

EU ‘common’ immigration policies: serving transnational or national interests?

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Entzinger and Biezeveld (2003) indicate, that since the 1990s when the issue of immigration of third country nationals in EU countries became a widely debated issue it has been a matter of concern not only for the countries with significant numbers of third country nationals, but for the European Union as a whole. Although Member States remain responsible for the admission of immigrants and developing and implementing integration policies, “... the European Council at its meeting in Tampere in 1999 set the political guidelines and some concrete objectives for the development of a common EU policy with regard to immigration” (ibid: 3).

Based on the above, one would expect that EU countries’ immigration integration policies would be similar, reflecting common EU objectives, irrespective of the different countries’ national interests, geographical position, immigration history or different immigration inflows. Examination though of the immigration integration laws of different EU member states reveals a slightly different picture. Greece and Finland were used as case studies as these countries have similar immigration histories - were until recently, and probably still are, emigration countries - but have different immigration inflows because of their geographical positions Reichel (2009), Salmenhaara (2005), Baldwin-Edwards (2009). Still, they have to comply with EU legislation on immigration.

My particular interest was to see how the laws of these two countries construct and describe the process of integrating immigrants, by comparing how immigrants and actors are portrayed in the relevant laws, and identify the ideological assumptions behind these documents. In this paper I will discuss only how immigrants were described and the ideological assumptions behind their representation. The methodology used was a synergy between Critical Discourse Analysis and Corpus Linguistics. The analysis was carried out at word and sentence level, paying particular attention to the problems of representation. The questions addressed were the following:

- Who are the immigrants? (how they are lexicalized?)
- What words collocate with the identified term (s)? What connotations do these words have?

The documents analysed were extracts from four laws of Greece and Finland that included aspects of all the benchmarks indicated by Entzinger and Biezeveld (2003), as integration

indicators, namely socioeconomic, cultural, legal and political integration. The chosen legislation sections from both countries, regard non EU immigrants, but exclude asylum seekers, students, diplomats, researchers, ex-patriats, for whom in both countries, special, more favorable provisions are made. These laws are publicly available through the two countries' governmental sites and are available in English as well. The details of the sites are as follows; regarding Greece, the governmental site is: The Ministry of Interior, General Secretariat of Population & Social Cohesion (http://www.ypes.gr/en/Generalsecretariat_PopulationSC/Laws/) where the Codification of Legislation on Entry, Residence and Social Integration of Third-Country nationals on Greek Territory and Law 3284 (on Ratification of the Greek Nationality Code) can be found in English. Regarding Finland, the governmental site where the relevant laws (Aliens Act, Nationality Act) can be found in Finnish and English are: The Finnish Ministry of the Interior, Finnish Immigration service (<http://www.immigrationsservice.fi/netcomm/?language=EN>)

A concordance of the above laws that were related to the immigration integration benchmarks was made, using Concordance 3.3, available at <http://www.concordancesoftware.co.uk/> and after removing all numerical, pronoun, prepositional, particle tokens and verbs, nouns, adjectives and adverbs that were not directly semantically related to the key word "immigrant" and words that appeared twice, a comparative table of words that appeared more than 10 times, as this was considered statistically significant, was created. Based on that table, the word frequencies related to how "immigrants" were termed was revealed, followed by an examination of their collocations (words that go before and after them).

The comparison of the immigration integration laws of the two countries among other things, revealed a significant similarity between them; the common **non-use** of the term "immigrant", that denotes "[...]persons that depart from one's native land and getting settled at another place". <http://definitions.uslegal.com/i/immigrant/>. The terminology used instead, was *third-country nationals* in Greek laws, denoting "(...) an employee who is not a citizen of the home or host countries". <http://definitions.uslegal.com/t/third-country-national> and *alien* in Finnish laws, denoting "(...) a person who is not a citizen of the country in which they live." <http://definitions.uslegal.com/a/alien/>

Thus, the way "immigrants" are termed, and arguable defined, in the legislation of the two countries, portrays how the countries under analysis conceive and understand those people. Not as people who want to settle in the host country, but either as temporary employees (Greece) or as nationals of another country, residing in Finland whose intentions with regards to settling down are unclear. The use of the term *alien* in the Finnish laws, just foregrounds people's otherness but not their purpose in coming to the country.

Entzinger and Biezeveld (2003) have already identified that in different EU countries immigrants are defined in different ways, and they consider it as a problem with the EU Member States. I would argue though, that the inconsistency in the terminology used is not simply a problem, creating double-speak in the EU community, but reflects national contexts that, in turn, dictate slight variations in (common) policy priorities.

In the examination of the immigration integration legislation of Greece and Finland the fact that different words are used to refer to immigrants, reflects a common conceptualization of how immigrants are conceived of in each country. What is common in the legal terms used in the legislation of both countries, is the emphasis on the notion of non-nationality introducing the idea of otherness; an idea somehow expected since the analysed texts were laws that tend to be both prescriptive and descriptive. In other words they have to define who these “others” are; and here lies, paradoxically, the difference but also the similarity in the way “others” are described in the two countries. The similarity has to do with the way “immigrants” are termed in the legislation of both countries; the fact that they are not portrayed as people indenting to settle permanently. The difference is in the way they are termed, which in turn may reflect national notions of what an “immigrant” is.

In the Greek context they are *third-country nationals*, employees that work in *our* country; these are the people the Greek laws involve. In the Finnish context they are *aliens*, persons that live in *our* country and are not Finnish nationals; these are the people the Finnish laws involve.

The terminology used in the Greek laws reflects how the Greek State, through its integration policy, sees “others”; as temporary workers. This might be attributed to past notions of an immigrant as “[...] a male temporary worker who after collecting a sum of money through his work would return to his country.” (Katrougalos et al 2004:21) – my translation - and although the country in the late 1980’s has received a great influx of immigrants, and has attempted to re-shape its immigration laws accordingly afterwards (Zigoura 2007), it seems that not much has changed terminology wise, and arguably conceptually wise.

The terminology used in the Finnish laws partly reflects how the Finnish State, through its integration policy, sees “others”; as nationals of another country that live in Finland and they may (not) want to permanently reside in it. I believe that the term used reveals the country’s uncertainty as to how to see non-nationals and what to do with them, a fact that may attributed to Finland’s being a new immigration receiving country, thus inexperienced and in an awkward position with regard to how to view and consequently deal with the situation.

It seems that, by using different terms to talk about the “same” thing allows the EU Member States to remain responsible for the development and implementation of integration policies, within a common EU framework. It seems thus that the use of different terminology serves specific national

needs under the umbrella of a common EU policy. I would further argue, extending Linos' (2001) argument for Greece to Finland, that national immigration policies are shaped more by domestic policies than international, or EU, factors. If that is the case, it seems to point to the lack of common, transnational, EU policies at the expense of national policies, despite claims to the contrary. In other words, although it is claimed that there are common EU (immigration) policies, in practice, as reflected in the wording of EU member states legislation, national conceptualizations are foregrounded. This lack of common policies and the foregrounding of national understandings of them, or national interests, indicates that EU is not a common body with coherent policies, at least regarding immigration. In that sense, it can be argued that EU member states' legal discourse first and foremost exhibits *eurocepticism*, in the sense that the countries themselves foreground their differences and not their similarities, backgrounding thus any European integration. In that definition and understanding of eurocepticism, it seems that it is inherent in the EU, so the rise of euroceptic parties in the recent European Parliament elections (<http://graphics.wsj.com/european-elections-2014/>) is just a reflection of an already existing phenomenon, inbuilt in the EU non-common policies.

References

- Baldwin-Edwards M. (2009) *Regime, Regularisations in Europe. Study on Practices in the area of regularisation of illegally staying third country nationals in the Member States of the EU, Appendix A: Country Studies, Vienna: International Centre for Migration Policy Development (ICMPD)*
- Entzinger H. and Biezeveld R. (2003) *Benchmarking in Immigrant Integration*, Report written for the European Commission, European Research Centre on Migration and Ethnic Relations (ERCOMER), Faculty of Social Sciences, Erasmus University Rotterdam.
- Katrougalos G., Kontiadis X., Kostoula M., Mousmouti M., Papatheodorou Th., Chamodraka X., (2004) *Νομικές, Θεσμικές και Διοικητικές Διαστάσεις του καθεστώτος εισόδου και παραμονής μεταναστών στην Ελλάδα. Προκλήσεις και Προοπτικές Βελτίωσης. Μελέτη Συμβατότητας του Ελληνικού και Ευρωπαϊκού Θεσμικού Πλαισίου*. [Legal, Institutional and Administrative Dimensions of the entrance and stay of immigrants in Greece. Challenges and Improvement Prospects. Compatibility Study of the Greek and European Institutional Frameworks.] Athens: European Constitutional Law Center, Themistoclis & Dimitris Tsatsos Foundation

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