
THE ROLE OF THE STATE IN CULTURAL INTEGRATION: TRENDS, CHALLENGES, AND WAYS AHEAD

By Christian Joppke

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Christian Joppke
University of Bern

February 2012

Acknowledgments

This research was commissioned by the Transatlantic Council on Migration, an initiative of the Migration Policy Institute (MPI), for its seventh plenary meeting, held November 2011 in Berlin. The meeting's theme was "National Identity, Immigration, and Social Cohesion: (Re)building Community in an Ever-Globalizing World" and this paper was one of the reports that informed the Council's discussions.

The Council, an MPI initiative undertaken in cooperation with its policy partner the Bertelsmann Stiftung, is a unique deliberative body that examines vital policy issues and informs migration policymaking processes in North America and Europe.

The Council's work is generously supported by the following foundations and governments: Carnegie Corporation of New York, Open Society Foundations, Bertelsmann Stiftung, the Barrow Cadbury Trust (UK Policy Partner), the Luso-American Development Foundation, the Calouste Gulbenkian Foundation, and the governments of Germany, the Netherlands, Norway, and Sweden.

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Cover Design: Danielle Tinker, MPI
Typesetting: April Siruno, MPI

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Suggested citation: Joppke, Christian. 2012. *The Role of the State in Cultural Integration: Trends, Challenges, and Ways Ahead*. Washington, DC: Migration Policy Institute.

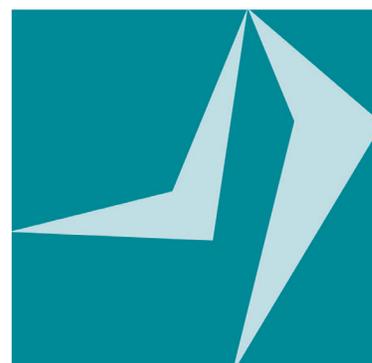


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Executive Summary

For more than a decade, states have been experimenting with a range of civic integration policies that require immigrants to learn the official language of their host country and acknowledge its basic norms and values — or risk losing social benefits and sometimes even residence permits. The challenge for liberal states is to strike the right balance between policies that are aggressive enough to further social cohesion (their purported goal), yet restrained enough to respect the moral autonomy of immigrants. This is especially difficult when it comes to regulating sensitive identity issues.

In recent years, several European states have rejected the de facto multiculturalist approach — a variant of liberalism, in fact, that is now deemed too passive and tolerant of cultural differences — and have moved toward a “muscular” variant of liberalism that requires much stronger acceptance of liberal host-society norms and institutions. This raises important questions as to what extent governments can restrict immigrants’ rights to engage in cultural or religious practices deemed incompatible with the host society’s values — for instance, wearing the burqa in France — without undermining the very civil liberties and values that liberal states seek to promote.

In Europe, religion (and Islam in particular) is the most difficult territory to navigate when it comes to striking the balance between cohesion and individual freedom. But beyond the moral question, solutions rooted in culture may not even be workable: the core cause of European integration problems may in fact be socioeconomic in nature rather than religious. Poverty and exclusion above all fuel the politicization of cultural differences — and should be the core of integration policy solutions — yet identity remains paramount in public debates.

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Given this context, this report recommends three guiding principles and three policy stances for governments to improve the cultural integration of immigrants:

- **States must be liberal — in the right way.** Establishing a procedural framework that allows different groups to coexist is more effective and legitimate than trying to regulate people’s values and beliefs (though such “illiberal” policies are still the exception in Europe).
- **Freedom of expression is critical.** Stifling public debate only feeds extremism. At the same time, direct democracy should not be without limits: open referenda on sensitive identity issues, like religious symbols, are a mistake when publics are known to be hostile to immigrants.
- **Policy is not a cure-all.** Although promoting social cohesion is a worthy goal, policy may not be the most efficient means to get there; integration may be best left to labor markets, education systems, and other institutions not specific to immigrants.
- **Policies must protect the majority culture.** States should practice “gentle pluralism,” in which those minority accommodations that are constitutionally required do not come (or are not perceived to come) at the cost of the majority — this is what enflames populism.



- ***Societies must fight discrimination more effectively.*** Multiculturalism and antidiscrimination policies should not be conflated; antidiscrimination and affirmative action policies are needed to ensure that state and other institutions adequately reflect a society's diversity.
- ***Governments must select the “right” immigrants.*** It is undeniable that immigrant integration would be easier if states could choose only “desirable” immigrants; however, liberal states cannot close their doors to humanitarian or family migration. When they can choose, selection should be based on skill rather than ethnicity, as is, however, largely the practice in liberal states.

I. Introduction

A widely held view is that states handle the cultural integration of immigrants within sharply distinct national models, “multicultural” in Britain, “assimilationist” in France, or “segregationist” in Germany, to quote some usual suspects. This view exaggerates the differences that undoubtedly exist while downplaying essential commonalities. Indeed, European countries’ approaches to cultural integration converge in important respects. One shared feature is the existence of constitutional rights clauses that greatly restrict the scope of liberal-state intervention in sensitive identity issues, which are simply for the individual and not the state to decide. A second commonality, for over a decade now, is “civic integration” policies that seek to bind newcomers to majority institutions and culture by requiring them to learn the host-society language and acknowledge basic host-society norms and values.¹ The variations from state to state in Europe today are largely within this overall “liberal” framework. The main challenge — which is found everywhere — is to find a mode of civic integration that is restrained enough to respect the moral autonomy of immigrants and aggressive enough to further the incontrovertible goal of a more cohesive and integrated host society.

II. Policy Trends

“Civic integration” originated in the Netherlands in the late 1990s as a remedy for disproportionate immigrant unemployment, school dropout rates, and residential segregation, which plagued especially the Turkish and Moroccan immigrant populations. As this malaise occurred in the shadow of a multiculturalism policy (dubbed “ethnic minorities” policy) that had subsidized institutional separation (by allowing separate schools, media, cultural organizations, etc.), the new demarche was to integrate immigrants rigorously into host-society institutions, above all the labor market. The goal was to make them learn Dutch, not as a matter of “national identity,” but to facilitate better access to employment. Due to growing populism and domestic turmoil surrounding Muslims and Islam over the past ten years, an initially neoliberal policy of making immigrants “self-sufficient” (and thus no longer dependent on welfare) morphed into a culture-focused policy of making them adapt to, or at least be cognizant of, “Dutch norms and values.” This went along with an increasingly punitive and restrictive approach, making permanent residence permits contingent upon passing a civic integration exam, eventually even handing out temporary visas for (mostly Turkish and Moroccan) family migrants only after they could demonstrate basic civic knowledge and Dutch language competence *before* their arrival (so-called “integration from abroad”). At first a measure of immigrant integration, civic integration quickly was extended to nationality law through a formal (and difficult) citizenship test. Variants of the Dutch model

1 See Christian Joppke, “Beyond National Models: Civic Integration Policies for Immigrants in Western Europe,” *West European Politics* 30, no. 1 (2007): 1–22.



of civic integration have subsequently been adopted in several European countries, including Germany, France, Britain, Austria, and Denmark.

Variations exist in how cultural integration is managed in Europe, but all policies lie largely within the dominant model of civic integration. The biggest differences can be seen mostly with respect to the harshness of the policy. Unlike their Dutch inspiration, the French *contrats d'accueil et d'intégration* (contracts of welcome and integration) are not punitive but service-oriented, the civics part lasting but a day. At most, some newcomers are obliged to take (state-paid) French language lessons — interestingly, this is a small minority (on average 20 percent) among a largely francophone immigrant pool. The German *Integrationskurse* (integration courses) focus on language acquisition, which is a more significant problem in Germany, as most immigrants do not speak German upon arrival. In cases of nonattendance of courses or failing the exam, one may lose social benefits, but not one's residence permit. German citizenship tests initially focused heavily on culture, and even morality (piloted by the *Länder* of Hesse and Baden-Württemberg, respectively), but were replaced by a federal test in 2008 that focuses on civic-political knowledge and is easy to pass. In Britain, civic integration originated in the context of nationality law, and it was only subsequently extended to the regulation of entry and residence. Given the status of English as global lingua franca, language acquisition is generally less of a problem in Britain, and one passes the requirement by moving just one step higher on the official European scale that measures

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language competence. On the other hand, civic integration in Britain has an applied-culture inflection, expecting immigrants to understand British mores and day-to-day life such as knowing how to pay bills, behave in pubs, and stand in line patiently.

The general thrust of civic integration is to narrow the cultural distance between immigrants and the host society, and to make immigrants understand societal norms, principles, and institutions. However, tested *knowledge* of these norms is one thing; their proved *adoption* in one's own behavior is quite another. British Prime Minister David Cameron's recent plea for a "muscular liberalism" to replace the old "state multiculturalism" clearly aims at more than passive knowledge, asking instead for the actual adoption of liberal norms — this is the whole point of the "muscles."²

While the goal of policy must be to bring about behavioral and moral change, policy alone does not necessarily have the tools or the powers to effect this change — especially when it purports to be *liberal* policy. This self-limitation becomes apparent if one looks at outliers that have come under fire precisely for wanting to go further. A notorious example is the "Muslim test" introduced in 2005 in Baden-Württemberg, which seeks to sniff out, by way of morally inquisitorial trick questions, whether applicants for citizenship *really* accept the principles of the German Basic Law (which they are formally required to accept by signing a loyalty declaration), or whether they are only pretending to do so in order to obtain a German passport. Exactly to set a counterpoint to this heavily criticized *Gesinnungstest* (attitude test), the German federal citizenship test introduced in 2008 abstains from morality questions and largely limits itself to civic-political knowledge.

² David Cameron, "Speech to the Munich Security Conference," February 5, 2011, www.number10.gov.uk/news/pms-speech-at-munich-security-conference/.



A second outlier comes from France, where a female Muslim was denied French citizenship in 2008 for wearing a burqa. Her clothing was found “incompatible with the essential values of the French community, especially equality of the sexes.”³ Before this Conseil d’Etat decision (which was immediately adopted as routine administrative practice), the “assimilation” formally required for naturalization under French law had been defined in a thinly linguistic sense, as basic French language competence. In a context of heightened tensions between natives and Muslims post-2001, the meaning of assimilation has obviously thickened. The whole French anti-burqa campaign, which culminated in the controversial 2010 law prohibiting the covering of one’s face in public places, is Europe’s most extreme case of “muscular liberalism” to date, which in France, of course, has a long tradition in terms of “Republicanism.” But the assertion of Republican identity in the political arena should not obscure the overall inclusive leanings of the French state, which recently helped into existence the confederation of Muslims in France (CFCM); supports the building of mosques in indirect yet “compensatory” ways; and subsidizes the education of French imams at the Institut Catholique in Paris.

Overall, the illiberal exceptions to inclusive civic integration have become known exactly for that — as exceptions. In most instances, civic integration is self-limited to instilling and testing cognitive knowledge, while abstaining from intervening in the inner sphere of morality. Even the Dutch model — arguably the harshest civic integration variant in Europe — shares this self-limitation: although it strongly insists on respect for “Dutch norms and values,” it does not demand adoption of these same values. For example, when Muslim immigrants are confronted with sexual libertinism in the notorious Dutch information video that many newcomers watch, the gist is not that Muslims are being asked to undress at chilly Dutch beaches but that they are aware this is common practice in this “liberal” country.⁴

III. Challenges

The amount of freedom that liberal states have when designing cultural integration policies depends on what type of cultural difference stands to be integrated. If one scratches the surface a bit, there are only two critical issues: language and religion. They are critical in different ways, first because of their inherent features, and secondly because of their different sociological presence on both sides of the Atlantic. Language is the main cultural integration issue in the United States, in terms of the perception of Spanish as a challenge to the dominant English. Religion is the critical issue in Europe, in terms of Islam as a challenge to dominant Christianity (or rather the secularism that has grown out of European Christendom).⁵

If this diagnosis is correct, the United States has much less of a cultural integration problem than Europe. This is because language is not exclusive: acquiring another language (something required of every schoolchild), does not necessitate giving up one’s language of birth.⁶ On the contrary, adopting a second language is capacity-enhancing; it does not deprive individuals of anything, least of all their “identity.” At the same time, states must operate in a specific (by definition “majority”) language; functional necessity and resource scarcity tilt toward an *assimilationist* state response with respect to language.⁷ However, this is exactly reciprocated by the behavior of second- and later-generation immigrants, Hispanics included,

3 Conseil d’Etat, “Decision on Mme Faiza M., req. no. 286798,” June 27, 2008.

4 This is well observed by Randall Hansen, “Citizenship Tests: An Unapologetic Defense,” in *How Liberal are Citizenship Tests?*, eds. Rainer Bauböck and Christian Joppke (EUI Working Papers RSCAS 2010/41, Robert Schuman Centre for Advanced Studies, European University Institute, Florence, 2010), http://eudo-citizenship.eu/docs/RSCAS_2010_41.pdf.

5 I follow here the transatlantic comparison made in Ari Zolberg and Long Litt Woon, “Why Islam is Like Spanish,” *Politics and Society* 27, no. 1 (1998): 5–38.

6 This is sharply observed by Zolberg and Woon, “Why Islam is Like Spanish.”

7 In the United States, this assimilationist tilt is mellowed by the Spanish (and other minority-) language and bilingualism provisions that flow out of the 1965 *Voting Rights Act* and 1968 *Bilingual Education Act*, respectively.



who show very high rates of English-language acquisition.⁸ More than 80 percent of the second generation speaks only English or speaks English very well across all immigrant groups in the United States.⁹ In order to succeed and partake in the “American Dream” there is simply no alternative. At the same time, there are institutional incentives for market actors and vote-catching politicians to counterbalance the assimilationist state tilt with a modicum of pluralism by, say, advertising or campaigning in Spanish, which has long been common practice in the United States. No further state policy is required to regulate this process; a functionally differentiated society does all the necessary work.

The situation, meanwhile, is more difficult with respect to religion. Religion is exclusive: one cannot adhere to more than one religion at any one time. In addition, at least in the monotheist variant, religion comes with a moral script that bears no compromise, at least on paper (actual practice may, of course, be full of compromise and eclecticism). Just because religion is so tightly connected, if not historically co-original with morality and ethical views of the “good” life, its practice is strongly protected in terms of individual rights to liberty in liberal-state constitutions. Accordingly, with respect to religion there is no alternative to a pluralist, *de facto multicultural state response*. However, this is never a response in terms of “policy,” because constitutional law *requires* that individuals’ right to believe and exercise their religion freely be respected (whereas the notion of “policy” conveys the possibility of other “policies,” that is, *choice*).

It is surprising, then, that Islam is considered Europe’s main cultural integration problem. American observers in particular attribute this to an inherent Christian bias of European societies, from which the United States is said to be luckily free. However, this critique obscures the elasticity of liberal institutions and the strong protection of religious freedoms in Europe also.

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de facto multicultural state response.*

Instead, “Islam” is a protest ideology of the socioeconomically marginalized Muslim populations of Europe. Posed as a counterfactual, without the high unemployment and school dropout rates, low income levels, and residential segregation that mark (or mar) the lives of European Muslims, particularly the young, there would be much less of a problem of religious tolerance in Europe, perhaps as little as there is one in North America. In fact, the happier demography of American Muslims, who are generally better educated and earn more than average Americans, helps explain why Islam in America has generally *not* become a critical domestic issue. To say that the European Islam problem is one of deficient cultural integration, and that it can be countered by culture-focused integration policies (whatever they might be) is to ignore the socioeconomic underpinnings of the problem.

In addition, Islam can figure as a domestic protest idiom only because on an international plane the global Islamic movement sees itself as the opponent to Western hegemony and “imperialism.” Note that Buddhism, Sikhism, Hinduism, etc. are not visible as domestic protest idioms, even though marginalized immigrants of those faiths certainly exist in Europe. This is in part because there is nothing akin to “Israel” or “Iraq” that would allow these religions to align into opposition to the “West.” By implication, an alternative foreign policy that takes the winds out of global Islamism would be more effective than even the best cultural integration policy. This has long been the demand of British Muslims, whose radicalization took a quantum leap after the Blair government’s support of the American invasion of Iraq,

8 Noted by, among others, Richard Alba, “Immigration and the American Realities of Assimilation and Multiculturalism,” *Sociological Forum* 14, no. 1 (1999): 3–25.

9 Tomás Jiménez, *Immigrants in the United States: How Well Are They Integrating into Society?* (Washington, DC: Migration Policy Institute, 2011), www.migrationpolicy.org/pubs/integration-jimenez.pdf.



which was perceived, however wrongly, as a war against Islam. However, to have foreign policy dictated by a small minority, and one in which some adherents see their main loyalty and affinities outside the British national community at that, is also a tall and questionable order — not to mention that even the most Islam-friendly foreign policy is unlikely to make Israel cease to be a source of disaffection among Muslims.

To these socioeconomic and geopolitical factors must be added a creedal predisposition of most variants of Islam that currently circulate in the West and elsewhere to function as oppositional identity. Islamic doctrinaires, even those considered reform minded, such as Yusuf al-Qaradawi or Tariq Ramadan, conceive of European Muslims as a people apart, a quasi-nation that can be integrated only by an extreme program of multicultural recognition — exactly the (most-often imagined) position from which European leaders, from British Prime Minister David Cameron to German Chancellor Angela Merkel, have noisily retreated. The dominant variants of Islam stipulate a tight package of religious rules to cover all aspects of life, including those commonly considered secular or political, which prevents their practitioners from blending more easily with their surroundings. Ramadan, dubbed by *Time* magazine one of the 100 most important figures of the 21st century, insists that an uncompromising, unreconstructed Islam can (and must) be practiced in Western societies, and that in this respect Muslims may feel “at home” in the West.¹⁰

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The basis for this optimism is “political liberalism,”¹¹ which Islamic reformists have readily embraced.¹² It argues that consensus or the ties that bind in a liberal society can only be procedural, in terms of an agreement on rules for peaceful coexistence; there can never be agreement on “comprehensive doctrines,” ethical views of the good life that forever divide individuals and groups in a pluralistic society. If there could be agreement, we would live in an age of nationalism. Short of nationalism, or beyond it, all one can hope for is an “overlapping consensus,” the reaching of a common platform of political rules *from within* one’s “comprehensive doctrine.”

In an intriguing ethnography of on-the-ground accommodation of Islam in the French *banlieues*, the American anthropologist John Bowen has identified applied political liberalism as “social pragmatism.” It allows flesh-and-blood Muslims to acknowledge even a strictly secularist host society by always staying within their religion. Tariq Ramadan provides an example: “A civil marriage already is a Muslim marriage, I think, because it is a contract, and that is what a Muslim marriage is.”¹³ Surely, this is an example from family law, intrinsically closer to one’s ethical or even religious views than polity and politics. But it exposes the weak spot of political liberalism, which is to invite only a pragmatic or instrumental attitude to host-society rules and institutions. In turn, these rules and institutions are likely to be skirted whenever they conflict with one’s religious precepts. Political liberalism, as some concede, “cannot require as part of a minimal doctrine of citizenship any robust or emotional attachment to one’s

10 Tariq Ramadan, *To Be a European Muslim* (Leicester: Islamic Foundation, 2002).

11 John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993).

12 For an academic defense, see Andrew March, “Islamic Foundations for a Social Contract in non-Muslim Liberal Society,” *American Political Science Review* 101, no. 2 (2007): 235–52.

13 John Bowen, *Can Islam Be French?* (Princeton, NJ: Princeton University Press, 2010), 168.



community of citizenship.”¹⁴ This being the case, if a choice has to be made, the outcome is preordained: “If for being a good Frenchman you have to be a bad Muslim, then I say no,” says Tariq Ramadan.¹⁵ The astonishing thing here is not to put religion above worldly attachments — all monotheisms do; no, astonishing is the language of peoplehood that juxtaposes “Frenchman” and “Muslim,” which gives a flavor for the particular difficulties of Islam integration.

Against this backdrop, one understands why the British prime minister now rejects the idea of a “passively tolerant society” that is the distillation of the dismissed multiculturalism of old, and that he wants to move on to “muscular liberalism.”¹⁶ This essentially means that liberal host-society values and institutions are to be intrinsically and unconditionally accepted for what they are, whatever one’s religion prescribes, and not just for their usefulness for pursuing some other project. Muscular liberalism, which wishes to “thicken” liberalism from anodyne procedures into an identity, expresses uneasiness about the laissez-faire approach that had reigned in the past regarding the cultural integration and identity of immigrants. The problem is that implementing this muscular liberalism would entail moral intrusiveness and curtailment of individual liberties that would destroy precisely the liberal values it means to achieve.

IV. Ways Ahead

If the legal and political space in which policymakers can maneuver is limited, states must be strategic in their efforts to further cultural integration in the future. This report makes six recommendations, ranging from the general level of guiding principles to the more concrete level of policy. The guiding principles are: (1) to be liberal — in the right way; (2) to not repress robust political debate; and (3) to recognize the limits of policy. The policy goals are: (1) to protect majority culture; (2) to fight discrimination more effectively; and (3) to select the “right” immigrants.

A. Guiding Principles

1. Be Liberal — in the Right Way

There are two faces of liberalism: one being an ethic for the right way of life, and a second that prescribes procedural rules that enable many ways of life to coexist. As states scramble to find cohesion and an identity that can keep diverse societies together, there is a temptation to thicken liberalism into a way of life. This is ultimately destructive of liberalism, as it arrogates to the state an ethical project (much like the former Communist states or today’s Islamic states), which should not be its project. Procedural liberalism, which eschews the dress codes, thought control, and pedagogy that go along with the ethical variant, is risky, because it gives space for its enemies. But this is a risk that a free society has to shoulder, where consensus on values is a chimera, at best a matter of self-regulating civil society, but never the business of the state.

2. Don’t Repress Robust Debate

On the opposite side, proper liberalism cuts both ways, as its free thought and speech protections require allowing the rascals, whoever they are, to speak out. Much of the accommodation of Islam in Europe proceeded quietly and unnoticed in the nonpublic settings of courtrooms and state bureaucracy. This guaranteed liberal outcomes, but it also invited political backlash. Particularly the cultural implications of immigration, which touch on the identity of the host society, cannot bypass the court of public opinion.

14 March, “Islamic Foundations for a Social Contract in Non-Muslim Liberal Society,” 249.

15 Quoted in Caroline Fourest, *Frère Tariq* (Paris: Grasset, 2004), 224.

16 Cameron, “Speech to the Munich Security Conference.”



The current turmoil surrounding visible Islam (the burqa and the minarets) signals that this stage has finally arrived. Precisely in the countries where political etiquette had silenced debate, as in the once “liberal” Netherlands and Denmark, the politicization of Islam is all the more vicious and virulent today. In Germany, a best-selling book¹⁷ that dared to call “integration above all a task of immigrants” (who could sanely deny this?), and that found the difficulties of Muslim integration not unconnected to “Islam” (thus questioning the reigning firewall between political extremism and religion), led to the ostracizing of its author. Heavily criticized for his theories on intelligence and heredity and his claims that Germany is becoming dumber in part because Muslim immigrants have higher birthrates than ethnic Germans, the author was forced to resign from his post at the German Federal Bank and narrowly avoided expulsion from the Social Democratic Party.

The stifling of debate only feeds extremism. On the opposite end, direct democracy is not the most suitable venue to process identity-related minority issues either. The true shock of the Swiss minaret referendum was not its outcome — in other European countries even larger majorities would have voted against visible representations of Islam — but the fact that it was allowed to take place at all. It is a mistake to leave such matters for mass publics to decide, especially when they are known to be hostile to immigrants and Muslims in *all* Western countries. Representative democracy, whereby “public views” are passed “through the medium of a chosen body of citizens,”¹⁸ is much better suited for dealing with delicate minority issues. In fact, political leadership is asked for here. Unfortunately, this is exactly the resource in short supply in our populist “audience democracy,”¹⁹ where public opinion and not the best or just solution is the benchmark of political success. There is no golden rule to navigate in this vexed terrain, but the opposite extremes of extreme democracy and no democracy are to be equally avoided.

3. Recognize the Limits of Policy

If one wishes to understand the futility of furthering “identity” through state policy, a good way to start is with an interesting exchange before the Canadian Supreme Court between two American academics.²⁰ Tying more benefits to formal citizenship in order to increase its value, which is how Yale lawyer Peter Schuck defended the disputed practice of the Canadian federal government to limit public-sector jobs to citizens only, could in reality only feed an instrumental (and thus “wrong”) attitude to Canadian citizenship. Conversely, the flattening of the citizen-alien distinction, which Toronto political scientist Joseph Carens recommended for the sake of a noninstrumental (“right”) attitude to citizenship, was equally futile because it could only further devalue Canadian citizenship. One can learn from this exchange that whatever the state chose to do (it eventually sided with the Yale lawyer), it could only do it wrong.

One could carry this further. Like sleep, love, or happiness, “identity” belongs to a class of “states that are essentially byproducts.”²¹ By wanting it, you will not get it. This is a powerful argument, which points to the futility of furthering “identity” through state policy, apart from the ethical problem of controlling thought and belief in a liberal society. In a brilliant reflection on the “return of assimilation,” Rogers Brubaker similarly concluded that assimilation could only be of an “intransitive” kind, something “accomplished by” and not “done to” people, which naturally minimizes the role of policy.²²

From an American point of view, the European search for the right “integration policy” must be puzzling, because the United States has accomplished much more with much less (if any) policy engagement, leaving “integration” entirely to society, especially a famously flexible labor market and absorptive mass culture. The best defense of multiculturalism policy against its critics is to point to its miniscule

17 Thilo Sarrazin, *Deutschland schafft sich ab: Wie wir unser Land aufs Spiel setzen* (Munich: DVA, 2010).

18 James Madison, “The Federalist No. 10,” in *The Federalist Papers* (Washington, DC: Library of Congress, 1787), http://thomas.loc.gov/home/histdox/fed_10.html.

19 See Bernard Manin, *The Principles of Representative Government* (New York: Cambridge University Press, 1997).

20 Lavoie v. Canada, 2002 SCC 23, [2002] 1 S.C.R. 769.

21 Jon Elster, *Sour Grapes* (New York: Cambridge University Press, 1983), Chapter 2.

22 Rogers Brubaker, “The Return of Assimilation?” in *Toward Assimilation and Citizenship*, eds. Christian Joppke and Ewa Morawska (Basingstoke: Palgrave Macmillan, 2003), 51f.



share within the total state budget, even compared to *other* measures on integration (which is in a proportion of 1:50 in Canada!), so that everything bad on the integration front can hardly be the fault of multiculturalism policy alone.²³ Along this line, labor market structures or the education system are vastly more important for helping or hindering “integration” than any, by nature paltry, “integration policy.”

B. Policy Recommendations

I. Protect Majority Culture

When multiculturalism was in better standing than now, the culture deemed in need of protection was only that of minorities. In a way, the view of radical feminists and Marxists that the “Dominant” are culturally invisible, hyping their particulars as the (falsely) universal, carried the day — no need to have mercy with them and to respect majority thinking. Of course, the nation-state is the most potent instrument of reproducing majority culture — what more could the majority want? If Jürgen Habermas once snapped at multiculturalism as misguided “species protection,” how infinitely more risible are majority-protective measures like the 1994 *Toubon Law* (also known as the “Allgood” law) that mandated keeping the French language free of English words, such as “hairdresser,” “weekend,” or “computer”?

However, the snubbing of majority culture, through an alliance of market forces, radical intellectuals, and a minority-focused legal system, is wind in the sails of the right-wing populism that has become epidemic in Europe. A case in point is the curious repression of the fact that, historically speaking, European societies are Christian societies: with Christianity (and the secularism that could only have arisen from this source) being the single most important maker of European culture and civilization since the early Middle Ages. The high point of repression of this obvious fact was perhaps the denial of a reference to God and Christianity in the preamble of the drafted (but never realized) EU Constitution, which was, of course, no minority conspiracy but pushed for by that torch-bearer of European secularism, France.

In an important counterpoint to this trend, the European Court of Human Rights (ECHR), in its *Lautsi v. Italy* decision of March 2011,²⁴ allowed the Italian state to display Christian crosses in public schools, overruling its own lower chamber decision of November 2009. The ECHR’s Grand Chamber reached the exact opposite verdict as the German Constitutional Court had in its notorious 1995 Crucifix Decision, in which to “learn under the Christian Cross” was deemed a violation of a school child’s negative religious right (not to be bothered by the religion of others if the child’s atheist parents so wished). As the European court argued instead, the Christian cross on the school wall was above all a cultural, not religious, sign that symbolized the Christian formation of Italian society. Moreover, as a passive symbol the cross did not amount to active indoctrination of a creed, which would not be permissible by a secular state. Finally, and perhaps most importantly, the cross on the school wall was legitimized in reference to pluralism, as the Italian schools *also* allowed students to wear Islamic headscarves, offered optional instruction on Islam, and was considerate of the Muslim religious calendar. A Maltese judge on the ECHR had called the lower chamber’s 2009 prohibition of the cross “historical Alzheimer’s” and “cultural vandalism.” Indeed, it seems unreasonable, even politically dangerous, to allow a militant atheist from Finland to wipe out a century-old tradition in Italy for the sake of her sacrosanct (negative) “religious freedom.” A better path to take is gentle pluralism, in which the minority accommodation that is constitutionally required does not occur at the cost of the “majority,” whatever that is in a pluralistic society. This pluralist path, of course, is not far from the nonsecularist, more inclusive state-church arrangements that one already finds in most European states, from Norway to England and Germany to Spain.

23 See Keith Banting, “Transatlantic Convergence? The Archaeology of Immigrant Integration in Canada and Europe” (paper presented at conference on “The Political Incorporation of Immigrants in North America and Europe,” University of California, Berkeley, March 4-5, 2011).

24 ECHR (Grand Chamber), *Lautsi and Others v. Italy*, decision of March 18, 2011, www.echr.coe.int/echr/resources/hudoc/lautsi_and_others_v_italy.pdf.



2. Fight Discrimination More Effectively

If multiculturalism is pushed into retreat today, it would be a cardinal mistake to throw out with it also antidiscrimination law and policy. The need to fight ethnic and racial discrimination more effectively has even been recognized by France, long averse to all things *communautarist*. Indeed, the fight against discrimination, which in 2000 became a matter of European Community law, has shifted to high gear in the very moment that multiculturalism has been called into question. This suggests that, notoriously fused and confused, the multiculturalism and antidiscrimination agendas have to be strictly kept apart. Multiculturalism seeks to perpetuate difference, while antidiscrimination seeks to abolish difference.²⁵ The purpose of antidiscrimination is the deracialization of society, as Ronald Dworkin called it with respect to US affirmative action.²⁶ It aims at a situation where skin color (much like any other ascriptive marker) is not “seen” when seeing a person — much like small children literally cannot “see” black until they learn that skin color carries social significance. To get there, it is imperative that people of *all* ascriptive endowments, black and white, Muslim and Christian, are found in *every* social station, top to bottom, in complete randomness.

Short of this, when race or religion signals social status, which must be a result of injustice or unearned privilege, it is legitimate and demonstrably effective to preferentially recruit minority individuals into coveted social positions, a policy long known as “affirmative action” in the United States and increasingly known as “positive discrimination” in Europe. The legal basis for this is the recognition of “indirect discrimination,” which proceeds by comparing the demographic share of minority individuals against their actual (under)representation in key societal sectors, such as employment, education, or public office. Of course, this opens up a group-recognizing, *de facto* multiculturalist wedge within a notionally individualistic and universalistic policy, because without a preconceived idea of who is a “minority” one could not observe the existence of “indirect discrimination.” This is why antidiscrimination and multiculturalism agendas and social forces closely overlap in the real world — even appear to be one — although philosophically they are apart, even opposite from one another (one being universalistic, the other particularistic). The bottom line is that to favor antidiscrimination is not necessarily to support multiculturalism.

3. Select the “Right” Immigrants

Finally, immigrant integration should not be separated from immigrant selection. Canadian officials, who are aware that they manage immigration better than most other countries, tend to argue that the “integration” of immigrants starts with their “selection.”²⁷ Similarly, Canadian academics are often surprised if Europeans perceive “civic integration” and “multiculturalism” as antithetical, the first replacing the second.²⁸ Instead, they point to Canada’s happy equilibrium of “multicultural integration” that is as “muscular” as it is accommodating.²⁹ Indeed, Canada is blessed with a virtuous circle of integration and selection. But it is premised on rigorously and robustly high-skill-oriented immigrant selection, through its fabled points system, which also happens to let in no more than a trickle of Muslim immigrants. Even Will Kymlicka, reflecting on multiculturalism’s “retreat” in Europe, concedes that in the hypothetical case of an overwhelmingly low-skilled Muslim intake in Canada, there might be a European-style questioning of its multiculturalism.³⁰ Conversely, two University of California, Berkeley political scientists speculate that if the “‘visible minorities’ in the Netherlands would be well-educated, English-speaking and economically skilled migrants from Hong Kong and India,” as they happen to be

25 See Christian Joppke, “Minority Rights for Immigrants?” *Israel Law Review* 43, no. 1 (2010): 49–66.

26 Ronald Dworkin, *A Matter of Principle* (Cambridge, MA: Harvard University Press, 1985), Chapter 14.

27 As did Brian Grant (Citizenship and Immigration Canada), at a Forum of Federations conference on “Federalism and Immigrant Integration,” Brussels, November 29, 2010.

28 See, for example, Banting, “Transatlantic Convergence?”

29 Ibid.

30 Will Kymlicka, “Testing the Bounds of Liberal Multiculturalism?” (paper presented at Canadian Council of Muslim Women’s conference, “Muslim Women’s Equality Rights in the Justice System: Gender, Religion and Pluralism,” Toronto, Ontario, April 9, 2005).



in Canada, “a good bet is that...we would not be talking about the rise and fall of multiculturalism in the Netherlands.”³¹

The European conundrum of ever more repressive “integration” policies, epitomized by “integration from abroad,” which is no integration policy but a badly concealed control policy, cannot be decoupled from the fact that most of its legal immigrants (some 80 percent in France or the Netherlands) are not “selected” but are unchosen and low-skilled “as of right” immigrants, in the context of family formation and asylum. Moreover, the large majority are Muslim immigrants, often from North Africa and the Middle East where Islam is heavily politicized, thus further heating up the *querelles islamiques* within Europe.

*From a realist point of view, there is no alternative to an
unsentimental selection policy that “selects” and does not just
“accept.”*

As ethnic selectivity has become anathema in liberal societies,³² the only way forward is rigorously skill-based immigrant selection, on the assumption that poverty and exclusion above all fuel the politicization of cultural (more precisely religious) difference. At the same time, the demarche, given out by French President Nicolas Sarkozy, to move *from* “suffered” to “chosen” immigration is highly misleading, because a modicum of “suffered” immigration has to be accepted for legal-constitutional reasons. There are also ethical problems of creaming off the best and fending off the rest. But from a realist point of view, there is no alternative to an unsentimental selection policy that “selects” and does not just “accept.” The right selection policy, the details of which are obviously outside the scope of this report, is vastly more effective than the best “cultural integration” policy could ever be, precisely because it obviates the need for the latter.

31 Jack Citrin and Matthew Wright, “Are We All Now Multiculturalists, Assimilationists, Neither, or Both?” (paper presented at conference on “The Political Incorporation of Immigrants in North America and Europe,” University of California, Berkeley, March 4-5, 2011), <http://hdl.handle.net/1811/51339>.

32 See Christian Joppke, *Selecting by Origins* (Cambridge, MA: Harvard University Press, 2005).



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About the Author



Christian Joppke holds a chair in sociology at the University of Bern, Switzerland. He received a PhD in sociology from the University of California, Berkeley, in 1989. Previously he taught at the University of Southern California; European University Institute; University of British Columbia; International University Bremen (since renamed Jacobs University); and the American University of Paris. He has also held research fellowships at Georgetown University and the Russell Sage Foundation, New York.

Among his recent books are *Citizenship and Immigration* (Cambridge, UK: Polity, 2010), *Veil: Mirror of Identity* (Cambridge, UK: Polity, 2009), and *Selecting by Origin: Ethnic Migration in the Liberal State* (Cambridge, MA: Harvard University Press, 2005).

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www.MPIEurope.org

Residence Palace
155 Rue de la Loi
5th Floor
1040 Brussels
Belgium

Tel: +32 (2) 235 2113