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Conditional Belonging: Evaluating Integration Requirements from a Social Equality Perspective

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ABSTRACT

In multiple EU Member States, immigrants are subjected to an increasing number of integration requirements in order to gain access to residency and political rights. This article explores the legitimacy of such requirements from the perspective of recent theories of social equality. According to these theories, states must seek to uphold a ‘community of equals’ and to avoid problematic status hierarchies between citizens. I argue that aspects of current integration schemes in EU states jeopardise social equality by indicating symbolic hierarchical variations in the status of non-immigrant citizens and citizens with certain immigrant backgrounds. First, there are integration requirements that convey the message that certain immigrants are unwanted or will never truly belong to the nation. Second, there are integration requirements that suggest that the citizenship of (certain) immigrants must be earned conditionally and is contingent on certain competences and efforts, while native-born citizens of the majority are implicitly perceived as natural possessors of their unconditional citizenship. I argue that these integration requirements are problematic from a social equality perspective. Integration requirements that suggest a status hierarchy between citizens who naturally belong and those who conditionally belong should be rejected.



KEYWORDS

Social equality; integration requirements; equal citizenship; universal values; community of equals

Introduction

Over the last quarter of a century, there has been a structural growth of standardised integration requirements in EU Member States. In particular, many Member States require immigrants to undergo civic integration courses, language exams and citizenship tests on pain of punitive measures, including the non-obtainment of temporary or permanent residency or citizenship rights and the imposition of fines. Such measures have proliferated and are imposed as requirements at different stages of the migration process: initial entry (only for family migrants), obtaining permanent residency and citizenship (Goodman 2010; Groenendijk 2011; Joppke 2017).¹

In the academic literature, this trend (sometimes also called ‘civic turn’) has received considerable attention, and scholarly debates have unfolded on both the institutional

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particulars and conceptual underpinnings of these policy changes (see, for example, Guild et al. 2009; Bauböck and Joppke 2010; Kostakopoulou 2014; Borevi et al. 2017; Mouritsen et al. 2019). Unfortunately, particularly the normative literature tends to misdiagnose the most worrisome features of this trend. For many commentators, its main danger is that it will unjustly legally exclude people from migrating and settling as citizens elsewhere in the world (see, for example, Kostakopoulou 2008; Carens 2013). In reality, however, these integration policies are not primarily tools of direct exclusion (for this critique, also see Permoser 2012). Immigrants who are mandated to pass them are family migrants and refugees, together with internal EU immigrants and non-EU labour migrants (who seek permanent residency or citizenship of the Member State they reside in). These integration policies thus do not select immigrants, but they are applied to immigrants who are legally already admitted and rarely expelled or permanently excluded from the territory if they fail to pass integration requirements (Permoser 2012; Van Oers 2013; Goodman and Wright 2015; Joppke and Eule 2016; De Waal 2018).²

That being the case, integration requirements in Europe evidently have become more burdensome, exclusionary and have caused prolonged legal precarity for admitted immigrants; however, I will argue that their most salient effects are symbolic. To understand the deeper normative problems of these relatively novel integration requirements, we should therefore also look beyond questions of direct territorial or civic inclusion and solve the puzzle of their intertwined layers of inclusionary and exclusionary discourses, constitutional limits and empirical outcomes. This requires adopting an interdisciplinary approach that combines comparative legal and political science studies – which have valuably mapped and categorised integration requirements in Europe over the last twenty years (see, for example, Goodman 2010; Strik et al. 2013; Pascouau 2014; European Migration Network 2018) – with political philosophy. In addition, I use multiple country reports and studies that have interpreted the political contexts and symbolic messages behind the implementation of integration requirements in specific Member States.

On that account, this article agrees with commentators who note that the changes in integration policies in Member States must be chiefly understood as an ‘ideological turn’ (Mouritsen et al. 2019: 6), or as ‘symbolic politics’ (Permoser 2012) that valorise ‘the self-representation of the national majority and defining certain migrants against it’ (Larin 2019: 9). However, it also notes that, thus far, no commentator has defined in detail which integration requirements are normatively problematic from this perspective.

As a first step to fill this gap in the normative scholarship, I will add a social equality perspective to our normative discussions on integration requirements for immigrants in EU Member States. This angle is premised on the idea that it is also relevant to examine the potential ‘spillover’ effects of integration measures on how immigrant citizens and their descendants and non-immigrant citizens perceive each other (for a similar strategy, see Lægaard 2012). Therefore, I will evaluate the proliferation of integration requirements in Member States for immigrants through the following question: which integration requirements symbolically suggest that the receiving society is no community of equals, that is, a political community in which no objectionable social hierarchies and social divisions of superiority and inferiority exist between citizens in terms of their status of equal citizens? My aim is hence to discern integration requirements that can contribute to the social marginalisation of immigrant citizens, even though these requirements do not affect them legally. To be clear, this research question does not suggest that integration

measures for newcomers in liberal-democratic states are inherently illegitimate, but that we have to examine how integration policies can be pursued in ways that do not suggest there are social hierarchies between citizens.

This article is divided into four parts. First, I will introduce the social equality literature. Second, I will highlight the broader challenges that immigrant integration poses for theories of social equality. Third, I will highlight two trends in the formation of and political discourse surrounding integration requirements in multiple EU Member States, which I believe are objectionable from a social equality perspective. Fourth, I will give extra attention to so-called ‘culturalised’ accounts of integration and citizenship.

Social Equality and Justice

Within contemporary academic discussions on justice there is a growing sympathy that social equality is an indispensable part of a just, liberal-democratic society – that is, a community of equals (Anderson 1999; Scheffler 2003; Fourie et al. 2015). This literature is often defined in opposition to what, in political philosophy, are considered more mainstream conceptions of egalitarianism that adopt a ‘distributive’ approach. In a nutshell, theories of distributive justice focus on patterns of distribution of a certain *equalisanda*, such as primary goods, capabilities, welfare, income, rights, and so on.³ However, advocates of social equality argue that the prime concern for a just society is to enable people to interact as equals in all relevant spheres of society (for which patterns of distribution may be valuable in terms of how well they reflect or help to achieve equal relationships).

The motivation behind this body of literature is fuelled, I believe, by the perception that securing justice requires more than citizens who abide by fair legal rules; that it also requires a certain democratic societal ethos. For example, when it comes to oppression, it is incontestable that the effective implementation of constitutional laws relies heavily on the attitudes of citizens – a realm that cannot be directly legislated and enforced. According to Elizabeth Anderson, formal equality is, therefore, even ‘a sham’ without social equality:

Political equality [...] cannot be realized without a democratic culture pervading civil society. This is not a matter of legal equality, but habits and sentiments of association on terms of equality. (Anderson 2013: 93)

If we connect this concern to questions of migration and justice, it becomes apparent that the normative migration literature has a distributive nature: it is primarily focused on the conditions under which immigrants should obtain certain *rights* (see, for example, Rubio-Marín 2000; Orgad 2009; Carens 2013). However, this focus easily overlooks that formal equality is only a starting point of how to build and maintain a flourishing liberal-democratic state that operates based on norms of social equality.⁴

That being the case, current normative perspectives on migration can be enriched by perspectives that are both concerned with the quality of vertical relations that citizens have with their state (in terms of rights), but also, at least to a certain extent, to the horizontal (social) relationships that citizens have with other citizens. I write ‘at least to a certain extent’, as the implications of this perspective are not always straightforward. For example, the state obviously does not have complete control over its citizens. So if, for example, racism and bigotry are prevalent in society, this may not be practically or

normatively attributable to state influences. Moreover, there are limits to how intrusively the liberal state can intervene within the personal sphere, especially in relation to private values.

Furthermore, the key drawback of the social equality literature is that it lacks a satisfactory positive account of what it means to be treated or interact 'as equals' (Fourie et al. 2015: 3). Most conceptions of social equality constitute to generic propositions, such as 'a moral ideal in which people have equal standing' (Scheffler 2003: 21) or that 'we have to create a community in which people stand in relations of equality to others' (Anderson 1999: 289). Such definitions provide no specific criteria to assess when a community of equals has been realised, or when people are treated as equals or feel and interact as equals in the appropriate way. In fact, the social equality literature repeatedly explains that, in the words of David Miller: 'it is possible to elucidate the ideal of societal equality in various ways, but difficult to give a sharp definition ... [I]t is a matter of how people regard one another, and how they conduct their social relationships' (Miller 1997: 233).

As a way forward, Jonathan Wolff has proposed a negative methodology while researching social equality (Wolff 2015). He observes that, although social egalitarians lack positive definitions of equal relations, they tend to have forceful ideas on the types of unequal relationships they reject and consider illegitimate. Agreeing with Amartya Sen, Wolff therefore argues that 'the task for political philosophers is to identify manifest injustice and to work out how those injustices can be overcome' (Wolff 2015: 215). In this line of thinking, having no full positive account of social equality is not a theoretical dead end. All that theories of social equality need are clear, normative visions on which asymmetric social relations should be (evidently) avoided in a community of equals. This makes the predominant task of social equality theorists, concludes Wolff, to point out societal ills, including institutional routines and undesirable hierarchical class relations, such as oppression, exploitation, domination, servility and structural snobbery (Wolff 2015: 216).

To assess the merits of this methodological approach, I would argue that it is worthwhile to think through the case of immigrant integration and equal citizenship. Theories of social equality have, so far, not reflected on the effects of migration yet. Nevertheless, migration does pose normative questions for countries that aim to uphold a community of equals. In particular, it creates the challenge of how to regulate and neutralise possible side effects of the unequal treatment of citizens and non-citizens residing within the territory, especially considering the ambition to uphold a society in which there are no problematic relationships of 'superior' and 'inferior' members based on, for instance, lines of heritage, nationality or cultural background. So, if a community of equals admits immigrants, reflections are needed on how and when access to equal rights are provided.

To be sure, it could be argued that if integration requirements to obtain access to residency and citizenship rights problematically stigmatise immigrant citizens, they could still be normatively permissible in light of further considerations that also have moral weight. For example, Wellman argues that racist immigration policies might be morally regrettable but cannot fully outweigh the right of states to control their borders (Wellman 2008). However, my argument entails the need to amend stigmatising integration policies. Therefore, it sidesteps this possible critique, as it does not affect the right of states to enforce border controls. Instead, it merely pressures Member States to treat already admitted immigrants within integration schemes differently – a far less demanding normative outcome.

In addition, it could also be argued that we stumble upon a deep-rooted problem here, as there is an inherent difference between so-called ‘native’ citizens, who gained their citizenship effortlessly at birth, and citizens with migrant backgrounds, who belong to groups of persons who had to gain citizenship at a certain point. However, it is not self-evident that, if citizens can receive citizenship in different ways, this is inherently hierarchical: immigrant inclusion can be shaped in such ways that there are different possible routes to the same equal status. Moreover, liberal-democratic countries are, in principle, built on the assumption that this potential hurdle can be overcome. Indeed, what normatively distinguishes liberal democracies from illiberal states is that they are grounded in the belief that profoundly diverse citizens can belong (or can develop to belong) to one ‘ethical community’ (Miller 1995: 12; Kymlicka 2002: 267).

Of course, empirically, this aspiration might be hampered by a variety of causes. Arguably, to a certain degree, immigrants always have to culturally and ideologically adjust themselves in order to equally participate in their new country with a particular political history and system of customs. Furthermore, since immigrants are often confronted with language barriers, discrimination and a relatively weak socio-economic status, this regularly puts them in a disadvantageous position in various spheres of society, such as employment and education.

However, from a social equality perspective, all these more empirical considerations leave the normative challenge for liberal-democratic states untouched: they must strive to adopt an inclusive self-perception and public policies that enable non-immigrant citizens and citizens with immigrant origins to see themselves and each other as full and equal members of the community. Even stronger, social equality theory suggests that the liberal-democratic state only legitimately governs a people if it takes up its distinctive normative duty to promote the value that all citizens should treat each other as equals.

From this perspective, communities of equals that aim to avoid stratified social inequalities between members of the community should, in the face of immigration and in the context of integration, address (at least) two challenges. The first pertains to the responsibility to encourage naturalisation. As it happens, this reasoning is in line with arguments developed in the ethics of migration literature, which sees rights as the main currency of justice. These arguments state that liberal-democratic countries, based on their inner moral logic, should treat all *de facto* permanent members of society that are continuously subject to the laws of the state as equals – that is, with equal rights – and include them in political decision-making procedures (Walzer 1983: 52–61; Rubio-Marín 2000; Carens 2013: 160–168).

However, social equality theory emphasises a particular aspect of this argument, which is the interest of those who already possess citizenship to include long-term immigrants in their midst as equal citizens. On this ground, for example, De Schutter and Ypi defend their case for mandatory citizenship for immigrants by also stressing the importance of social equality. In essence, one of their main arguments in favour of naturalisation is that already included citizens of a democracy have an interest in protecting their community of equals, which is jeopardised by endured differential legal treatment of certain members of their community (De Schutter and Ypi 2015: 244).

That said, the second insight that the angle of social equality leads to is that justice requires considerably more than the equal distribution of legal rights to residing immigrants. From this point forward, I believe that the social equality approach genuinely

starts to supplement the distributive justice theories of migration on the topic of the quality of integration policies. Based on the principles of liberal democracy, social equality norms namely indicate and demand that the state should also be concerned with how all citizens fare, on a more general note, as a community of equals.

This responsibility obviously includes the obligation for liberal-democratic states to constantly promote the value of equal citizenship directly and explicitly. For instance, the state and the government can take up the role of emancipator. This can be done through statements of political leaders, forms of civic education, public policies that simulate emancipation, having public memorial days to treasure an inclusive national identity or funding certain initiatives in civil society that promote equal citizenship (Gutmann 1995; Brettschneider 2016). Furthermore, liberal-democratic states must be vigilant not to, intentionally or unintentionally, contribute to problematic social hierarchies between citizens. It could do so by carrying out public schemes, policies or statements that happen to have the side effect of furthering societal stigmas that jeopardise the ideal of equal citizenship. This might, at times, be a complicated task as oppressing societal dynamics often spring from nuanced and complex sets of relationships between public assumptions, stereotypes and institutional policies and the collective outcomes of all these together (Young 2001: 10). Nonetheless, if it becomes apparent that public policies, deliberately or accidentally, instigate or bolster social hierarchies in terms of first-class and second-class citizens, liberal-democratic states should improve such policies.

If we apply this line of reasoning to the integration measures in EU Member States, I think these policies, given that they regulate incorporation processes of legal newcomers, deserve special attention from a perspective of social equality, as they possess strong symbolic potential. In particular, they might stigmatise immigrant citizens after they are naturalised and also citizens with the same ethnic, cultural, national or religious background as newcomers who are obliged to integrate.

In the following section, I will scrutinise the integration requirements in multiple EU countries more closely based on this conclusion.

Integration, Equal Citizenship and Social Inequalities

The recent changes of integration laws in multiple EU Member States are too diverse to draw a single conclusion in relation to their outcomes of social equality. Today, five EU Member States have adopted integration requirements for incoming family migrants who are still abroad (Strik et al. 2013; Bonjour 2014; De Waal 2018).⁵ In addition, there is systematic evidence that confirms a proliferation of integration requirements as conditions to attain access to permanent residency and citizenship. For example, a report from the International Organization for Migration (IOM) showed that, in the limited period between 2003 and 2007, no fewer than 13 Member States introduced new mandatory integration requirements for the acquisition of permanent residency (IOM 2008; see also Pascouau 2014: 92). Moreover, several of the influential studies by Goodman (see, for example, 2010) on integration requirements in Member States clearly demonstrate that there is a consistent rise of integration requirements for citizenship (see also Figures 1 and 2).

As I see it, at least two trends can be observed within this general increase of integration requirements in the EU that deserve normative scrutiny from a social equality stance. The

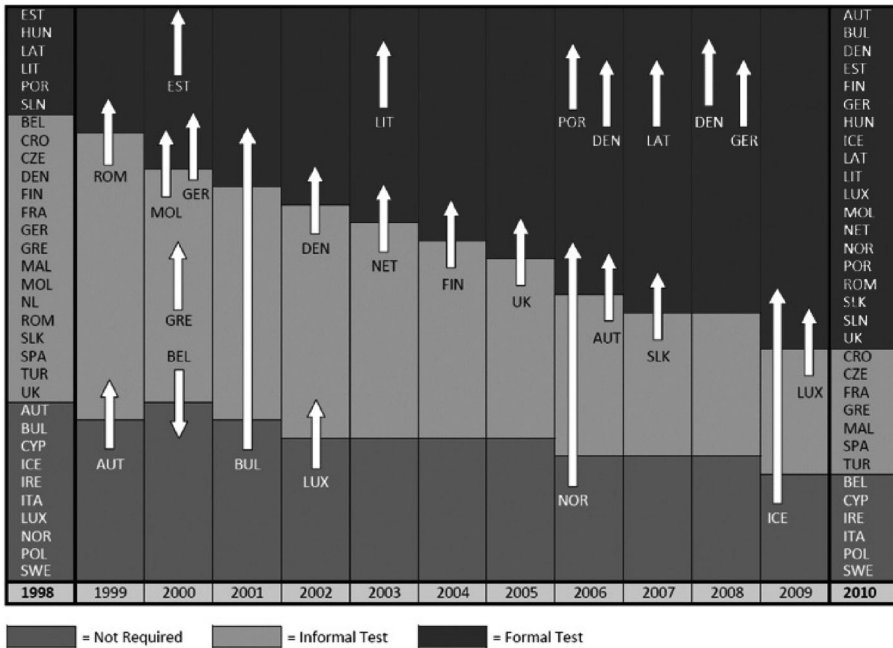


Figure 1. Goodman, Sarah Wallace. 2010. 'Naturalisation Policies in Europe: Exploring Patterns of Inclusion and Exclusion' in EUDO Citizenship: Comparative Reports: 16.

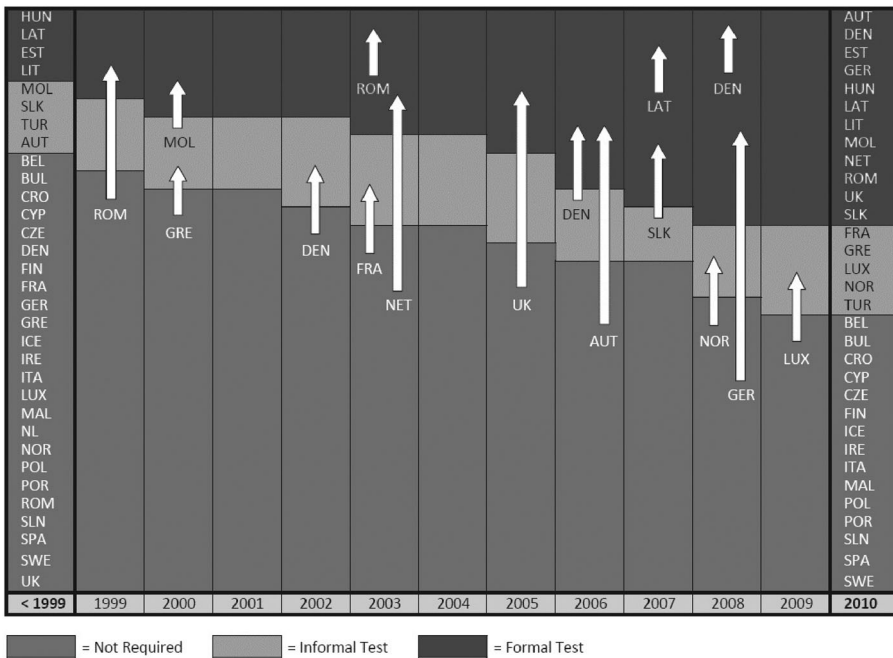


Figure 2. Goodman, Sarah Wallace. 2010. 'Naturalisation Policies in Europe: Exploring Patterns of Inclusion and Exclusion' in EUDO Citizenship: Comparative Reports: 17.

first concerns integration requirements that communicate that the arrival or naturalisation of certain immigrants is unwanted. The second concerns integration requirements that indicate that persons with (often non-EU and non-Western) immigrant backgrounds have to deserve their residency or citizenship rights. I will discuss both respectively.

Unwanted Citizens

The first trend involves integration requirements that convey that certain immigrants or forms of diversity are undesirable. To date, there are only a few examples of this trend. A prime example is the statement of Peter Westenthaler, a politician with the Freiheitliche Partei Österreichs (FPÖ), who introduced a more restrictive integration and citizenship scheme with the following words: '[w]ith this law we can make one thing clear: Austria is not an immigrant country and it will never be one. We will make sure of that!' (Permoser 2012: 185). Another example is how EU Member States implemented their pre-departure integration requirements. The exclusionary purposes behind these integration conditions abroad are not as unambiguous as the statement by Westenthaler, since these policies were also defended as furthering integration and inclusion. For example, in Germany, limiting migration was explicitly rejected as a policy aim of their integration requirement abroad, which was said to promote integration and to prevent forced marriages (Scholten et al. 2012: 5). However, in France, former Interior Minister Sarkozy explained that the government purposely inconvenienced the path of family migrants who were 'low-skilled' to bend the influx of immigrants to Europe from 'unwanted' to 'chosen' (Joppke 2007: 11). Moreover, in the Netherlands, the purpose of the integration requirements abroad has been defended as restricting the immigration of 'non-integratable' migrants from particularly 'non-Western countries' who will mostly become 'housewives, unemployed or unfit for labour' (Scholten et al. 2012: 10–11).

These statements are remarkable, as the suggestion that integration requirements can function as immigration laws and permanently exclude certain family migrants is inconsistent with the EU directives that permit them (see note 2). In addition, if integration requirements are made stricter or are installed solely to create the suggestion that certain types of immigrants are or should be excluded, this leads to a state-backed social hierarchy between 'wanted citizens' and 'unwanted citizens'. For instance, alluding to the remark of the FPÖ that 'Austria will never be an immigration country', this sends the symbolic message that both the targeted prospective immigrant citizens and the already present immigrant citizens are not, and can never become, a true part of the national identity. To be more precise, the 'we' in this statement that 'makes sure of that' obviously does not include citizens with immigrant backgrounds into the political community that protects itself. Citizens without immigrant backgrounds are, therefore, publicly endorsed as having more entitlement to the state and its identity.

Focussing on the family reunification policies, it is evident that immigrant citizens with the same background as the prospective family migrants who are described as 'unwanted' (since they are 'unintegratable') are stigmatised as and receive an affront of being non-preferred citizens. This is particularly the case if integration requirements are explicitly implemented to limit the immigration of migrants with specific cultural backgrounds. A case in point is the Netherlands, which exempts family migrants of culturally 'Western countries' from passing the integration abroad test. Moreover, the Dutch

government raised the level and length of its test in 2006 explicitly because the average passing rate – and with that, the number of non-Western family migrants – was too high (Groenendijk 2011: 13).

To conclude, receiving Member States that suggest through their integration policies that certain groups of immigrants do not (and never will) truly belong to, or are not compatible with, the nation, convey that in their community an impermissible social inequality exists between ‘wanted’ and ‘less-wanted’ or even ‘unwanted’ citizens.

Conditional Belonging

The second trend deserving attention testifies to a societal standard that the entitlement to citizenship of persons with (most often non-Western and non-EU) immigrant backgrounds is contingent on certain competences, characteristics and efforts. In the literature, Lægaard coined this phenomenon as the ‘desert paradigm of naturalisation’ that symbolically makes (access to) citizenship a right for some and a reward for others (Lægaard 2012). This trend has become increasingly salient in Europe over the last quarter of a century and manifests itself in several forms. However, at its core lies the idea that persons with certain immigrant backgrounds have to personally integrate – seen as a condition an individual can embody, for example, by having a job or being liberal-minded – to be seen as ‘compatible with society’, meaning being a true member of it (such as ‘a real Dane’) (Kostakopoulou 2008; Schinkel 2010, 2017; De Waal 2018). Consequently, there is a growing consensus in contemporary citizenship scholarship that a broader shift to models of earned citizenship for immigrants has taken place in Europe. In this model, integration policies are increasingly framed in contractual terms and compel immigrants to integrate in order to acquire secure residency and citizenship rights (Van Houdt et al. 2011; Kostakopoulou 2014).

For example, in the Netherlands, new integration requirements have been presented with slogans such as ‘Make Sure You Belong!’ and ‘To Stay is to Participate’ that emphasise that secure and full rights are a privilege for those that can be deemed personally ‘well-integrated’ (Böcker and Strik 2011: 167; Van Oers 2013). Also, in Denmark, integration requirements for immigrants have been made repeatedly more stringent over the last two decades; in 2011, the Danish government emphasised that citizenship should be seen as an award and that it intended to send the signal that ‘foreigners [...] whose integration has been successful, can become Danish citizens. The requirements must be high, as Danish citizenship is something special [...]’ (Ersbøll 2015: 29). Another well-known example is that the UK proposed to create ‘probationary citizenship’ in 2009. The idea behind this policy proposal was that immigrants had to prove to be deserving of their conditional citizenship status by demonstrating active citizenship. At the last moment, the UK Government abandoned most of the specifics of this plan, as it would have been too much of a bureaucratic burden. Nevertheless, it did retain the decision to increasingly work with models of earned citizenship (Van Houdt et al. 2011; Byrne 2017).

To briefly take stock, from a social equality perspective, the problem with such integration requirements is *not* that they may encourage active or committed citizenship, enhance language levels or a commitment to liberal-democratic values. On the contrary, social equality theorists emphasise that liberal democracy relies on active and committed citizens, and public instruments to stimulate this are welcome. Instead, the problem is that

these integration measures represent symbolic boundaries between the so-called native citizens of the receiving EU nation and citizens with certain immigrant backgrounds, who can only provisionally earn belonging to the nation (Kostakopoulou 2008; Schinkel 2017).

Put differently, if mandatory integration requirements as conditions to obtain access to certain rights are defended as measuring deservingness of belonging and citizenship, this suggests that the citizenship that citizens with migration backgrounds possess is of a different kind than the citizenship that people without immigrant backgrounds have. Sharply put, such policies express political messages that, on the one side, citizens without immigrant backgrounds are implicitly seen as the natural possessors of their citizenship and, on the other side, citizens with (non-EU or non-Western) immigrant backgrounds possess a conditional form of citizenship contingent on, amongst other things, their language levels, participation in the labour market and civic knowledge.⁶

Universal Values and Equal Citizenship

To fully understand this latter conditional belonging-trend that perceives the citizenship of certain immigrants as something that needs to be deserved, I believe it is valuable to concentrate on the peculiar roles of the notions of ‘national culture’ and ‘universal values’ in European debates on policies monitoring integration. The implementation of integration requirements is often not only defended as stimulating language levels and participation, but also as securing the universal values that underpin the cultures of receiving European states. In the academic literature, it is commonly argued that the risk of stigmatisation is not applicable to such nationally anonymous universal values, such as human rights, non-discrimination, toleration, rule of law and so forth (see, for example, Joppke 2008: 538; Orgad 2009). However, as it happens, actual discourses of universal values in Member States are frequently framed in exclusionary ways – that is, as part of a *culture* that immigrants do not (yet) belong to. As a result, the importance of universal values is often invoked in such a manner that it inculcates a social equality that damages equal democratic deliberation between all citizens.

Indeed, if integration policies and citizenship are discussed in Member States, the image is increasingly created that the universal values that characterise European liberal democracies are fully intertwined with the specific culture and (religious or cultural) history of the state. In its most extreme form, this amounts to what Triadafilopoulos has coined as ‘Schmittian liberalism’, which calls for the full exclusion of (supposedly) illiberal immigrants, as the protection of universal values requires, paradoxically, levels of cultural homogeneity (Triadafilopoulos 2011: 867). In more moderate forms, within such statements, universal values are presented and described as *so* intertwined with the national culture that (often non-EU and non-Western) immigrants have to personally embody the nation’s majority culture before they are perceived as equal citizens (Rostbøll 2010: 406). In other words, it is suggested that to be taken seriously in the political realm to discuss public issues, it requires *being* Dutch, French or Belgian (and so on) in a majority cultural sense.

In sociological literature, this development has been described as the *culturalisation of citizenship*. For example, Duyvendak et al. (2016) studied moments in which essentialist views on culture play a role in debates on citizenship. In these studies, the culturalisation

of citizenship involves that, instead of presenting national cultures (in this case of European states) as inclusive and fluid, they are portrayed as fixed unities and often as something ‘they’ (immigrants) have to learn embody and accept. Along the same lines, Mouritsen observes that, in Denmark, within integration schemes, the national culture is described as being connected to ‘universal civic values’, while particularly Muslim immigrants are perceived as the embodiment of inherently ‘un-civic’ cultures. In this way, Mouritsen writes, Denmark would have a form of ‘particular universalism’ tied to a ‘non-negotiable Danishness’ (Mouritsen 2008: 83).

Within integration schemes, an example of this development is that in Italy, the preamble of the Charter of Values for immigrants states ‘Christianity [...] together with Judaism, has paved the way to modernity and acquiring the principles of freedom and justice’ (Cuttitta 2016: 297). To explicate the necessity of the Charter with this preamble, the chair of the committee that drafted it explained that immigrants have ‘cultures or religions have not experienced the Western evolution’ that are, therefore, ‘antithetical’ to the Italian culture (Cuttitta 2016: 295).

Additionally, De Leeuw and van Wichelen analysed within the Dutch integration trajectory the visual representation of the Netherlands in the short film *Naar Nederland* (‘To the Netherlands’), which is part of the integration exam abroad. They concluded that four cultural tropes – gender equality, sexual freedom, freedom of speech and individualism – were exemplified as emblems of ‘Dutchness’, leaving little room for cultural or religious variations (De Leeuw and van Wichelen 2012). The only way to become Dutch, it is suggested in the film, is by adopting these cultural characteristics (De Leeuw and van Wichelen 2012: 195).

In the same vein, Onasch concludes that the French civic integration programme represents the French nation as modern, secular and striving towards gender equality, while immigrants are assumed to be traditional with patriarchal gender relations and practices that conflict with the values of the French Republic. On that account, she writes ‘it discursively draws racialized boundaries between the French nation and participating migrants based on language, culture and religion’ (Onasch 2017). Using a similar research strategy as Onasch, Williams concludes that, within integration programmes he observed in Germany, materials and lessons at times suggest that immigrants are ‘prospective citizens’ – which seems good from a social equality perspective, as it indicates that immigrants are on a pathway to equal citizenship – but at other times they are also ‘suspect outsiders’ (Williams 2018). Williams observes that this latter outsiderhood is often constructed in relation to certain universal values, including gender equality, democracy and religious freedom (Williams 2018: 7–13).

Then, in a recent study on Belgium, Waerniers and Hustinx observe that, in integration policy documents, immigrants are described as expected to earn ‘moral citizenship through [...] cultural assimilation’ (Waerniers and Hustinx 2019: 277) by admitting ‘to our Western culture’ (Waerniers and Hustinx 2019: 288). Moreover, they conclude that due to these discourses, a class of what they call ‘virtual-citizen immigrants’ emerges, who are formally citizens but are only seen as full Belgian citizens if they are ideal citizens. For this reason, the authors conclude that a form of ‘permanently probationary citizenship status’ turns out to be the highest attainable goal for these citizens with immigrant backgrounds (Waerniers and Hustinx 2019: 280).

Lastly, in the UK, Byrne observes that the need for citizenship tests has been framed explicitly in terms of a lack of commitment to ‘British values’ or ‘British culture’ and implemented to assess immigrants’ ‘fitness to be citizens’ (Byrne 2017). For this reason, she observes, based on surveys with people who had to take the test, newcomers feel that they ‘undermine the ideal that they can become citizens “like any other” once naturalised’ (Byrne 2017: 12–13).

For the purposes of this article, this last remark by Byrne strikes the heart of the matter. It is problematic for standards of social equality if integration policies insinuate that a binary opposition exists between a fully integrated society (the native ‘us’) and immigrants (‘them’), of which the former group has cultural and historical access to citizenship and the (supposedly) correct interpretation of universal norms that underpin the state, which is a privilege that persons with immigrant backgrounds (supposedly) lack, in principle. In other words, it is problematic if state policies suggest that minority groups in society, due to their foreign, cultural or religious backgrounds, must continuously prove that they embody what it culturally requires ‘to be like us’ – to be accepted as competent equal citizens and partners in interpreting universal values in democratic deliberations and as co-authors of the law.

Of course, this binary opposition distorts a far more complex reality. Historically, the cultures of European countries have not been intrinsically or particularly liberal or democratic, and the values they now celebrate as universal have only since fairly recently started to characterise the continent. But also, today all EU countries are still, ever so often, criticised by constitutional courts, Ombudsmen or international organisations for policies and practices that violate human rights. In addition, if it is suggested that the universal values that underpin the state conflate with the majority’s culture, this implies that, for example, ‘native’ Dutch or Italians always culturally embody and support these values while immigrants, in principle, do not, which is factually obviously untrue. To be sure, this does not deny that the realisation and protection of universal human rights in specific countries is a precarious and praiseworthy achievement. Furthermore, this achievement is also always historically situated and, at present, European countries indeed secure these values relatively well. These countries, for this reason, have legitimate interest to defend their basic principles: they have every right to deem it as invaluable and important to educate them to both born citizens and newcomers. However, crucially, the regime of liberal democracy is built on the idea that nobody or no citizen group culturally *owns* the core values of the state, ultimately based on international human rights treaties.

To discuss at length the exact relationship between national cultures, equal citizenship and fundamental rights would go beyond the scope of this article (see, for example, Rostbøll 2010). But for present purposes, the crux is that receiving liberal-democratic countries, including EU Member States, must develop public strategies – within integration policies and beyond – to promote their core values that emphasise their importance and explain that their protection is never finished and requires ongoing commitment and debate. Moreover, these states should not suggest that their underpinning values are culturally fixed or that they are the native’s or majority’s (historic or religious) culture. If receiving states invoke their core universal human rights in integration strategies *as* the culture of the non-immigrant majority, this suggests a societal hierarchy in which (non-EU, non-Western) immigrant citizens are marginalised in their status as equal citizens. This symbolically signals that, when it comes to the interpretation of the

core values and the principles of the state, citizens without immigrant backgrounds are hosts and citizens with immigrant backgrounds are guests, in which the guests are perpetually required to behave according to pre-established local cultural rules (Beauchamps 2016: 34). In a true community of equals, such an unequal relationship between citizens should evidently be avoided. Therefore, the state should stress that all citizens are equally entitled to participate as interpreters of the universal values that underpin it and may as equals point out where they believe their implementation can be improved, irrespective of their cultural backgrounds and national origins.

Conclusion

In this article, I evaluated the increase of integration requirements in several EU Member States through the lens of social equality. I raised the question: which integration requirements symbolically suggest that the receiving society is no community of equals, that is, a political community in which no objectionable social hierarchies and social divisions of superiority and inferiority exist between citizens in terms of their status of equal citizens?

My normative starting point was that immigration triggers a variety of challenges for receiving liberal democratic states from the perspective of social equality, especially in relation to their ambition to uphold a community of equals that cherishes the value of equal citizenship, not only in a formalistic but also in a more substantive sense. From this angle, I drew attention to two trends within integration requirements introduced in European states, which I contend are objectionable through a social equality lens. First, I discerned the type of integration requirements that convey the symbolic message that certain immigrants and forms of diversity are unwanted. This suggests that there are state endorsed social divisions between citizens that are preferred and ‘wanted’, and citizens with certain immigrant backgrounds who are ‘less wanted’ or even ‘unwanted’.

The second type of integration requirement I highlighted involves the message that persons with immigrant backgrounds have to earn their belonging and national citizenship (in contrast to ‘native’ citizens who are implicitly seen as possessing an unearned version of citizenship). In this context, state-backed discourses of integration have been salient in Member States that emphasise the historical and cultural embedment of universal values in the majority’s culture of the receiving state.

To end, I believe that the analyses in this article also form a contribution to the emerging social equality literature. Based on its methodology of highlighting social inequalities that communities of equals should avoid, this case study of integration made apparent an additional source of illegitimate social inequality. For standards of social equality, a class division between those who are perceived as unconditional members of a group and those who, at best, can only conditionally earn membership of it, is troublesome. Further research on this social inequality may include investigating examples of state-backed forms of ‘natural belonging’ versus ‘conditional belonging’.

Notes

1. The ‘income requirement’ for family migration is often also listed as an integration requirement. However, strictly legally seen, it is not, as is laid down in Article 7(1)(c), whereas

integration ‘measures’ are laid down in Article 7(2) of Council Directive 2003/86/EC. Moreover, this requirement is defended with different arguments and discourses and has different legal effects that would require separate analysis. Therefore, I focus only on the ‘integration measures’ listed here.

2. To be sure, research does suggest that the integration requirements as conditions for family migration do hamper family reunification in certain cases – but formally they should not (Scholten et al. 2012: 82–85). Indeed, the Court of Justice of the European Union in the K and A case (Case C-153/14 *Minister van Buitenlandse zaken v K and A*) confirmed that mandatory pre-immigration integration demands for family migrants are legally permitted if they promote family reunification and facilitate the integration of the applicant, and thus they should not *select* who is legally entitled to family migration.

See also Article 7(2) Council Directive 2003/86/EC of 22 September 2003 *on the right to family reunification*, together with the Report from the Commission to the European Parliament and the Council on the Application of Directive 2003/86/EC on the Right to Family Reunification COM(2008) 610 final. Retrieved from <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52008DC0610>.

For integration requirements as conditions to obtain access to permanent residency, see Article 5(2) Council Directive 2003/109/EC of 25 November 2003 *concerning the status of third-country nationals who are long-term residents*, together with the Report from the Commission to the European Parliament and the Council on the application of Directive 2003/109/EC concerning the status of third-country nationals who are long-term residents. COM(2011) 585. Retrieved from: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/e-library/documents/policies/legal-migration/pdf/long-term-residents/1_en_act_part1_v62.pdf

3. The most well-known distributive justice theory has been formulated by John Rawls in his *Theory of Justice* (1971).
4. It must be noted that Joseph Carens does emphasise the importance of ‘inclusion beyond legal citizenship’ in his book *The Ethics of Immigration* (2013).
5. The Netherlands, UK, Germany, France and Austria.
6. Of course, integration requirements are not the only type of public policy that can stigmatise citizens. For example, recent studies indicate that groups of citizens are currently also increasingly stigmatised in their status as equal citizens and deprived of rights if they are confronted with debt or unemployment (see, for example, Pathak 2014). From a social equality standpoint, these developments also deserve normative scrutiny.

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