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Immigration and Contested Nation-building:
explaining the political salience of
immigration in multi-national societies

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#### Abstract

Multi-national societies present a complex setting for the politics of immigration, as migration's linguistic, economic and cultural effects may coincide with existing contestation over nationhood between sub-units and the central state. Empirically, though, political actors only sometimes, and in some places, explicitly connect the politics of immigration to the stakes of multi-level politics. With reference to Canada, Belgium and the United Kingdom, this paper examines the conditions under which political leaders link immigration to ongoing debate about governance in multi-national societies. The paper argues that the distribution of policy competencies in the multi-level system is less important for shaping immigration and integration politics than is the perceived impact (positive or negative) on the sub-unit's societal culture or its power relationship with the center. Immigration and integration are more often politicized where center and sub-unit hold divergent views on migration and its place in national identity.

## **Keywords**

Immigration, Multi-national State, Scotland, Quebec, Flanders

## Author's biographical note

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## Introduction

Multi-national societies present a complex setting for the politics of immigration, as the linguistic, economic and cultural effects of immigration occur in a political system already confronting contestation over nationhood or cultural and linguistic diversity. Immigration has the potential to heighten existing contestation between subunits and the central state over governance and national identity. Conversely, the multi-level and multi-national context in which policy making occurs might affect the character of migration and integration policies. Empirically, though, political actors only sometimes, and in some places, explicitly link the politics of immigration to the stakes of multi-level and multi-national politics. We can therefore not assume that immigration or integration policy in a multi-level or multi-national state will be distinct from its unitary or less heterogeneous counterparts.

What accounts for variation in the salience of immigration and integration policy across multi-national societies? This paper examines the conditions under which political leaders, especially at the sub-unit level, link the politics of immigration with existing debates about governance, diversity and national identity in the multi-national society. Based on the sub-state nationalism and political decentralization literatures, we might expect the distribution of policy competencies between center and sub-unit to be crucial for the approach to immigration and integration policy that results in multi-level polities. Examination of the politics of immigration and integration in Canada, Belgium and the United Kingdom show this expectation not to be fulfilled. Instead, the paper contends that the perceived impact (positive or negative) of immigration on the sub-unit's societal culture or on its power relationship with the center is a more important driver of immigration and integration policy. Moreover, immigration is more likely to be politically salient where the center and sub-unit hold divergent views on citizenship and national identity.

In recent decades, power has been decentralized in many societies, ranging from limited regionalization in largely unitary states to ever-greater decentralization in existing federations. Political decentralization refers here to the transfer of decision-making power in at least one policy area from national to regional or local levels of government (BRANCATI, 2009). While federations like Canada, Belgium or Germany represent strong examples of constitutionally entrenched decentralization of power, political decentralization also occurs in quasi-federal systems, such as Spain, and in devolved polities, such as the United Kingdom. This paper focuses on decentralization

and the politics of immigration in multi-national settings – that is, in cases where at least one sub-unit asserts a distinct national, cultural or political identity, which may entail claims to autonomy. <sup>1</sup>

The paper first maps the contexts of political decentralization under study, before discussing why we cannot assume that the politics of immigration will be equally salient across multi-national and multi-level polities. The empirical sections then discuss the factors that may account for variation in the salience of immigration and integration policy in multi-level systems and in the character of policy evident in sub-units. The conclusion emphasizes the importance of the perceived impacts of immigration, rather than the configuration of power, for determining the salience of immigration and integration politics.

## Configurations of political decentralization

Considerable variation exists across decentralized political systems as to which policy powers lie at national or regional level, whether powers are exclusive or shared between the center and sub-units, how far fiscal powers are decentralized, and whether institutional arrangements are constitutionally entrenched.

Of the cases considered here, Belgium and Canada are full federations, while the United Kingdom is devolved. In Canada, the provincial—federal power balance has varied over time, as centralist nation building waxed and waned (MCROBERTS, 1995). While Belgium formally became a federation only in 1993, state reforms progressively decentralized power. Indeed, the protracted political crisis after the 2010 federal elections reflected the difficulty in maintaining the constitutional bargain of the federal state at all. The 1970 state reform created three official regions (Flanders, Wallonia and Brussels) based on a territorial principle, as well as three language communities (Dutch-speaking, Francophone and German-speaking) based on a personality principle. The Special Law of August 8, 1980, made these Regions and Communities operational, while the 1989 reform addressed governance in Brussels and paved the way for official acknowledgement of Belgium as a federation. The federal government, Regions and Communities enjoy exclusive jurisdiction over their areas of competence and have equal

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<sup>&</sup>lt;sup>1</sup> Purely territorial multi-level systems (e.g. Australia) are excluded from the analysis, although cases such as Germany or Italy, where some sub-units make limited claims to cultural distinctiveness could arguably be included.

levels of sovereignty.<sup>2</sup> Institutional change was accompanied by periodic language reforms, with 1963 laws territorializing language in Belgium, fixing Brussels' linguistic boundaries and extending some guarantees to Dutch speakers in Brussels (WITTE, 1993).

In the United Kingdom, the Scotland Act 1998 laid the foundation for devolution.<sup>3</sup> The creation of the Scotlish Parliament saw considerable legislative and decision-making power transferred to Scotland, although fiscal devolution remained more limited. While Scotland was able to decide how to spend money received under the block grant from Westminster, it was given only limited capacity to raise revenue, prompting ongoing debate about the extent of its fiscal accountability (COMMISSION ON SCOTTISH DEVOLUTION, 2009). While Westminster ultimately remains sovereign, the political reality is that devolution would be difficult to undo. Indeed, the question of Scottish independence remains on the agenda, with the Scottish National Party (SNP) government's planned referendum in 2014.

# Theorizing the link between immigration and multi-level politics

Why would we expect the politics of migration to be salient in multi-level polities? Two lines of argument have implications for immigration and integration politics in multi-level and multi-national settings, with both suggesting a link between migration and the politics of multi-level governance. Accounts that posit this link tend to assume that immigration poses a particular dilemma for sub-units, such that their immigration and integration policy is necessarily associated with the question of multi-level governance.

Underlying early literature on sub-state nationalism was an argument that sub-units respond to immigration in an exclusionary manner, because nationalisms that challenge the nation-state are inherently anti-modern and illiberal, and therefore associated with "disintegrative" nationalism (HOROWITZ, 2000). It views nationalisms opposing the nation-state as based on linguistic, cultural or historical particularities that are antithetical to the—implied—increasingly civic basis of the nation-state. They are therefore seen as likely to generate a conception of membership based on ascriptive and exclusionary criteria (IGNATIEFF, 1993; SMITH, 1986). On this account,

<sup>&</sup>lt;sup>2</sup> This reflects Belgium's three cornerstone principles—equality, autonomy, and exclusivity of competences (CRAENEN, 1996).

<sup>&</sup>lt;sup>3</sup> Some commentators suggest that the United Kingdom's degree of decentralization and asymmetries in power distribution qualifies it as a quasi-federal system (GAMBLE, 2006).

decentralization of policy powers to sub-units is likely to lead to a hostile approach to immigration, and enables sub-unit political leaders to assert a thick and exclusionary definition of membership of the nation.

A second main account suggests that, as they acquire more constitutional and policy power, sub-units will adopt an increasingly open, inclusionary stance towards immigrants (KYMLICKA, 2001). Specifically, increased sub-unit control over the *volume of immigration* and the *terms of integration* is likely, according to Kymlicka, to lead to more of what he terms 'polyethnic multiculturalism'. Kymlicka's argument therefore predicts that change in the power relationship in the multi-level system—and thus the sub-unit's ability to control its destiny'—will affect the governance of immigration and diversity at the sub-unit level, making the sub-unit more open to immigrants in its midst.

While offering opposing visions of whether sub-units will respond to immigration with openness or exclusion, <sup>4</sup> both accounts outlined above assume that immigration and diversity will be significant issues for political leaders of the sub-unit. The sub-unit response to immigration is seen as conditioned by particular concerns about the status of its autonomy claims vis-à-vis the central state, meaning that the sub-unit's place in the multi-level system is central to its response to immigration and diversity.

The assumption that sub-unit political leaders will view immigration and diversity as significant relates to the view taken of their autonomy struggle with the central state. Arguably, regardless of whether the sub-unit's pursuit of autonomy is based on the grounds of claims to linguistic, ethnic, cultural or political distinctiveness, the relationship between state and sub-unit hinges overall on questions of distinctive identity and recognition of difference. Similarly, immigration impacts on issues of identity and difference. Thus, for sub-units with autonomy projects, immigration has the potential to impact on the demographic—and so linguistic or cultural—balance of the society, both nationally and in the sub-unit. Moreover, it could affect existing debates about national identity and collective rights in the multi-national society.

If sub-unit political leaders make policy against the backdrop of the concerns about culture, national identity and membership, which underpin their autonomy struggle, then we might in turn expect this to shape their approach to immigration and

<sup>&</sup>lt;sup>4</sup> The account of exclusionary outcomes has been particularly criticized, with authors arguing that subunits are no more likely to be exclusionary or ethnically-based than the nation-state of which they form a part. If anything, they may adopt more civic positions than the central state (KEATING, 1996; SHAFIR, 1995).

diversity. Immigration and diversity would pose a dilemma to sub-unit political leaders and impact on their autonomy goals, leading to policy makers drawing connections between immigration and the status of their autonomy project.

Empirically, however, the relationship between multi-level governance and a sub-unit's national autonomy project, on one hand, and the response to migration, on the other, appears more complex. Sub-unit political leaders do not always view immigration in terms of the dilemma outlined above, or they may view the relationship between immigration and the sub-unit autonomy project in more positive-sum terms. Sub-unit responses towards immigration and diversity cannot simply be read off the structure of multi-level governance or the character of the nationalism. In other words, sometimes the politics of migration and diversity in a sub-unit resemble the "normal" electoral politics and policy debates witnessed in national societies without multi-level governance.

How, then, can we determine the circumstances under which immigration and integration issues are more or less likely to be politicized and acted upon by sub-unit political leaders? When do leaders make explicit linkages between immigration and the sub-unit—central state relationship? Moreover, is it the case that the distribution of policy competences drives the salience of immigration in multi-level polities, and the kind of policy that results?

The next section considers the argument that the distribution of policy powers drives the relative politicization of immigration and integration policy, as well as policy outcomes. To what extent does policy making capacity map onto the politicization of immigration and integration in the multi-level relationship? If power over immigration and integration resides at sub-unit level, is this more likely to lead to politicization of immigration in the sub-unit—center relationship? With considerable power in immigrant integration housed in both Flanders and Quebec, we might expect to observe similar levels of politicization and types of policy in relation to the presence and impact of immigrants in the sub-unit. However, while possessing the power to make policy on immigration and integration creates scope for specific action, it does not, by itself, make immigration politically salient, nor does it tell us much about policy content.

After mapping the distribution of policy power over immigration and integration, I go on to show that policy making and politicization of immigration vary in ways apparently unrelated to the amount of power a sub-unit enjoys. As the empirical sections illustrate, it is not the amount of policy power as such that drives politicization of

immigration in multi-level governance, but rather the degree to which sub-unit political leaders do (or do not) view immigration as impacting on their own position relative to the centre or to other sub-units. On this point, a clear difference exists in the responses of Flemish and Quebec political leaders. In the case of Scotland, absence of political capacity has not prevented efforts to act in the area of immigration and integration, with an eye to the relationship between sub-unit and center.

# Mapping the distribution of policy power

The distribution of powers can be distinguished between power relating to immigration, on one hand, and to immigrant integration, on the other. The latter often intersects with other policy areas, such as education, language, cultural affairs, health, family policy, refugee policy, and human rights.

Of the cases considered here, Scotland has, formally, the least ability to set policy around immigration, migrant integration and ethnic diversity. The Scotland Act 1998 reserves immigration, nationality and asylum policy to Westminster. While the Act provides for working jointly at the practical level on issues subject to devolution, Westminster ultimately holds power. As is discussed later, the paucity of formal power has not stopped the Scottish Government, especially under the SNP, seeking to act in some aspects of immigration and asylum and, at times, in cognate areas like education and child welfare to progress its own national agenda.

In Belgium, the federal government retains full power over admission of foreigners, granting and rescinding of nationality, and setting the conditions of how nationality can be acquired (DELMARTINO, DUMONT, AND VAN DROOGHENBROECK, 2010). Federal jurisdiction is also retained over language policies in bilingual Brussels, the German-speaking region and municipalities with special status (e.g. with language "facilities").

On the other hand, key powers affecting migrant integration have resided with the Language Communities since Belgium's 1980 state reform decentralized responsibility for reception and integration of newcomers (*inwijkelingen*) (FALTER, 1998).<sup>5</sup> The same reform gave Communities power over health, some social policy and all "personalizeable" policies (e.g. aid to families, aged persons and youth).

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<sup>&</sup>lt;sup>5</sup> The term *inwijkeling* could refer both to foreigners and to Belgians who move to Flanders. However, over time, the term mostly referred to immigrants and includes groups not previously addressed by legislation, such as caravan dwellers and refugees (RAAD VAN STATE, 1997).

"Infrastructural" aspects of immigrant integration, such as housing and employment assistance, became the responsibility of the Regions. This distinction was less important for the Flemish, though, as their Regional and Community institutions were merged in the 1980s. A single parliament and single executive therefore make policy for the Flemish Language Community and the Region of Flanders.<sup>6</sup>

As a result of the decentralization of powers, considerable divergence could – and did – emerge in the Language Communities' respective approaches to immigration. While the Francophone Community engaged in few explicit integration policies until very recently, the Dutch-speaking Community, through the Flemish Parliament, developed over time a more active integration approach, reminiscent of new citizenship and integration models in other European states. The 2003 *inburgering* law mandated pathways and requirements for new, non-EU immigrants regarding their learning of Dutch and integration into the labour market. Overall, though, Flanders is notable for the slow development of its powers in integration and the absence of any attempts to utilize this power with a view to altering its relationship with the center.

Canada represents the most far-reaching political decentralization in immigration, immigrant integration and diversity. Most importantly, changes over several decades led to decentralization of aspects of *immigration* policy, initially in Quebec, but more recently also in other provinces. The federal government controls overarching immigration control (e.g. visas, border control) and elements of immigrant selection deemed to require a uniform national approach, such as asylum policy, refugee selection and family reunification. The 1991 *Canada-Quebec Accord*, however, made Quebec's Ministry of Immigration exclusively responsible for selection of independent immigrants who apply to settle in Quebec (GOUVERNEMENT DU QUÉBEC, 1991). This allowed Quebec to tailor its immigration points system in an attempt to achieve its

<sup>&</sup>lt;sup>6</sup> There is high congruence of Flemish linguistic and geographical boundaries, with around 2.5% of the Dutch-speaking population not living in the boundaries of the Flemish Region (SWENDEN, 2002).

<sup>&</sup>lt;sup>7</sup> The Constitution Act 1867 did make Immigration one of several policy areas of Joint Responsibility. Article 95 of the British North America Act allowed provinces to legislate on immigration as long as they did not contradict federal laws. However, not until Quebec began to demand immigration powers in the 1970s was this possibility of power sharing taken up (BROSSARD, 1967).

<sup>&</sup>lt;sup>8</sup> The Canada-Quebec Accord was negotiated in the wake of failed constitutional reforms in the 1980s, as both federal and sovereigntist parties in Quebec had sought increased immigration powers (BARKER, 2010). The Accord was the culmination of several agreements on Quebec's migration powers, including the 1971 *Cloutier-Lang* and 1975 *Bienvenue-Andras* agreements, which gave Quebec officials first an informational, then a more substantive advisory, function in promoting Quebec among potential Francophone immigrants (MINISTÈRE DE L'IMMIGRATION, 1972). The 1978 *Couture-Cullen Agreement* assigned Quebec a dominant role in selecting permanent immigrants and allowed it to set its own objectives regarding the volume and composition of immigration (BARKER, 2010).

own immigration and nation building goals regarding the status of the French language. The primary lever used has been increasing the number of points allocated to French language ability within the immigration selection criteria.<sup>9</sup>

Following the Canada-Quebec Accord, some other provinces showed an interest in immigrant selection and integration services. Currently, the Provincial Nominee Program (PNP) allows provinces and territories to nominate individuals as candidates for permanent residence based on their own criteria with a view to addressing regional and economic development needs" (CITIZENSHIP "labor market IMMIGRATION CANADA, 2010). Successful provincial nominees then apply to Citizenship and Immigration Canada (CIC) for permanent residence. In contrast to Quebec's exclusive selection powers, the PNP does not give provinces control over all economic immigration into their region; rather, it allows them to nominate a certain number, while other immigrants are selected directly under the Federal Skilled Program. In 2009, 19.74% of all immigrants admitted into Canada under the Economic program were selected via Provincial Nominee Programs, 21.47% were selected by Quebec, while 58.79% entered through the Federal Skilled Program (CITIZENSHIP AND IMMIGRATION CANADA, 2010). 10

Similar flexibility exists in immigrant integration. The Canada-Quebec Accord allowed Quebec to opt out of the federal settlement program and undertake its own integration and settlement services, provided they pursued similar aims to federal programmes (GOUVERNEMENT DU QUÉBEC, 1991). This flexibility was extended to other provinces as they sought it. For instance, British Columbia and Manitoba assumed responsibility for the practical design, administration and delivery of settlement programs. In all cases, funding continued to come from the Federal government.

Both federal and Quebec governments have acted in language policy. Quebec passed language legislation as early as 1969, well before the more famous Bill 101 of 1977. While Canada's Charter of Rights and Freedoms constructs the federation's overarching rights framework, Quebec also passed a rights charter in the 1970s and

<sup>&</sup>lt;sup>9</sup> Under 2009 criteria, an applicant could gain up to eight points for knowledge of French, but only up to three points for knowledge of English (MINISTÈRE DE L'IMMIGRATION ET DES COMMUNAUTÉS CULTURELLES, 2009). The total number of points required changes periodically as governments try to meet annual immigration targets.

Permanent immigrants admitted under all parts of the Economic Category comprised 61% of the 252
 179 immigrants admitted to Canada in 2009 (CITIZENSHIP AND IMMIGRATION CANADA, 2010).
 Bill 63, passed in 1969, allowed parents to choose the school and language of instruction for their children, but also required French to be taught at English-medium schools (CHEVRIER, 2003).

Quebec governments have various times intervened in governance of religion and cultural rights in Quebec.

Having mapped the distribution of policy power over immigration and immigrant integration in the cases under study, I now turn to examine the degree to which the power configurations account for the degree of politicization and the character of policy outcomes.

# Immigration and the institutional security of Flanders

One of the most notable features of the Flemish response to immigration in the 1970s – 1990s was the relative dearth of policy activity, even after the Flemish Community acquired full policy responsibility for integration of newcomers. If immigration had been considered a salient political issue we should observe Flemish governments using their policy powers once the permanence of guest worker immigration became evident. However, for a long time, scant attention was paid to migration. This was true of the Cultural Council of the Dutch Cultural Community (*Cultuurraad*) in the 1970s, <sup>12</sup> just as it was true of this body's successor, the Flemish Parliament, in the 1980s.

Political indifference to immigrants' presence or integration patterns largely continued even once the new Flemish Government acquired more power in the 1980s, <sup>13</sup> with policy development largely driven bottom up by individual bureaucrats and grassroots organizations. The legislative record shows little structured migrant policy until the mid-1980s, and the issue of migrant integration was not connected with the goals and future of the broader Flemish autonomy project. Overall, the Flemish Community resembled nation-states across Europe, where state approaches to immigrant integration were characterized by political reluctance and "policy ad-hocracy" (MILLER, 1986).

Explicit political action on migrant integration occurred first in the 1980s, with the Nota Migrantenbeleid 1989, prompted partly by the rise of the radical right party Vlaams Blok (later renamed Vlaams Belang) in local, and then national, elections from 1987 (DE WITTE AND KLANDERMANS, 2000), and partly by clashes between police and mostly migrant-origin youth in 1991 in several neighbourhoods of Brussels

<sup>13</sup> Scattered initiatives included the creation of a Flemish Committee for Socio-educative Work with Migrants (VOCOM) to coordinate NGO initiatives and the granting of some subsidies to community centres assisting migrants (VLAAMS OVERLEGCOMITÉ OPBOUWWERK MIGRANTEN, 1977).

<sup>&</sup>lt;sup>12</sup> Issues relating to migration were scarcely mentioned in Cultuurraad deliberations between 1970 and 1980, despite assembly discussions covering many areas potentially of relevance to integration, such as education, language and housing (BARKER, 2007).

(REA, 2001). At this time, both federal and sub-unit attention was finally drawn to migration, but not as a result of any perceived impact on the sub-unit—center relationship.

If the Flemish Community had been more concerned about the impact of immigrants' presence and integration patterns on the culture or linguistic integrity of the Flemish national community, then it would have adopted policies focusing on linguistic or cultural integration. However, language, historically a central concern of the Flemish movement, was notably absent from policy initiatives until the mid-2000s. <sup>14</sup> The Flemish Community was secure institutionally due to the constitutional reforms that had entrenched it not just as an equal sub-unit in the state, but also effectively as a political and demographic majority at the national level. Thus, even as immigration became electorally sensitive, enforcement of a particular approach to immigrants' (linguistic) adaptation was slow to emerge.

While the Flemish integration initiatives that first emerged did privilege a group-oriented approach, <sup>15</sup> arguably shaped by the Flemish nationalist movement's historical tendency to conceive of the nation in collective cultural terms, there was in contrast no explicit linkage made by political leaders to ongoing Flemish autonomy or power goals.

Only in the 2000s, in the wake of similar initiatives in the Netherlands and Denmark, did Flemish integration policy apply explicit integration and language demands. The 2003 Decree on Flemish *Inburgering* Policy required non-European Union newcomers to Flanders to undertake integration "trajectories" comprising Dutch language lessons, societal orientation and labor market orientation. *Inburgering*, unlike earlier policy initiatives, was the subject of lively partisan debate, mirroring closely the patterns of nation-state migration politics across Europe, with particular resemblance to the Netherlands (FOBLETS AND HUBEAU, 1997). In this sense, the politics of immigrant integration in the Flemish Community reflected a "normalized" partisan and electoral dynamic, rather than being driven by the particular linguistic, cultural or political preoccupations of the sub-unit or by other issues related to Belgium's multi-

<sup>&</sup>lt;sup>14</sup> In the late 1980s and early 1990s, funding was low for language and the government did not initiate language services (VLAAMS OVERLEGCOMITÉ OPBOUWWERK MIGRANTEN, 1989).

<sup>&</sup>lt;sup>15</sup> The 1995 Decree on Migrant Organizations, for instance, gave official recognition and subsidies to nine ethnic minority federations that served as umbrella organizations for about half of all migrant associations in Flanders (VLAAMS CENTRUM VOOR DE INTEGRATIE MIGRANTEN, 1997). The 1996 Strategic Plan formalized this collective ethnic identity approach, defining the targets of integration policy as 'ethno-cultural minorities' (VLAAMSE REGERING, 1996).

level federal context. Immigrant integration policy therefore developed largely independent of any broader concerns about sub-national autonomy.

A key reason for the early lack of concern about immigration and the subsequent lack of linkage between immigration and nationalist questions was the fact that immigration was not perceived as affecting the status of the Flemish sub-unit. Successive state reforms had largely insulated the Flemish Community from the effects of immigration by fixing the monolingual regions first established by the 1963 language laws. Reforms entrenching the dual principles of territoriality and personality in the rapidly federalizing polity strengthened the position of Flanders and of the Flemish language and culture. The Flemish sub-unit was therefore insulated, meaning the position of the Dutch language in Flanders could no longer be adversely affected either by decisions made in the other language community or by demographic changes in the region. Nor was it threatened by central state nation building, since each state reform strengthened the Regions and Communities vis-à-vis the center.

By implication, migrant integration patterns could no longer affect Flanders' institutional viability or linguistic boundaries. Even if immigrants neither learned Dutch nor integrated culturally and politically into Flemish civil society, state reforms had ensured this would not negatively affect the Flemish Community in terms of its ongoing constitutional goals and contestation. The politicization of immigration in Flemish electoral politics, and the arguably exclusionary policy stance towards migrants that emerged, therefore had little to do with the context of multi-level governance and contestation in which Flemish policy makers acted.

Such separation of the question of immigration and the politics of national autonomy is not observed in Quebec, where the overarching goal of preserving the "French Fact" in Canada and North America has remained salient over time for political leaders from all political parties. This contributed to the ongoing linkage of immigration and integration policy with broader questions driving the national autonomy project. In Brussels as well, where state reforms in 1989 transferred to the Flemish Community partial power to develop immigrant integration policy, explicit awareness grew over time about how immigrant integration and language adaptation could impact on Flemish culture, language and national interests in Brussels. The Flemish Community Commission (VGC), charged with implementing policy in Brussels, faced a different demographic, linguistic and power context than existed in Flanders, and demonstrated distinct preferences in their approach to immigration, integration and ethnic diversity.

Moreover, in both Brussels and Scotland, discussed below, the salience of immigrant integration and the policy activity on this issue occurred possessing limited power to act. Political leaders perceived immigration and integration as having scope for positive impact on the national community and its goals, especially as they negotiated the relationship with the central state or other sub-units. Put another way, immigration and integration had the potential to be utilized as nation building tools by sub-units engaged in competing with a "dominant nation-building project of the centre" (MCEWEN, 2006: 47). <sup>16</sup>

# "Attracting" newcomers to the Flemish community in Brussels

Flemish policy activity in Brussels, through the VGC, the city's institutional representative of the Flemish Community, demonstrated a growing perception of the potential contribution of immigration, as well as its salience for the demographic and power balance between Dutch and French speaking communities in bilingual Brussels. As in Quebec, Brussels-Flemish political elites began to act with reference to the impact of immigration and diversity on the stakes of multi-national politics in Brussels, and vice-versa, albeit limited by the institutional constraints within which they acted. Overall, the interaction of Brussels-Flemish with immigrant newcomers and "ethnic minority communities" demonstrated the impact of the multi-level and multi-national context on immigrant integration policy choices.

It was once noted that, in Brussels, "their quality and openness are the only weapons the Flemish have" (D'HONDT, 1993: 155). This observation captured the relationship of the Brussels-Flemish to migrants, given the institutional landscape and distribution of power in Brussels. State reforms shared jurisdiction over Community policy in Brussels between the French-speaking and Dutch-speaking Communities. While the Brussels Regional Government controls Regional policy matters, the language communities jointly exercise Community policy via, respectively, the VGC and the Francophone Community Commission (COCOF). This structure enabled the Flemish to

<sup>&</sup>lt;sup>16</sup> Sub-unit political leaders have used core instruments of modern nation building, such as education, language and the welfare state, to reinforce their own autonomy claims and goals of building sub-unit identity and solidarity. Insofar as nation building is about constructing ongoing understandings of nationhood, the ability to govern the entry of newcomers as future members is a particularly powerful tool (BÉLAND AND LECOURS, 2005; MCEWEN, 2006).

develop policy initiatives in Brussels, but the VGC could not make immigrant integration policy binding on any individuals or communities.<sup>17</sup>

The institutional complexity mirrors Brussels' demographic complexity. Between 1950 and the mid-1990s, the foreign national share of the city's population rose from 7.4% to a peak of around 30% (STATISTICS BELGIUM, n.d.). Taking into account migrants who have naturalized as Belgians, the "ethnic minority" population is estimated to be much higher. Moreover, by the early 1980s Brussels' foreign population started to outweigh the indigenous Dutch-speaking population, estimated at 15 – 20% (JANSSENS, 2001). The migrant-origin population thus had the potential to influence existing Francophone-Flemish dynamics in the city via their linguistic and cultural integration patterns, assumed to be into Francophone society.

In light of this demographic and institutional context, Brussels-Flemish political leaders adopted a relatively more open position towards immigrant-origin Brusselers. While following the broad lines of Flemish Community policy, the Brussels-Flemish more actively promoted migrants' participation in Dutch-speaking society, while making only limited efforts to achieve thoroughgoing cultural or linguistic adaptation given the institutional constraints. Leaders' discourse and policy efforts reflected the fact that, regardless of the institutional constraints, policy in Brussels could not follow the usual model of a society in which members of minority cultures integrate into a majority culture, since "Brussels is a melting pot of different minorities, where no single majority culture dominates" (VLAAMSE GEMEENSCHAPSCOMMISSIE, 2002).

The general point of departure for Brussels-Flemish policy in addressing the intersection between their own national autonomy struggle and the issue of immigration was to consider how immigration could be tapped to affect the position of the Flemish in Brussels. Viewed from both a solidaristic and a strategic perspective, the VGC stated that the Brussels-Flemish could not "isolate themselves from the dynamic new minorities in their own capital city" (ANCIAUX, 1994). The VGC consequently oriented its immigrant integration policy around the three dimensions of language, socio-cultural activities and so-called "cohabitation initiatives", while also identifying the Flemish school system as another means of "outreach" to migrant-origin Brusselers, with a view to a longer-term goal of constructing the Flemish Community in Brussels

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<sup>&</sup>lt;sup>17</sup> This is because citizens do not have a sub-nationality, so the Dutch- and French-speaking Communities had power only over *institutions and services*, not over people themselves.

and "strengthening the identity" of this community (COLLEGE VAN DE VLAAMSE GEMEENSCHAPSCOMMISSIE, 1995: 3).

The Brussels-Flemish policy approach to socio-cultural organizations, education and immigrant integration remained, overall, connected to parallel efforts to advance the position of the Flemish vis-à-vis the Francophone majority in bilingual Brussels. Immigrant integration patterns mattered to the extent that migrants tended to integrate from their early years almost exclusively into Francophone society. Flemish policy and discourse in Brussels was therefore framed around strategic and pragmatic inclusion. A policy based on robust multiculturalism was justified not only as reflecting empathy with a fellow minority group, but also as recognition of the fact that Brussels-Flemish efforts at greater institutional and demographic strength in Brussels might be aided if the migrant-origin population were sympathetic to their goals. Brussels-Flemish political leaders considered that their cultural and political goals would best be served by a policy of openness, not isolation.

The restricted Flemish jurisdiction in Brussels did not allow it to engage in fully-fledged nation building of the kind visible in a case like Quebec. However, the policies it pursued formed part of a conscious effort to preserve the Dutch language in Brussels (i.e. the multi-level and multi-national project goals) and, more broadly, to encourage migrant-origin Brusselers to identify positively with the Brussels-Flemish national community. Flemish political leaders in Brussels recognized the implications of multi-level governance and the multi-national context, and they made explicit linkages between the political opportunity structure of Belgian federalism and visions of how the different cultures in Brussels would interact.

## Economic nationalism and Scotland's demographic challenge

Like the Flemish Community in Brussels, Scotland exemplifies an attempt to mediate the impact of migration in order to advance sub-unit autonomy goals. As noted earlier, Scotland's powers over immigration and integration remain limited, with immigration policy reserved to Westminster. The current points-based system of immigration, developed in the mid-2000s (HOME OFFICE, 2005), comprises five tiers, which are monitored and (de)activated as necessary to manage labor flows into the country (HOME OFFICE, 2006). The 2002 Nationality, Immigration and Asylum Act required applicants for naturalization to demonstrate knowledge of English, Welsh or Scottish Gaelic and "sufficient knowledge about life in the United Kingdom". The

citizenship test, implemented in November 2005, was intended both to test substantive knowledge about the history, values and practical life of the United Kingdom, and to measure the applicant's language skills (HOME OFFICE, 2003). While many practical elements affecting integration, such as education, fall within Scottish policy competence, the United Kingdom government firmly controls overall naturalization and citizenship policy.

Westminster's increasingly restrictive approach towards immigration and citizenship diverged from emerging pro-migration interests in Holyrood. Scottish governments—both Scottish Labour and the SNP—identified immigration as having the potential to impact positively on Scottish national development through its demographic and economic benefits. In 2004, Scottish First Minister Jack McConnell announced the Fresh Talent scheme, which aimed to address forecast population decline and to inject new skills into the Scottish economy. Scotland's General Registrar's Office had predicted the country's population would drop below the symbolic five million mark by 2009, and would fall to 4.84 million by 2027. This exacerbated the pattern, general to the OECD, of a declining working age population relative to the pensionable population (MCCONNELL, 2004). 19

Fresh Talent aimed to facilitate the immigration that the Scottish economy was perceived to need. While originally conceived as comprising multiple strands – retention of home grown talent, repatriation of Scots abroad (or those with Scottish ancestry), and recruitment of workers from elsewhere in the United Kingdom and the European Union – the scheme soon focused on the narrower goal of encouraging foreign students to remain in Scotland after completing their studies. Students graduating from Scottish universities could acquire a two-year visa extension to remain in Scotland and seek work, after which they could seek leave to remain under the United Kingdom's general legal migration routes (SCOTTISH EXECUTIVE, 2004).

The focus on students emerged largely because of restrictions from the central government. Since the initial perspective of Home Office officials was that Scotland should enjoy no flexibility within the immigration system, a scheme based on the student population was acceptable in part because education is a devolved policy

<sup>&</sup>lt;sup>18</sup> Subsequently, these requirements were extended to apply to those seeking indefinite leave to remain. <sup>19</sup> Later estimates pushed out to 2017 and then 2031 the time when the population would dip below five million. By 2009, partly due to the flow of workers from new European Union member states, the General Registrar's Office projected a population increase by 2034. Yet, with intra-European flows difficult to predict and the ratio of dependents to working age population rising, the Government still stressed the need to act (SCOTTISH GOVERNMENT, 2010).

(EUROPEAN AND EXTERNAL RELATIONS COMMITTEE, 2005). Fresh Talent demonstrated how little concrete control Scotland had over immigration and, in turn, its demographic situation. The United Kingdom's turn to a more restrictive points-based immigration system subsequently eliminated the differentiation that Scotland enjoyed under Fresh Talent. While Scottish governments continued to lobby the Home Office and Ministers for flexibility in applying immigration rules, Ministers and the Home Office adopted a consistent "no differentiation" stance (MADDOX, 2009).<sup>20</sup>

Scotland's inability to effectively use migration for achieving national goals became clearer when the SNP took office in 2007. While divergent views on immigration had existed throughout the 2000s, after 2007 Scottish political leaders publicized the very incapacity to act, against the backdrop of Scottish interests in pursuing a more open immigration policy and more flexible boundaries of citizenship. Given the Scottish emphasis on an economically and politically driven national autonomy project, rather than the primarily linguistic and cultural dimensions generally associated with autonomy-seeking sub-units, immigration was framed as a key tool of national development. <sup>21</sup>

As in Quebec, but with limited scope for success, Scottish political leaders sought to use immigration as a positive tool for pursuing its national goals. These cases show the limits of earlier literature that argued sub-units consistently try to exclude immigrants, based on the presumed ethnic and exclusionary bases of their nationalism. Instead, both Quebec and Scotland show how active immigration policies (or the desire for them, in the case of Scotland) came to be seen as an important part of the nation building repertoire. However, there are differences between the cases. In Quebec, concerns about the future of the French language and about Quebec's demographic and political weight in the federation drove the focus on immigration and (linguistic) integration policy. In Scotland, in contrast, policy activity on immigration (and related areas like integration and asylum) served to further not a particular image of the cultural

<sup>&</sup>lt;sup>20</sup> Scotland sought to introduce 'regional points' for immigrants willing to settle in Scotland, and to allow an easier route to permanent settlement in Scotland. The United Kingdom government made only limited concessions. For example, exceptions on immigration caps were made in a few occupations (e.g. radiologists), Scotland was allowed to promote itself as a destination on the United Kingdom Border Agency's website, and Scottish businesses received assistance in making representations to the national Migration Advisory Committee about sectoral skill shortages (MADDOX, 2009).

<sup>&</sup>lt;sup>21</sup> The National Outcomes, Purpose Targets and National Indicators, which guided the Scottish Government's overall agenda and day-to-day policy decisions, were heavily oriented around economic growth objectives, to which immigration was designed to contribute. See http://www.scotland.gov.uk/About/scotPerforms (Last accessed 30.11.2011).

content of Scottish national identity, but a project of economic nationalism, which ultimately underpinned the national autonomy project. This was particularly salient for Scottish political leaders given the divergent visions in London and Edinburgh about the need for, and desirability of, immigration and inclusion of newcomers (MACNAB, 2010).

The perception of immigration and integration policy as offering useful tools in the ongoing competitive relationship between sub-unit and central state is important for shaping how actively immigration is linked to the stakes of the multi-national state. The foundations of the national project, be they economic, linguistic or cultural, are in turn important for the purposes to which sub-unit leaders seek to turn immigration.

## **Conclusion**

This paper has discussed the process and outcomes of the politics of immigration and integration in three multi-national, multi-level societies. The case studies nuance the vision of early literature that sub-units will adopt a consistently exclusionary, threat-based stance towards migrants or that the amount of policy power held by sub-units directly shapes the extent of their openness and multiculturalism towards migrants. The politics of immigration and integration unfolds in multiple ways in multi-level contexts. While the institutional landscape of multi-level governance determines where and by whom immigration and integration are governed, the consequences of multi-level governance for policy outcomes are less predictable. Thus, while migration and integration touch on questions of national identity, language and membership that are often central to struggles between sub-units and the center in multi-level societies, immigration and integration only sometimes became politicized features of multi-level politics.

I have identified elements that are important for shaping whether or not immigration and integration are politicized in multi-level polities. First, the distribution of policy power is not, in and of itself, determinative. Instead, as the case studies show, the *perceived* impact – be it positive, neutral or negative – of immigration and integration patterns on the sub-units' national autonomy goals shapes sub-unit political leaders' policy response to immigration and, importantly, whether they draw links between the immigration issue and the multi-level struggle. Thus, the contentious nature of immigration in Flanders resembled the pattern of nation-states, and occurred for reasons incidental to the ongoing struggles in the Belgian federation, since institutional

reforms in Belgium had limited the impact that immigrant integration patterns could have on the Flemish national project.

In Quebec, by contrast, the explicit linkage of the issue of immigration with its overall power relationship with Ottawa has consistently reflected concern for the potential impact of immigration on the linguistic integrity of the sub-unit's national community. Quebec's desire to assert its own language policies and, later on, its own migration and 'interculturalism' policy (GAGNON AND IACOVINO, 2005), clearly connected with the ongoing struggle between Quebec and Ottawa over divergent visions about the definition of the nation and the status of collective linguistic and cultural rights in the Canadian federation.

Second, the degree to which sub-unit leaders see immigration and integration policy as tools of competitive nation building vis-à-vis the nation-state is important for shaping how, and how actively, they instrumentalize immigration and integration policy. Immigration and integration policy can be important in multiple ways. While Quebec is often mentioned as demonstrating the utilization of migration and integration policy in order to address a 'threat', the Scottish and Brussels-Flemish cases show that a perception of a positive impact of immigration on sub-unit goals can also drive utilization of these policies.

Third, the cases point to different ways in which immigration and integration may be politicized in the multi-level context. For the Scottish Government, especially once the SNP took power, immigration and integration became important not simply for the substantive goals of economic nationalism, but also for their political impact on the subunit relationship with the center. Specifically, their unsuccessful efforts to negotiate significant scope for policy action on immigration were highlighted by Scottish leaders as evidence of devolution's failings. Scottish leaders articulated the vision of the inclusive and civic nation that they sought to create and suggested they were unable to attain these goals because of their institutional and policy incapacity. This represented a politics of the moral high ground – that is, by publicizing the divergence between Scotland and Westminster on the issue of "welcoming" and incorporating more immigrants, the Scottish Government utilized policy areas related to immigration for national autonomy ends.

Sub-unit responses to migration and integration, and the degree to which these issues are politicized as part of broader multi-level struggles, continue to be important, because heightened contestation over migration by different levels of governance can

have significant implications for immigrants and ethnic minority populations. Beyond understanding why and when migration and integration are politicized in multi-level contexts, it will be crucial to understand better what the consequences (if any) of multi-level governance are for policy *content*, and thus for the concrete integration experiences, life chances and rights of immigrants and ethnic minority citizens.

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