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SESSION II

COMPARATIVE ANALYSIS OF MINORITY POLITICS
POLITICAL RIGHTS OF ETHNIC MINORITIES IN WESTERN EUROPE

LEE KWANG-IL

I.

Today ethnic minorities account for between 5% and 13% of the population in most Western industrialized countries. These minorities are largely composed of foreign laborers and other immigrants who arrived after the Second World War (particularly in the late 1960s and early 1970s), together with their descendents. Most authorities explain these large-scale international migration in terms of push and pull factors, the former consisting of the poverty endemic in Eastern Europe and the Third World in general, and the latter consisting of the severe labor shortage which developed in the West as a result of rapid economic growth in the 1960s. However economic push and pull factors do not constitute a complete explanation for the historical development and present status of ethnic minorities; political and social factors in the host countries must also be taken into account. However, the purpose of the present paper is not to analyze the causes of international human movements, so I will not enter into that debate here. Rather, the point I would like to make is that human movements during the past 30 years have resulted in such substantial changes in ethnic makeup as to render untenable the post-19th century image of the “one state, one nation, one language” nation-state in Western Europe.

II.

At present, nation-states make a basic distinction between two categories of residents: “citizens” and “foreigners.” No matter how long their period of residence, foreigners are legally treated as such unless they formally obtain citizenship (nationality). However the reality in most Western European countries is more complex. Despite their lack of citizenship or nationality, many foreign residents have been fully integrated within their host societies in both economic and social terms. In the early 1960s it was optimistically assumed that most foreign laborers would either eventually return to their home country or, alternatively, settle and naturalize in their adopted land. In the event, however, relatively few people chose to pursue either course. As a result, in some Western European countries, the number of people who are neither truly citizens nor truly foreigners now exceeds 10% of the total population. The presence of these long-term foreign residents has transformed the their host countries into what can only be termed multi-ethnic states.
It is generally said that there are three entrance gates to the state. As shown in Figure 1, the first gate is for short-term stay, and is used by seasonal laborers and guest workers. The second gate is for long-term stay, and those who pass through it, as described below, are entitled to socioeconomic benefits. The third gate is for citizenship, and those who pass through it are entitled to both socioeconomic and political rights. The term "foreigner" refers to both short-term residents (group "A" in the figure) and long-term residents (group "B"), but the present paper is concerned only with the latter group. In most Western European countries, the first and second gates were closed around 1973, but the population of long-term foreign residents has not declined.

FIGURE 1 THE THREE ENTRANCE GATES

![Diagram of three entrance gates](image)

Source: T. Hammar, Democracy and the Nation State, p.17

### TABLE 1 FOREIGN CITIZENS IN WEST EUROPEAN IMMIGRATION COUNTRIES WITH EXCLUSION OF GREAT BRITAIN, ACCORDING TO THE SOPEMI IN 1974 AND 1987 AND AN APPROXIMATION OF THE NUMBER OF DENIZENS (IN THOUSAND)

<table>
<thead>
<tr>
<th>Immigration countries</th>
<th>Foreign citizens 1974</th>
<th>Foreign citizens 1987</th>
<th>Denizens (approxim.) 1987</th>
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</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>800</td>
<td>900</td>
<td>20 % 180</td>
</tr>
<tr>
<td>France</td>
<td>4,050</td>
<td>3,750</td>
<td>75 % 2,800</td>
</tr>
<tr>
<td>FRG</td>
<td>4,130</td>
<td>4,630</td>
<td>60 % 2,780</td>
</tr>
<tr>
<td>Netherlands</td>
<td>350</td>
<td>570</td>
<td>60 % 340</td>
</tr>
<tr>
<td>Sweden</td>
<td>400</td>
<td>400</td>
<td>100 % 400</td>
</tr>
<tr>
<td>Switzerland</td>
<td>1,070</td>
<td>980</td>
<td>75 % 740</td>
</tr>
<tr>
<td>Other countries</td>
<td>1,200</td>
<td>1,270</td>
<td>20 % 260</td>
</tr>
<tr>
<td>Total</td>
<td>12,000</td>
<td>12,500</td>
<td>60 % 7,500</td>
</tr>
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*Note: France is based on estimates from 1986.*

Source: T. Hammar, Democracy and the Nation State, p.22
In recent years, researchers have appropriated the term "denizen" to describe such non-naturalized long-term foreign residents. (In English history, "denizen" originally referred to a special category of foreigners permitted certain rights and privileges of citizenship.) As shown in Table 1, denizens in this new sense of the term now comprise between 60% and 100% of the foreign population in Western European countries.

The problem is that denizens, despite their assimilation within host societies, have few political rights. In Western European countries other than Britain, foreign residents generally enjoy socioeconomic rights, i.e., the right to a minimum standard of living and to share in economic welfare and social security benefits. Without acquiring citizenship, however, they are generally ineligible for political rights, i.e., the right to participate in the exercise of political power and the decision-making process. Of course, there are some exceptions. In Sweden, for example, foreigners are eligible to vote in local elections after only three years of residence. Even here, however, they are not able to vote in national elections. Moreover, the acquisition of citizenship itself has been rendered more difficult in some European countries by recent legislative changes. Worse, there are even some movements aimed at depriving foreign residents of previously-acquired citizenship on the basis of ethnic differences.

Needless to say, the political systems of all countries in Western Europe are based on the principle of democracy. There is no space here to consider the general definition of democracy, but most readers will agree that a democracy is a political system in which members making up the state can participate in the decision-making process regarding public affairs which affect them. However, there would seem to be a contradiction between the universal ideal of democracy and the exclusion of denizens, who are de facto members of society, from full participation in the political process. Is it really tenable to exclude long-term foreign residents from full membership in the state on the basis of the old distinction between “citizens” and “foreigners”?

Limitations on political participation of long-term foreign residents are usually explained as follows:

1. The fundamental unit in international society is the nation-state, and all individuals belong to one or another state.
2. In principle, dual nationality is prohibited.
3. Participation in government by individuals of dual nationality could lead to the loss of state autonomy.

Here, the premise is that the fundamental political unit is the nation-state; in other words, state and nation are conceived of as coterminous and complementary structures. For an individual, membership in a particular nation implies affiliation with a single corresponding state, to which his or her political participation is thus limited.

The simple distinction between “citizens” and “foreigners,” which is premised on the nation-state system, makes sense under certain specific conditions, i.e., under a stable national economy when there are few international movements of labor, and when the foreign
population is small and limited to short-term residents. In today's world, however, international movements of labor have increased to unprecedented levels as the result of deepening economic interdependence between nations, the formation of regional trade blocs such as the EC and NAFTA, and the growing influence of multinational corporations. Under these conditions, populations of long-term foreign residents can only increase, as in fact they have. In this new, increasingly "borderless" world, strict adherence to a 19th-century nation-state system leads, paradoxically, to the exclusion of some de facto members of society from full participation in the "democracies" where they reside. Excluding long-term foreign residents from participation in government not only fosters a sense of alienation among them but also leaves their socioeconomic rights hostage to the will of full "citizens."

IV.

We must note, however, that simply giving political rights to long-term foreign residents will not, in and of itself, end all problems of ethnic minorities. To take the case of England, large-scale immigration of former colonial populations occurred together with the dissolution of the British Empire after the Second World War. In most cases, these immigrants held British passports (which is the reason for the higher proportion of naturalized ethnic minorities in England than in other Western European countries). The majority of the immigrants thus had the same political rights as British natives, but this did not necessarily lead to the resolution of all of their social and economic problems. Not only do most of England's ethnic minorities enjoy British citizenship, but their rights are also protected by the Race Relations Acts which were promulgated on three separate occasions. Despite this legal protection, however, ethnic minorities remain the victims of entrenched discrimination in employment, housing, and education. The urban riots which broke out in many cities in the 1980s are said to have been caused in large part by the wide gap in socioeconomic status between these groups and the native, British majority. In other words, even though England is far ahead of the continent in granting political rights to minorities, it has been unable to narrow the socioeconomic gap between minorities and the majority population. In turn, this gap helps to create and maintain the boundary between "foreigners" and natives, resulting in a vicious circle.

We might say that the task for continental Europe is the conferral of political rights on denizens, whereas for England it is the expansion of their socioeconomic rights. On the basis of what has been said above and the results of recent research, it is also clear that a fundamental solution to the problems of long-term foreign residents must involve the conferral of political as well as socioeconomic rights in recognition of their de facto membership in the host society.

V.

Why, we must ask, have long-term foreign residents come to be viewed as such a "problem"? Even dismissing extreme manifestations such as German Neo-Nazis and the French National Front, there is a clear tendency toward xenophobia and discrimination against
minorities in Europe. Under these conditions, can the problems of minorities be solved simply by granting them political as well as socioeconomic rights? Will conferral of these rights allow them to coexist peacefully with the native majority in their adopted countries?

In my opinion, the problem of conferring rights upon minorities takes second place to the more fundamental problem of minority membership, or more accurately the recognition of minority membership, in political society. It would seem that structural factors deep within society work to prevent the integration of individuals of strikingly different ethnic background within the recognized boundaries of the "nation." Or, to put it another way, the political exclusion of ethnic minorities is at root not a problem of dual nationality but one of ethnic differences.

This is clear from the content of recent revisions of the laws regarding nationality in England and France. Under these laws, Caucasians who emigrate and become naturalized foreign citizens can easily regain their former citizenship if they decide to repatriate. By contrast, non-Caucasians who have obtained citizenship are often unable to pass it on to their descendants, who thus revert to "foreign" legal status. In other words, membership in political society is determined on the basis of ethnic attributes such as color of skin, heredity, etc. Both England and France are thus abandoning their tradition of jus soli in favor of jus sanguinis. This is not merely a change in formal legal institutions; rather, it represents a change in the very composition of political society. The important point is that such discriminatory legislation is being enacted concurrently with the call to abolish national borders through further strengthening of the EC.

VI.

It is clear from the history of the nation-state system that actual nations do not necessarily include all individuals residing within the territory of the state. High-minded political rhetoric aside, nations tend to be closed, exclusive units. This was as true during the formative period of the nation-state as it is today; to see this it is merely necessary to recall the many indigenous peoples who were essentially left out of the nation-building process in the lands they had formerly occupied, or to look at the various other ethnic groups which have been excluded from membership in one nation or another throughout history. On the other hand, of course, there are also many examples of nations which in the course of their historical development have incorporated groups which were formerly excluded. In short, we may say that nations are not so much universal communities which transcend ethnicity as they are collections of different ethnic groups brought together as the result of various arbitrary decisions. The sense of "us" which subjectively defines the nation changes continuously, and the inclusion of one group or another is determined by the intervention of force within the political process. In short, political factors are what determine whether a given group is included within or excluded from membership in the nation. Some authors attempt to explain the recent changes in citizenship laws in terms of the spread of a force from below — nativism — which is aimed at the exclusion of long-term foreign residents. However this explanation is too superficial since it ignores the actual workings of political power. For example, decisions to open or close the three gates illustrated in Figure 1 involve the active exercise of political power, as does the process of defining the qualifications and conditions necessary for
becoming a denizen or citizen. In other words, the boundary between foreigners and natives is determined as part of a political process which revolves around the activities of the nation-state.

It is important to note, however, that we must not simply conceive of political power as power incorporated within certain individuals or groups (such as the "power of the monarchy"). Nor is it correct to think of political power as something which exists separately from the individuals, groups, and networks which make up society. If we imagine that anti-foreign policies are simply being imposed from above by a transcendent political power, it is impossible to explain the anti-discriminatory legislation and the pro-minority policies which were actively pursued by European governments in the 1960s and 1970s. Following Michel Foucault, I prefer to think of "political power" not as applied force per se but as a multiplicity of force relations immanent in the sphere in which they operate and which constitute their own organization. Decisions on whether a new group shall be included or excluded from within the nation neither result from the top-down application of force nor do they arise naturally out of people's everyday lives. The mechanisms of inclusion and exclusion are determined by power in Foucault's sense of a composite of social forces.

VII.

As we have seen, the problems of ethnic minorities cannot be solved by the simple conferral of socioeconomic and political rights; the more fundamental problem is one of recognizing or acknowledging their right to membership within host societies. Recognition and inclusion of ethnic minorities, of course, may not necessarily have a permanent effect, since concepts of membership and nationhood change continually as the result of political conditions. That is why even today, more than thirty years after the beginning of large-scale migration, members of ethnic minorities — even those who have naturalized — are still often treated as "foreigners" in their adopted lands.

That being the case, perhaps the time has come to readdress the whole question of socio-political membership from a radical democratic perspective, i.e., the idea that political control over a given society should be in the hands of that society's de facto members. In other words, it may be time to change our closed, artificial view of what constitutes a nation.

The task of reorganizing the nation-state, with its two-hundred-year history, can hardly be accomplished overnight. I would like to point out, however, that clinging to the idea that all residents of a given country fall into one of two exclusive categories, "natives" and "foreigners," is a mistake for two reasons. First, viewed historically, nations have never comprised all individuals residing within state territory; in that sense, nations are not preexisting givens but are artificial, selectively constructed collections of ethnic groups. Second, even today, the absorption (naturalization) of foreigners into the nation and the conferral of various rights upon them is affected significantly by the intervention of state power. In other words, the boundary between natives and foreigners is by no means axiomatic; rather, it is determined by the subjective actions of the various individuals and groups of which society is composed.

To realize that the line between "citizens" and "foreigners" is an artificial, historical legacy is to open the way to a new political imagination — the idea that this traditional, bipartite
schema is also capable of change. Given the fact, however, that each nation-state emerged not in isolation but as part of the larger inter-state system, it is not enough for each state to simply change its own notions and laws regarding citizenship. What I refer to here as the "political imagination" must embark on the task of making the democratic ideal of self-rule compatible with the realities of today's international community, which differ dramatically from those prevailing during the formative period of the nation-state.

As I have already pointed out, maintaining the nation-state as the fundamental, absolute unit of political life is next to impossible in today's world, where states and regions are becoming increasingly interdependent in all areas of human activity. The old concept of "citizenship," which is premised on the closed nation-states of the 19th century, no longer matches contemporary realities, resulting in a variety of imbalances and inequities. It is for precisely this reason that the problem of "citizenship" is now receiving renewed attention in the fields of political science and sociology.

In any case, the point to remember in these debates over citizenship is that the problem is less one of conferring rights than one of acknowledging membership in the socio-political community. In other words, the problem is really one of discarding the old, exclusive concept of what constitutes a nation. Specifically, we must stop treating shared nationalistic myths, linguistic unity, and national character as fundamental attributes of the nation. As long as these attributes continue to be viewed as qualifications or conditions for membership in the nation, individuals who do not share them will continue to be excluded, and minority groups based on these individuals will continue to exist.

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