).

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Navigating Two Languages - Immigrant Integration Policies in Bilingual Finland

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Abstract

Immigration into states with historical linguistic minorities creates the dilemma of which language newly arrived immigrants should learn in the state-provided integration programmes. Research has shown how territorially concentrated historical minorities have used immigrants to favour their own nation-building projects. While these minorities to some extent operate like a majority within their federal state or province, this paper explores how constitutionally bilingual Finland, having a Swedish-speaking non-territorial minority with the same linguistic rights as the majority, governs immigrant integration. It investigates the implications of the strong legal and weak societal status of Swedish for immigrant integration by connecting scholarship on liberal multiculturalism and integration in multilingual states to laws, reports and interviews on integration in Swedish-speaking Finland. It shows tensions between Finland-Swedish integration aspirations and state level policies promoting a majority-monolingual integration. Unlike minorities with federal protection, the non-territorial Swedish-speaking minority largely relies on the voluntary choice of immigrants to choose Swedish as their language of integration. Structural obstacles, however, hinder this choice in bilingual regions, having resulted in political debates and actions. This article bridges research on Finnish multiculturalism and research on integration policy in contexts where historical minorities are present by introducing a non-territorial, formerly dominant minority to the research field.

Keywords: integration policy; immigration; historical minorities; linguistic minorities; Swedish-speaking Finland; multiculturalism; language policy

With growing immigration to Western Europe, integration policy is increasingly debated. A command of the national language is often presented as a key for successful integration. However, the existence of so-called historical minorities (non-dominant, historically present linguistic groups with some form of recognition, such as autonomy or self-determination) challenges the idea of one national language. Immigration to states where such historical minorities exist means that some immigrants are confronted with the choice to learn either the language of the minority, that of the majority, or possibly both, and politicians are confronted with the issue of how to govern multilingualism in integration policy. This governance is crucial for minorities for whom language is a central concern. Immigration can influence the demographic balance between the minority and majority as well as the linguistic composition of the state, including territories where the historical minority is in majority: if the linguistic balance shifts to the detriment of speakers of the minority language, the claims to linguistic accommodation towards the central state could be weakened (Barker, 2015: 25). This dilemma has attracted surprisingly marginal attention in previous research on immigrant integration and minority research, given that the increasing plurality in the wake of immigration to Western Europe also affects pre-existing minorities.

Political reactions to the language choice of immigrants in multilingual states have varied from leaving the choice and responsibility of language learning to immigrants in Italian trilingual South Tyrol (Zuber, 2014: 6) to pushing immigrants to choose French over English in Canadian Quebec (Kymlicka, 2001b: 278) and Catalan in Spanish Catalonia (Jeram, 2014: 232). These cases of linguistic nationalism (Jeram, *et al.*, 2016) can be contrasted to Finland where the constitutional status of the non-territorial minority language Swedish is equal to that of the majority language, also in the legislation regulating the state-provided integration courses. This provides an intriguing case to investigate: could the Finnish case provide a model for integration where language choice is based on immigrants' wishes, even though language education is regulated by the state? Unlike most minorities analysed in previous research on this topic, the Swedish-speaking Finns are a non-territorial, formerly dominant minority (Kaufman, 2004: 2) that largely held the political and administrative power in Finland until the

late nineteenth century (Meinander, 2016: 9). Today they still have a strong legal position yet experience a weakening societal position. Could the strong legal position possibly provide a path towards a multilingual integration policy? What implications does the relatively weak societal position of Swedish have for immigrant integration? What differences and similarities of integration governance can be identified between multilingual states having territorially concentrated minority languages with federal protection and Finland with a non-territorial, constitutionally official de facto minority language? This paper also discusses the recent political attention to the question of Swedish as the language of immigrant integration courses and services, having been followed by a boom of policy initiatives to promote the Swedish language "path", namely the option for immigrants to go through the integration process in Swedish rather than Finnish. By investigating how integration is governed in a state where the linguistic minority enjoys identical legal rights to the majority, the paper contributes to the understanding of how the rights of historical minorities influence newly arrived immigrants and vice versa.

Finland in scholarship on minorities and immigration

Even though research has been carried out on Finland-Swedes and multiculturalism theories (see e.g. Lepola, 2000; Wahlbeck, 2013; Saukkonen 2014), the question of the Swedish language integration "path" in Finland has been virtually absent in the scholarship on integration and historical minorities. However, two reports financed by Finnish-Swedish actors have been written on the topic, one on individual immigrants' perspectives on Swedish as a language of integration (Creutz and Helander, 2012), and another on the more organizational aspects of the Swedish language in Finnish integration policy (Helander, 2015). Furthermore, master theses have been written on the subject (see Kuitunen, 2011; Moilanen, 2014; Teikari, 2015; Saatsi, 2016). The present paper combines a number of sources on the Finnish case with liberal multiculturalist theorizing on integration and historical minorities. In addition to the reports on Swedish language integration, relevant laws, political statements and media sources are analysed. Also, findings from an expert interview conducted in Helsinki on October 29, 2016, and from informal interviews with persons working with integration in Swedish participating at the Finland-Swedish integration days in Helsinki on November 28-29, 2016, are included. The paper aims to bridge the scholarly gap in the research on Finnish multiculturalism and the research on integration in contexts with historical minority presence, and by doing this introduces a non-territorial, formerly dominant minority to the research field

dominated by empirical research on territorially dominant minorities with past oppression experiences.

In the following I first provide a discussion on the group-differentiated rights between "old" and "new" minorities with a focus on Will Kymlicka's scholarship, followed by an overview and discussion of previous research on political reactions to immigration into contexts where historical minorities are present. I will then introduce the Finnish case (however excluding the autonomous monolingual Åland islands) and analyse aspects relating to integration in the Swedish language, such as the non-territorial, municipal demographics-based organization of the minority language infrastructure, the political aspect of Swedish in Finnish integration policy, and factors regulating the immigrants' language choice. The paper will end with a concluding discussion summarizing the implications for research on integration in historical minority contexts.

1. **Minorities and liberal multiculturalism**

Western multiculturalism policies and scholarship are largely dominated by the idea of liberal multiculturalism. Will Kymlicka, a leading scholar in this field, sees liberal multiculturalism as a reaction to the homogeneous nation-building projects that have historically tried to eradicate minorities, and calls for group-specific protection toward minorities, enabling minority groups to persist within the larger nation-state (Kymlicka, 2007: 64-66). Rather than rejecting nationalism, liberal multiculturalism involves multiple nation-building projects where historical minorities and indigenous groups create their own nations (Kymlicka, 2007: 84). Minority rights are, in the liberal multiculturalist logic, divided into three separately governed "tracks", namely indigenous peoples, national minorities, and immigrants. This divide is based on factors such as, for example, how long the groups have been in the country. There is a hierarchical difference in the rights status of indigenous groups and national minorities (so-called "old" minorities) compared with the more modest rights of immigrants ("new" minorities) who are left without the possibility to build a "robust nation". Bhikhu Parekh (2002: 102 and 109) criticizes Kymlicka for the vagueness of his motivation for the "different moral weights" of their claims and rights. Indeed, it is unclear when a group has been in a country long enough to merit an advancement from "integratable" to protectable. Hence, while the majority and the recognized minorities have a moral right to pursue their respective nation-building projects, immigrants are expected to integrate into the national context of the host society, and only enjoy modest forms of cultural recognition (Kymlicka, 1995: 78-79).

Since immigrants are to integrate into another nation, they are confronted with a nation-building project that tends to be exclusionary towards the "outgroup", no matter whether they are a minority or majority. Kymlicka, however, sees no risk that national minorities would use their self-governing power for tyranny or theocracy. He acknowledges that there are "illiberal" elements within minority nationalist movements, such as Basque anti-immigrant wings or Flemish nationalism, but believes that the liberal values will take root in both minority and majority groups through the "liberal expectancy" (Kymlicka, 2007: 94-95). However, "illiberalism" is a component of all liberal, Western societies in the form of (among others) religious groups or conservatives (Parekh, 2002: 112). An example of "illiberalism" can be the sometimes assimilationist civic integration policies (Banting and Kymlicka 2012: 16) practised also among some minorities, such as the aforementioned Flemish. Relying on the liberal expectancy may then be simplistic; "illiberal" thoughts and policies can be and are found among majorities and minorities alike. It may thus not be that much of a difference for immigrants whether the new host nation is in majority or minority: the immigrants will be required to adapt to the new host nation's requirements, and a minority is not necessarily more inclusive or exclusive than a majority would be. A question to be asked, however, is what happens when Kymlicka's minority "tracks" overlap in the case of immigration of a "new" minority into a context where a historical minority is present.

1.1 *Integrating into a historical minority*

The relation between minority nationalism and immigration need not be incompatible. We would, nevertheless, expect tensions and vulnerabilities due to the already existing power imbalance between the dominant majority and the historical minority, an asymmetry that can be seen to culminate in the question of immigrant integration. According to Kymlicka (2001a: 75-76), a minority should have the right to exercise control over first, the volume of immigration in order to ensure that the immigrants can be integrated, and second, the terms of integration, in particular policies that encourage or pressure immigrants to choose the minority culture over the majority. This claim could be criticized for being "illiberal", especially when exercised by a majority state. In Kymlicka's reasoning, it can, however, be legitimized for minorities when acknowledging past state settlement policies that aimed to weaken and disempower minorities on their own territory, having been imposed in particular on North American indigenous populations (Kymlicka, 2001b: 73).

The settler-colonial context is, however, not necessarily generalizable to a European non-indigenous context, especially in cases such as the Finnish where the former "colonial" ruling elite now constitutes the historical minority. The minority has in these cases hardly any experience of past assimilation. The right to exercise control of immigration would in this case be legitimized by the *future* survival of the group rather than past oppression, something also Taylor (1992: 58-59) sees as the base for Québecois language policy. Research on minorities with past assimilatory experiences, or experiences of state settlement policies with the aim of undermining the minorities, such as Quebec, Catalonia, and Scotland, shows they are rather favourable of immigration (Kymlicka, 2011: 295). Jeram and Adam also note that the narrative of past cultural oppression in Flanders and the Basque country contributed to a pro-diversity position toward immigrant integration among minority elites, making the parallel between their own struggle against assimilation and the diversity of the newcomers (Jeram and Adam, 2015: 243). In South Tyrol, however, past settler experiences can be seen to influence some of the negative minority party discourses on immigration (Wisthaler, 2015). While the question of past oppression indeed needs further attention in the scholarship on historical minorities and integration (Jeram and Adam, 2015: 245), one could argue it is the concern for a future survival that binds these minorities together.

A perceived "demographic crisis" (Barker, 2010: 20) was indeed what spurred Quebec's integration policy. Following fears that English would become dominant since immigrants tended to live in English rather than in French, Quebec defined French as the public language in the province (Banting and Soroka, 2012: 159-160). The Quebec government has passed several laws regulating the use of English in order to ensure *la survivance*: immigrants or Francophones are not allowed to send their children to English-language schools, bigger businesses should be run in French, and commercial signage should be primarily in French (Taylor, 1992: 52-53). Bilingualism, or choosing English, is thus not a choice: the minority language is "imposed" instead of the majority language, a policy highly successful in increasing the number of immigrants becoming French speakers (Kymlicka, 2001a: 76). Furthermore, Quebec has used its policy power to deliberately encourage Francophone immigration to Quebec (Barker, 2010: 24). This relates to what Kymlicka notes: 'a successful form of multicultural integration may be more complicated, and in some ways less liberal, than those which the majority can adopt' (Kymlicka, 2001a: 79). This "less liberal" integration has as its aim to assure the future of the French language in Quebec: 'Policies aimed at survival actively seek to *create* members of the community, for instance, in their assuring that future generations

continue to identify as French-speakers. There is no way that these policies could be seen as just providing a facility to already existing people' (Taylor, 1992: 58-59).

Catalonia has a similar model, where the integration policies have historically aimed at assimilating the Castillian immigrants in Catalan, a model now used also for non-Spanish migrants. The Catalan law expects the implementation of integration policies to take place in the Catalan language. They define the target culture of immigrant integration 'in minority-monist terms, i.e. into the Catalan language and culture' (Zuber, 2014: 12-13). This model simply follows the logic of a nation-state, in line with the Catalan aspiration for independence.

Bilingual Belgium employs a divided model for integration where integration policy is separated between Flemish (Dutch) and Walloon (French). The Flemish (civic) integration is interventionist, assimilationist, and multiculturalist, while the Walloon is *laissez-faire* assimilationist (Adam, 2013: 557). The threat of disappearance of Dutch in Brussels, and the perceived ease of integrating into the French language community possibly explain the higher emphasis of assimilation in the Flemish policies. Indeed, Flanders has invested more in integration policies than the Francophone parts (Adam, 2013: 560). Rather than bilingualism or multinationalism, the Belgian integration supports separated nation-building where especially the Flemish have felt the need to ensure that more immigrants assimilate as Flemish by regulating integration.

The focus in the research on these linguistic nationalisms discussed has mainly been on how the minorities handle the implications immigration may have for them. The technique employed by these minorities to ensure that immigration strengthens their nation seems particularly to be making sure that immigrants gain proficiency in the minority language while leaving majority language acquisition outside of the integration policies. Indeed, this is an understandable reaction to the fear of linguistic shifts: learning the minority language would possibly be done by a rather marginal group of immigrants without these policies, while majority language acquisition often occurs even in the absence of policies supporting it. Another way to view the issue, however, could be to claim that immigrants should have the right to acquire the tools to navigate the multilingual system according to their own preferences, rather than being part of minority nation-building projects. While immigrants should integrate to the "societal culture" of their new host country, their integration should also be enabled, and mainstream society should also adapt to immigrants (Kymlicka, 1995: 96). Can it not be claimed, then, that a bilingual country should provide access to both its languages and nations in its integration policies? Or should the immigrant even have the responsibility to learn both

majority and minority languages, as possibly the native population has during compulsory schooling?

With a more multinational model of integration, immigrants would not need to be excluded from one of the nations, while more people would possibly take the opportunity to learn a minority language. Rather than pushing immigrants to one model, such as in the cases discussed in this paper, Kymlicka (2011) calls for multinational models of citizenship. This could possibly also be more advantageous for an immigrant, getting access to both "nations", while in the meantime strengthening the multilingual nature of the state. The current, mono-national integration policies may result in a gap between the different citizenship narratives taught within a multination state, be it the minority or majority narrative: "Receiving mixed messages about the nature of the state is one of the things that citizens in multination states need to be able to work through. A more serious problem arises when the messages people receive in different parts of the country increasingly diverge" (Kymlicka, 2011: 297). As a solution to these discrepancies in the citizenship narratives, Kymlicka suggests not to develop consensus on one narrative but rather to educate citizens on all the different citizenship approaches (Kymlicka, 2011: 299). Miller (2011: 306), however, finds that immigrants should be encouraged to adopt a "nested" identity, for example if settled in Scotland adopting both a Scottish and British identity just like most native-born Scots do. However, in Scotland and other countries of the United Kingdom language could be claimed to play a lesser role to the question of identity than to minorities characterized by linguistic nationalism, perhaps since the British minority languages are rather competing for survival under English domination than being used in wider society. How is a less discrepant citizenship model, or a "nested" identity, possible in a multination state with language as the main dividing boundary if immigrants are proficient only in the minority or majority language and not both?

Kymlicka calls for research on how new models of multicultural citizenship can build upon older models (Kymlicka, 2011: 299). The Finnish case provides an interesting possibility to explore this question: the citizenship agendas of Finnish and Swedish speakers do not have major differences, apart from the language question: Finland can be seen as one nation with two languages. Could this apply to the Finnish immigrant integration policy and citizenship model offered to immigrants as well—a truly bilingual model, that unlike models with differing and discrepant citizenship narratives, fits two languages into one nation?

2. Swedish-speaking Finland and immigration

Swedish is one of the oldest languages spoken in the territory that today comprises Finland. The Kingdom of Sweden ruled Finland for centuries, until it lost Finland to Russia after the Swedish-Russian war in 1809. The societal elite of Finland operated mainly in Swedish until 1870, and Finnish gained status as an equal administrative language to Swedish only in the mid-1880s, leading to the Finnish language gradually taking over in various societal sectors (Meinander, 2016: 9). The concept *finlandssvensk* (Swedish-speaking Finn) was coined in 1906 (Meinander, 2016: 14), the same year as the Swedish People's Party, aiming to ensure the rights of the Swedish-speaking population, was founded.

In 1900, the proportion of Swedish speakers of Finland's population was 12.9%, which can be compared with 5.3% in 2015 (Statistics Finland, 2016b). In addition to the decreasing demographic trend, the situation of the Swedish minority is an eternal subject of contestation, and can be claimed to suffer from an overall "negative trend" (Söderlund, 2013). The status of the Swedish language is questioned by the second biggest governing party, the right-wing populist *Finns*, and since 2015 the Swedish People's party is not part of the national government for the first time since 1979 (Suominen, 2015). There is also an increasing number of Swedish-speaking Finns emigrating mostly to Sweden (Sundholm, 2015), and a decreasing number of Swedish speakers in the Helsinki region (Meinander, 2016: 164).

Despite the weakening situation of the Swedish language in Finland, the Finnish legislation does not differentiate between the Finnish and Swedish languages, yet implementation is lacking across many parts of the country with a Finnish majority. A large number of the Swedish speakers in Finland are bilingual (Meinander, 2016: 163), which means Swedish speakers using Finnish rather than Swedish in public space is common. However, this is not reflected in the language laws and policies that operate with monolingual dichotomies: schools are either in Finnish or Swedish, and one can be registered as either a Finnish or Swedish speaker, not both.

2.1 *Immigration into Finland*

Finland has in the past decades switched from a country of emigration to a country of immigration. In 2015, 6.2% of the around 5.5 million large Finnish population consisted of persons with foreign origin, i.e. of persons whose parents or only known parent was born outside of Finland (Statistics Finland, 2016b).

The number of persons registered as having a mother tongue other than Swedish (290,161 persons) or Finnish (4,865,628 persons) in 2015 were Russian (72,436 persons), Estonian (48,087 persons), as well as Somali, English, Arabic, Kurdish and Chinese, each having between 11,000 and 17,000 speakers. In 2015 there were 32,476 asylum applications, which can be contrasted to the previous years with around 3,000 applications per year. Finland receives 1,050 so-called quota refugees annually through resettlement, and around 1,000 persons through family reunification (Statistics Finland, 2016b).

One-fourth of the persons with foreign origins live in the Helsinki region, where almost all municipalities (including the largest towns of Helsinki, Espoo and Vantaa) are bilingual Finnish-majority and Swedish-minority municipalities by their administrative structure. Municipalities having among the largest proportions of foreign residents are the Swedish-majority Korsnäs (9%) and Närpes (10.6%) (Statistics Finland, 2016c). The allocation of immigrants to bilingual municipalities has significant implications for the implementation of Swedish language integration policies due to the territorial organization of Finland.

2.2 *Territorial organization and the language legislation*

The territorial organization of language rights is crucial to take into account while discussing the role of the Swedish language in integration policy. Since Finland is a unitary state with two official languages, the language infrastructure differs from that of many other countries with strong protection of linguistic minorities. Instead of having a federal state ruled by minority representatives, or an autonomous province providing infrastructure in the minority language, the Swedish speakers' language rights depend on the number or proportion of Swedish speakers in the Finnish municipalities. Integration policy is implemented in Swedish only in bilingual or monolingual Swedish municipalities (Helander, 2015: 14). A Finnish municipality is classified as bilingual if there are Finnish- and Swedish-speaking residents of which the minority makes up at least 8% or at least 3,000 residents (Language Act, 2003: Section 5(2)). The linguistic boundaries in Finland are thus reviewed every ten years (Language Act, 2003: Section 5(1)), resulting in a shift from monolingual Swedish municipalities to bilingual due to a proportional decrease of Swedish speakers to Finnish speakers and speakers of other languages (McRae, 2007: 17). In 2015 Finland was divided into 317 municipalities, of which 301 were in continental Finland and 16 in the monolingual Swedish Åland islands. Out of the 301 continental municipalities, 33 are counted as bilingual. Eighteen of these are majority Finnish and 15 majority Swedish. This classification is valid until 2022 (Government Decree

13.12.2012/53), unless a municipality applies for a changed status between the censuses (Vattulainen, 2016). In continental Finland there are no longer any monolingual Swedish municipalities. The last monolingual Swedish-speaking municipality, Närpes, became bilingual in 2016, having applied for bilingual status for financial reasons, since only bilingual municipalities get language-based financial support as of 2015. The loss of the monolingual Swedish status, however, awakened resistance among some residents who sued the municipality to Vaasa Administrative Court (22.12.2014/0514). Yet the case was rejected, as was also the appeal to the Supreme Administrative Court (04.05.2015/1149), resulting in Närpes becoming bilingual.

The Finnish unitary state, where municipal demography is decisive for language rights, can be contrasted to Quebec, where "the federal government plays a leading role, setting the parameters governing immigration and settlement programmes" (Banting and Soroka, 2012: 160). Finnish-Swedish politicians cannot, unlike the Quebec government, by law regulate the language choice of immigrants in bilingual areas. In some Swedish-majority municipalities the integration policies are mostly implemented in Swedish, as also the surrounding society operates in Swedish. This is, however, rather the exception: Swedish speakers are in a political minority position in most municipalities, in addition to a weak position in national level politics. On the other hand, the constitutional status of the language enables an implementation of Swedish-language infrastructure even in areas where the language is a weak minority, something that is hardly possible in most federal, multinational states. The Swedish-speaking politicians, public officials and non-governmental workers in bilingual Finland, then, have different measures available than many federal states in order to ensure an integration policy in the Swedish language, focusing on implementing the existing language laws.

The strong legal status of the Swedish language in Finland means little in practice if not effectively implemented. Since most Swedish speakers reside in Finnish-dominant environments (41% live in bilingual majority-Swedish, 53% live in bilingual majority-Finnish, and 5.8% in Finnish monolingual municipalities (author's calculation based on Statistics Finland, 2016a)), the language law is often implemented only after the Swedish service is demanded by Swedish speakers. This is why having a certain proportion of Swedish speakers in a municipality may be significant for the situation of Swedish in public spaces, such as the provision of Swedish language schools or health care.

As Kymlicka states (2011: 292), immigrants do not necessarily identify with the minority-nation-building project, yet their choice of language affects these projects. This can be applied

to Swedish-speaking Finland, where immigrants who have learned Swedish but not Finnish contribute to the position of the language by using Swedish in public life. Being conscious of the strong legal situation, yet with weak skills in Finnish, these persons demand services in Swedish from the often-reluctant Finnish authorities then needing to comply with the law. Unlike these immigrants, many Finland-born bilingual Swedish speakers choose to speak Finnish in the public space, or choose to navigate in the Swedish-speaking places with which they already are familiar. Immigrants, on the other hand, may be more persistent in demanding the legal right of getting service in Swedish since they have not since childhood been socialized to the often-gloomy reality of lacking implementation in contacts with the administration (Creutz and Helander, 2012: 53).

This is of interest while considering Kymlicka's statement of immigrants and minority nationalism: "So even if immigrants do learn the minority's language and integrate into the minority's society, they are still unlikely to support nationalist mobilizations. They may join the minority nation, but they are unlikely to become minority nationalists" (Kymlicka, 2001: 67). A Swedish-speaking immigrant not proficient in Finnish in bilingual Finland may become a supporter of Swedish language rights, albeit not consciously or voluntarily. According to the informants there is a consciousness of the challenging practical reality of being a Swedish speaker in bilingual areas among many integration actors, acknowledging that the question of integration in the Swedish language should not be a "Swedish nationalist" political question. Furthermore, the informants pointed out that pushing for implementation of the language law cannot be put to be the task of Swedish-speaking immigrants, but that choosing Swedish over Finnish should rather be an option for all immigrants who find it more beneficial to their individual needs and situation.

2.3 *The Swedish language in Finnish integration policy*

Although in a minority position today, Swedish used to be the dominant language of politics and culture in Finland, and therefore it was also the language many newcomers to Finland opted to learn in the past centuries. One example of a person living a life in Swedish in Finland was the composer of the Finnish national anthem, the German Fredrik Pacius (1809-1891), but also several other prominent persons within various industries and the cultural sector (Laakkonen, cited in Creutz and Helander, 2012). Yet this trend has shifted: Finnish is now the language of power, and Swedish has become marginalized as a societal language and therefore also as a language immigrants choose to learn. An exception to this is Swedish-majority Ostrobothnia,

where newcomers have integrated by learning Swedish over Finnish since the 1980s (Ivars, 2016), and where a considerable proportion of Finnish quota refugees are welcomed (Sundbäck, 2017). In 2015-2016, 1662 immigrants in total attended Swedish language courses or integration courses in Finland, many of whom resided in Ostrobothnia. In the bilingual Helsinki region, on the other hand, only nine persons were queuing for a Swedish integration education in May 2017, compared to 600 for the Finnish (Sundbäck, 2017). Finnish-majority municipalities and the central state have perhaps not been that open to accommodating Swedish, an illustrative example being that until 2000 all immigrants were registered as Finnish speakers, thus receiving the official letters from the state in Finnish even though some *de facto* learned Swedish upon immigration instead of Finnish (Nordman, 2002).

Integration policies in Finland are mainly regulated through the Act on the Promotion of Immigrant Integration ((1386/2010), hereafter "Integration Act"), whose implementation is managed by the Ministry of Economic Affairs and Employment's ELY centres (Centres for Economic Development, Transport and the Environment). Integration policy is implemented together with municipalities, Employment and Economic Development Offices (hereafter "employment offices") and non-governmental organizations (NGOs) (ELY-Keskus, 2017). The major goal of Finnish integration policies is facilitating that immigrants get employed. Employment offices have a significant role in the integration of adult immigrants, since they pay unemployment benefits during the integration courses to those unemployed. The immigrants can choose between taking a course organized by the employment office or conducting independent studies elsewhere with financial support from the employment office. Opting for independent studies is possible if the employment office agrees to it and sees it as enhancing the chance of employment of the immigrant. The majority (ca. 80%) of the integration courses taking place in Swedish are not organized by the employment office but by various third sector actors. The independent way for integration has, according to informants, been found to be more holistic, taking into account also the social aspect of integration, and involving local NGOs. However, privately organized courses are often, unlike the state courses, subject to fees (Sundbäck, 2017).

In the Integration Act (1386/2010 Section 2(11)), the two state languages are treated separately yet equally: the immigrant needs to learn Swedish *or* Finnish, leaving bilingual solutions out of the state's responsibility and out of the legislative integration agenda. On the other hand, the authorities should, according to the law regulating bilingualism in Finland (Language Act 423/2003), foster the linguistic heritage of the country and promote the use of

both national languages. This indicates an incompatibility between the two laws. While the Integration Act requires one language to be used, the Language Act calls for the vitality of both languages. The Language Act does not mention immigrants and integration policy at all. This can be seen as a paradox between the laws, pointing to the governance challenges in the case of overlapping historical minority language policies and immigrant integration policies.

Despite the "blindness" to bilingualism in the Integration Act, there is no hierarchical bias between the languages in the Act, or in other legislation. This means, for example, that Finnish and Swedish are equal when it comes to language requirements related to citizenship acquisition. In order to become a Finnish citizen, one needs to prove sufficient skills in Finnish *or* Swedish. This is turned to an advantage by some. Since choosing Swedish rather than Finnish is no impediment for naturalization, some immigrants opt to learn Swedish because it is perceived as easier to learn than Finnish, as it belongs to the Indo-European language family (like e.g. English), and therefore enables a quicker way for acquiring Finnish citizenship (Teikari, 2015: 30).

Does the Finnish model then enable a bilingual integration? If a person wishes to attend a Swedish course, but already has attended a Finnish course financed by the employment office, it is usually not allowed, due to cost reasons (Saatsi, 2016: 45). This applies even if, for different reasons, an individual has not yet been able to acquire satisfactory Finnish skills, for example due to immediate unemployment after the Finnish course, and would be keener to learn Swedish for various reasons. The issue of costs has consequences also in some majority-Swedish bilingual municipalities. Quota refugees settled in majority-Swedish Pargas and Kimito Island attend Finnish-language integration courses, yet the option of future internet-based distance education in Swedish, which would require less resources than organizing physical courses, is left open (Kaski, 2016). The local society, however, operates in Swedish, which is why a bilingual model could be suitable for these persons in order to enable a local inclusion. The rigidity of the monolingualism in integration policy simply clashes with the social reality within which some immigrants live. The issue of the challenging accessibility of Swedish language integration structures and the lack of bilingual perspectives in bilingual areas has indeed gained the attention of political actors.

2.4 *Political reactions on implementing integration policy in Swedish*

The political actions to increase the use of Swedish in the integration process outside of Swedish-majority areas took force in 2011. The integration law of 2010 included the project *Osallisena Suomessa/Delaktig i Finland/Participative Integration in Finland*, that was implemented between 2011 and 2013, aiming to make integration of immigrants more efficient in Finland. The project was sparked by the Ministry of the Interior's concerns of "social cohesion" related to immigration, and carried out by several ministries and other actors, such as the Swedish Cultural Foundation in Finland. One part of the project focused on the Swedish language. As part of the project, a Swedish-language integration "path" was built in the Helsinki region, meaning the employment of a Swedish-speaking integration coordinator at the Swedish adult education centre Arbis in Helsinki, the planning and starting of a Swedish integration course and bringing forward the needs of the target groups (Tarnanen, *et al.* 2013: 25). This project was decisive for providing the infrastructure for an integration process in the Swedish language in the Helsinki region.

Another contribution of the aforementioned project was a report ordered from the Finnish-Swedish think tank Magma investigating the challenges of integration in Swedish in the Helsinki region. The report, published in 2012, provoked political attention from the Swedish People's Party. In a press release, the party pointed out the responsibility of municipalities and the state to provide the possibility for immigrants to choose the language of integration courses themselves. Furthermore, they stated how "fatal" it is if this option is not provided, especially since Swedish is easier to learn for persons who know English, and since it is always valuable to learn "several languages" (Press Release by the Swedish People's Party, 2012).

A subsequent key political event was the 2014 written question in parliament by Christina Gestrin of the Swedish People's Party and seven other Members of Parliament (MPs) to the Minister of Labour of that time, Lauri Ihalainen. They noted that the employment offices in the Helsinki region were reluctant to provide integration support for immigrants participating in Swedish-language integration education. While the employment offices motivate this by suggesting that job prospects may be lacking after a finished integration education in Swedish, the MPs emphasized that there is also a need for Swedish-speaking employees. Furthermore, they wrote that immigrants in bilingual municipalities received no information on the possibility to attend the integration course in Swedish, and that those attempting to do so are often encouraged to seek integration education in Finnish instead (Gestrin, *et al.*, 2014). The minister reacted by admitting that the independent language courses have sometimes not been

supported if the effect on employability has been deemed as insufficient. He also acknowledged that the courses organized by the employment office have been in Finnish, apart from Swedish-speaking Ostrobothnia, agreeing that the need for integration courses in Swedish is increasing, particularly in the Helsinki region where immigration and diversity increase quickly. He also mentioned some ongoing actions, such as improving the access to and quality of integration courses in Swedish, as well as the creation of an internet platform for learning Finnish and Swedish (Gestrin, *et al.*, 2014). This indicates that the legal position of Swedish in integration policy was respected and acknowledged at least in discourse by the Minister.

Since the written question, several initiatives have indeed been initiated, however mainly by Finnish-Swedish actors. An integration course in Swedish started for the first time in the Uusimaa/Nyland region and in Helsinki in the fall of 2016, which can be seen as remarkable since Swedish speakers are in clear minority in these areas, and most Swedish speakers living there are functionally bilingual. While the Helsinki region has seen initiatives opening up for immigrants, other bilingual regions such as Southwest Finland have not taken the same path, even though the prospect of Swedish language courses in Pargas is under investigation (Karlberg, 2016).

The Swedish Cultural Foundation in Finland has financed several initiatives supporting the Swedish-language education of immigrants. A full-time one year position as integration coordinator working for the Association of Finnish Local and Regional Authorities was employed with the task of coordinating the work on Swedish language integration policies and informing immigration actors on integration in the Swedish language. The Swedish Cultural Foundation has also made finances available for local level Swedish language cultural projects for refugees and NGOs, and financed education for teachers in Swedish for foreigners (Svenska Kulturfonden, 2015). It is thus minority organizations rather than the central state taking action to promote the implementation of integration policy in the Swedish language.

The question of possibilities to go through the integration education in Swedish was originally sparked by a demand from immigrants, according to the informants. Several Finnish-Swedish organizations and politicians have however fully embraced this demand, surely partly for the possibility of strengthening the status of Swedish in society. It can thus be said that immigration is seen as something positive by these actors, following Barker's (2015: 39) reasoning: "If immigration is perceived as impacting neither positively nor negatively on prevailing core substate goals, then leaders are unlikely to politicize it as part of the politics of multinationalism and are consequently less likely actively to intervene in the policy area".

Finnish-Swedish actors have intervened, and according to the informants there is, following the recent policy initiatives, a greater understanding for Swedish-language integration policies among Finnish officials, even though structural challenges remain to make the language choice based on the "free wish" of the immigrant.

2.5 *Determining the language path*

Since bilingualism is absent in the integration policy, who then determines which one of the two languages a newly immigrated person is to learn? There is no actor responsible for informing on the "language choice" or ensuring that immigrants have understood the implications of learning one language over the other. One could then claim it is challenging for many newly immigrated persons to make an informed choice, weighing the pros and cons of each selection, when selecting the integration language.

While the law grants an equal position to the languages, the immigrants, if even aware of the possibility to choose the language, make the choice under the influence of both nation-wide and municipal structures.

The main national level impediment to Swedish language integration policies is that Finnish is the majority language in 281 out of 301 municipalities (excluding the Åland islands), therefore also the most beneficial language choice for most immigrants, employment being the main goal formulated in the Integration Act. Immigrants in non-Swedish-majority municipalities are routinely offered instruction in Finnish rather than Swedish in order to, among others, have better prospects on the labour market and in society. Even if a person would manage to get along professionally, for instance in English and Swedish, the employment office would need to be convinced about this in order to support the Swedish language integration education, which may be challenging. The employment office can then be seen as an influential gatekeeper when it comes to the language choice (Sundbäck, 2016).

In some bilingual municipalities, the language path is sometimes determined in a top-down fashion. Bilingual, Swedish-majority Jakobstad has developed a system where quota refugees, who arrive through resettlement with asylum already granted, attend Swedish schools, and asylum-seekers, who still are in the asylum process, attend Finnish schools. This system aiming to divide the newcomers equally between all schools does allow for flexibility if the families so wish (Helander, 2015: 97). This division can also be explained by quota refugees already having a residence permit and settled housing in a municipality, which enables the

integration process to immediately start, while asylum-seekers have a more precarious status where adults are not covered by the integration policies before they gain asylum. Their children may then later move to a Finnish-speaking area. Twenty years ago, Iraqi refugees in Pargas attended the integration course in Swedish, but currently only attend the course in Finnish (Helander, 2015: 14) in order to make mobility within the country easier.

If a person is to move to a Finnish-majority municipality later, it may indeed be more beneficial to learn Finnish than Swedish. On the other hand, this may hinder local integration to the Swedish-dominated social context. This tension between the language of the local community, the nationally dominant majority language, and the potential needs and wishes for mobility, due to employment or other reasons, is subject to constant negotiation in the governance of language instruction for newly arrived immigrants in bilingual Finland.

Despite the nation-wide structures and the often-predetermined language "paths" on the municipal level pushing towards the choice of Finnish, there are several factors explaining why certain persons decide to choose Swedish over Finnish. In addition to possible personal reasons, such as having a Swedish-speaking partner, Swedish is often seen as an easier language to learn, especially for speakers of Indo-European languages such as English. Opting for Swedish in the beginning may result in a quicker way to societal integration, while still leaving open the possibility of learning Finnish over time by living in a Finnish-speaking environment. Learning Swedish can also be seen as enabling better contact with the rest of the Nordic countries (Creutz and Helander, 2012: 41), since Swedish is widely understood in Nordic contexts.

Catalonia and Quebec can, like Swedish-speaking Finland, be seen as "civic", linguistically salient minority "nations" welcoming immigrants. However, several factors related to language make the Finnish case special. Quebec is situated within a predominantly English-speaking state. Finnish is, however, a rare and for many persons complex language to learn, while within Finland Swedish is a small non-territorial language rather than the dominant language of a populous federal state. Unlike in Quebec and Catalonia, the linguistic difference between the minority and majority language is large. Having the *lingua franca* English as a majority language in Canada as a whole cannot be compared with Finnish in its accessibility. The choice of learning Swedish over Finnish is in comparison highly consequential, putting an unusually sharp boundary between persons who learned Swedish and lack skills in Finnish, and Finnish speakers. Also, Catalonia and Quebec have active independence movements, while the status of Swedish in Finland can rather be seen as weakening and clinging on to the increasingly contested constitutional status.

Bilingual perspectives are largely absent in Finnish integration policy. While the same applies to Catalan policy, in reality most inhabitants of Catalonia understand Catalan (Vergés Gifra, 2014: 206), and vice versa Spanish is widely used there regardless of the skills in Catalan, which is seen rather as a local level prestige language necessary to master (Alarcón and Parella Rubio, 2013: 102). Bilingualism in Quebec is rising. In 1961 25.5% of the Québecois population was proficient in French and English, a number that had risen to 42.6% in 2011 (Lepage and Corbeil, 2013). Even though many Swedish speakers are bilingual, it is challenging for adult immigrants to achieve that status. The Swedish language in Finland is, apart from some small municipalities, in a marginal position, often absent from public spaces unless actively seeking Swedish-speaking places. This is why language education can be seen as crucial for persons wishing to learn Swedish in Finland. All pupils in Finland, indeed, have compulsory teaching of the "second domestic language". Many state jobs require knowledge of both Finnish and Swedish, something adult immigrants are excluded from learning in the integration courses separated between languages. The separateness, on one hand, follows how the Swedish and Finnish language institutions, such as schools, are organized. On the other hand, while monolingualism in Finnish can be seen as problematic in a bilingual nation, also monolingualism in Swedish can have highly negative consequences for the individual who later decides to move to a Finnish-speaking area. There is thus a demand for bilingual integration opportunities, which have until now been rejected for cost reasons (Helander, 2015: 115), as discussed before.

According to Kymlicka (2001a: 76), 'Immigrants will only integrate into a minority language group if they see that the minority language is the language of business, politics, law, and high culture'. While Swedish can be seen as a high-status language, and Swedish-speaking families can be said to be overrepresented among the "elite" (Meinander, 2016: 175-177), it cannot be counted as the main language of the society anymore. Despite this high "status", learning Finnish could provide an easier entrance to the labour market, and a possibly simpler majority life. As McRae notes: 'Opting to live in Swedish may involve higher social costs and fewer benefits than accepting the more convenient alternative of living in Finnish' (McRae, 2007: 23). Also, Kymlicka writes that 'Integrating into a sub-state national identity typically involves absorbing its ambivalent feelings and contested commitments to the larger state' (Kymlicka, 2011: 295). For a person integrating into the Finnish-Swedish society this would, in the Finnish-majority bilingual areas, typically mean adopting a bilingual life. However, this may be challenging to manage for an adult immigrant since the state does not provide support

for it. The state policies, of course, need not be decisive for the language an individual learns and lives in. However, the provision or non-provision of an integration course in a certain language can be highly significant for the individual. Despite the possibilities enabled by legislation, the Finnish model promotes a monolingual majority citizenship, sometimes clashing with the individual aspirations of the immigrant, as well as their social reality.

Conclusion

This paper has contributed to the research on immigrant integration in countries with historical minorities by investigating integration in Finland with a non-territorial formerly dominant Swedish-speaking minority, a new case to the research topic dominated by groups in territorial majority with former oppression experiences. This paper has in particular investigated the potential of the Finnish case to provide a linguistic integration policy based to a larger extent on the immigrants' preferences than the cases previously researched, the implications of the non-territoriality, co-constitutional status and declining societal position of Swedish as compared with other minorities previously researched, and how Swedish as an integration language has been politically discussed in Finland.

Integration policy in federal regions where the nationally non-dominant linguistic group constitutes the majority, such as Quebec, Catalonia, and Flanders, is mononational and monolingual, "forcing" the immigrants to learn the minority language. Similarly to these regions, a multinational integration agenda is absent in Finnish integration policies, meaning that mainly the majority language is present in the integration policies. A major difference to the federal cases is the national level legislation in unitary Finland: increasing the use of Swedish in integration policy can be done by implementing the language legislation already in place. However, unlike the federal states, the Swedish-speaking minority does not have political control over integration policy (apart from partly in Swedish-majority municipalities). This means that the popularity of Swedish as integration language largely relies on the voluntary choice of immigrants to choose Swedish over Finnish, a choice that is indeed there in theory, since Swedish and Finnish have the same status in legislation. The "illiberal" integration policies, according to Kymlicka's logic, which are present in Quebec and Catalonia do not exist in Swedish-speaking Finland (apart from possibly some aforementioned majority Swedish municipalities). It is rather various structural reasons that lead most immigrants to learn Finnish rather than the present legislation, even in cases where immigrants are aware of the bilingualism and would wish to opt for Swedish.

The choice of integration language is thus to a large extent not up to the immigrant in Finland. While the structures hindering integration in Swedish are many, there is demand for Swedish language integration opportunities by the immigrants, as well as possibly an interest of the minority to strengthen the position of Swedish through integrating immigrants. Finnish-Swedish actors have mobilized in order to increase the opportunities of immigrants to learn Swedish and get services in Swedish. Finnish-Swedish-funded reports have led to political debates and finally concrete action, with projects launched aiming to enable a Swedish-language integration outside of the majority Swedish Ostrobothnia.

Apart from the possible underlying minority interests, one could claim that a possibility for Swedish integration should be a constitutional right whose non-implementation excludes adult immigrants from the bilingual education provided for persons schooled in Finland. On the other hand, on top of other challenges many immigrants face, a person knowing only Swedish risks living a marginalized life in most Finnish municipalities.

This paper aimed to introduce the Finnish case to the research on immigration into countries with historical minorities. By contrasting the Finnish case to minorities in territorial dominance in Flanders, Catalonia, Quebec and South Tyrol, the paper shows that like the groups with former oppression experiences, Swedish-speaking Finland is favourable for immigrants integrating "into the minority"—possibly due to demographic reasons. Unlike the more territorially concentrated minorities, Swedish-speaking Finns can claim rights based on municipal demographics. While federal states with the nationally non-dominant group in a majority position can provide more nation-state-like structures, Swedish speakers in Finland can claim language rights also outside of the majority areas, which is also where most of the Swedish speakers live.

Although limited in its scope, the paper opens up opportunities for future research on the Finnish case and research on historical minorities and immigration. The questions discussed in this article could be explored with a broader empirical material. Future research on Finland could develop the beginning theorization on a multinational integration agenda by, for example, comparing the citizenship narratives between Swedish and Finnish integration courses. Another question to investigate could be that of state responses to the increasing Swedish-speaking actor-led integration initiatives in Swedish, but also underlying motivations behind the requests for implementing and the practices of not implementing integration policy in Swedish. This paper has also been suggestive of future research on the role of non-territorial minorities in the

state level integration policies, as well as research on formerly dominant minorities and immigration.

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Can Migration Jeopardize Basic Human Rights?: The Situation of the Roma Minority in Macedonia

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Abstract

This paper discusses the basic human rights of free movement and of equality of all citizens through the position of the Roma minority in the Republic of Macedonia. Since 2011, Roma were frequently stopped at border crossings and denied exit without any real arguments or proof of lack of documentation. Questions were raised whether the measures taken by border authorities in the Republic of Macedonia perceive the citizens of the republic as a potential danger to the public order, legal order and state's security, or as a potential danger to the state's distorted international image and its relations with the EU and its member states. The latter was used more indirectly as an argument because state authorities feared that Macedonia may lose the visa waiver because of the presence of Macedonian asylum-seekers in the European countries. By presenting the research findings and conducting an analysis of state policies, this paper addresses the ways in which state policies have been affected towards minorities and equality rights as caused by the "Schengen free" migration movements and the attempt by the EU to extend this arrangement to the Western Balkans.

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Human migration comprises different events and actions, each distinctly characterized according to different factors and features. Migration is characterized by movements of people from one place to another for different reasons and intentions (Demuth, 2000). Migration can be: voluntary or forced; internal or external; for economic or family reasons; and, worst of all, it can be triggered by wars and terror. Migration is also distinguished by whether a person exits from one state with an intention to settle in another (emigration) or as a process by which non-nationals move into a country for the purpose of settlement (International Organization for Migration, 2011).

In view of the general consideration of what can constitute migration movements, this paper will focus on the emigration movements from the Republic of Macedonia, and the challenges the state and emigrants faced after the 2009 Schengen visa waiver for Macedonian citizens who are members of the Roma ethnic minority group. Roma minority members have been recognized in the Republic of Macedonia Constitution since this country's independence: the 1991 Constitutional Preamble asserted that the Republic of Macedonia is 'established as a national state of the Macedonian people, in which full equality as citizens and permanent co-existence with the Macedonian people is provided for Albanians, Turks, Vlachs, Roma and other nationalities living in the Republic of Macedonia'. The constitution included few provisions guaranteeing basic minority rights. Rather than using the term "minority", the distinct groups were identified as "nationalities". The constitutional amendments deriving from the Ohrid Framework Agreement introduced changes to the terminology by replacing "nationalities" with "peoples" and "communities". For clarity of terminology used in this paper, the term "minority groups" corresponds to the term "communities". Macedonia's mixed population structure (Table 1) comprises ethnic Macedonians as a dominant group and ethnic Albanians as another large group, alongside a few smaller minority groups.

Table 1. Population structure according to declared ethnic affiliation, by censuses.

	1991	1994	2002
TOTAL	2,033,964	1,945,932	2,022,547

Macedonians	1,328,187 (65.30%)	1,295,964 (66.60%)	1,297,981 (64.18 %)
Albanians	447,987 (22.03%)	441,104 (22.67%)	509,083 (25.17 %)
Turks	77,080 (3.79%)	78,019 (4.01%)	77,959 (3.85%)
Serbs	42,775 (2.10%)	40,228 (2.07%)	35,939 (1.78 %)
Roma	52,103 (2.56%)	43,707 (2.25%)	53,879 (2.66 %)
Bosniaks	-	6,829 (0.35%)	17,018 (0.84%)
Vlachs	7,764 (0.38%)	8,601 (0.44%)	9,695 (0.48%)

Note: Data retrieved from Republic of Macedonia State Statistical Office, Statistical Yearbook of the Republic of Macedonia. The last population census was in 2002.

The aim of this paper is to present the question of the possible effect of the "Schengen free" migration movements on the attitudes of state policies towards minorities in Macedonia from 2011. The right to equality is discussed by describing state policies towards preventing and limiting the right of free movement and right to leave a country of Macedonian citizens, in particular members of the Roma minority group. This paper also takes into account relevant international and domestic legislation; the focus is put on relevant laws, documents adopted by the United Nations (UN), issued by the European Union (EU) and the Council of Europe (CoE), as well as the legal and institutional framework of the Republic of Macedonia. By presenting the analysis of the effect of the migration movements of a specific minority group in the country, the paper would also like to present how migration movements and their consequences affirmed once again the discriminatory practices in the country and the continued marginalization of the Roma minority group in the society.

Some data presented in this paper are derived from research conducted by the author in 2014, when the issues of restraining the freedom of movement began to be actualized in the public sphere. Having in mind the complexity and the delicate nature of this topic, the analysis relied on several methods of qualitative and quantitative data collection. Information was requested from the Ministry of Interior and the Ombudsman of the Republic of Macedonia in accordance with the Law on Free Access to Public Information. Direct interviews were conducted with members of the Roma minority (particularly in Kumanovo, a city near the Macedonian-Serbian border). Moreover, interviews were conducted with a former Roma Member of Parliament, with the Director of the Association for Roma Education "Prosperity", with the President of the Commission for Protection against Discrimination, with a member of

the Commission for Inter-Community Relations in the Municipality of Kumanovo, and with representatives from the non-governmental organizations (NGOs) "National Roma Centrum" in Kumanovo and "SUMNAL" in Skopje. Regarding the research limitations, in the process of data collection difficulties were encountered in terms of obtaining answers when contacting official authorities using a procedure in accordance with the Law on Free Access to Public Information. The procedure initiated to the Ombudsman Office by e-mail was to request access to information on the number of complaints lodged by Roma in the Republic of Macedonia in 2010, 2011, 2012 and 2013 on the grounds of violation of their right to freedom of movement. However, in response the Ombudsman Office provided the explanation that it does not provide such information and that such information was not published, thereby exempting this office from the legal obligation to disclose the requested information by processing relevant files and documents. Furthermore, difficulties were encountered in terms of data collection by means of interviews conducted with Roma people from Skopje and Kumanovo, in particular due to their reluctance to discuss the issues raised, fearing possible consequences in the future.

1. The right to leave the country of origin

The right to leave the country implies the duty of the state to refrain from discrimination on various grounds (in terms of ethnicity, colour, gender, race, religion, social status, etc.). This is evident in the International Covenant on Civil and Political Rights (ICCPR), where Article 2.1 provides that all signatory states undertake to respect the rights recognized in the Covenant and to guarantee them to all individuals within its territory and subject to their jurisdiction. In a document issued by the Commissioner for Human Rights of the CoE, dedicated to the right to leave their country, it is pointed out that when the state selects individuals who are not allowed to leave its territory (or travel documents are denied) the basis for this procedure should be examined with caution and it should be ensured that the criteria by which such procedures are adopted and implemented do not discriminate against the person, directly or indirectly, on various grounds (Council of Europe, 2013). The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) of 1966 prohibits discrimination in exercising the right to leave one's own country. Article 5(d) (ii) prohibits discrimination in exercising the right to leave any country, including one's own, and to return to your country. The relationship between the right to leave a country and the prohibition of discrimination is a very important issue in Europe, where recognition of the right of free movement of persons has seen significant progress in the past twenty years; incidents of violation of this right are sometimes

characterized as discrimination based on political opinion and belief, and more recently on the basis of ethnic origin, as can be seen in the analysis in this paper. Article 2 of Protocol 4 of the European Convention on Human Rights (ECHR) clearly states that: 'Everyone shall be free to leave any country, including his/her own.' This same article gives also some restrictions to this right 'in accordance with law and justified by the public interest in a democratic society'.

It is obvious that the application of Protocol 4 of the ECHR raises many questions, discussions and debates when it comes to the right to freedom of movement of asylum-seekers—citizens of the western Balkan countries—in recent years. Several key aspects of the current policies of the EU, and in particular the Republic of Macedonia, are in direct conflict with the right of free movement guaranteed by the Protocol. Most importantly there is the issue of visa liberalization and freedom of movement within the EU, which exclusively affects the restrictive policies on migration and integration of immigrants in the EU member states and the conditions imposed on non-EU countries or so-called third countries, with respect to those same migratory policies. Freedom of movement in this context is closely related to migration processes, which in the past few years (starting from 2010) are also present on the route from the western Balkans (i.e. Macedonia) to the EU. And when speaking of migration processes, it should not be forgotten that those migrants are people who are leaving their home country, making their own choice and conviction to do so, despite the fact that often these choices are extremely limited and difficult. According to the International Convention for the Protection of the Rights of all Migrant Workers and Members of their Families (OHCHR), in Article 8 paragraph 1,

> Migrant workers and members of their families shall be free to leave any state, including their state of origin. This right shall not be subject to any restrictions except those that are provided by law, are necessary to protect national security, public order, public health, morals, or the rights and freedoms of others and are consistent with the other rights recognized in the present part of the Convention.

2. The Schengen waiver and its effects

In effect since 19 December 2009, citizens of the Republic of Macedonia have been allowed to travel to the European Union without having to apply for visas at consular offices of EU member states in their country or in the neighbouring countries (Council of the European Union, 2009). Visa liberalization towards the Western Balkans has been accompanied by concern among the EU member states that citizens of these countries are "abusing" the

liberalization and free entry to the EU for a period of time, for a particular activity, or for reasons that were not provided for under national and European legislation. Some EU member states registering significant increases in asylum applications in 2011 have intensified calls to the governments of the western Balkan countries on issues related to the proper management of their migration outflows. A number of bilateral and regional meetings were held regarding the matter. Pressure on countries in the region became even higher in May 2011 when the European Commission proposed a temporary suspension of visa liberalization for Serbia, Macedonia, Bosnia and Herzegovina, Albania, and Montenegro. Under the proposal, the suspension would be possible if a group of EU member states detects an increase of asylum-seekers from these countries above a certain threshold (Council of Europe, 2013). On 12 September 2013, the European Parliament adopted a mechanism for the suspension of the visa regime, which allows the EU to restore a visa in emergencies (European Parliament, 2013). Various calls were made by the representatives of the EU to the authorities of those countries, pointing out that it is essential to take all necessary measures to reduce asylum-seekers, stressing that if the problem persists, the visa liberalization process will be jeopardized and visas will be reinstated. After registering alarming figures for the member states, the European Union has shifted the responsibility on the governments of the Western Balkans to address the issue of asylum-seekers.

In her speech, Viviane Reding, Vice President of the European Commission, indicated that Roma were the real problem for the free movement in the EU (Romea, 2014). She stressed that all 507 million EU citizens have equal rights and added that, in the several decades of the Union's existence, there have never been such intense attacks from politicians and media against one of the main European rights—the right to freedom of movement. In a different speech, she specifically pointed out that *'free movement is a right to free circulation; it is not a right to migrate in Member States' social security systems'* (European Commission, 2013a). The fourth report of the European Commission, which concerns the monitoring of visa liberalization for the western Balkan countries, noted that in 2013, according to an annual analysis of Frontex, the majority of asylum-seekers were Roma. In Germany, more than 80% of applicants were Roma (European Commission, 2013b). Analysis of the method applied for rejecting ungrounded asylum applications and for returning asylum-seekers reveals interesting variations among the Schengen area member states. In the first three months of 2013, Germany returned practically all asylum-seekers from the Western Balkans through forced return procedures; Luxembourg proceeded almost entirely via the voluntary return track; Sweden and

Belgium used mainly the voluntary track; and Switzerland used the two methods in almost equal measure (European Commission, 2013b).

The rate of admissible asylum applications by Macedonian citizens, according to Eurostat official data, was very small compared with those of other western Balkan countries (see Table 2).

Table 2. Number of submitted applications from Macedonian citizens (2009-2013).

	2009	**2010**	**2011**	**2012**	**2013**
No. of applications	1,015	8,105	6,555	10,740	11,065

Note: Data retrieved from the Fourth Report on the Post-Visa Liberalization Monitoring for the Western Balkan Countries (European Commission, 2013a) and Bitoulas (2014).

According to Eurostat data, in 2013 the number of rejected asylum applications filed by Macedonian citizens in Germany was 6,000. In 2013, out of a total of 7,480 decisions, there were only 70 positive results. Of those, 25 were Macedonian nationals who received recognized refugee status, 10 were granted protection (subsidiary protection), and 35 persons were granted the request on humanitarian grounds.

3. Is the right of free movement guaranteed for everyone?

Following the significant reaction by the EU member states, the government of the Republic of Macedonia started introducing measures for preventing further emigration to the European Union. According to official information from the Ministry of Internal Affairs of the Republic of Macedonia dated April 29, 2011, enhanced measures and activities to prevent the large number of persons seeking asylum in member states have started to be enforced. In the specific case of the Republic of Macedonia, Roma people's right to freedom of movement was seriously jeopardized as soon as the visa liberalization entered into effect. Statistical data on the number of asylum-seekers under the visa-free regime have played a major role in policy-making and political debates centred on measures for prevention of ungrounded asylum applications, besides the fact that the rate of admissible asylum applications by Macedonian citizens,

according to official data from Eurostat, is very small compared with that which applies to other countries in the western Balkans (Bitoulas, 2014).

The Constitution of the Republic of Macedonia guarantees equality and freedom of movement for all citizens, while the international treaties to which the Republic of Macedonia is a signatory state prohibit all types of discrimination and restriction of the freedom of movement. However, it should be noted that the European Commission's Visa Liberalization Roadmap clearly indicated that the Republic of Macedonia should guarantee its citizens freedom of movement, which should not be burdened with unjustified restrictions and discriminatory practices, and that the country should duly investigate all cases of ethnically motivated incidents caused by police officers in regard to freedom of movement, including practices targeting members of minority groups in Macedonia.

Under the suspicion of being possible asylum-seekers, from April 29 to December 31, 2011, permission for leaving the country was not given to 2,948 persons, in 2012 to 4,569 persons, and in 2013 to 6,475 persons. In terms of the number of persons belonging to the Roma minority group, according to legal regulations at border crossings, records are updated based on the travel document, according to which the distinction of Macedonian and foreign nationals is made. Accordingly, there is no record or breakdown by ethnic or national belonging of the returned persons. Ministry of Interior records for unauthorized exit of Macedonian citizens are updated according to place of residence and the border crossing where the exit is not allowed and according to these records, the majority of persons who are not allowed to exit are from Skopje (5,334), followed by Kumanovo (2,020), Strumica (808), Stip (801), Bitola (737), Prilep (647), and Kocani (564).

The official data from the authorities cannot prove the origin of the returned persons, however NGOs, as well as the interviewed persons, provide insight on this issue. Information received from the European Roma Rights Center (ERRC), working in the field with individual cases in the period between 2011 and 2013, suggests documented cases of clear infringement of the free movement of Roma in Macedonia. In particular, the ERRC reported that Roma are subject to discriminatory practices and mistreatment by border officials when trying to leave the country (ERRC, 2014). In the period from 2011 to 2013, the ERRC documented 74 cases of Roma individuals who have not been allowed to leave the country and 24 cases who had their passports confiscated by Macedonian border officials. Additionally, the ERRC, while working onsite, was informed of a further 50 cases. In 2012, the ERRC was alerted about this situation and complained to authorities. The ERRC filed an initiative before the Constitutional

Court of the Republic of Macedonia in regards to the amendments to the legality of traveling documents of Republic of Macedonia (grounds for revocation of passports and obstruction of the right to leave the country), which are in conflict with the constitution and with international regulations for the protection of human rights and freedoms. The Executive Director of the ERRC said: "The problems faced by Roma will not fade with the illegal prevention to travel. On the contrary, discrimination on the border creates new obstacles for Roma integration and respect for the rights of the Roma" (ERRC, 2014:2).

Since 2011, Roma were frequently stopped at border crossings and denied exit without any real arguments or proof of lack of documentation. Questions were raised as to whether the measures taken by border authorities in the Republic of Macedonia demonstrate the perception of the citizens of the country as potential dangers to the public order, legal order and the state's security, or as potential dangers to the state's distorted international image and its relations with the EU and its member states (EPI, 2016). The institutions were being wisely silent, but also the members of the Roma minority in the country feared openly speaking about this problem for a long time.

The interviews with 20 members of the Roma minority from Skopje and Kumanovo, who agreed to talk about their personal experiences but asked to remain anonymous, confirmed the above. Through open and direct interviews, interviewees expressed their personal stories and details, giving clear examples of undignified treatment by police officers at border crossings, where they were repeatedly held up for a long time and where they were returned with exit stamps marked with two stripes. Besides the fact that they were already given exit stamps on their passports, they were not allowed to exit, nor to continue their travel to the border crossing of the neighbouring country (in these cases, Serbia). From the interviewees, no one could tell exactly what those two stripes mean. They were primarily concerned by the fact that they cannot freely cross the Macedonian border, and annoyed by the fact that only Roma passports are marked. A report published in May 2012 by the ERRC stated that the two stripes mean crossing is prohibited within 24 hours. It is not completely clear whether this labelling is a kind of preventive measure taken by the authorities to stop asylum-seeking by Roma by not allowing exit from the borders of the state. This phenomenon is informally named "prevent abuse of asylum", and such cases are often referred to as cases of "bogus asylum-seekers". Persons returning to the country, and who were not given asylum (dismissed claims), are registered in the system available to border guards, so it is likely that those persons cannot re-cross the border. Despite such measures, interviews and collected data show that, in many cases, persons

present necessary documents (statements and copies of the return tickets and sufficient funds) requested by border officials, yet they still face denial of exit. As a member of the Committee on Relations of Kumanovo stated, most Roma from Kumanovo travelling for family reasons, often visiting relatives in Serbia near the border crossing, are not allowed to exit under suspicion that they are possible asylum-seekers in EU countries, and because they are Roma. From personal experience, he pointed out that, many times, his relatives had complete documentation (statements from relatives abroad translated into Macedonian and notarized, as well as travel insurance and a return ticket), yet exit from the country was not allowed. After a first, second, and third attempt they were given stripes to their exit stamps on their passports. After insisting and initiating formal proceedings, he said that 'not in all cases there is the possibility to negotiate an exit or a way out'. Many who are in a difficult economic situation, after the great wave of asylum-seekers in recent years and learning from events and low admissible asylum, were not even thinking about filing any procedure in some member states. According to their statements, often the reasons for wanting to leave the country are to visit relatives and friends, and during the summer to pursue seasonal work to improve their financial situation. Some of the respondents also use the allowed 90 days stay within one year for purchasing medicines for their family members, which, they say, are difficult to obtain in Macedonia.

4. Legal remedies and cases before national courts

The Macedonian Young Lawyers Association (MYLA) registered many Roma who have had similar experiences at the border crossings, but very few of those people decided to initiate any legal proceedings. Their individual decisions, according to MYLA representatives interviewed, are mainly due to their significantly lower income, which in no way allows them to cover the costs of the proceedings. Some of those who came into their offices also said that they are afraid to initiate a procedure which, according to them, would have an impact on their possible future trips outside the country because they would be labelled and denied exit for an extended period of time. Through the projects 'Combating Discrimination through Strategic Litigation - Strengthening the Role of Civil Society Organizations', and 'Action against Discrimination', supported by the Open Society Institute - Macedonia and USAID - Macedonia, there were five procedures (in which 13 Roma persons participated) in front of the Constitutional Court, the Administrative Court, the Ombudsman and the Basic Court Skopje 2. MYLA analysis conducted within "Action against Discrimination" (MYLA, 2016b) recorded cases of

proceedings before the competent authorities on the issue of the right to equality and the prevention and prohibition of discrimination, i.e. requests for protection of the right to equality and prohibition of discrimination of the Roma by the authorities in an attempt to leave the territory of the Republic of Macedonia. In the cases mentioned in the analysis, Macedonian citizens of Roma ethnicity had a stamp with additional markings and were not allowed to leave the country by the border officials. The team of lawyers in these cases submitted a violation of the right to equality (guaranteed by Article 9 of the Constitution), the right to leave and return to the Republic of Macedonia (guaranteed by Article 27 of the Constitution), and basic human rights (guaranteed by Article 13 of the Universal Declaration of Human Rights and Freedoms and Article 8 and 14 and Protocol 12 of the European Convention on Human Rights and Freedoms).

Lawsuits began to fill the courts by the end of 2014 with the MYLA assistance and their project of free aid. The efforts resulted the very first judgment by the Appeal Court on June 6, 2016, laying down discrimination and violation of equality in which the Ministry of Interior (MOI) appears as a defendant because it prevented the plaintiff, a person belonging to the Roma nationality, from leaving the territory, acting contrary to the Law on Border Control (2010), and restricted his right to free movement and right to equality (MYLA, 2016a). In the case the court found that 'there is no doubt that the state has the right, due to risk damaging the visa-free regime to take actions and measures that will result to prevent citizens from crossing the border to abuse the visa-free regime, but it must be done in a way that will not damage the equality of citizens'. The border authorities judging solely by ethnic affiliation made an assumption that the plaintiff might abuse the visa regime, which committed a serious violation of the right to equality and the right to freedom of movement (MYLA, 2016b). Article 8 of the Law on Border Control states that 'in the performance of border control, police officers are obliged to fully respect human dignity' and 'over the performance of border control, police officers may not discriminate in terms of gender, race or ethnic origin, colour, age, nationality, social background, religious belief, disability or sexual orientation, wealth and social status'.

The Commission for Protection against Discrimination did not have enough data about complaints of discrimination by border officials, evident from its official reports. Information obtained through the interview with the President of the Commission pointed out that, since the establishment of the Commission for Protection against Discrimination (in 2010), there were only two complaints. One was in 2011, when the Commission submitted a complaint by a person of Roma origin with Macedonian and Slovenian citizenship who claimed he was

discriminated against by border police for five years upon entry and exit from Macedonia, with a detailed examination of his personal vehicle. According to the Commission, there was no justified finding of discrimination in this case. The second complaint was in 2014, about a discriminatory attitude by the border police on an individual citizen of Roma origin. At the moment of the interview, the case was still not completed. The last available report of the Commission (for 2015) reports only one complaint from a person (Roma) who claims to have been discriminated against on the basis of skin colour and ethnicity, in the field of access to goods and services by employees of the Ministry of Interior at the border crossing of Alexander the Great airport in Skopje. The daughter of the complainant asked the border police officer whether it is because of their skin colour that they were not allowed to travel (besides the fact that they had all the necessary documents); to this another police officer intervened, saying: "Look young lady, statistically speaking Roma are seeking asylum in the EU countries" (Commission for Protection against Discrimination, 2016: 13). This complaint, according to the report, was finalized by a recommendation from the Commission to the employees at the specific border crossing to take all measures not to repeat such an incident in the future.

However, the Ombudsman report in 2013, under its specific sections on 'Civil States' and 'Interior, Police Actions and Non-discrimination', neither mentioned complaints nor recorded such phenomena (Ombudsman, 2013). The report for 2013 referred only to studies conducted by the Ombudsman in 2013 as part of a regional project 'Best Practices for Roma Integration', which incorporates a field survey on 'Aspects of Discrimination against Roma and their Protection'. The results of this research report indicated that "members of the Roma community still feel discriminated on separate grounds, particularly on grounds of ethnicity or nationality and colour". The Ombudsman, based on received data, concluded that "many of the respondents are familiar with the concept of discrimination, but it is necessary to strengthen the mechanisms for protection against discrimination". In the 2012 report, the Office of the Ombudsman, in the area of abuse of police authority, concluded that the border control led to complaints from citizens stating that their right of passage through the state border was violated (Ombudsman, 2012). But despite the constitutionally guaranteed right of citizens of the Republic of Macedonia for freedom of movement, the Ombudsman procedure concluded that the persons did not meet the conditions stipulated in the Law on Border Control because they did not have documents that could justify the purpose and reasons for travel, and thus they were not given the right to cross the border. In all reports from 2010 to 2013 it is stated that the Ombudsman encountered 'not appropriate cooperation with the competent authority for

foreigners, i.e. Sector for Border Affairs and Migration within the Ministry of Interior' and issued a recommendation to the Ministry of Interior and the Government to take measures for Border Affairs and Migration to comply with regulations and not to hinder the work of the Ombudsman.

According to the MYLA and to the findings of the field research, Roma are afraid to talk about their problems faced at border crossings. They are revolted by the fact that only members of the Roma minority are discriminated against and prevented from crossing the border. They also demonstrate fear of additional labelling if they publicly express their anger. Moreover, financial problems also limit them from initiating legal action that could not only protect their rights, but also raise awareness among their citizens to begin to speak openly about their individual cases. After the verdict in the Basic Court Skopje 2 (and the following legal proceedings in front of the Court of Appeal), the number of publicly presented cases of freedom of movement and discrimination raised in number. The media published the case of an actress from Roma origin working in the Theatre for Children and Youth (Akademik, 2014). According to sources, the actress was prevented from travelling to her sister in Germany, as an employee of passport control at Alexander the Great airport cancelled her ticket and she was not allowed to continue her journey. As she said, she was the only one that was returned because she is Roma.

5. Between political and legal aspects of the problem

The threat to remove Macedonia from the "white list" (for visa liberalization) had important policy implications to the EU for any of the countries of the western Balkans; such a move is undoubtedly characterized as unfavourable for any political party in power. Thus, such a threat can result in measures that might be inconvenient for citizens or for a special category of citizens who intend to travel outside the country's borders, particularly against members of the Roma minority not only in Macedonia but also in other countries of the western Balkans. Issues related to human rights faced by Roma in many parts of Europe, not only in the western Balkans, were evidenced even before, by the European Court of Human Rights, such as inhuman treatment by police officers in Macedonia to people with Roma nationality (Council of Europe, 2012; ECHR, 2017).

While it was assumed that the visa regime is a useful weapon against illegal migration, it became a visa-free regime with restriction of freedom of movement. It was clear that because

of the abuse of the free movement in the Schengen area by the large number of citizens of the western Balkan countries, all citizens could be subject again to a visa regime. Moreover, the EU member states, the signatories of the Schengen agreement, have shifted the tackling of the numerous unfounded asylum claims to the countries of origin of the asylum-seekers. This action directly attacked mostly members of the Roma minority in Macedonia. With the return of Roma by the Macedonian border officers, there was a clear violation of the legal order of the state and international legal acts cited in this paper. Macedonian authorities' measures that were implemented to reduce the statistics of the number of Macedonian nationals seeking asylum was a direct violation of citizens' rights to free movement.

It is clear that the right of free movement of Roma in Macedonia was abused: first, due to the recommendations and conditions that the EU and its member states sent to Republic of Macedonia to prevent "bogus asylum-seekers"; and second, due to the discriminatory attitude of the Macedonian border authorities. Alternative solutions to this problem should be sought in reviewing the problem from several aspects: first, the socioeconomic situation of Roma in Macedonia; and second, the question whether the right of every citizen to freedom of movement and protection of every citizen from discrimination are less significant than the migration policy of the EU to reduce the number of asylum-seekers and illegal migrants. In the area of fundamental rights, in the 2013 report of the European Commission with regard to post-monitoring for determining the implementation of the given roadmaps, it was stated that there is an implementation of the action plan for Roma inclusion and it involves measures to further improve access to employment, education, housing and access to personal documents (European Commission, 2013b). The socioeconomic aspect, i.e. improving the socioeconomic situation of Roma in Macedonia, would significantly result in favourable migration policies and measures that the Republic of Macedonia is required to comply with, as requested by the roadmap published by the European Commission. But when it comes to limiting the right to free movement, they are primarily aimed at meeting the expectations of member states and the European Commission in terms of mutual cooperation by indirectly preventing a large number of asylum-seekers. Improving the socioeconomic situation goes in favour of indirectly addressing of restrictions on freedom of movement of Roma in Macedonia, improving quality of life and reducing the number of persons of Roma ethnicity coming out of the country looking for a better future. Although for years the question of better integration of the Roma has been discussed, the involvement of Roma in education and improvement of their financial position

(Ministry of Welfare and Social Policy, 2009) still face major flaws, which were clearly shown after the entry into force of visa liberalization.

The question of whether the right to freedom of movement for every citizen and the protection of every citizen from discrimination is less significant than the migration policy of the EU to reduce the number of asylum-seekers and illegal migrants puts us somewhere between the political and legal aspects of this problem. On account of the conditions and promises given to Macedonia for becoming an EU member state, there were frequent actions violating the constitution and the laws that should guarantee freedom and human rights.

Conclusions

Statistical data on the number of asylum-seekers under the visa-free regime have played a major role in policy-making and political debates centred on measures for prevention of ungrounded asylum applications. In light of these developments, it should be noted that there are significant differences in terms of annual numbers of asylum applications submitted by citizens from the western Balkans in the period 2010-2013. For example, Frontex data showed that, in January 2013, the number of asylum applications submitted by citizens from the western Balkans in the top five EU/Schengen states has decreased by 44% compared to January 2012 (-61% for Serbia, -45 % for Montenegro and -46% for the Republic of Macedonia). However, the same period has been marked by significant increases of asylum applications submitted by citizens from Albania (+74%) and Bosnia and Herzegovina (+51%) (European Commission, 2013c). Basing policy-making and relevant measures on these fluctuating data can, under no circumstances, be considered wise. Analysis of the method applied for rejecting ungrounded asylum applications and for returning asylum-seekers reveals interesting variations among the Schengen area member states. In the first three months of 2013, Germany returned practically all asylum-seekers from the western Balkans through forced return procedures; Luxembourg proceeded almost entirely via the voluntary return track; Sweden and Belgium used mainly the voluntary track; and Switzerland used the two methods in almost equal measure (European Commission, 2013b). This means that both the EU and its member states have adequate (prescribed by law) mechanisms that could prevent the occurrence of so-called "false asylum-seekers", without having to transfer the responsibility to the western Balkans by issuing recommendations and imposing terms and conditions that they need to

fulfil. Nevertheless, these conclusions exclusively concern relations between the EU and the western Balkans.

As regards the prevention of Roma people crossing the Macedonian state borders, conclusions are indirectly related to the previously presented findings, but the Republic of Macedonia's role in the resolution of this problem should have been both direct and meaningful. As a reminder, the Constitution of the Republic of Macedonia guarantees equality and freedom of movement for all citizens, while the international treaties to which the Republic of Macedonia is a signatory state prohibit all types of discrimination and restriction of the freedom of movement.

The research and its results clearly indicated that this problem is significant for the treatment of one minority group in the country. The research also revealed a slight disregard towards this issue by the state institutions, with the institutions being silent on this issue for a long time. The members of the Roma minority feared openly speaking about this problem. Silence on the part of those whose right to freedom of movement has been violated or those who have been inflicted damage, those who have been treated in inhuman and unjust manner, and those who had been discriminated against by the border police officers and by different state institutions, is a major and serious problem that affects the progress of the country in building a democratic state that aspires to join the EU and a state whose legal order should guarantee complete protection of its citizens. NGO's such as the MYLA "broke the ice", but they also had unsuccessful judgments which prove the constant attempt of the Macedonian courts to neglect the right of free movements of persons and the prohibition against discrimination (MYLA, 2016b).

International organizations should have made serious efforts to emphasize the issue of restricted fundamental rights and freedoms of the citizens of the Republic of Macedonia by putting forward clear recommendations for the state, with a special focus on the right to freedom of movement and the right to non-discrimination of Roma people living in the Republic of Macedonia. Those organizations, in particular the Council of Europe, should have reacted publicly and strongly against the discriminatory measures taken by the Government of the Republic of Macedonia at its border crossing points, which not only contribute to the protection of citizens' safety, but instil greater distrust and fear among Roma people. And finally, the European Commission should have been engaged in thorough monitoring of the implementation of recommendations addressed to the Republic of Macedonia and enlisted in the Visa Liberalization Roadmap, especially those concerning the protection of human rights.

It is not only necessary, but also of absolute importance for the state institutions to respect the fundamental rights and freedoms of the citizens of the Republic of Macedonia guaranteed under the constitution and the laws, as well as under the international treaties and legal acts ratified by the state. Measures implemented at the border crossing points in the Republic of Macedonia targeting members of the Roma minority, which are discriminatory in nature and restrict their right to freedom of movement, must be prosecuted. With a slow pace, such actions were initiated; however, there is no substantial number of cases reached in order to clearly state that this has been accomplished. It is important to have a transparent and public presentation of measures implemented by border police services for the prevention of illegal migration and regular dissemination of public information about citizens' responsibilities related to their movement beyond the state borders and about the responsibilities of border police services when implementing such activities and measures. Civil society actors must act in a more strategic and creative manner for the purpose of finding ways and designing measures to raise public awareness on this important problem and they need to be more active and engaged in presenting this problem, by means of debates and conferences. Efforts have been shown by the civil society organizations mentioned in this paper, which have shown that the influence of such actors is quite significant and has a great impact. The citizens of the Republic of Macedonia should be the driving force for finding a solution to discriminatory practices by sending clear and loud messages and complaints to the state institutions, in particular the institutions that are by law obliged to protect the fundamental rights and freedoms of all citizens, concerning evident and blatant violations of individual rights and freedoms, especially the right to freedom of movement, for the purpose of indicating this issue as a problem and exerting pressure for its fast resolution. Such significant actions and movements were not registered, mostly because citizens of the country were significantly preoccupied with the overall political crisis in the last three years.

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Media Discourse and the Question of (New) Minority Definitions: Three Methodological Approaches

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Abstract

One of the most central and fundamental challenges of minority studies in the European context is the lack of a clear definition as to what constitutes a minority. This challenge becomes even more apparent when considering the groups commonly referred to as new minorities—that is, minority groups that are formed by the movement of people, rather than shifting borders or changes in the state structure. As the scope of minority studies changes, this challenge can become problematic. Political definitions of minorities are generally complicated by vested interests and power structures, while academic discourses become mired in the problems associated with political recognition and established norms, rendering them indecisive. This uncertainty calls for new approaches to the question of defining the term "minority", and the analysis of media studies provides several possibilities for such approaches. This article will propose three broad methodologies in the examination of news media discourse regarding minorities, which variously consider the discourse as having its own definition(s) of minorities, as being a reflection of and/or challenge to existing political and academic definitions, and as providing a forum for groups themselves to assert claims to minority identity.

Keywords: new minorities; methodology; media discourse; discourse analysis; minority definitions

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Professor Tariq Modood coined the term "middle-aged minorities" during the conference 'What's in a Name? Extending the Existing Scope of Protection for National Minorities to Migrant Communities in Europe'[1] to describe the diverse ethnic groups of Europe, and particularly the UK, that have been formed by migration waves of the mid-twentieth century. These groups pose a particular challenge for the field of minority studies, both from a legal and political standpoint, and in terms of academia—a challenge that the entire conference was designed to grapple with. Falling outside the current scope of national minority protection, but largely no longer having the same concerns as recent migrants, these groups of people are situated in a grey area with regards to their group rights and recognition as part of the fabric of European societies. Although, as Modood pointed out, they are made distinct from "new" groups by virtue of the time the community has been present in the country, they are still largely referred to as "new minorities".

The focus of institutions, organizations and research centres concerned with minority rights is increasingly turning towards the question of "new" minorities and whether the shifting parameters of their field demand a reconsideration of the definition of a "minority" to include or exclude them. A number of potential strategies to answer this question have been proposed, primarily from a legal-political perspective that examines, for example, how existing legal instruments might be extended (Medda-Windischer, 2011; Medda-Windischer, 2016; Pentikäinen, 2015; Sloboda, 2016). However, when we discuss European nation-states, it is not enough to simply talk about the recognition or definition of a "minority" from the *state*, or institutional, perspective—we must also consider the realities and implications within the *nation*, and all the complex realities that the term encompasses. The existing frameworks and discussions of minority studies and policies on the continent primarily focus on the "problematic" minority cases of Central and Eastern European states, arising from the dissolution of the USSR and Yugoslavia, without giving sufficient consideration to the current minority situations of Western European countries. These latter countries have undergone significant demographic change due to the effects of post-colonialism, the guest worker agreements of the 1960s and 1970s, and the influx of refugees from conflict areas in the 1980s, 1990s, and 2000s—and the groups resulting from these movements are almost universally excluded from minority status. While excessive attention is given to security issues and legal measures, such as the Framework Convention for the Protection of National Minorities (FCNM) drawn up by the Council of Europe in 1995, there is insufficient discussion about the

cultural-societal implications of recognized minority status and the provision of rights to diverse groups. All of these gaps—both theoretical and practical—give rise to the need to examine how we might define the term "minorities" from a social-discursive perspective.

Katharina Crepaz (2016) uses the interrogation of national narratives as a framework to discuss a rights-based approach to the distinction between autochthonous[2] and new minorities, which examines the marginalizing function of "othering" within the discussion of immigration and securitization. Modood's suggestion within the aforementioned conference was to learn from the British model of multiculturalism, and to engage in the process of building a shared concept of citizenship and nationality—a topic on which he has written extensively, both in academic texts and in the media (Modood, 2011; Modood and Meer, 2011; Meer and Modood, 2009). The concept of national narratives is rich with potential for investigating the (re)definition of minorities, but how might we go about such an investigation?

Benedict Anderson's (2006) discussion on the role of news media (in the form of print newspapers) in the creation of national consciousness makes consulting media discourse on the matter a natural choice. The power relationships inherent in access to and production of media illustrate similar disparities between the powerful and the disenfranchised in a broader sense, and definitions of the included and excluded of a society are built and reinforced within news media discourse. As Simon Cottle points out, however, 'At the same time ... the media can also serve to affirm social and cultural diversity and, moreover, provide crucial spaces in and through which imposed identities or the interests of others can be resisted, challenged and changed' (Cottle, 2000: 2). So how might we best approach the nebulous entity of "the media" in order to find constructive (and instructive) input on the definition of minorities, particular (new) minority groups and their place within a particular society, or minorities within European societies in general?

The purpose of this article is twofold: firstly, to highlight the important role media analysis can and should play in this debate, and secondly to provide several "jumping off" points from which such research might begin. These points take the form of broad approaches to media analysis, rather than specific methods, within which certain methodologies might be formulated.

Media and methodology

This section will give a brief overview of the three different approaches to media analysis discussed in this article, and outline a number of central themes prevalent in the study of new minorities and the media. The types of research described in this article draw on the field of cultural studies which—as Pickering notes in the introduction to his textbook *Research Methods for Cultural Studies* (Pickering, 2008)—is marked by a conspicuous lack of rigorously developed or traditional methods and methodology. This is partly due to its hybrid nature, situated at an intersection of the humanities and social sciences. Virtually all discussions on methodology across these fields involve extensive caveats and critical re-evaluation of methods and epistemology, resulting in contested definitions of "established" methodologies. Moreover, despite the necessity for rigorous and well-developed methods when carrying out empirical research in the field, methodologies generally need to be carefully and specifically tailored to the needs and circumstances of each study.[3] For this reason, while this article discusses a number of established methodologies that could possibly be employed under the three approaches outlined here, the intent is to create epistemological frameworks within which studies of media analysis might be formulated.

These three approaches, then, are as follows:

1) *A media-based definition of minority*. This approach views the news media as a discourse separate to those in academia or other political or legal arenas, and uses purely the discussion within media to generate a definition of the term "minority". This is based largely on Grounded Theory Method (GTM), which operates on the principle of the dataset itself giving rise to theories, as the researcher identifies categories, trends and ideas within the data.

2) *Critical and comparative discourse analysis*. This approach looks at the intersection, overlap and contrast between the media discourse, and the legal-political definition of "minority". By engaging various aspects of Critical Discourse Analysis (CDA), this approach examines power and structures within media discourse as it relates to its context in society. There is potential for both quantitative and qualitative analysis within this framework.

3) *Media as a forum*. Here the media is viewed not just as a collection of texts, but also as an institution that allows for diverse groups to make claims to minority status and identity themselves. This approach examines the ways in which minorities participate and negotiate in defining the term, and in doing so actively represent themselves within the larger narrative. A

combination of both grounded theory and critical discourse can be applied here, as well as examination through the lenses of various cultural theories, such as Orientalism.

Each of these approaches frames media discourse differently, i.e. as a lone source of data, as one strand of a larger discussion, or as a structural institution that is subject to the influence of various performances of power, both as individuals attempt to gain access to the discussion and as they participate within that discussion.

The current academic, political and media discussions are all subject to various pitfalls in their reliability and usefulness in informing the definition of a minority. While the legal or political definition of a minority—that is, the one recognized by various state legislations—is generally well defined in its scope by the respective state, it is simultaneously complicated by a number of interests including the distribution of resources and international relations. Academic discourse, meanwhile, is often ensnared by the established norms and has difficulty breaking free of the political ramifications of the definition. So, too, can the mainstream media discourse be criticized for a lack of coherency, and the absence of expertise in the field of minority issues and politics among journalists or the general public. However, until the intertwined discourses of policy and academia can also take into account the general, vernacular use of the term minority and a broader understanding of the way a society's various communities are viewed by the members of that society, they will remain incomplete.

Indeed, the discussion on minority issues in Europe is complicated by the ambiguity of definition and usage of the term "minority" between continental Europe, the UK, and the broader international context. Differentiating between references to national minorities, the British term Black, Asian and Minority Ethnic (or BAME), or minorities in a broader sense—encompassing concepts of race, ethnicity, religion, gender, sexuality, and other defining identity traits—becomes increasingly difficult in a globalized world, particularly in the media. For this reason, it is both relevant and instructive to involve discussions on media, race and representation, such as the works of Stuart Hall, Teun van Dijk, Edward Said, Simon Cottle, and others. While the academic discussion specifically regarding the definition of new minorities is still developing, the study of the intersection between media studies and, in particular, ethnic minorities yields a rich and varied spectrum of analysis. The volume *Ethnic Minorities and the Media*, edited by Cottle, brings together a number of different perspectives from the field of cultural studies and media, and despite being nearly two decades old (and thus describing a very different media landscape) is still highly relevant in its discussions of power and representation.

While recent literature on the question of new minorities has largely focused on legal and political frameworks and concerns, Crepaz' article arguing that the distinction between old and new minorities encompasses the aspect of identity, not just rights, provides an important perspective. She bridges the gap between these two aspects in her assertion that 'By including a minority in the country's legal framework it is not only granted protection measures, but also recognition as an integral part of the population – an especially important and symbolic act for minorities, who often feel discriminated against and detached from the majority population of the state they live in' (Crepaz, 2016: 203-4). Her argument frames immigrants as an "out-group" and national minorities as accepted "in-groups", primarily focusing on security concerns—an argument that warrants further examination.

Finally, it is worth noting—before we move on to the discussion of our three approaches—the importance of Foucauldian theories of power and hegemony in analysing the creation of "knowledge", how this knowledge is passed on, and the function and impact that knowledge has within and upon a society. Siegfried Jäger examines knowledge as being 'all kinds of meanings used … to interpret and shape the surrounding reality. People derive this "knowledge" from the respective discursive contexts into which they are born and in which they are involved for their entire existence' (Jäger, 2001: 33), including the discursive context of the news media. This helps frame our understanding of the way a definition of (new) minorities is not only informed, but actually created and further perpetuated by, discourses such as those in media (and other political and social forums), which leads us to our first approach.

1. A media-based definition of minority

The purpose of news media is to describe the world from the perspective of current events, and as such it intersects almost every kind of discourse in myriad ways, across a range of disciplines and topics. However, it can also be observed as a separate entity, which serves our purposes here in that it frees the media discourse from the restrictions imposed by academic and political discourses that dictate which groups should be considered under the label of "minority". By examining news media from, for example, a perspective based on Grounded Theory Method, we can formulate theories around a definition using only what is contained within the discourse itself.

The reason this is a useful and interesting exercise has to do with the vital role of news media in shaping the worldview not only of individuals, but of societies, to create collective

systems of meanings and understanding. Van Dijk (2000), in his analysis of the means of production of racism, argues that media in the modern information society have perhaps the most powerful role in influencing discursive and symbolic ideas, and that they are a primary source of knowledge, attitudes and ideologies. Jäger elaborates on this with relation to discourse theory, stating that '… in discourses reality is not simply reflected, but [rather] discourses live a "life of their own" in relation to reality, although they impact and shape and even enable societal reality' (Jäger, 2001: 36). He emphasizes that discourse theory is a "materialistic theory" that regards discourses as having the means to produce their own subjects in a concrete manner, rather than being "merely" ideologies.

This, in turn, has significant and concrete ramifications, not merely philosophical ones. In this context, it creates a societal expectation of the field of interest for minority departments, research centres, organizations, legal instruments, and so on. But it can also have consequences at a personal level for minorities, in that ideas reinforced in the media can shape a group's identity. 'Labelling Roma, Gypsies and Travellers as "other" is actually making them "other",' explains Jo Richardson, in an empirical study of media reporting on Roma communities in the UK. 'Their identity is reconstructed as different in the public imagination and this can result in physical and social exclusion' (Richardson, 2014: 58-9).

The Grounded Theory Method is a research approach that aims, as the name suggests, to generate a theory or theories, rather than to seek concrete answers. As Bryant and Charmaz explain, it is an approach whereby there is a simultaneous collection of data and analysis of that data, and the collection and analysis inform and streamline each other: 'The GTM builds empirical checks into the analytic process and leads researchers to examine all possible theoretical explanations for their empirical findings' (Bryant and Charmaz, 2013: 1). It is one of the most popular methodologies in the social sciences, and in the forty years since it was first formulated it has accumulated a number of varied and contested interpretations under a kind of methodology "umbrella". Two of the earlier and most recognized methodical approaches to conducting GTM include Glaser's 'six Cs': causes, context, contingencies, consequences, covariances and conditions; and Strauss and Corbin's 'conditional matrix'. Whichever approach one takes, Grounded Theory Method will generally contain certain core elements of the research process: theoretical memos; theoretical sampling; repeated comparison of data to categories throughout the research process; and a focus on the development of theory, rather than verifiable findings (Bryant and Charmaz, 2013).

So how might the researcher generate a dataset to analyse? One strategy might be to use a keyword filter for "minority/ies" in a newspaper archive, in order to generate theories related to the usage of that specific term. Another might be to examine articles within a specific time frame, using a coding system to determine relevance to the concept of minorities (although not necessarily the term itself), based on topic and scope. Or, indeed, a combination of these and other limiting factors. The process of creating this dataset will necessarily affect the outcome of the study, however there is little to suggest that one approach is more correct than the other; they may simply answer different questions, such as whether one should in fact restrict such a study only to the term "minority" or rather to a broader range of related lexical terms.

Bryant and Charmaz assert that it is important for a researcher to be familiar with Grounded Theory Method in some depth in order to usefully employ it as a methodological framework and thereby construct appropriate methods. While there is a relatively large body of literature concerning the use of GTM, and plenty of examples of research models actually using it, there is an understanding that researchers will interpret, develop and adapt their own methods according to the requirements of their study rather than follow a prescriptive set of rules (Bryant and Charmaz, 2013).

The rather imaginative nature of Grounded Theory is one reason why it lends itself well to this particular research problem. The pragmatism afforded by legal experts and political science requires a balancing viewpoint from a cultural studies or sociology point of view to challenge the established rhetoric, and generate new ideas at the point where existing debate breaks down or becomes mired in problems that can't be resolved. Without this balance, the focus on law and policy runs the risk of being trapped in outdated frameworks.

However, there are a number of problems to consider in this approach. The first is that despite the beneficial aspects of this flexible conceptualization of minorities, there is a risk of overshooting the boundaries of relevance for the field of minority issues, in the sense that it is confined to the study of ethnic, national, linguistic and religious diversity. By adhering to a dataset limited by specific terminology such as "minority", the researcher may generate theories that are diluted in their usefulness for this specific field as they are required to consider gender, sexuality, disability, and so on.[4]

There is also the problem of the shortfalls of mainstream media as a "representative" discourse. One aspect is the influence of "news values" in the production of news media, which dictate the coverage and prevalence of certain themes. As Cottle warns us, there is a tendency for ethnic minorities to be portrayed within the frames of conflict and controversy, and 'the

question … is not whether these news values are exclusive to ethnic minority reporting because clearly they inform other news stories as well, but rather to what extent they figure in a disproportionate number of stories about ethnic minorities framed in such ways' (Cottle, 2000: 21). With this in mind, we cannot regard such news values as universal or unbiased, and we should be aware how that may affect a given dataset and the patterns or categories it contains.

Even more specifically, theorists such as Stuart Hall describe how the representations of minorities themselves are driven by certain principles, in that they are 'frequently exposed to [a] *binary* form of representation. They seem to be represented through sharply opposed, polarized, binary extremes – good/evil, civilized/primitive, ugly/excessively attractive, repelling-because-different/compelling-because-strange-and-exotic. And they are often required to be *both things at the same time*!' (Hall, 1997: 229). According to Hall, binaries also have a defining function in establishing meaning through contrast and difference: the majority is able to define itself by what it is not, in the sense that, for example, '"Britishness" is not-French, not-American, not-German, not-Pakistani, not-Jamaican and so on …' (Hall, 1997: 235). This demonstrates the way in which the acceptance of diversity in a national narrative and—importantly—in a national identity can pose a perceived threat to the structural integrity of that narrative or identity. Dominant voices within a discourse may respond to this perceived threat by rejecting notions of inclusivity and acceptance, even subtly. Hall notes, with reference to Derrida, that binaries are rarely neutral and often have an inherent dominant power structure.

These problems of power are something that will be considered in the later sections of this article; however, before we continue there is another practical concern to briefly examine. As Bryant and Charmaz note, in GTM one cannot use the same data both to formulate ("discover") a theory and to validate it; that is, having generated a theory on the definition of a minority using a certain sample of media discourse, we cannot then test that theory on the same sample to get "results" (Bryant and Charmaz, 2013). In one sense, we might reject this assertion with reference to Jäger's arguments about the ability of discourses to live a life of their own— the ideas generated by such an analysis about what constitutes a "minority" could be regarded as being indicative and substantial in and of themselves. But there is also the option of testing these newly generated theories against other discourses, as we will discuss in our second approach.

2. Critical and comparative discourse analysis

This approach considers the ways in which media discourse intersects, overlaps and contrasts with the legal-political definition of a minority in the European context, namely the groups recognized under respective national legislation and European documents such as the European Charter for Regional and Minority Languages (ECRML) and the FCNM. The legal-political definition might be understood to encompass legislative procedures, political negotiation, and compliance and monitoring commentary, and thus also constitutes a discourse, particularly as the definition changes over time.

A comparison could take the form of either quantitative or qualitative analysis, or both: if we regard the legal-political framing of the term minority to be concrete and well-defined, we can quantitatively test the frequency of cohesion between that framing and usage of the term in news media discourse, and use qualitative indicators to test degrees of cohesion. However, any examination of this kind should take into account the inherent structures and functions of power at work in both arenas, as mentioned earlier. One way of doing this is by employing Critical Discourse Analysis.

Critical theory, as explained by van Dijk, is discourse analysis that 'focuses on social problems, and especially on the role of discourse in the production and reproduction of power abuse or domination. Wherever possible, it does so from a perspective that is consistent with the best interests of dominated groups' (van Dijk, 2001: 96). Like Grounded Theory Method, van Dijk posits CDA as an interdisciplinary, multifaceted methodology, rather than a simple method or set of methods. Each separate study requires careful examination in order to select structures and texts to analyse, and the ways in which to examine them.

Jäger tells us that '… discourses are not interesting as mere expressions of social practice, but because they serve certain ends, namely to exercise power with all its effects. They do this because they are institutionalized and regulated, because they are linked to action' (Jäger, 2001: 34). He proposes a model for conducting CDA built on a number of "structures" that help us understand the different functions of discourse, as well as the way that context factors into analysis. These structures include:

- *Discourse fragments*, which are texts or parts of texts that deal with a particular theme. Together, a number of discourse fragments make up a strand.

- *Discourse strands*, which extend through time.

- *Discursive events/context*, terms which primarily refer to politically significant and emphasized events around or within which the discourse is occurring

- *Discourse planes,* or wider thematic forums of discussion, for example science, media, politics, education, everyday life, administration, and so on.

- *Discourse position*, which is the ideological location of a person, media outlet, or other actor within the discourse. A position is created as the result of being "knitted into" discourses.

Van Dijk uses a comparable model that invokes "global" and "local" meanings, with the former referring to "semantic macrostructures" of meaning attached to terms through associations in myriad contexts, and the latter to the most dominant meanings in each context. Contexts, too, can be viewed as global and local; global contexts are the social, political, cultural and historical structures in which a communicative event takes place, and local contexts consist of the particular circumstances and properties of each communicative interaction itself—the participants, the politics, the form and medium of the communication (van Dijk, 2001).

These approaches provide the researcher with a number of tools with which to examine the way that a political definition of minorities might interact with media discourse, as contextual norms, laws, values and rights surrounding a discourse—elements that are themselves influenced by exposure to the media—play an important role (Jäger, 2001; van Dijk, 2001). The positioning of the researcher is similarly important to consider, in that they are also a product of exposure to a variety of contextual and discursive influences.

The elements or tools of CDA should not just be applied individually, however. Discourse strands are by their nature entangled in one another, and various ideas grow within this entanglement in a non-static mass (Jäger, 2001). These ideas result in a "collective symbolism", which is the abstraction from which discursive expressions about specific groups—"migrants", for example—stem. 'In the store of the collective symbols that all the members of a society know, a repertoire of images is available with which we visualize a complete picture of societal reality and/or the political landscape of society, and through which we then interpret these and are provided with interpretations – in particular by the media' (Jäger, 2001: 35). Through this, we can understand that the political usage of the term "minority" is not only fundamentally influenced by the media, but is also susceptible to change because of the ways in which the two strands are entangled.

This methodology reveals the interplay between the media and political discourses. One interacts with the other; there is tension, pushback, and influence in both directions. This is particularly interesting to our discussion when one considers that the very identity of migrants and their descendants as part of the nation's fabric, without even focusing particularly on the question of minority recognition, goes through a similarly tumultuous process between social (including media) and political contexts. Everything from the processes of bureaucracy and citizenship to everyday social interactions is affected by and contributes to this tumult. 'As [new minorities] are not regarded as a constitutive part of the nation, further efforts to integrate, adapt and to a certain extent even assimilate are required of them', notes Crepaz (2016: 211)— and yet the fundamental nature of both institutions and societal framings of "us" and "them" work to continually marginalize these groups.

Located as this discussion is at the juncture between political science, law, social sciences and the humanities, it is worth listening to van Dijk's "plea for diversity" in critical discourse analysis, particularly as regards multidisciplinary research (van Dijk, 2001). Jäger explicitly addresses this kind of analysis, noting that 'in this context the question would have to be answered, if and how the political discourse strand dovetails with that of the media and the everyday discourse strand, how and whether that of the media "influences" that of the everyday discourse strand and thus "eats into it" as it were, and so on' (Jäger, 2001: 51). The substantial existing body of research on the legal and political standing of new minorities, and the lengthy and possibly unresolvable debate over the definition of a minority (and whether such a definition should exist), form a useful foundation from which to base an empirical study of this kind.

This is also an opportune moment to return to Crepaz' analysis of an identity-based approach to framing new minorities, as she also discusses the two discursive "planes" of media and policy/law. She points out that '… autochthonous minorities receive group rights as they are citizens and part of the self-identification of the nation, while immigrants remain excluded from these processes, even after they have acquired their country-of-residence's citizenship' (Crepaz, 2016: 211). A good starting point for research would be to critically examine Crepaz' claim that the provision of rights within a political framework creates more widespread social cohesion and acceptance of recognized minorities within the fabric of the nation, and specifically that 'while "old" minorities have become accepted into the "national narrative" of their countries of residence, this has not happened for new minorities' (Crepaz, 2016: 204). There is much to suggest that this might not be entirely accurate, particularly considering that

autochthonous minorities are also subject to forms of racism and discrimination in a variety of forms across Europe.

Another starting point might be to consider the complicated nature of minority identity; she describes in her argument that 'An open approach to identity, where more than only one kind of identification is possible, enables minority members to identify as both minority members and citizens of their respective nation-state, often combined with a regional or a European dimension to this identity' (Crepaz, 2016: 211). One particularly interesting way of investigating this complexity would be to consider the ways in which members of recognized national minorities interact with migrant communities (both recent and "middle-aged"), and how they might resist or perpetuate exclusionary discourse around those groups. This interaction of "old" and "new" minorities within the nation state encompasses a variety of the structural elements and tools described by both Jäger and van Dijk, especially when considered over periods of time in which migration becomes an especially contentious issue, such as during the conflicts in the Balkans or in Syria, which both resulted in large numbers of refugees moving and settling throughout Europe.

Within a critical comparative discourse analysis of the ways in which a definition of a minority is contested or reinforced between the news media and political frameworks, it is also important to consider what is not said. As Jäger points out, the nature of discourse is self-regulating in that there are things that can't be said—taboo language or themes that elicit negative sanctions unless framed in a particular way (Jäger, 2001). These vary from context to context, and might encompass particular forms of violent speech such as hate speech, or political stances that could harm the popularity or re-election of a public figure. Depending on the political climate of a particular nation, this could apply both to ideas that are too exclusionary of minorities (both new and old) to the extent that they are perceived as indications of undesirable forms of nationalism, or explicitly inclusionary statements in that they are seen to pose an existential threat to the integrity of national borders, culture, and/or cohesion.

There is also the question of who has access to participating in these discourses in the first place, and which voices are given priority. Van Dijk argues that CDA has both scholarly and social responsibilities that demand rigorous, complex theories to 'account for the complexities of the relationships between discourse structures and social structures' (van Dijk, 2001: 96). These theories require that we engage with the fact that news media discourse is produced within institutional structures that are deeply infused with a number of power

dynamics that regulate who can participate in the discourse, and how. This idea forms the basis of our third approach.

3. Media as a forum

Camilla Nordberg, in her examination of the representation of Roma in Finnish newspapers, identifies the role and ability of the media 'to serve as an arena for negotiation and contestation. Not only elite actors but also ordinary citizens can participate through letters to the editor and interviews. The potential diversity of voices turns the daily press into a powerful arena for empirical analysis of citizenship agency' (Nordberg, 2006: 88). Especially when a particular contentious issue is covered by news media, 'access to the media brings about the power of influencing those claims which successfully reach the public arena' (Nordberg, 2006: 100). While these arguments might seem to frame media discourse as an empowering and facilitating forum for representation of marginalized voices, the reverse side of this coin is that those who have disproportionate access to the media (and particularly editorial discretion) can dominate the discussion to the extent that the views expressed are homogenized to suit a particular agenda or worldview.

Thus, in our third methodological approach, we apply a critical eye to the structures of media itself—gatekeeping, journalistic integrity, editorial guidance or imperatives, and so on. We also combine the two main methodologies described in the previous sections of this article, but confine our interest only to certain voices, namely minority voices, instead of the entirety of the discourse. This is a concept that has been discussed by Barry Gibson, who examines 'how the productive tension between the twin goals of emancipation and the production of a comprehensive social theory will become central to any accommodation of critical theory with grounded theory' (Gibson, 2013: 436). This kind of methodology might be viewed as grounded theory formulated such that it takes the view that 'the best position from which to view society is from the perspectives of people themselves' (Gibson, 2013: 437). Gibson describes one justification for this idea, from the perspective of Adorno: namely that sociology, as a product of a capitalist society, has the potential to reinforce power structures inherent in that society. This is especially true of grounded theory that does not delve beyond the immediate appearances of social interactions.

There are hazards in combining GTM with critical theory, however. Gibson argues that there is a risk of "forcing", in which a pre-existing theory drives the interpretation of the data,

leading to the phenomenon of "emergence" and a theory that is not reliably grounded in the empirical data available. This, he argues, necessitates the researcher reflecting on how their bias may affect their coding and sampling. He also argues that the researcher must exercise caution in the very act of conducting research as a form of representation:

> One of the central debates in critical theory is the nature of the research relationship. Traditionally this has been interpreted as an objectifying relationship. What this means is that the relationship between the researcher and researched is a relation where the researcher has considerable power to (*mis*)represent the researched by turning them into an object. By this we mean that participants in research are human subjects and that they become represented by the categories of the research. (Gibson, 2013: 442)

This consideration is crucial to research of this nature, especially since it is particularly ideological. Of course, it is difficult to say that research of any kind is entirely free of subjectivity. However, in examining minority access to discourse there is an especially potent risk for hypocrisy in reproducing the power imbalance that the researcher seeks to investigate. This is challenging territory. The necessity for reproducible results in the social sciences, as in all sciences, presupposes that two people will be able to read the same text in exactly the same way, which would, according to critical theory, only be possible if they had the exact same experiences and values. This is not to discount the scientific value of the field, nor its integrity; it is merely to highlight the absolute necessity of considering and controlling for the biases and position of the researcher.

How one goes about doing so is also subject to mechanisms of power, however; in pursuing this avenue of thought there is a tendency to fall into a dizzying and potentially infinite spiral of problematizing the context of the person problematizing the context—an experience that can leave one with a kind of theory-induced vertigo. At some point it becomes necessary to make general caveats and simply proceed with the research. However, it is worth touching on one more problem in critical grounded theory, namely that of reification and homogenization of diverse groups. Gibson describes it thus: 'The problem is that as the critical grounded theory project seeks to build knowledge grounded in experience that we would end up making claims about groups, such as women or black people. Critical grounded theory might be able to make general predictions or statements that cover all groups of people, however it would also have to remain sensitive to variable differences within groups' (Gibson, 2013: 449). The phenomenon of reification refers to the essentializing of minority identity, reducing members of a minority to a singular and undifferentiated identity, which in a sense discursively segregates a minority community from their larger context (Alexander, *et al.*, 2007). It is important to

resist this homogenization, as it is a misrepresentation—minority communities, like all communities, contain internal diversity, and varying degrees and spectrums of belonging.

This reduction and essentialization of identity speaks to the importance of minority voices being able to represent themselves, and to contribute to the debate on how minorities are defined. Orientalism is one of a number of cultural theories that informs this field of discussion. The pioneering and definitive author on Orientalism, Edward Said, points out a similar starting point for black, feminist, socialist, and related studies, 'all of which take for their point of departure the right of formerly un- or mis-represented human groups to speak for and represent themselves in domains defined, politically and intellectually, as normally excluding them, usurping their signifying and representing functions, overriding their historical reality' (Said, 1985: 3). The focus of his Orientalism theory is on the power structures that allow the West to describe (and thus create knowledge of) the East and ascribe characteristics to marginalized groups—a phenomenon that is evident in this discussion as well, when "new minority" groups are excluded from defining themselves as such. Post-colonial political frameworks, which feature prominently in Said's theory, also play an important role within the European context particularly with regard to migration and migrant groups, as the large majority of communities described by the term "new minorities" are impacted by the legacy of European colonialism in one way or another.

We can observe some of the concrete ways in which these ideas manifest. Cottle describes how the various mechanisms of "media production", including contextual cultural discourse, the productions of systems of signification, processes of identity formation, market forces, and other aspects, interact in dynamic combination, under the influence of the political sphere:

> Viewed through a wide-angled lens, media production is shaped by prevailing state policies and socio-political responses to ethnic minorities, as comparative studies of different multicultural nations demonstrate. Political ideas of assimilation, integration, pluralism, multiculturalism and/or anti-racism can all variously inform the regulatory frameworks and cultural climates in which mainstream and minority production can either flourish or flounder... State regulatory frameworks and media policies are themselves subject to international forces including ... impinging geopolitical realities. (Cottle 2000: 17)

Van Dijk (2000) also outlines the many structural barriers to (ethnic) minority participation in the news media, including a lack of diversity among journalists and editors, the perception of minority voices as being less valid, authoritative or reliable, the prevalent topics of news stories, quote selection, and dominant negative localized meanings around terms associated with minorities.

But beyond simply identifying the problematic nature of access to the media and the marginalization of minorities within its institutions, these theories allow us to investigate solutions to these obstructions, and fulfil the ideological promises of critical theory. One such example is Charles Husband's development of ideas around the "right to be understood"—that is, the right not only to speak, but to be heard and for a mutual effort to be made towards comprehension of the other (Husband, 2000). While this is a two-way street, in many ways minority groups already fulfil these demands with regard to the majority, and so the emphasis is on majority comprehension of minorities. He discusses, for instance, the role that public service broadcasting plays or might play in circumventing market pressures on media production, to ensure that minority voices are heard beyond the boundaries of their own communities.

This also draws the aspect of minority media—media produced by, and often for, minorities—into this particular methodological approach. While public broadcasting funds and access for minority media is provided to recognized groups under Article 11 of the European Charter for Regional and Minority Languages (Council of Europe, 1992), other groups that might fall under the "new minority" category also produce their own media, and there is a body of literature already on the ways media policy for national minorities affects methods of representation (Horsti and Hultén, 2011). Research on (for instance) diaspora and transnational media, and the narratives they build and propagate, has been around for some time—Marie Gillespie (2000) and Annabelle Sreberny (2000) discuss a number of studies within the British context. But the role that these types of media play in building the definition of a minority, including its semantic connotations and societal framing, and with regards to new minorities, could prove fruitful. Indeed, Husband describes how media policy providing for media run by and for Indigenous[5] peoples contributed to the inclusion of policies regarding the preservation of language and traditional law in the UN Declaration on the Rights of Indigenous Peoples (Husband, 2000: 204).

This final methodological approach spans a broad array of ideas and theories, which is consistent with Said's assertion that Orientalism and related fields are 'interventionary in nature, that is, they self-consciously situate themselves at vulnerable conjunctural nodes of ongoing disciplinary discourses where each of them posits nothing less than new objects of knowledge…' (Said, 1985: 13). The goal of such theories is to in fact draw attention to and alter norms around knowledge production, which brings us full circle to the Foucauldian ideas of hegemony and meaning, where we began. Such is the nature of cultural and discourse theory, particularly in

media studies—ideas, structures, action and texts are inextricably linked, constantly at work upon one another and upon social knowledge.

Conclusions

Restricting the field of "minority studies" only to those groups that are covered by the FCNM does not make any sense; in Western and much of Northern Europe the model breaks down, as it was an instrument designed to address conflicts and tensions arising from recently redrawn or re-established borders in Eastern and South-Eastern Europe. In order for the field—academic, political and legal—to meaningfully engage with the issues of ethnic, cultural, linguistic and religious diversity in Eastern Europe, it must consider so-called "new minorities".

The problem with power and the media can be found in Said's assertion that 'Orientalism is never far from … the idea of Europe, a collective notion identifying "us" Europeans as against all "those" non-Europeans, and indeed it can be argued that the major component in European culture is precisely what made that culture hegemonic both in and outside Europe: the idea of European identity as a superior one in comparison with all the non-European peoples and cultures' (Said, 2003: 7). In terms of "new minorities" resulting from migration, this clearly demonstrates the issues that nations and their societies have in accepting groups of (especially) non-European origin as part of their national fabric. The media, as an agent of this discursive practice, presents a biased and deeply problematic reality in terms of the way diverse ethnic groups may be perceived or accepted as in- or out-groups. However, using media analysis as a tool in the definition of new minorities allows us to bring these problematic power structures to light, and to critically engage with assertions that certain groups do or do not require protection and recognition by academic, political and legal institutions and structures.

Cottle brings this exact criticism to bear on the discussion of methodology in the field of media analysis. 'Studies of media representation often lack a theory of "mediation" and, in consequence, collapse the forces of production into culturally defined "frameworks of knowledge" … as such, they tend to overlook Hall's recognition of the "relations of production", the "technical infrastructure" and the "institutional structures" that also condition and shape the practices and output of media workers' (Cottle, 2000: 16).

The importance, and in some sense the urgency, of developing interdisciplinary discussion and research on the framing of new minorities with relation to minority issues is multifaceted. On the one hand, Gibson describes the aims of promoting the research subject's

perspective within critical theory as a research method being less about accuracy or validity, and more about 'trying to enable emancipation from the things that enslave' (Gibson, 2013: 450). While this may sound overly dramatic, it speaks to the magnitude of power disparities that have an enormous influence on the way research is produced. On the other hand, as Crepaz notes, European societies have a vested interest in gaining a more thorough understanding of the social dimensions of minority recognition, as the exclusion of marginalized groups is a self-perpetuating cycle: 'As long as immigration is mainly seen as a threat to our societies' prosperity and security, the distinction between "us" and "them" is likely to persist, and inclusion of immigrants into national self-identification is very difficult' (Crepaz, 2016: 212).

With such a variety of rich and complex theories, methodologies and fields of study to draw upon, there are in fact almost endless ways in which empirical and theoretical studies of the role of news media discourse in contributing to the debate on minority definition/s might be conducted. And in fact, if we look at Husband's (2000) views on the right to be understood, we might view it as a moral imperative to investigate this field in the course of making decisions that have such a serious impact on the scope of academic inquiry and political activity, as it is our duty to seek comprehension of the full spectrum of communities affected by the definition of minority recognition and rights.

Notes

[1] The conference, held at Villa Vigoni on April 11-12, 2017, was co-organized by the European Centre for Minority Issues and the European Academy of Bozen/Bolzano.

[2] The term "autochthonous" in relation to minorities generally refers to groups on a territory that have been situated there for a sufficiently long period of time that they are not considered to have migrated there (see note 5).

[3] Aeron Davis' chapter on 'Investigating Cultural Producers' in the same textbook provides a very useful overview of a diverse range of research approaches in this field, touching variously on political economy, textual analysis and social/ethnographic work. It is an excellent starting point for considering methodological options in media analysis, and gaining an idea of major theorists and research practitioners in each approach.

[4] Which is not to say that there is no use for such theories at all; one might examine categorizations of marginalization with such a theory, for example.

[5] The use of the term Indigenous to describe certain groups as per the UN definition is distinct from the more general usage of the term minorities (and qualifiers such as "national" or "autochthonous") to refer to ethnic or national groups not formed by migration.

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Commentary: The 'Migrant Crisis' and Ethnic Minority Integration in Europe

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During the past couple of years, a variety of new books on the 'migrant crisis' and ethnic minority integration in Europe have been published, covering the uncontrolled mass migration into Europe, the populist reaction and re-emphasis of nation-states, and how this migration may affect traditional European societies; however, less attention has been paid to the inevitable question of how all these newcomers are likely to integrate into European populations. This latter topic, then, constitutes the focus of this commentary.

Refuge: Transforming a Broken Refugee System, co-authored by Alexander Betts, Professor of Forced Migration and International Affairs at the University of Oxford, and Paul Collier, Professor of Economics and Public Policy at the Blavatnik School of Government, is essentially a critique of international refugee policy. Questioning whether refugees have the right to travel directly to Europe, they suggest that of course they do insofar as it is necessary in order for them to access a safe haven, however it is not an unqualified right to move; it becomes necessary only in as much as we collectively fail to create a system that refugees'

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needs are met in a coherent way. Yet international refugee systems are badly failing, in their opinion. Most refugees, they argue, want to work, however are restricted from doing so when they could contribute significantly to economic development, both in receiving countries and later in original home countries. Instead, a great many refugees face urban destitution.

Dysfunctional asylum standards continue to differ between countries. While the Schengen Agreement (1985) removed border controls within a vast area of Europe (now including 26 European Union countries within the Schengen Area), according to the later Dublin Regulation (1990, implemented in 1997, revised in 2003 and 2013, with a number of updates), asylum-seekers must declare their status in the first EU country of entry (e.g. Greece, Italy, Spain), and therefore can be returned from secondary countries (e.g. Germany, Sweden) where they settle to these initial countries; this, the authors argue, has been highly impractical so has been repudiated by some countries such as Germany and opposed as unfair by Italy and Greece. Important questions are which countries should accept how many refugees, which countries should be permitted to now close their borders, and what might be expected of these refugees once they settle in Europe. A high proportion (80%) of migrants have been men. The authors raise three fundamental ethical questions: What is our moral duty toward refugees? Do migrants, even if they are not refugees, have a global moral right to migrate to the country of their choice? And what are the moral obligations that flow from this influx (notably in Germany, after more than a million arrived)?

Betts and Collier stress that it is first the responsibility of neighbouring countries within the region of origin to accept as many refugees as possible, given their cultural similarity; yet then higher income countries in Europe could substantially benefit from migrants and indeed it is their responsibility to integrate them economically, based on need. The distinction between refugees and economic migrants seems rather arbitrary; refugees need to be rescued in a humanitarian sense, at least initially, whereas economic migrants are seeking to improve their lives; refugees are not simply migrants insofar as they do not choose to leave their original country—they are forced to leave. Yet refugees soon become aware of economic opportunities so tend to gravitate to more affluent countries offering employment. In a country such as Germany, 'integration is the best strategy for forging successful lives'; yet 'a significant proportion of refugees may well be more likely than most immigrants to prefer to retain community and culture' (122). Germany has rapidly adopted a policy of dispersion, localized quotas, and anti-discrimination; moreover it is now discouraging return migration after the

conflict ends (although the authors suggest that eventually, after training, returning could benefit original sending countries).

Whether migrants would want to return to rebuild a less-developed country after living for years in a highly developed country in Europe seems questionable. Nevertheless, there has been a shift in attitudes from benevolent welcome to resentment and fear in Germany and Sweden. Training and employment (together obviously with language learning) are critical to integration, as the authors stress, however competition with the existing skilled labour force they perhaps do not consider as much as they could; so their main prognosis—utilizing migrants for economic development—may perhaps seem overly optimistic if not over-simplified.

Fortress Europe: Dispatches from a Gated Continent, by British journalist Matthew Carr, describes the resistance of Europe to mass migration. While somewhat dated (first published in 2012, and much of the book relates to the author's personal experiences interviewing migrants several years previously, although in an Afterword he does bring us more up to date, at least into the past year), this book provides useful background to the present 'migrant crisis'. A general theme is the fight against 'irregular' migration, concomitant with the 'war on terror'. The EU, he points out, 'is founded on the values of respect for human dignity, freedom, democracy, the rule of law and respect for human rights, including the rights of persons belonging to minorities' (6). He suggests that while 'there is much about Europe's borders that is disturbing and horrific, these borders also contain other stories of the tenacity, resilience, and desire of the migrants who cross these borders; of ordinary Europeans from many different countries who have gone to extraordinary lengths to help them; of border zones that often contradict and subvert the expectations placed upon them' (7). The International Organization for Migration (IOM) has described a 'migration governability crisis' in which 'states feel they have lost the sovereign right to determine who enters and remains in their territories' (24). 'The ability to expel or remove unwanted people has always been a symbolic test of the state's sovereignty over its national borders, yet in recent decades this ability has become an essential component of Europe's border enforcement efforts' (127).

There has been mounting British popular opposition to asylum-seekers, reinforcing 'the general climate of suspicion and mistrust of asylum-seekers as serial abusers of British generosity' (115). There is a common perception that many if not most refugees are actually economic migrants seeking to bypass Europe's immigration regulations. Moreover, the EU policies toward migrants contrast with national priorities. The European border agency

Frontex, created by the European Commission in 2005, has become preoccupied almost exclusively with irregular migration in facing these contradictory expectations; in the process refugee protection has become secondary to security issues. A populist backlash against migrants, often led by far right ultranationalist groups, has responded to jihadist acts of terrorism. Yet in France, even the national government's new ministry of immigration and national identity was charged with the objective of dealing with a 'crisis' in national identity which Sarkozy attributed largely to the presence of Muslim immigrants. More generally, is European identity being undermined by mass migration? Carr suggests that identity has become a recurring theme in the context of European integration. 'The very notion of the nation-state as a repository of cultural uniqueness is being challenged by globalization and migration' (208-210), yet European borderlands have long been characterized by complex intermingling of ethnic minorities.

The need for 'cultural dialogue' is nothing new to Europe; however there has been recent condemnation of *'multi-kulti'* in Germany not only by populist nationalists but also Angela Merkel. The author notes that in maintaining 'Fortress Europe', in reality this represents a policy of effectively 'locking out the world's poor', just as Australia and the United States have been attempting. Carr concludes that despite many sorts of blockages by European states migrants continue—in fact increasingly—to find their way to Europe in search of asylum and work, often by

> extraordinarily convoluted and dangerous routes. All this constitutes a political and moral failure on a massive scale. It is shameful and contemptible that one of the richest trading blocs in the world should depict migrants as criminal intruders and potential invaders. It is a gross violation of the EU's moral and political values […] Although some European politicians have argued that enforcement is a precondition for social cohesion and integration, this morbid and mutually reinforcing dynamic involving governments, the media, and the public has stigmatized immigration in general and legitimized the most xenophobic and racist anti-immigrant politics of ultranationalists and the extreme right in ways that threaten to derail the entire European project. (246-7)

He continues, 'Today it is incumbent on Europeans to take down the "walls" that have been constructed […] in order to demonstrate their commitment to the principles on which the union was founded, and to prevent their fears, prejudices, and hatreds from corroding these ideals' (254). Repeatedly, Carr emphasizes the economic need for migrants to more affluent European countries with aging populations, and a fundamental change of attitudes, reflected in many

Europeans responding to 'the senselessness of the European borders' with acts of generosity and solidarity (270).

Whereas in *The Strange Death of Europe: Immigration, Identity, Islam*, another British journalist, Douglas Murray, focusses on what he seems to view as the inevitable popular resistance to mass migration. Melodramatically, his book begins with the comment that 'Europe is committing suicide […] Europe is in the process of killing itself […] I mean that the civilization we know as Europe is in the process of committing suicide and that neither Britain nor any other Western European country can avoid that fate […] As a result, by the end of the lifespans of most people currently alive Europe will not be Europe and the peoples of Europe will have lost the only place in the world we had to call home' (1). This fate is due first to the mass movement of peoples into Europe; secondly, Europe has lost faith in its beliefs, traditions and legitimacy; and thirdly, Europe is now deeply weighed down with guilt for its past. The question of what defines being European is about values; this is another debate about which we are wholly confused, Murray suggests.

Disintegration of the nation-states of Europe into one large integrated political union was important, according to some, but whatever one's views, this is a huge question to leave unresolved at a time of vast population change. 'The world is coming into Europe at precisely the moment that Europe has lost sight of what it is […] Even now Europe's leaders talk of an invigorated effort to incorporate the millions of new arrivals. These efforts too will fail […] If Europe is going to become a home for the world it must search for a definition of itself that is wide enough to encompass the world' (7). Murray concludes that the principal question must be who Europe is for. He recognizes that Europe's problems are the world's, that even talking about this represents a Eurocentric way of thinking—to which he replies that there is no legitimate reason why Europeans should not feel Eurocentric—after all, Europe is the home of the European peoples. In his view, perhaps the European lifestyle, culture and outlook may survive in places, but in much of Western Europe the demographic projections show what the continent's future will be—but it will not be Europe anymore (210).

Murray suggests that massive underestimations of the scale of migration were predictable. During the post-war years, *gastarbeiter* ("guest workers") in Germany and other Western European countries were initially intended to be temporary additions to a depleted labour force, but their families joined them and they stayed. He suggests that immigration soon got out of hand, whilst political parties, if not individuals avoided 'accusations of closed-mindedness and intolerance, xenophobia and barely disguised racism' (27-28). In the

meantime, an aspect of demographic shift is that poorer migrants tend to have more children. Refugees—if not economic migrants—have aroused sympathy: '[…] a movement that risked becoming depersonalized by the sheer numbers suddenly took on a human face […] The wish to welcome all comers ashore may not have been a natural compulsion throughout history, but it had become a natural one to Europeans now, and its opposite unimaginable' (82-3). In August 2016 Jean-Claude Juncker proclaimed: 'Borders are the worst invention ever made by politicians' (178)—which is how the European Union was created, then the Schengen Agreement which effectively erased European borders—and allowed vast numbers of migrants to move freely about much of the continent, constrained ineffectively only by the later Dublin regulation on asylum.

Murray raises challenging questions: Should Europe be a place to which anybody in the world can move and call themselves at home? Should Europe be a haven for absolutely anybody in the world fleeing war? Is it the job of Europeans to provide a better standard of living to anybody in the world who wants it? He comments that 'liberals in Europe might rightly have wondered whether societies that are the product of lengthy political and cultural evolutions could be sustained with immigration at such rates' (295). As the distinction between legal and illegal immigration continues to blur, major cities first, then whole countries will finally become 'nations of immigrants' (a novel concept, perhaps, in Europe but the very foundations of pluralist countries elsewhere).

Much of this book describes the popular backlash to mass migration and rapid social change. Clearly Murray is of the opinion that politicians do not always represent public opinion; policies to 'open the door' have tended to run counter to public approval. More specifically, in a chapter titled 'Controlling the Backlash' he points out that police forces have tended secondarily to attack or limit right-wing ultranationalist factions whereas the primary problems are not dealt with. Muslim controversies have exacerbated tensions. Anti-immigration and anti-Muslim demonstrations have been attacked by authorities and police while radical Muslims are given free rein. Muslim abhorrence of homosexuality has been contrary to prevailing current Western values, and protesting factions and some politicians in the Netherlands have loudly claimed that Muslims have been undermining Dutch culture. Problems exist between minorities and their adopted countries, the author adds, but also between different types of Muslims.

Interesting data on the rapidity of ethnic change are provided. For example, by 2011 less than half (44.9%) of London residents were 'white British', who were now a minority in 23

out of 33 boroughs; there has been a significant decline in 'declared Christians' in the U.K. while the Muslim population nearly doubled; East Europeans in the U.K. increased from 170 thousand to 1.2 million in just ten years (2004-13). Yet there has been no policy for integration: 'we just believed migrants would integrate' (61). In response to mounting evidence that migrants were failing to integrate in Germany, Merkel commented in a much-quoted speech in 2010, 'Of course, the approach to build a multicultural society and to live side-by-side and to enjoy each other has utterly failed'. Five years later, however, faced with the pressing need to accept mass migration, she encouragingly said 'Wir schaffen das' ('we can do this'). Murray emphasizes particularly German sense of guilt as influencing a welcoming attitude toward migrants. For his part, French President Sarkozy echoed Merkel's disapproval of multiculturalism: 'We have been too preoccupied with the identity of those who arrived and not enough with the identity of the country which welcomed them' (94-7)—what has been called '*le grand remplacement*'. Citing American political philosopher Samuel Huntington, 'Multiculturalism is in its essence anti-European civilization. It is basically an anti-Western ideology' (102). But in Britain, Germany, the Netherlands, France, and Sweden there has recently been increasing abhorrence of multiculturalism. Rather, in Germany a move from multiculturalism more toward *leitkultur* ('core culture') has been advocated. Conversely, Europe's challenge has always been to change its 'fairly monocultural past to fit in with its very multicultural present' (106), as Murray concisely explains—not easy to accomplish in the mindset of the nation-state. He suggests, however, that it is unclear how many migrants simply want to enjoy their rights in Europe and how many want to become Europeans.

To be sure, a vital aspect of integration is economic. Murray sceptically summarizes typical reasons (which he calls 'excuses') for accepting mass migration: that immigration on this scale is an economic benefit for receiving countries; that in an ageing society increased immigration is necessary to maintain or expand the labour force; that in any case immigration brings in new cultures which make societies more interesting; and not the least that globalization makes mass migration unstoppable.

At the very least, Murray's book does not shy away from controversial issues and questions, and it documents the many recent attacks in the name of terrorism, which obviously may influence public opinion if not politicians as well. If, as he suggests, Europe is dying, the same pessimistic tone is found in *Europe's Last Chance*, by Guy Verhofstadt, a former prime minister of Belgium and member of the European Parliament, who, however, presents a thorough argument in favour of strengthening European unity. He sees 'old nationalisms' as a

threat to European unity. So, too, is the new Euroscepticism: 'Although, from a rational point of view, a European federation is the only option, a strong countermovement has been on the rise for some time now: Euroscepticism' (26). Eurosceptics, he suggests, 'eagerly exploit all kinds of fallacies and emotional arguments' (27). In his view, a federal Europe represents the only way to get rid of the 'nationalist delusion' still haunting Europe, evidenced in every EU member state still 'under the spell of its national identity', excluding population groups deemed to be weak or too different from the national norm, restricting linguistic diversity, discriminating against minorities, and imposing the same cultural or religious prescriptions across whole societies. So he considers a federal Europe to be the antidote to such practices. He points out that there are few countries in Europe where multilingualism is the norm, and where minority languages are tolerated as more than simply a curiosity, and are officially recognized, where minorities' cultural heritage is valued. 'A federal Europe […] rests on the […] preservation of pluralism, multiculturalism, multilingualism, and diversity in all its forms and guises' (34). Unfortunately there has been a recent and increasing return of 'virulent nationalism' advocated strongly by ultranationalist political parties and movements which 'shamelessly usurp terms like "freedom" and "democracy" when they stand for the complete opposite' (77). Verhofstadt stresses that the future of Europe cannot rest on national identity. L'Europe des Nations is a relic of the past. Indeed, if Europe is to have any future at all, younger generations believe in a united Europe so will not be imprisoned by national identity nor stopped by national borders—the future of Europe lies beyond nationalism (84-5).

The rejection of multiculturalism by such ultranationalists—and even the German Chancellor who recently claimed that *multi-kulti* is dead—reflects much more than just complaints about migrants having inadequate familiarity with the national language or culture; rather 'it is about drawing clear distinctions regarding who does not belong to a community' (77-8). Still the *volkgeist*—the 'glorification of the nation and the exaltation of national individuality and associated ingrained customs and traditions' (79)—lingers and becomes re-popularized. Verhofstadt writes of an emotional 'delusional identarian worldview', evidenced in blind obedience to national traditions which are passed from generation to generation uncritically, even if this demands outright discrimination (84). Much of this discrimination is directed against Muslims. French national identity now seems to be reinforced—even recently by the prevalent national government—through suppression of Muslims, while the increasingly significant far right pushes further for closure of borders and cessation of immigration.

With an increasing number of *jihadi* attacks, terrorism becomes a security issue: 'The security services mandated to protect European citizens still respect old borders; terrorists and criminals assuredly do not' (2). Doubtless these attacks play into the hands of the ultranationalists, and inevitably stimulate public resentment. However, most of these self-proclaimed terrorists have been born and raised in Europe. Still, doubtless in the public mind mass migration (especially of Muslims) compounds the issue.

The author notes that more than 10,000 drowned attempting to cross the Mediterranean between January 2014 and June 2016. In the five years between 2011 and 2016 there were more than a million Syrian asylum applicants in Europe, of which 28 EU countries accepted less than a third. By mid-2015, there were over 11 million Syrian refugees in the Middle East, at least five million in refugee camps (124). Yet a clear EU asylum and migration policy is lacking. Again, in agreement with Betts and Collier, Verhofstadt emphasizes the responsibility for refugees should first be in neighbouring countries, moreover together with those authors as well as Carr that migrants make a significant economic contribution so should not be viewed simply as a liability.

Finally, let us turn to a recently published book which most directly evaluates multiculturalism in Europe, with the provocative title *Is Multiculturalism Dead?*, by Christian Joppke, a sociology professor at the University of Bern. He intends to respond to the controversies over multiculturalism in the liberal state, and specifically the declarations that multiculturalism is dead. Multiculturalism has been the inevitable result of international migration and diaspora absorption, in Europe and perhaps other countries a preoccupation with immigrant integration, yet he suggests that it would be mistaken to conclude for civic integration that multiculturalism is 'dead'. He goes on to explain that civic integration is the new prevalent norm. 'That civic integration, with its centrist touch, differs from, or is even opposed to, multiculturalism seems incontrovertible' (3). Yet in Europe, while there are alternative views on civic integration, underlying civic integration policy, multiculturalism is necessary in a liberal society. Is multiculturalism really retreating, in favour of civic integration (invented in the Netherlands during the 1990s), or does it persist under a different name? Civic integration policies are not all identical, moreover Joppke questions whether civic integration is liberal enough to render it compatible with liberal multiculturalism.

Multiculturalism tends to be concerned with minority rights (including gay rights). Unlike in Canada, in Europe 'nowhere has multiculturalism become part of national self-definition; on the contrary, it is perceived as the property or privilege of immigrants and ethnic

minorities' (2). Yet under international law the granting of minority rights is contingent upon the citizenship status of the respective group. This in turn raises the question, which should be protected, minority rights or national rights?

Adding to the semantic confusion, what is 'interculturalism' (a term favoured in Quebec and now Germany), other than an appreciation of diversity? Joppke discusses this at some length, and concludes that this term is little more than 'old wine in new bottles'. Both multiculturalism and interculturalism could be considered identity politics, which of course may vary from country to country (one could perhaps add from countries supporting pluralism versus countries which have been nation-states). Joppke suggests that interculturalism is premised on a critique of multiculturalism; according to the Council of Europe (2008), multiculturalism tends to promote 'communal segregation and mutual incomprehension, while undermining the rights of individuals – particularly women – within minority communities' (53). Joppke goes on to discuss the relationship of the term 'diversity' to multiculturalism, pointing out that while diversity shares with multiculturalism demographic fact and normative-political claim, diversity differs from multiculturalism insofar as focus shifts from the group to the individual. Yet, despite all these semantic nuances, Joppke concludes that 'interculturalism or diversity may be considered continuations of multiculturalism under different names' (60).

As with Murray, Joppke pays particular attention to the issue of integrating Muslims, pointing out that 'undoubtedly, problems of Muslim and Islamic integration are central to multiculturalism's sinking star' (5). He adds, 'The real friction in Europe is not between majority and minority religion but between a non-religious majority and the more intensely felt religiosity of the Muslim minority' (16), which may tend to be illiberal and homophobic (96). The dilemma is that European constitutional law in a liberal democracy ensures religious freedom, whereas conservative Islamic values constrain and conflict with this very liberalism. Moreover, recent terrorist attacks in the name of Islam have further exacerbated tensions and made Europeans increasingly cautious about 'minority rights', thereby multiculturalism.

However, in defence of multiculturalism, Joppke argues that multiculturalism is necessary in a liberal society, even inevitable: 'as long as constitutionalism is in place, we live in societies that are set to become more and more multicultural' (4). In fact, he suggests that 'the central argument of this book […] is that liberal constitutionalism naturally generates multiculturalism' (5-6). Multiculturalism can be seen as anti-discrimination: 'There is no multiculturalism theory or policy that would not claim to fend off discrimination against minorities; however, the relationship between anti-discrimination and multiculturalism is not

straightforward', rather it is ambiguous (4-6). In fact, the author suggests that particularly in Europe the rise of anti-discrimination is 'strangely unaffected by the crisis of multiculturalism' (115). This leading comment is followed by quite an extensive discussion of anti-discrimination practices in Europe.

Joppke explains that multiculturalism is 'not one but many things'. He contrasts 'new and old world multiculturalisms'—Canadian, American and Australian varieties compared with European (particularly Dutch). He describes various multiculturalism theories: communitarian, radical, and liberal, in the latter making much use of the theorizing of Canadian Will Kymlicka since the 1990s. Yet before getting into such theoretical categorization, this discussion could have benefitted from earlier Canadian writing (soon after multiculturalism became an official national policy in Canada in 1971) fundamentally explaining that multiculturalism can be viewed as ideology, policy, or demographic reality; it is not always clear in this book exactly which form the author is talking about. Additionally, he appropriately points out that multiculturalism (policies?) can be localized. Joppke's own penchant seems to be emphasizing individualism in multiculturalism, or as he puts it a 'multiculturalism of the individual', which makes more sense than an 'unreconstructed multiculturalism of groups' having fewer supporters today. He suggests that this proposed multiculturalism of the individual shares many elements of Kymlicka's liberal multiculturalism, but is distinguished by a less clear-cut boundary between liberal constitutionalism and explicit multiculturalism. In his opinion, 'on the critical side, a multiculturalism theory that centrally rewards the claims of ethnic minority groups, and particularly those that are sedentary and thus "national minorities" (including the indigenous), is too narrowly drawn' (163). There is much very interesting theoretical discussion in this book, however at the end of the day the extent to which Joppke clarifies multiculturalism in Europe, and effectively responds to critics of multiculturalism and claimants of its imminent demise, seems debatable.

Granted, these new books do not necessarily focus primarily on ethnic minority integration in Europe, although the authors raise many pertinent issues bearing on this controversial topic. Yet this still leaves many unanswered questions. Call it what you will—multiculturalism (in various modes), interculturalism, civic integration, anti-discrimination—the central question remains how European countries which have received recent mass migration are to deal most effectively with migrants who are culturally, linguistically, religiously markedly different from most of the existing population. What, exactly, is the meaning of integration? Will European multiculturalism assume different forms from

multiculturalism in historically pluralist countries such as Canada? And not the least, given that ethnolinguistic minorities have long existed in virtually all European countries, diversity is nothing new—but will recognition of minority 'rights' gained (often with considerable difficulty) by these historic minorities prevail in a climate of possibly decreasing public patience together with increasing ultranationalism? These are very difficult but essential questions at this time.

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Conclusion

Tamara Hoch[*]

European Centre for Minority Issues

This special issue has dealt with an important challenge confronting not only the academic field active on minority issues, but also the ways in which minority policies, laws and international frameworks need to be (re)considered. An urgent challenge has emerged through 'new migration' and the rapidly increasing ethnic diversity, a new reality in most European nation-states. Again, we are standing at a breaking point, another milestone in the evolution of minority studies and how to consider the right of the increasing number of different minorities. The collapse of the Soviet Union, followed by the Yugoslav wars, each represented two important milestones, and are the forerunners to much of the existing academic, political and legal developments, knowledge and experiences with minority studies. Yet the current phenomenon—the 'new migration'—seems to be representing a third milestone. It has rapidly made its way into minority studies, however with less understanding of what it really means and what the greater implications may be. Many things need to be rethought and newly understood, not least who and what constitutes a 'minority' today, but also how to equip national and European-level institutions, how to reconsider the term 'minority rights', and who should have access to special rights or enjoy special protection. These are only a few of the questions arising from contemporary developments, and as seen in the Introduction to this

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special issue, there are many more concerns and dilemmas related to new migration and its possible impacts on minority rights.

Minority studies have always been torn by complex questions, a challenge which is now there again. With the third milestone making its way into minority studies, characterized by new migration and new types of minorities in Europe, some of the classic questions are gradually reintroduced. Questions that we thought had been addressed and matured, suddenly turn out to be relatively unstable after all, or at least when confronting the new and highly complex realities which are spreading across Europe. Vertovec (2007) introduced the term 'superdiversity' as he described the British ethnic composition back in 2007. The notion was applied to capture how the very nature of immigration had changed since the early 1990s in Britain, referring to a transformative trend of "diversification of diversity" (2007: 1025). More specifically, with superdiversity, Vertovec argued that the past decades' immigration had become so diverse that societies had to consider many new variables when drawing up different policies. Vertovec listed new variables such as differential immigration statuses, and their concomitant entitlements and restrictions of rights, divergent labour market experiences, discrete gender and age profiles, patterns of spatial distribution and mixed local area responses by service providers and residents (ibid.). This points to the weight of differentiation both within and between diverse migrant groups. The guest editor of this special issue, Alan Anderson, also raises a question of 'differential' treatment or state recognition of minority rights for different types of ethnic/linguistic/religious minorities. Now that nearly each nation-state in Europe confronts a rapidly increasing diversity, do the state policies also need to be adjusted accordingly to better reflect the diversity? Are the so-called *differential state policies* for different types of minorities the new norm? Such developments have inevitably led to a reintroduction of the longstanding debate, namely on how to (re)consider the scope of minority rights. Classic questions on who is a minority also suddenly reoccur, reengaging both scholars and policy makers. By questioning who is a minority today, one needs to consider that most European nation-states have changed dramatically from the times when post-war or post-Soviet arrangements were drawn up. How can we (or should we) categorize all the different minority groups? Do all the different types of minorities that make up European societies today qualify for 'special' minority rights? Or do we need to engage in new distinctions and categorizations? This also raises questions over whether there is a need to rethink the distinct approaches that have been applied towards traditional/national minorities and the more recent immigrant-origin

minorities? So far, the former ones have managed to secure various special 'rights', while the latter are (most often) obliged to emphasize integration into receiving countries. In what way(s) do the European countries need to rethink their national politics and approaches in settling the various needs of the different types of minorities? Also, could the increasing need to establish integration policies in European nation-states have detrimental (or positive) effects on the policies that are already established and negotiated for the historical national minority groups, or vice versa? While some of the above questions are not new, the context in which they are being asked are. The environment in which the old questions are reintroduced has changed dramatically, and while the original questions are returning, they are this time accompanied by several new concerns, arising from complex phenomena which are here to stay and will not go away. The European-level institutions have made important achievements in the field of national minorities and their protection by establishing some of the most ground-breaking documents, such as the Framework Convention for the Protection of National Minorities (FCNM) and the European Charter on Regional and Minority Languages (ECRML). Despite the weakness encountered in each of these documents, not least the problem of non-enforcement upon states, they have marked an important development in the area of minority rights in Europe. And these documents have contributed to important achievements, not least by encouraging many states to be more open and receptive to minority issues and diversity in their societies. Yet both documents were established in a different time, a time in which the first two milestones were dominating the minority discourse Europe. The European Centre for Minority Issues (ECMI) also shares many years of experience on the two first milestones in minority studies, namely the collapse of the Soviet Union and the Yugoslav wars as well as the consequences following the end of both federations. Each of the two milestones served the basis for much of ECMI's research for a long time and the centre has covered each milestone widely in its projects, publications and events. Through this focus, ECMI has contributed with important knowledge, expertise and produced important results regarding both milestones. Now, as a third milestone has arrived, with an incredible speed, requiring a multifaceted rethinking in the context of minority studies, it is also time for the ECMI to rethink its engagement with minority issues with this special and highly complex context. This special issue is a good place to start to explore some of the most challenging questions today and to engage with the highly unexplored linkage between minority rights and new migration.

1. The issue of redefinition(s)

One central question was introduced in the very beginning of this special issue, namely: how 'new migration' may affect 'minority rights'. This question brings together the established rights of long existing (traditional) ethnic minorities and the presumed rights of new migrants. But the question further raises the issue of 'redefinition' of the very meaning of minority rights and what 'rights' ought to be given, and for whom. The issue of 'redefinition' of minority rights is not novel to minority studies, and it has been addressed in existing work, very recently in fact. Malloy (2013), for example, has suggested a new approach to viewing minority rights by elaborating how we could move away from the hierarchical position of protection as the main 'end' of minority rights. Here new mechanisms, such as the need of empowerment mechanisms, entered the debate on how and to what extent minority rights can and need to be reconsidered. Similarly, Guella *et al.* (2013) also introduced the so-called 'law of diversity' which proposed a move beyond protection towards empowerment of national minorities by emphasizing the importance of self-empowerment, participation and cooperation. Hoch-Jovanovic (2014) also reached the conclusion that minority rights are undergoing a dynamic change in the times of European integration and that various Europeanization forces contribute to a reinvented picture of minority politics and *traditional* rights, not least through the importance attached among minorities to act independently at the European level and/or in transnational coalitions, being more prioritized than protectionist paradigms. So, the question of *redefinition* has already been raised and addressed in the interdisciplinary field of minority studies, at least in the context of traditional national minorities. However, such studies which began to explore the potential for various kinds of redefinitions regarding minority rights and minority politics in Europe, did not get very far before the realities in Europe started to change. Minority issues suddenly became accompanied by highly complex realities, rarely observed before. This has introduced many new variables to be considered; many new 'categories' of groups are waiting to be 'sorted'; numerous new concerns need to be dealt with. This all calls upon many decisions to be taken regarding what approaches we should apply in terms of methods, theories and data. The immense influx of people has not only created a challenge to nation-states and the (potential) threat to older/traditional national minorities. But this extreme diversification of people also imposes a challenge to the academic domain, as well as political and legal developments concerned with drafting policies and establishing rights. With such a

complex reality, a number of redefinitions and rethinking are today more urgent than ever before.

2. How does this special issue contribute?

This special issue raises several important questions about the interlinkage between new migration and existing knowledge in minority studies. Each article addresses this linkage in a unique way. This is done in the four articles by addressing four different problems, through four different approaches, looking at different country contexts and by developing four different arguments. And as such, each of the articles in this special issue contributes to the ongoing debate producing relevant knowledge to both academia and policy makers working on minority issues.

This special issue was opened through an Introduction by the guest editor, Alan Anderson, who provides a thorough review of the development across many European states as caused by the new migration waves. With this he also introduces several important questions that need much more attention today. One of the most central questions revolves around how new migration (in many varieties) may affect minority rights. He defines minority rights as not only the established rights of long-existing ethnic minorities but also the presumed rights of new migrants settling largely in European countries and through which those countries are being transformed into ethnic pluralist (multicultural) states. By pointing to the many controversies arising from the increasing new migration, Anderson opens up the special issue with many central reflections of current societies, underlining the need to better understand the complex relation between traditional/national minorities and newer immigrant-origin minorities.

The Introduction is followed by Armillei's and Mansouri's focus on the meaning of 'ethnic democracy' in Italy and Australia. The co-authors explore the question of what forms of policies states can apply regarding irregular migrants, or 'boat people', and especially two states with authoritarian legacies. Through a historical ideological lens, the two authors argue that Italy's and Australia's approach in dealing with irregular immigrants is reinforced through the history of authoritarian legacies. They illustrate this argument by pointing to several trends observed in both countries throughout the past decade. A first weakness is noted in both countries' concerns protecting their national territories from the massive influxes, rather than

complying with international human rights. A second pattern is shown in the ways of dealing with 'boat people' in both countries, in which the public opinion appears to have a strong hold of national policy choices and actions. That is, crimes at the national level are often linked to illegal immigrants, which has helped to install a context of 'moral panic' leading to a reinforcement of 'othering' and ethnic nationalism in both countries. Because of this widespread discourse, both countries are increasingly concerned with securitizing their territories, rather than applying democratic means in the dealing with irregular migrants. In practice, this has led to an increase in penalizing asylum-seekers. The authors make an interesting point throughout the article, namely that one needs to shift the focus to the causes of the illegal immigration in order to prevent it, and not only consider how to deal with the migrants once they have arrived in the 'host countries'. However, the negative attitudes in both countries are not only visible in their approaches toward illegal immigrants, but also in attitudes toward other existing and traditional minorities in the two countries, such as the Roma in Italy and the Aboriginals in Australia. This reinforces the arguments about the still strong presence of ethnic nationalism in both countries, which not only influences the approach to illegal immigrants from Africa and Asia, but also justifies it. The article sheds a useful light on how certain legacies are easily revived in times of new migration and what influential force such legacies can have on the policy choices in countries. But the article also points towards the issue of renewed nationalism as directed towards 'visible' minorities, both older ones as the more recent ones, which is exactly one of the dilemmas raised by Anderson in the Introduction.

The next article by Carlsson explores integration policies of immigrants, however, in a very specific context that has not rendered much research so far, namely in bilingual Finland. But rather than focusing on the Finnish language as the language of immigrants' integration in Finland, the author shows how the existence of a historical minority in a country can impact the debate on how to draw up an immigrant integration policy. Swedish, being the second official language in bilingual Finland, is spoken by a Swedish non-territorial minority with national minority status and co-constitutional rights in Finland. And although the societal position of Swedish has been declining in Finland over the past decades, many immigrants express a wish to have the Swedish language as the language of integration. Unlike in other federal states with bilingualism and territorial minorities, where the dominant language of that territory needs to be learned by immigrants, in Finland it is rather voluntary. However, not much is being done by the Finnish state to enable immigrants to choose between the two

languages, this despite existing legislation. And while the Swedish-speaking minority in Finland is in favour of an integration policy in the Swedish language, many immigrants choose Finnish due to structural reasons and fear of ending up in a marginal position should they opt for Swedish. This article shows the complexity of bilingual arrangements when it comes to a changing reality and increasing diversity, and especially when confronted with new processes such as new migration and the need to adapt the existing structures to emerging developments such as a new integration policy. It also brings to the fore the different categories of historical minorities and how these are perceived by migrant communities. For example, in this article, the fact that the Swedish minority in Finland once held the dominant position in Finland, could possibly also explain the immigrants' interest in learning Swedish. This is an area that would need further elaboration, though.

In the third article, Andreva treats the Schengen Agreement as a novel migration arrangement in Europe and she illustrates how such an arrangement can (indirectly) have a negative impact on state policies and cause mistreatment of certain minority groups. By looking at the Republic of Macedonia and the country's citizens belonging to the Roma minority, the author illustrates the ways in which members of the Roma minority are deprived from fundamental rights, especially the freedom of movement. In 2009, the EU decided to extend one its core principles, namely the freedom of movement to the Western Balkans by lifting the visa requirement for citizens from those countries and allowing them to travel freely to the remaining EU member states within a certain period. The Republic of Macedonia belongs to one of those countries where the visa requirement was lifted, however as the author notes in her article, this has led to a jeopardizing of fundamental rights for some of country's citizens, especially the Roma. Although the minority group enjoys constitutional guarantees and protection, it has been repeatedly denied the privilege of crossing the border or leaving the country. The Roma minority is thereby not only prevented from freely exercising the freedom provided by the EU, but the act of prohibiting the Roma to leave the country is also interfering with their constitutional rights. The author links this specific case to the existence of a deeply rooted problem in the Republic of Macedonia, one in which state institutions and, in this case, border institutions often apply discriminative practices towards the Roma minority, denying them the right to leave the country freely being only one of many instances of discrimination. This case helps to demonstrate how a certain minority in one country, despite the guarantee of fundamental rights and freedoms of citizens in the state constitution as well as rights guaranteed

by the European and international level, is still mistreated and discriminated against when placed in the context of the 'new migration'.

The fourth and final article provides a detailed analysis of three theoretical/methodological approaches on how we could investigate a potential (re)definition of minorities through the usage of news media. The author presents three broad approaches that can be useful to begin such research, namely: a media-based definition of minority; critical and comparative discourse analysis; and media as a forum. The author discusses both advantages and pitfalls with the three approaches, concluding that media—as an agent of the discursive practice—presents a highly biased and deeply problematic reality in terms of the way diverse ethnic groups may be perceived or accepted as in- or out-groups. However, in the context of increasing knowledge about the process of (re)definition of minorities in a reality with 'new minorities', a media analysis can, on the other hand, also help to bring the existing problem to light and to critically engage with the assertion that certain groups do or do not require protection and/or recognition by academic, political and legal institutions and structures. This also concludes the entire special issue by asserting that the current issues of ethnic, cultural, linguistic and religious diversity in Europe require an engagement of the entire minority field, which encompasses not only academic research and studies, but also political and legal actors and domains.

3. Four conclusions can be drawn from the above articles:

First, historical legacies in nation-states, and especially legacies of fascism and ethnic-nationalism, are easily revived when confronting new migration;

Second, state policies on integration don't always consider the voices of migrants; for example, in the case of bilingual 'host-countries' where the migrants' own perspectives should be debated and included in setting up an integration policy;

Third, some regional migration arrangements, such as the Schengen Agreement in Europe, can indirectly trigger discriminative treatment towards certain (traditional) minorities;

Fourth, the minority field, including academic, political and legal, needs to consider the increasing relevance of 'new minorities'.

4. Recommendations

So what is the relation between the (emerging) integration policies aimed at 'new migrants' and the more established policies of older national minorities?

This special issue has tackled several different aspects related to the minority rights and new migration and how these may relate and influence each other. Although no definite conclusions can be drawn in this still relatively underexplored field, this special issue has introduced some urgent questions that need to be addressed and (re)considered, and that will undoubtedly occupy many scholars' research agendas over the coming years. Despite the complexity that the new migration introduces, European organizations as well as the nation-states in Europe do have experience with tackling diversity, and especially minority demands which has led to the creation of rights schemes applying to national minorities. Without repeating the questions on whether new migrants qualify for special minority rights or not, countries do need to strengthen their engagement with these groups and to (re)consider the scope and content of integration policies. The experiences with national minorities in Europe can be useful to build on, and especially because the rights that many national minorities enjoy today were preceded by challenging and complex times. Therefore, the process which led to the creation and institutionalization of national minority rights can provide a useful platform in terms of experience to policy makers and important lessons can be drawn from the process preceding the establishment of national minority rights. One characteristic of that previous process was the timing that it needed to agree on and establish certain rights to national minorities in Europe, despite the urgency in many areas. The process also involved the issue of accepting those rights by many different parties involved. Each national minority group is unique, demonstrating its own specific needs, requirements and claims, not only between European countries, but also within the countries. This has also meant that each model or arrangement has had to adapt to such unique circumstances which arise from diverse societies.

Just like the established minority rights applying to historical national minorities across Europe took time to be accepted by the publics, integration policies regarding new migrants also need to be contested. Input is necessary from a broad range of actors and voices, including public opinion, interest groups, the media, and all political parties as well as academia. Not only is such an engagement missing, but it is also one of the strongest challenges in contemporary European societies.

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