

Divergent paths in European Immigration: the Role of Left Governments©

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An important area of divergence within the EU in the last decade has involved differences in the immigration policies pursued by member states, with some countries, notably Italy, Spain, and Britain, pursuing far more liberal policies than the standard in other EU member states, which, since the end of active worker recruitment schemes in the early 1970s have operated under a de facto zero net immigration goal (although this has not always been achieved). This divergence has been the source of tension, to the extent that overly liberal immigration policies, in particular in Spain and Italy, have been interpreted as undermining the objective of common border controls vis a' vis third-country immigrants by other members of the Schengen area. It is also important in understanding why, in spite of a common demographic need for immigrants to support economic activity and efforts by the European Commission to promote a more pro-active, and more liberal common immigration policy for the EU, key aspects of immigration policy (including work-based immigration and family reunification policy) continues to remain under the control of national governments to this day. Given Europe's aging population, the fact that it is a major destination for immigrants from poorer regions and the world, and the fact that the EU does have a common, highly developed framework for intra-EU migration, this remains a significant, and very complex problem in Europeanization.

As part of a larger project that considers different reasons for the divergence in EU immigration policies, I focus in this paper on the role of domestic politics of immigration, and more specifically, on how governments of the Left in four EU member states (Germany, Britain, Spain, and Italy) have responded to the phenomenon of immigration over time. The politics of immigration in Europe are, at least partially, to be understood as partisan politics. And there are reasons to expect that parties of the Left face particularly difficult choices in responding to immigration.

In what follows, I start with a discussion of the particular political dilemmas produced by large-scale immigration. Thereafter, I offer a brief periodization of the immigration phenomenon in Europe since the end of the second World War and a discussion of how governments of the Left have responded to the phenomenon of immigration in the four countries being considered. Overall, center-left governments have sought to reconcile immigration policy with broader

economic objectives, but there have also been significant differences and unexpected departures in their responses. The paper concludes with a discussion of why governments of the Left in these countries have pursued such different policies.

I. Immigration and Partisanship

Unlike other aspects of the social and economic context faced by the Left at the start of the twenty-first century, the phenomenon of immigration in Europe is rarely treated as a development with particular clear implications for partisan competition among mainstream political parties. Indeed, setting aside the literature on the rise of the new Radical Right (e.g., Betz 1993; Kitschelt 1995) the scholarship has emphasized those aspects of the phenomenon that apply equally across party lines. It has regularly been argued, for example, that the politics of immigration is primarily a matter of local politics: a comparative study of France and Britain during the 1970s and 1980s proposed an “electoral geography” of immigration politics according to which governments will opt to curtail immigration independently of partisanship whenever electoral districts in which native citizens compete economically with immigrants for jobs and/or public resources become crucial to the outcome of local elections. (Money, 1999) The fact that efforts to restrict immigration during the sixties and seventies in countries such as France and Britain were promoted with equal intensity by local party politicians of the Left and the Right, and that early efforts to limit immigration into France were pushed by local Communist Party politicians well before the emergence of the Front National as a political force, reinforces the sense that locality rather than party has often been the critical factor. (Schain, 2006) Yet another study has argued forcefully that anti-immigrant popular mobilization in key electoral districts was crucial in leading British Labour and the German SPD to toughen immigration laws in the 1960s and early 1980s. (Karapin, 1999) Further adding to this view that the politics of immigration are essentially party-neutral is the fact that many of the governments that were quickest to restrict immigration after the 1973 oil shocks and the subsequent slowing of growth were social-democratic in orientation -- including the Swedish, the Austrians, the Germans, and the Dutch, whereas elsewhere the move was led by the mainstream Right (i.e. France).

However, to observe that both Left and Right party governments have pushed for immigration restriction in Europe, or for that matter, that immigration preferences tend to be locally specific, does not obviate the possibility that parties of the Left and of the mainstream Right face fundamentally different political dilemmas in deciding upon policies involving immigration and immigrant rights. Indeed, there are at least two types of reasons to believe that parties of the center-left face distinct electoral trade-offs in deciding upon such policies. The first involves the economic impact of immigration on different segments of the electorate upon which the Left relies. As a number of political economists have pointed out, just as trade policy has winners and losers, immigration is likely to weaken the labor market position of native low-skilled workers while improving the economic outlook of high-skilled workers and professionals whose labor productivity and cost of living is actually raised by an increased supply of low-skilled workers. (Sheve and Slaughter 2001) Given that low-skilled workers also represent the prime beneficiaries of publicly subsidized housing, health care, and education, and that they are more likely to find themselves living in proximity to low skilled immigrants, competition in jobs carries over to competition over such public resources and space. To the extent that voters view immigration in terms of their rational economic self interest and that parties of the Left must put together an electoral coalition spanning low-skilled workers, high skilled workers and professionals, the Left is likely to face an electoral trade-off over immigration. Moreover, other economic trends, such as the rise of the service economy and associated efforts to make labor markets more flexible (such as, for instance, the recent Hartz reforms in Germany) are likely to

aggravate such potential electoral trade-offs by reducing traditional forms of labor market security for the working class in Europe.

In addition to the division over immigration policy that derives from the differing labor market positions of the center-left's potential electorate, political economists also postulate another way in which immigration presents problems for such parties. To the extent that immigration of low-skilled workers (the primary recipients of social transfers) changes the income distribution so as to push former recipients up the relative income scale (turning them into median voters), the preference of the median voter might well move towards lower spending levels (Nannestad, 2007). If so, immigration would represent a serious threat to the ability of the center-left to protect the European welfare state, and with it a centerpiece of its *raison d'être*. Secondly, while economists suggest that immigration is likely to divide the center-left's electorate along skill levels, this cleavage appears to strongly coincide with the cultural cleavage between left-libertarian and authoritarian values which appears to be emerging as a major feature of the attitudinal electoral space in which center-Left parties now operate. (Kitschelt, 1994, 1995) While these divisions might well be linked to the new multiplicity of work experiences among the Left's potential electorate -- with male, manual workers threatened by globalization tending to fall in the new authoritarian camp and professionals with higher educational levels and communicative skills tending towards left-libertarian values -- more basic issues might be at work and preferences for or against immigration might not be a simple matter of rational expectations regarding the impact of immigration on an individual's labor market position. They may also reflect antagonistic world views among the Left's electorate that may harden to the point of rendering the individual economic impact of immigration a secondary matter. This cultural, or identity, dimension of immigration cannot be fully eluded by the Left because any choice to restrict immigration (or the rights of immigrants) in order to address the impact on native workers involves some implicit or explicit justification for limits on social solidarity based on identity. Resort to such nationalist or nativist justification may undermine the perceived ideological coherence of the center-left and threaten one of its key tools in mobilizing voters: the appeal to universal values. Worse yet, it may play into and thus strengthen similar appeals by parties on the Right. It may also directly alienate the left-libertarian segment of the center-left's electorate, contributing to partisan schisms such as that between Social Democrats and Greens in Germany or those between the Socialist Party and alternative Left candidacies seen in recent French presidential elections.¹

Lastly, the economic argument about the way in which low-skill immigration may impact the level of support for a generous welfare state also has its cultural and ideological counterpart in phenomenon of "welfare chauvinism." Thus for Kitschelt (1995: 268) one of the principal problems for the contemporary center-left is that "its quest to sustain a comprehensive welfare state and a multiculturalization [sic] of advanced European capitalist societies may provoke a welfare chauvinist backlash among the indigenous population that skilled rightist politicians may incorporate into a broader right-authoritarian electoral coalition." Evidence of such welfare chauvinism among European electorates as seen in public opinion surveys has been taken to imply that the kind of social solidarity underpinning the creation of generous European welfare states was premised on a cultural homogeneity that might be disappearing (Alesina et al. 2001). Although the reasoning here is different, the predicted effect is similar to that suggested by the economic argument involving the effect of immigration on the spending level preferences of the median voter: it is to push European states towards lower levels of social solidarity, the essential precondition for the social policies of the center-left.

Both economic analyses pointing to the ways in which immigration impacts different sets of voters and cultural analyses of the attitudinal trends characterizing European electorates in the

post-Fordist period thus suggest that the European Left is likely to face considerable problems in defining its stance on immigration policy in the electoral space it operates in. Given the possible tensions in immigration policy preferences among the center-left's electorate, how have center-Left parties in practice addressed the question of immigration and immigration policy in Europe in the last decades?

II. Immigration and the center-Left in Europe: a brief periodization

Setting aside migratory moves due to postwar expulsions, the history of postwar immigration in Europe can be divided broadly into three periods. The first, lasting from the 1950s to the economic crisis of 1973 saw significant levels of immigration into the richer states of Western Europe through guest worker recruitment programs designed to address labor shortages and Britain's and France's preferential treatment of former colonial subjects. The second period, starting with the economic crisis of the early 1970s, was marked by the abrupt ending of active worker recruitment schemes and the curtailment of lax citizenship provisions for former colonial subjects (the latter starting in Britain in the early 1960s). This left only two modalities of immigration into most states of Western Europe - family reunification and asylum laws - which were often defended by courts and public administrations in the face of government efforts to move to a de facto zero immigration goal. The third period coinciding roughly with the end of the cold war in 1989, was marked by a sharp increases in immigration levels occurring via those two methods. It would end a decade later with a radical toughening of asylum laws across the EU. Led by Germany, EU 15 member states rescinded their acceptance of asylum petitions for those arriving through a "safe-third-country" (a condition that applied to virtually all cases of arrival into the EU 15 by land and many cases of arrival by air). Family reunification criteria were also toughened by several countries (including Germany), resulting in very low net immigration, or even a decline in the immigrant population.

However, as Figure 1 makes clear, the recent choice to restrict immigration levels has not been universal across Western Europe, with some countries choosing to allow for a considerable rise in immigration at a time when others moved decidedly towards restriction. Some countries, including most strikingly Britain, Spain, and Italy, have continued to experience very large inflows of immigrants from outside the EU.² Indeed, the EU 15 area as a whole is estimated to have seen an increase of new residents coming from outside the area.

[Insert Figure 1 here]

The most recent period has also been marked by such phenomena as the "securitization" of immigration policy following the September 11 attacks and a new emphasis on border control in the face of new, more organized forms of illegal immigration from the EU's Southern and Eastern borders. But it has also seen two other developments. The first is a great deal of attention focused on the problem of cultural and economic integration of both first and second generation immigrants. The second is the prominence of a new, still ongoing debate over how to make immigration policies fit with other social and economic objectives such as competitiveness in the face of global competition.

If we consider the role of the political Left in this brief history, the first observation is that early postwar immigration regimes across Western Europe did not seem to have had any particularly partisan character. Guest worker programs were instituted by Christian Democrats in Germany and the Netherlands, Gaullists in France and Social Democrats in Sweden (Toro-Morn, 2004).

In Britain, on the other hand, both Labour and Conservative governments up to 1962 supported generous access for former British colonial subjects (see Hansen 1999). It is notable that, in the case of guest worker programs designed to recruit labor temporarily without a pathway to citizenship, social-democratic parties and labor unions alike were willing to go along with the premise of recruiting foreign workers who would not enjoy full social and political rights.

At the time of the postwar oil shocks, the Left was in a preeminent position across much of Europe and Social Democratic governments in Sweden, Germany, and the Netherlands took the lead in ending worker recruitment schemes, often in direct response to pressure from labor unions.³ The British case stands apart in that the first important move to curtail immigration -- by making the right of Commonwealth citizens to abode contingent upon a government issued work permit in the 1962 Commonwealth Immigrants Act -- preceded the downturn of the 1970s by more than a decade and was carried out by the Conservatives. Nonetheless, Labour continued and intensified the Conservatives' move to restrict Commonwealth immigration restriction by drastically cutting work vouchers after coming to power in 1964 and passing the 1968 Commonwealth Immigrants Act, which sought to halt the influx of migrants arriving from African Commonwealth states.

In the period after the oil shock, immigration policy across most of Western Europe seemed to reflect a broad consensus between center Left and moderate Right parties to stop the influx of foreigners and with it the transformation of European societies in a multicultural direction. No less an internationalist than Willy Brandt would declare in January 1973 that it had "become necessary to think carefully about when our society's ability to take up [foreigners] is exhausted, and where sense and responsibility require a halt."⁴ The consensus was also reflected in what, in hindsight, appears as an unspoken agreement between the center-left and the center-right not to politicize the issue. In many parts of Europe, from France to Austria and Denmark, this political principle would be challenged by the electoral rise of anti-immigrant parties starting in the early 1980s, which led sections of the mainstream Right to call for restrictions on immigrant rights in the language of law and order (France's "Pyrefitte law" of 1981 and subsequent "Pasqua laws" (1986 and 1993) represent prime examples). In other places - notably Germany - the unspoken agreement seemed to hold until the asylum crisis of the early 1990s.

The sharp rise in asylum seekers that resulted from the conflict in the Balkans following the end of the Cold War (and coinciding with the intensification of other civil conflicts, such as that in Algeria) would present a particularly challenging issue for the Left, which regarded this political right as a key guarantee against the kind of political persecution experienced during fascism. As a consequence, Left party politicians often sided with courts that blocked early restrictions by governments of the Right. In the end, however, the combined pressure of anti-immigrant mobilization and increased politicization of the issue by the radical, and later the mainstream Right, led center-left governments to accept a radical curtailment of asylum rights, first in France and later in Germany and its neighbors.

In 2005, the policy of rejecting asylum seekers that had passed through a "safe third country" was adopted as the common guideline of the EU Council common asylum standards directive. At the same time, many governments in Europe toughened requirements for family reunification visas, by far the main route for immigration into all EU countries since the 1970s. The method whereby this has been done varies from lowering the age up to which children can be brought on this basis (up to the age of 12 years in the case of Germany, 15 in the case of

Austria), raising the age at which marriage takes place for a valid spousal application (to 24 years in the case of Denmark, 21 in the case of the Netherlands), or increasing the sponsor's income and-or housing requirements, as was done in France and the Netherlands. Some of these measures have been taken under governments of the Left and some by governments of the Right. Yet, even in the latter cases, the center-left has generally failed to reverse restrictions after returning to power. The upshot of these developments in the areas of asylum and family reunification, added to the earlier curtailment of work-based immigration schemes, has been a general tightening of avenues for legal immigration into the EU.

Nonetheless, as the diverging lines in Figure 1 reflect, the turn towards immigration restriction has not been a uniform trend across the EU 15. In at least three countries -- Britain, Italy, and Spain -- governments (including, notably, governments of the center-left) have pursued far more liberal policies, allowing for large increases in the size of immigrant populations. Below we consider the details of immigration policy in these three countries and place their experience alongside that of Germany, the country that arguably has taken the most restrictive turn in its immigration regime over the last decade and has done so during the center-left's tenure in power.

III. Diverging Choices: Immigration policy under the center Left in Germany, the UK, Italy, and Spain

Germany

Germany has long been one of the premier destinations for immigrants in Europe. At 12.9 the proportion of its population that was foreign born in 2005 was equal to that of the United States and, until recently, the second highest in the EU (only Austria, with a foreign born population of 13.5 percent had a higher percentage in 2005 (see Figure 2)).⁵ Nonetheless, immigration did not constitute a major point of contention between the postwar Right and Left until the 1980s. The German Social Democratic Party (SPD) showed few differences in its approach to immigration from the mainstream of the Christian Democratic Party (CDU) during Germany's economic miracle years. Both the CDU and the SPD backed the recruitment of foreign guest workers with limited rights of residence in the 1960s, and the CDU supported the ending of the program when the SPD declared a recruitment ban on foreign workers in 1973, thereby effectively ending work-based immigration. In the subsequent period, both the CDU and SPD leadership supported the view that Germany was "not a land of immigration" (a phrase most often associated with Helmut Kohl but previously deployed by Helmut Schmidt).⁶ This was also reflected in both SPD and CDU governments' commitment to Germany's *ius sanguinis* principle for citizenship status, which precluded large numbers of children of guest workers born in Germany from attaining citizenship. In all these ways, Germany's postwar immigration policy reflected a consensus among the center-Left and center-Right that immigration was acceptable as an economic imperative but that there was a social limit on the extent to which Germany could integrate foreigners. This position appears to have reflected a strong fear on the part of the German political elite of the potential for xenophobic political mobilization among the German public (Karapin 1999).⁷ Hence, prior to the 1980s, there was little politicization of the issue at the national level (Zaslove, 2007).

Insert Figure 2 here

What would ultimately threaten this cross-elite consensus was the arrival, beginning in the late 1970s, of significant numbers of political asylum from places like Afghanistan, Ethiopia, Turkey and Vietnam. (Karapin, 1999) Both the SPD and the FDP remained formally committed to

Article 16 of Germany's 1949 Basic Law, which allowed asylum seekers whose applications had been rejected at the administrative level a strong right to appeal deportation through the German courts. Yet, anti-immigrant mobilization by far right groups in the Federal Republic's Southern regions led segments of the CDU and the CSU to push for stricter asylum laws in the course of the 1980 national elections. In the run up to the elections, the CDU-controlled regional government of Baden-Wuerttemberg and the CSU government of Bavaria announced their own restrictions on asylum-seekers, a move later seconded by the SPD mayor of Essen. These decisions were inspired by local protests against the settlement of asylum seekers in particular localities and neighborhoods. The threat that such popular mobilization would spread led the Schmidt government to pass special visa requirements for citizens of Afghanistan, Ethiopia and Sri Lanka just prior to the elections. However, stronger measures were for the time precluded by the constitutional status of Germany's asylum law, which could only be changed by a two-thirds majority vote in the Bundestag.

It would only be with the arrival of far larger numbers of asylum seekers in the early 1990s that the SPD would agree to give the Kohl government the necessary parliamentary support for such a constitutional reform. The 1993 amendment of Article 16 voided the right of asylum for those having passed through a "safe-third country" on their way to Germany, that is, in practice, a vast majority of cases. At the same time, asylum-seekers, who had already been excluded from obtaining work in Germany, were shifted from the protection of the Federal Social Assistance Act to a separate social assistance regime that provided fewer cash benefits along with food vouchers, a measure that clearly stigmatized this part of the immigrant population. SPD support for such radical measures to restrict asylum applications appears to have been motivated by the extensive wave of anti-foreigner violence that took place following German unification, which peaked with a figure of 3,365 attacks on foreigners in the first half of 1993, and the subsequent wave of intra-German migration (Human Rights Watch 1994, ; Karapin 1999). The virtual closure of the asylum route of immigration into Germany is reflected in the sharp curtailment of the previously rising number of foreigners residing in Germany from 1994 on (see Figure 1).

After returning to power in 1998, the political Left in Germany took two major steps intended to create a new immigration regime that would be politically more tenable. First, with the rate of net inflows of foreign residents slowing to a halt, and responding to growing concern over the integration of second generation immigrants, the Red/Green coalition led by Gerhard Schroeder ran on a campaign promise to reform Germany's century old law conferring citizenship only on the basis of ancestry rather than birth. The new law, adopted in 1999, made it possible for the children of immigrants born in Germany and meeting particular conditions to apply for German citizenship. Indeed, in its original proposals, the government sought to make possible such applications without requiring applicants to renounce their existing citizenship, a matter crucial to the offspring of Turkish and Polish immigrants for whom abandoning their traditional nationality implied giving up inheritance rights in their parents' country of origin. In the end, the Schroeder government was dissuaded from insisting on the possibility of dual citizenship by the outcome of an election in Hesse, where the CDU successfully used the nationality law as a wedge issue to win control of the regional government.⁸ The new citizenship law passed in 2000 nevertheless held great symbolic importance, for it shattered the principle that Germany was not a land of immigration. This alone was seen as a step forward in promoting the social integration of second generation immigrants. Yet, because of the exclusion of dual citizenship, it resulted in citizenship applications by only a fraction of Germany's disenfranchised second generation immigrants (around 750,000 of the original three million predicted by the government).⁹

Secondly, the Schroeder government attempted to pass a new immigration law that would have re-opened the door for work-based immigration, although only for high skilled workers. The so-called “Schily Law” (named after the coalition’s interior minister, Otto Schily), aimed to alter the skill profile of immigrants by significantly toughening the standards for family reunification (the one remaining traditional avenue for immigration) while replacing the ban on work-based immigration with a points based system that would have allowed the extension of residence permits for highly qualified workers in areas in which German employers faced labor shortages.¹⁰ The re-initiation of labor immigration was pushed heavily by German business associations which put strong pressure on both the SPD and CDU in favor of the law (Ette 2003). On the other hand, a toughening of family reunification criteria (in particular a lowering of the age up to which children could join their parents from 16 to 12 years) was pushed by both the SPD and the Christian Democratic opposition, which argued that the age should be lowered to 10 years. Family reunification was held to be responsible for the low-skill profile of Germany’s immigrant population because it necessarily built on and so largely perpetuated the low-skill character of the earlier guest-worker policy. The law also created new integration requirements in the form of language tests for the extension of residency permits. Pushed by the Greens, however, it also expanded the criteria for political asylum to gender and non-state based persecution.

Although the Red-Green government legislated such a policy in 2002, it was successfully challenged in court on a procedural matter by the CDU, who argued adamantly against any re-initiation of work-based immigration and against any expansion of the criteria for political asylum. The final version of the law, passed in 2004 with the support of the CDU in the upper house, excluded the SPD’s centerpiece -- the points-based system of labor immigration. It thus maintained the ban on work-based immigration, allowing only for three exclusions: one-year visas for foreign students after they finished their studies in Germany; permanent residence permits for top level scientists and managers; and temporary residence permits for self-employed foreigners investing over one million Euros in designated economic activities (Münz 2004). As a concession to the Greens Party, it did include gender and non-state based persecution as criteria for refugee, although not political asylum, status.¹¹ The SPD government’s major objective, to create an immigration policy regime that would alter the skill profile of immigrants from low skilled to high skilled workers was thus blocked, leaving simply an even more restrictive immigration regime than the one Germany had already adopted in 1993.

The United Kingdom

By contrast to Germany, Britain’s initial postwar immigration regime was not driven primarily by economic considerations but by geopolitical ones. After the war, Labour passed the British Nationality Act of 1948, which turned British subjecthood into British citizenship giving large numbers of former colonial subjects an automatic right to migrate to the UK. Yet, far from a partisan measure, this generous immigration policy represented a straight continuation of prewar policy which had aimed to protect Britain’s preeminence within the Commonwealth in a post-colonial era through the creation of Commonwealth citizenship (Hansen 1999; Karatani and Goodwin-Gill 2003) The permissive stance towards Commonwealth immigration implied in Labour’s nationality act thus enjoyed the full support of the Conservative party, which, in turn, would allow the arrival of large numbers of former colonial subjects for permanent settlement in the UK after returning to power in the 1950s.

However, this liberal consensus on postcolonial immigration would be shattered by the outbreak of anti-foreigner, and specifically anti-black, violence at the end of the 1950s, which was seized upon by a populist wing of the Conservative Party epitomized by Enoch Powell (Karapin 1999). In response to a large number of petitions for immigration controls from local party chapters, the McMillan government passed the first significant step toward immigration restriction with the first Commonwealth Immigration Act of 1962, which rendered the right to settle in Britain subject to government issuance of a skill-based work permit. Although the Labour Party initially opposed the measure and worked to protect the right of dependents to accompany work permit holders in the passing of the 1962 act, it engaged in a dramatic about face on immigration policy after winning the 1964 elections. The new government of Harold Wilson sharply restricted the number of work vouchers, entirely abolishing the category of unskilled labor and significantly reducing that of skilled workers in 1965. In 1968 it passed the second Commonwealth Immigration Act with the aim of preventing the immigration of Kenyan Asians. The new act for the first time distinguished between “patrial” British citizens (those of British birth or descent) and other Commonwealth citizens, thereby bringing non-white immigration to Britain to a virtual end (Hansen 1999).¹² At the same time, Wilson sought to balance this anti-liberal turn in immigration policy by introducing anti-discrimination legislation in the 1968 Race Relations Act.

If British Labour, like center-left parties elsewhere in Europe, took a populist stance in restricting immigration during the 1970s, it has played a very different role over the last decade. As Figure 1 illustrates, after more than a decade of sharp decline in the number of foreigners living in Britain during the Thatcher years (and only a modest reversal of this trend in the first half of the 1990s), the Labour victory of 1997 set the stage for a significant increase in immigration into Britain (most of it from non EU member states). Taking the view that immigration could be beneficial to Britain’s economic modernization when and where it supported economic activity, the Blair government set out on a two pronged strategy of expanding the issuance of new work permits for third country foreigners while at the same time moving to deter asylum applicants who it identified as a burden on Britain’s purse. In its 1998 White Paper titled “Fairer, Faster and Firmer – A Modern Approach to Immigration and Asylum,” the new government decried “backlogs, inadequate control resources, and outdated procedures” in the existing system of asylum review which made “it extremely difficult to deal firmly with those who have no right to be here,” (Home Office 1998, paragraph 3.3). At the same time it began to increase the number of work permits granted for those seeking employment in key sectors. In 2002, Labour introduced the Highly Skilled Migrant Programme, arguing that legitimate, work-based immigration could bring “huge benefits: increased skills, enhanced levels of economic activity, cultural diversity and global links” (Home Office, 2002: 9). It also increased visas for low-skilled, casual work. The following year, Blair promised to halve new asylum applications while moving Britain to a points based system of immigration. “Operating at different ends of the employment spectrum”, all of these initiatives were intended “to improve the supply of labour to the UK economy, to ‘meet the challenge’ of a globalizing environment.” (Walters 2004: 239). The effect was a sharp upward turn in the number of foreign citizens residing in Britain, from just under 2 million in 1996 to almost 3.5 million in 2006, the overwhelming majority non-EU citizens (OECD, 2007).

Spain and Italy

Britain’s move to managed, skill-based migration under Blair represents one of the major turns in European immigration policy in the last decades. Nonetheless, two other member states that in the past served as major sources of emigration to the rest of Europe -- Italy and Spain -- account

for a much greater share of the expansion in immigration that the EU has experienced over the last two decades. Italy's registered immigrant population rose over the period 1989 to 2006 from just under half a million to over two and a half million.¹³ Spain's transformation has been even more spectacular. In just over a decade, the country has seen immigration (measured in terms of resident foreign citizens) rise from marginal levels (under 400,000 in 1991) to the highest level in the EU in proportion to total population. By 2008, foreign citizens residing in Spain, at over five million, represented just over 11 percent of the population (*El País*, June 20, 2008).

This dramatic rise of immigration into the two Southern member states is often attributed to the restrictive turn in other EU15 states and to the difficulties Spain and Italy have had in controlling illegal immigration due to shortcomings in border control and a lack of internal controls on the employment of illegal migrants. Scenes of boatloads of African migrants arriving in Lampedusa, the Canary Islands or Spain's Southern coast, and of the dramatic human tragedies often associated with these attempts, dominate press coverage of the phenomenon. Yet, however dramatic and significant, illegal arrivals by sea represent a small fraction of immigration in the two countries (19,900 for Italy in 2007, 18,000 for Spain according to the UNHCR).¹⁴ The dramatic increases in registered immigration in fact stem from clear choices on the part of the Spanish and Italian governments that have produced a far more liberal stance on immigration than what is now prevalent in the Northern states of the EU15. The key features of this liberal stance in the two countries have been 1) permissive family reunification rules, 2) generous terms for the issuance of work permits in sectors deemed to have particular labor needs, 3) the extension of social rights to both legal and irregular immigrants, and 4) repeated amnesties for irregular migrants who can show employment. While different in some significant ways (in particular in regards to the use of immigration amnesties), the immigration regimes developed and maintained by the two Southern member states thus bear a significant resemblance to the more expansive work-based immigration regime introduced in Britain.

One way in which the Spanish and Italian cases nonetheless are different from the British is that the policies allowing for large scale immigration in the two southern states have been carried out with almost equal intensity by governments of the Left and Right. This is particularly striking in the Italian case, where governments of the Right in the last two decades have included the Northern League, a party formation with an explicit stance against immigration whose leaders often engage in xenophobic appeals. When the Right has been in power in Italy, its pattern has been to pass tough, and even jarring "law and order" measures that make headlines (most recently the discriminatory treatment applied to Romanian gypsies), without actually restricting the overall levels of immigration. Thus, for instance, the Berlusconi government of 2001 expanded the total yearly quota for third-country (non EU) migrants from 89,000 in 2001 to 170,000 in 2006 (Cuttitta 2008).¹⁵ And the Bossi-Fini law that it passed in 2002 (which required the expulsion of immigrants whose residence permits had not been renewed and for the first time linked new residence permits to the prior attainment of work contracts) was accompanied by the largest immigration amnesty Italy had ever seen. It resulted in the legalization of almost all of the 700,000 immigrants who applied. (Migration Policy Institute 2004). Meanwhile, in Spain, the center-right Partido Popular passed its own amnesties for illegal immigrants in 1996, 2000, and 2001 and in the process approved approximately 400,000 applications (Maas, 2006).

If governments of the Right have thus been surprisingly liberal in their immigration policies in Italy and Spain, the Left has generally gone further. In the case of Italy, the center-Left in 2006 successfully ran on a platform of easing the immigration restrictions that had been imposed by

the Bossi-Fini law. The Prodi government subsequently adopted an open-door immigration policy, abolishing the requirement of prior work contracts for the granting of residence permits. And, while it sparked controversy across the EU in 2007 when it legislated the expulsion of EU immigrants charged with violent crime (a measure taken in response to popular outcry over a spike in crime attributed to Romanian immigrants), its policies for granting residence and work permits to foreign applicants remained among the most liberal ever seen in the EU (Chaloff, 2005). Meanwhile, in Spain, the Socialist government that took office in 2004 went on to pass Spain's most generous immigration legislation yet, granting full access to health care, education and other social services to both legal and illegal immigrants, and passing an amnesty regularizing the status of over 600 thousand further immigrant residents who could prove that they had employment.

IV. Conclusions

As the cases discussed above suggest, there has been ample room for difference in the stance towards immigration taken by governments of the Left in Europe. Germany's SPD in 1993 went along with a constitutional revision that set the stage for a toughening of asylum rules not only in Germany, but across the EU. Later, when in government, it attempted to shift to a selective, skills based immigration regime that would have raised the skill profile of Germany's immigrant population (an attempt at which it failed due to opposition from the Christian Democrats). And, while the Red-Green coalition government sought to improve integration by changing the basis of German citizenship law and requiring language courses for the renewal of residence permits, it also toughened the criteria for family reunification, the main channel for low skill immigration into Germany. The result has been a virtual freeze on net immigration into Germany over the last decade.

By contrast, in Britain, New Labour under Blair opened the doors of the British labor market to new immigrants from outside the EU. At the same time, it shifted immigration into Britain from a rights based system to a skills based system that gave access to those types of migrants demanded by British business, both at the high and the lower ends of the skills spectrum. Rather than take the view predominating in Germany that there is a trade-off between allowing higher levels of immigration and achieving immigrant integration, New Labour in Britain also facilitated labor market access for spouses and children of those being recruited as a means towards successful integration. Only in the face of a worsening electoral outlook and heightened anger from the unions at the inflow of large numbers of low skilled workers did the Brown government opt to restrict immigration of third country nationals who do not fall within the high skills category, promising 500,000 new "British jobs for British workers." (*The Guardian*, September 10, 2007). On the other hand, the outbreak of wildcat strikes across British oil refineries and energy companies in early 2009 suggests that

Finally, in Italy and Spain, the two countries accounting for the largest increases of third country immigration into the EU over the last decade, both Left and Right party governments have chosen to allow for high levels of immigration. While governments of the Right (in particular in Italy) have sought to counteract the perception of this reality through headline catching "law and order" measures, Left parties have distinguished themselves primarily in extending social rights to immigrants, including non-regularized ones, as a way to promote integration. In both countries, governments have made ample use of amnesties to bring illegal migrants into the formal economy. On the other hand, as in Britain, they have based the issuance of work permits

for new immigrants on a selective system favoring sectors facing labor shortages, ranging the gamut of skill levels from construction and domestic work to information technology.

If on theoretical grounds parties of the center-left are likely to face particularly strong electoral conflicts over immigration policy, how are we to account for the observed differences in the immigration policy choices, in particular as regards to the overall levels of immigration allowed? One common explanation, the presence or absence of an electorally viable radical Right, does not prove adequate in accounting for the differences among these four cases, as the radical Right does not represent a serious electoral threat in national or even regional elections in Germany, whereas it does have significant electoral weight in Italy and even participates in government. Nor can the choices be attributed to the existing levels of the immigrant population, given that Germany's share of immigrants, while high, had been surpassed by 2004 by Spain, where the Socialist government chose to pass yet another amnesty and expand the social rights of illegal immigrants.

A different and more convincing explanation of the contrast between the German SPD's choice in favor of immigration restriction and the more liberal stances of center-left governments in Britain, Spain and Italy would focus on the ways in which immigrants are economically integrated in the different countries. Looking first at the labor market, one striking contrast between Germany and the other three cases involves the significant unemployment gap in unemployment rates between immigrants and the native population. In 2005 unemployment stood at 17.5% for foreign-born men as compared to 10.6% percent for native-born men, and at 16% for foreign-born women versus 10% for native-born women. In the UK and Spain, these gaps were considerably smaller: in the UK, only a 2.8 percent difference for men, and a 3.4 percent difference for women; in Spain, only a 2.5% difference for men and a 1.5% difference for women. In Italy the situation was slightly different, for unemployment was actually a bit higher for native-born men – 6.2% as opposed to 6% for foreign-born men, though somewhat lower for among women. Still, the contrast with Germany is striking. Moreover, in both Spain and Italy, the labor market participation rates of foreigners was considerably better than that of native-born citizens (81.6% as compared to 69.4% for men and 46.7% as opposed to 45.3% for women in Italy; in Spain 79.5 as opposed to 74.4 percent for men and 60.4% versus 50% percent for women) (OECD 2007),

The reasons for this comparatively poorer labor market performance of immigrants in Germany are complex but would seem to involve serious obstacles to labor market integration by foreigners and their children entailed in German legislation, the low skill profile of the immigrant population compared to the native population (an inheritance from the low-skill focus of the guest-worker program), and the fact that the German economy is particularly bad at generating low-skill employment as compared to all three of the other cases (Constant and Zimmermann 2005). This would imply that the Left in Germany faces a particularly acute conflict between the interests of its low skilled electorate and immigrants. Thus, it is noteworthy that, precisely at the time that it introduced its first new immigration law, the Schroeder government was seeking to address the high unemployment level among low skilled workers through radical reform of the labor market, including the introduction of more flexible employment contracts in the service sector and major cuts in unemployment pay. The so-called Hartz reforms were highly controversial, threatening the SPD's internal integrity. In this context, slowing the inflow of new, low skilled workers must have appeared as a good way to ease tensions in the labor market, and with it, the potential electoral cost of the labor market reforms.

While this may explain why the center-left in Germany would be under particular pressure to restrict immigration, it does not explain why similar governments in the other three countries would not also act on such pressure, even if it were less intense. Here it must be said that Britain's managed migration policy, even prior to Brown's clampdown on low-skilled, third-country immigration, did involve features that allowed the government to keep a grip on the amount of political tension that immigration might create among its voters. By limiting immigration to either high growth or high skill sectors, the managed migration policy also allowed the government to limit immigration in lower growth sectors where it might have a more obvious impact on lower skilled native workers.

An alternative explanation for Labour's original open door policy might be found in the weakness of British labor unions, which would have been in a poor position to resist Blair's new open door policy towards migrants in the face of consistent pressure from British business in favor of a liberal immigration policy. Indeed, the outbreak in early 2009 of wildcat strikes protesting the hire of Italian and Portuguese workers in British oil refineries and energy companies illustrates the weakness of organized labor in influencing the Labour governments' immigration policy and the consequent sense of frustration among blue collar workers. However, it would be difficult to make a similar case about Italy, where unions strongly opposed the immigration restrictions imposed in the Bossi-Fini law, or Spain, where the Zapatero government has based immigration policy on tripartite agreement and where the unions participate in setting annual immigration quotas.¹⁶ Indeed, looking at the actions of unions with regard to immigration policy in the latter two countries, it is noteworthy that their position on immigration has remained generally very favorable (Watts 2000).

A different factor which the UK shares with the two Southern European cases and that sets all three countries apart from Germany has to do with characteristics of the welfare state and the role that immigration plays in the provision of key care services. Given its residual character, the UK's welfare state is quite weak in the provision of services such as child care or elder care (Ungerson 2003). Consequently, there is high demand for cheap immigrant labor both from institutional employers such as nursing homes and hospitals and from private households in all three countries. Comprehensive data on such employment is difficult to attain. Yet there is evidence of the important role that immigrants play in providing such services not just in the UK, but in all three countries. In the UK, for instance, a high proportion of nurses and elder care providers are from the Philippines (Lyon and Glucksman 2008). In Italy, 34% of the almost 700 thousand immigrants regularized during the 2002 amnesty applied on the basis of employment in domestic work, and according to one report, immigrants account for over 43 percent of such employment. And in the case of Spain that figure is believed to be above 52% (Eiro Online 2006, 2007).

This role of (primarily female) immigration in the provision of key services is important because it suggests that significant segments of the center-left's electorate, including in particular members of households dependent on two incomes (which require external help with child or elder care in the absence of publicly provided care services) will have a very concrete personal interest in a liberal immigration regime. The fact that the rise of female immigration has coincided with a rise of (native) female labor market participation rates in the two Southern European countries attests to the importance that immigrant labor plays in the role of many two income families. (Chaloff, 2005) Such a pattern of immigration that serves to compensate for the

short-comings of residual and/or incomplete welfare states (such as characterize the two Southern cases) also creates an infrastructure of personal contacts that is likely to serve to counter anti-immigrant sentiment in the population. By contrast, where care services are provided by the state either in the way of public provision or by luring mothers out of the job market through generous family allowances, this type of private stake in immigration is likely to be lacking.

These observations also speak to the question of the relationship between immigration and welfare states. Whereas economists have tended to interpret the higher levels of immigration in the Anglo-Saxon countries as causes of the residual welfare state (Alesina et al. 2001), the experiences of Britain, Italy and Spain suggest a different causal relationship: that higher immigration serves to compensate for shortcomings in the welfare state rather than to undercut it. This means that there may in fact not be any inherent conflict between immigration, multiculturalism and generous welfare spending (whether such an argument is based on cultural requisites or rational economic reasoning). On the other hand, moves to restrict immigration -- not just in Germany but also in many of the corporatist welfare states of Northern Europe -- may have much more to do with the failure to integrate low-skilled immigrant populations into the labor market (which is more likely to turn them into welfare recipients). Germany's past restrictions on citizenship for the children of immigrants, its past policies favoring low skill immigration, and other factors such as restrictions to product market competition (which prevent the creation of small businesses by immigrants as a way to economic integration) are thus likely to be far more important than the features of the German welfare state.

All this suggests that the implications of immigration for parties of the Left are likely to depend on a plethora of factors that determine the way in which immigration impacts the lives of other citizens. This includes not just the choices that other parties (in particular on the Right) make in politicizing the issue. It also involves the politics of the welfare state (although in much more complex ways than simple theories of welfare chauvinism would have), the characteristics of labor and product markets (both matters of government regulation in other areas), and past policies that have affected the characteristics of the immigrant population and its degree of economic and social integration. In this regard, past German governments of both the Left and the Right, with their insistence on restricting long-term avenues of integration (including the attainment of citizenship by the children of immigrants or the ability of asylum seekers to obtain employment) seem to have created a climate that has made it more difficult for the Left to advance a new type of immigration policy in recent years than has been true for governments of the Left in our other three cases.

Such qualifications of how the politics of immigration might differ for center-left parties across Europe nonetheless beg the question of whether large scale immigration does not put the Left at a consistent electoral disadvantage *vis à vis* parties of the Right. The electoral tensions that immigration involves specifically for the Left may mean that the issue can easily be exploited by parties on the Right for electoral gain without much cost. In particular in countries where an anti-immigrant far Right has emerged (as in the case of Italy, discussed above, or in the case of France) it can be argued that the mainstream Right has successfully exploited the issue to its advantage in the face of a Left hamstrung by its internal tensions.¹⁷ In the case of Italy, for instance, mobilization of anti-immigrant sentiment played an important role in the Right's return to power in 2001, even though Berlusconi went on to oversee a substantial increase in legal immigration levels, appeasing his populist partners through tougher deportation standards and

new requirements for legal immigration entailed in the Bossi-Fini law. Sarkozy's 2007 victory over Ségolène Royal has been at least partially attributed to his tough, often controversial stance on immigration and immigrants, or the children of immigrants.¹⁸ And in Germany, the staunch commitment of the CDU and CSU to block plans for a new, skilled-based labor immigration policy has been credited for helping bring about the Christian Democrats sequence of regional electoral victories in Hesse in 1999 and then 2003, Lower Saxony in 2003 and, most importantly, North Rhine-Westphalia in 2005. The last of these brought down the last Red/Green state government and prompted the federal elections that brought an end to the Left coalition government.¹⁹

However, while politicizing immigration may indeed tend to work predominantly in favor of the Right in the short-term given the particular tensions it creates for the Left, it is not costless or unproblematic for the mainstream Right. An uncompromising stance on immigration, such as that pursued by segments of the CDU and CSU during the years of the Red/Green coalition, can result in ideological tensions within the Right. Such tensions, both between different CDU regional leaders and between the party and church organizations, were evident during the prolonged negotiations of a compromise between the Schroeder government and the CDU following the failure of the first Schily law.²⁰ It also tends to be opposed by business, a key constituency of the mainstream Right parties. This was evidenced both in the German case, where the German business organizations lobbied aggressively in favor of the Schroeder governments efforts to re-open work-based immigration, and in Italy, where requirement of prior work contracts for residence permits imposed by the Bossi-Fini law was opposed by business.²¹ "Tough talk" on immigration is thus likely to result in less actual immigration restriction during periods of mainstream Right government than the electoral rhetoric of the Right might imply. This, in turn, should ease the amount of political pressure to restrict immigration that political victories by the center-right might otherwise produce.

The examples considered here suggest that, while the potential for mobilization of anti-immigrant sentiment by the Right in Europe is real (note the electoral success of the Northern League in an area of Italy whose industrial economy depends entirely on immigrant labor), this does not lock the Left into an inescapable choice between restricting immigration and permanent electoral defeat. In Spain (2008) and Britain (2001 and 2005), the Left succeeded electorally after implementing very liberal immigration policies and running in the face of efforts by the Right to politicize the issue. And in Italy, the Left won in 2006 running on a promise to lift the first Berlusconi government's measure to require work contracts for the issuance of new residence permits. In Germany, on the other hand, the political pressure to restrict immigration appears largely to be a function of the low-skill profile of early immigrant labor recruitment policies coupled with that country's unique problems in creating jobs for low skilled workers. And something similar may be true for France.

On the other hand, in all four countries, governments of the Left have actively sought to shape the profile of their immigrant populations in ways that fit the needs of their economies and consequently minimize the tension that immigration creates in their electorate. Indeed, while it is now being copied by the Right (for instance, the Sarkozy government in France), the move to fit immigration policy to other economic policy goals (in particular raising the skills profile of the EU's labor force) is one in which governments of the center-left have played a leading role, Blair's managed migration model and the German Red/Green coalition's proposal for a points based system being two examples. One way to understand this is as an effort by the center-left to

mitigate potential electoral dilemmas. Nonetheless, the choice in favor of such pragmatism over a rights-based approach to immigration may be problematic in other respects. At the least it poses a serious question as to how the European Left will ultimately reconcile its definition of borders among peoples and its commitment to universalism. And it cannot be overlooked that the choice to promote high-skilled migration into the EU to ease electoral tensions and resolve Europe's demographic problems presents a moral quandary for the Left regarding the impact that drawing human capital away from labor-exporting "third" countries is likely to have on poorer areas of the world.

If a more selective, labor-market based approach to immigration appears to be the option that best fits the political needs of Left party governments in Europe, a constellation in which a majority of states are governed by Left party governments might be the most likely scenario under which the kind of common immigration aimed centered on labor market needs that has been called for by the EU Commission might succeed. Indeed, the constellation need not be perfect. If the recent past is any indication forward looking Left governments in countries with more generous welfare states could find important allies in Italy and Spain, whether those countries are governed by the Left or the Right. Any such prospect, of course, would require the end of the current economic crisis and a significant recovery in European labor markets.

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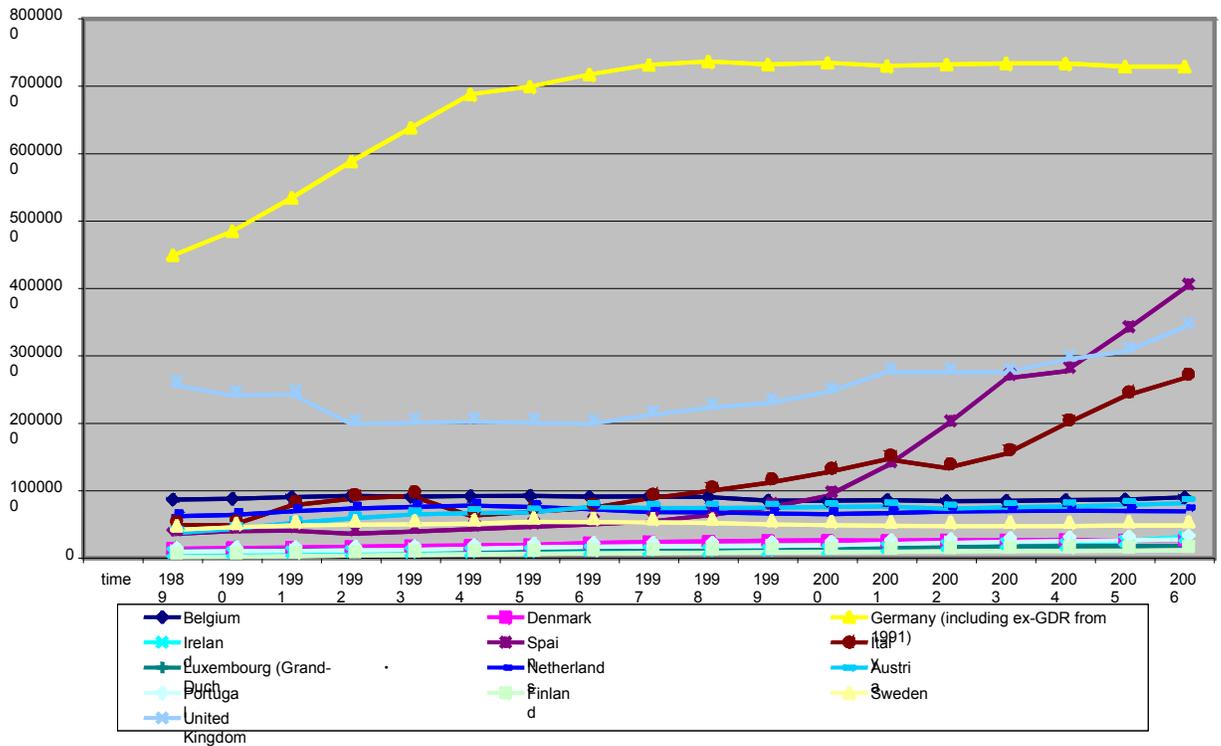
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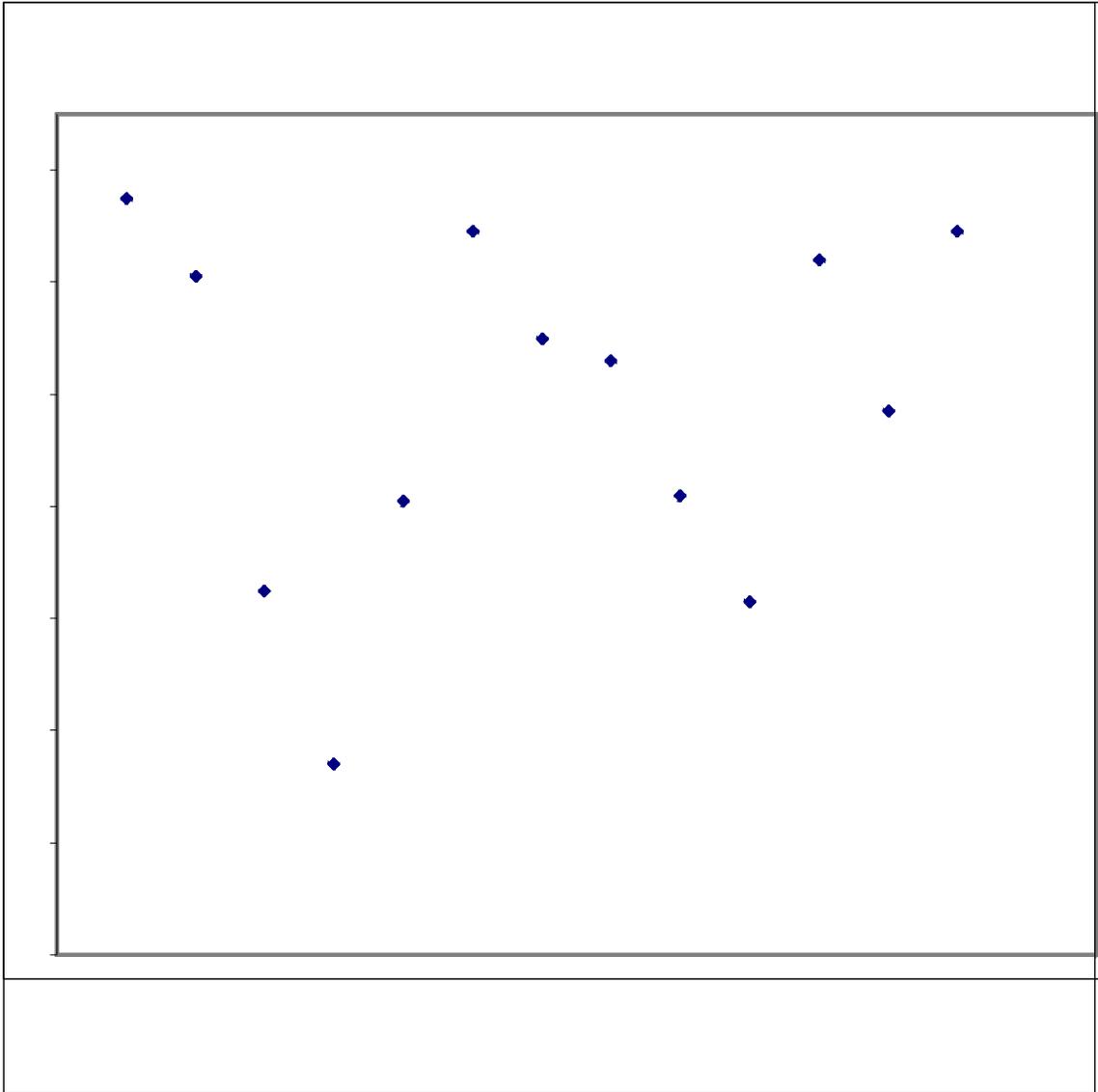
Figure 1

Foreign Citizens residing in EU15 countries



Source: Eurostat, Population and Social Conditions Statistics, Extracted from the Eurostat Statistics Portal on November 11, 2007.

Figure 2



Source: OECD (2007)

Notes

¹Inglehart (1971) links post-materialism to the emergence of a cosmopolitan political identity and sense of social solidarity.

² Following the last two EU enlargements, many of the traditional EU member states also experienced significant immigration from new EU member states, including Poland and Romania. The distinction here is drawn because intra-EU migration cannot be directly restricted beyond a transition period following a home country's accession to the EU. Most of the leeway for controlling immigration that EU governments have involves immigrants who are not citizens of other EU member states.

³ See for instance Hammar (1999), p. 174 on Sweden, Campell (1992), pp. 451-56 on Switzerland, and Castles (1986).

⁴*Regierungserklärung des zweiten Kabinetts Brandt/Scheel vom 18. Januar 1973* (Bonn: Presse- und Informationsamt der Bundesregierung, 1973), p. 46. Author's translation.

⁵

Germany and Austria's foreign born population proportions well outranked France's (at 8.1%) and even Britain's (at 9.7%) in 2005. See OECD (2007).

⁶

See Maier-Braun (2006). Schmidt made the statement at a press conference on November 11, 1981.

⁷ The perception that German society would not be able to integrate Muslim immigrants in particular was often articulated by the chancellor, including in some of this later day recollections of this period. See "Altkanzler Schmidt: The Anwerbung von Gastarbeitern war falsch," *Frankfurter Allgemeine Zeitung*, November 24, 2004. See also "Helmut Schmidt: Multikulturelle Gesellschaft 'Illusion von Intellektuellen,'" *Die Zeit*, April 22, 2004.

⁸

Roger Cohen, "Schroeder's New Politics Tripped up by Hesse Voters," NYT, February 8, 1999.

⁹

This figure is calculated by subtracting the pre-2000 level of roughly 50 thousand naturalizations per year from the higher figures that followed in the 6 years following the new citizenship law before naturalization figures returned to their historical path.

¹⁰ For details on the course of the negotiations of the first Schily Law, see the monthly EFMS (Europäisches Forum für Migrationsstudien) Migration Reports for October 2001 to June 2002.

¹¹ The addition of these new criteria was also mandated by an EU directive. For more details on the second immigration law taking effect January 1st, 2005, see the EFMS Migration Report for July 2004.

¹² The restrictive turn in Labour's stance on immigration is widely attributed to the lessons drawn from an unexpected defeat in the Labour stronghold district of Smethwick to a Conservative candidate running on an anti-immigrant platform in the 1964 election (see

Karapin 1999). According to Hansen (1999), it also reflected “a triumph of Callaghan’s strand of Labour ideology - nationalist, anti-intellectual, indifferent to international law and obligation and firmly in touch with the social conservatism of middle- and working-class Britain (p.822)

¹³ Estimates of Italy’s illegal immigrant population vary widely, ranging from as few as 200 thousand up to one million (Jandl, 2008).

¹⁴ *The Economist*, “Mission by Sea over Illegal Migrants,” May 3rd, 2008.

¹⁵ Actual permits issued consistently exceed the quotas, which are used to negotiate controls on illegal immigration with sending countries.

¹⁶ In the case of Italy, the immigrant offices of the labor unions play an important role in facilitating the integration of immigrants, and in the case of “self-employed” immigrants, sanction their applications for residence permits (see Veikou and Triandafyllidou 2004). In Spain, annual quotas for work-based immigration are set following consultation with employers and unions.

¹⁷

I thank George Ross for putting this point to me.

¹⁸

See David Rieff, “Battle over the Banlieus,” *New York Times Magazine*, April 15, 2007” and “Immigration : Malaise et surenchère,” *Le Monde*, March 20, 2007.

¹⁹

Markus Deggerich, „Einwanderung: Die Angst der Parteien vor der Wahl,“ *Der Spiegel*, January 30, 2001.

²⁰

See for instance *EFMS Migration Report*, January and February 2003, Ette (2003), pp. 41046, and Charles Hawley, “Letter from Berlin: German Conservatives Bicker over Integration (Again),” *Der Spiegel Online International*, January 2, 2008. Another prominent example is offered by the conflict between the French Interior Minister, Charles Pasqua and the Social Affairs Minister, Simone Weil, which resulted in a serious rift within the Balladur government in 1993. See Hollified (1999).

²¹

EFMS Migration Reports March 2001 and January 2002, Ette (2003), and *Migration News* (University of California, Davis), v. 8:4, October 2002.