

Immigration and National Security: Comparing the US and Europe

by Terri E. Givens

In the aftermath of the economic crisis of 2008, the United States administration officials emphasized that economic security needed to go hand in hand with *national security*. Immigration is an often overlooked yet major component of both economic and national security. Much is made of capital flows, trade agreements, treaties, and military action in the broader scheme of international relations. However, the flow of people, particularly people from a variety of ethnic and national backgrounds, has always played a key role in international relations, including on security issues.

This article discusses the role that immigration plays in the development of national security policy. The article further demonstrates that there are significant differences in how migration issues play out in the US and Europe. Several factors are explained that impact immigration policy, such as terror attacks and economic concerns. Immigration is then defined to understand the various factors that impact different policy areas and explain the types of immigration policies. The next section outlines the basic differences between the US and Europe. The following sections examine recent issues of immigration and immigrant integration in the US and compare these issues with Europe. In the conclusion, the tensions between security and economic growth in the context of immigration restriction are discussed.

The main reason that immigration reform in the US is so difficult is the fact that the public has difficulty seeing beyond the cultural and ideational issues raised by the flow of people, whereas border control is a clear security issue. In Europe, the visibility of immigrants and concerns about cultural homogeneity, as seen in the popularity of populist anti-immigrant parties, keeps the focus of securitization on the integration of immigrants.

THE IMPACT OF TERROR ATTACKS AND OTHER FACTORS ON IMMIGRATION POLICY

In academic literature, there has been a new (or perhaps renewed) focus on immigration as a security issue since the terror attacks of 9/11, the London subway bombings, and the Madrid train bombings. This includes two volumes, *Immigration*

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Policy and Security, edited by Gary Freeman, David Leal, and myself, and *Immigration, Integration and Security* by Ariane Chebel D'Appollonia and Simon Reich.¹ The authors in these books found that 9/11 did not actually trigger the securitization of immigration; rather, many of the measures put in place were planned prior to the terror attacks.

The impact of 9/11 on immigrants, however, was clearly the result of securitizing immigration. Givens, Freeman, and Leal note:

*The American response to terrorism imposed more costly measures on migrants than have been seen in the other settler societies or in most parts of Europe. The attack on the Twin Towers clearly derailed what would have almost certainly been a major expansion and liberalization of American immigration law that the Bush administration had promised President Vicente Fox of Mexico.*²

It was expected that the new Bush policies would include guest worker programs, at a minimum, and many legislators called for legalization programs. However, these issues were not completely removed from the agenda post-9/11. Despite the fact that security was the main focus of US immigration policy after 9/11, attempts were made at passing comprehensive immigration reform, as I describe below. However, legislation that attempted to deal with the flows of undocumented immigrants stalled in Congress, while measures for controlling the border passed.

In *Immigration, Integration and Security*, Chebel D'Appollonia and Reich point out:

*The purported transatlantic divide shrinks if we examine the commonalities on this issue. Politicians on both sides of the Atlantic seize upon the images of rioting youth, human and drug traffickers, and terrorists. They do this to generate domestic support for the securitization of immigration policies, intent as they are on patching holes in the fabric of their civil societies. Their policy prescriptions are somewhat varied but nevertheless predictable: the consistent coercive themes invoked are to secure the borders and to expel or incarcerate illegal, criminal, or suspect migrants. This coercive response is coupled with the demand that those in residence throw off their headscarves, swear allegiance to the governing authority and accept the values of the postmodern societies in which they now live.*³

This coercive approach, the authors describe has characterized to a great extent integration policy in Europe. Although border controls were certainly a concern in Europe, many measures focused on controlling entry by requiring immigrants to meet certain requirements in order to maintain legal status. As Sergio Carrera notes:

*Integration is increasingly being transformed into a one-way process in which the responsibilities or duties are placed exclusively on the immigrant's side. The non-nationals are forced 'to integrate' in order to have access to a secure juridical status and to be treated as members of the club...Integration thus becomes the non-territorial (functional or organizational) border defining the 'inside' and the 'outside', who is in and who is out, who has rights and who has only obligations.*⁴

The policies Carrera highlights point to the creation of non-territorial borders in Europe, while the US has placed more emphasis on physical borders. Of course,

this can be partially attributed to the fact that the US has a roughly 2,000-mile long border with Mexico, a developing nation; but it is important to note the lack of emphasis in the US on integration policy as compared to Europe.

In another perspective on post-9/11 immigration policy, Christopher Rudolph's 2006 book *National Security and Immigration* emphasizes the role of security in the development of immigration policy.⁵ He points out that the securitization of immigration has always been an issue for states, particularly since the increase of immigration after World War II. He argues that "policy is then modeled as primarily a function of threat perception and whether threats are most acutely felt originating externally (geopolitics) or internally (domestic politics)."⁶ This approach can help to explain differences in emphasis for the US and Europe. Although Rudolph argues that countries look both internally and externally, one can argue that the general approach in European countries is more internal, while the US approach is more external. The US has more recently focused on external threats, particularly from Mexico, therefore border control has taken precedence, and there has been almost no emphasis on immigrant integration. Europe has taken a more internal approach, which has led to a focus on integration.

Another factor which plays into decision-making on immigration and integration policy is that both the US and Europe need access to high- and low-skilled workers. As noted above, economic security is an important component of national security, and immigrants are needed on both sides of the Atlantic for continued economic growth. In addition, European countries have to factor in considerations based on demographic trends, as much of Europe is aging, and populations are declining. Ultimately, policy has to balance economic needs with security needs, both of which are in the national interest.⁷

TWO TYPES OF IMMIGRATION POLICIES

It is important to define the various types of immigration policy to understand the political responses in the US and Europe to different immigration issues. Immigration policy can be divided into two areas:

Immigration Control:

- a) *illegal immigration;*
- b) *political asylum/refugees;*
- c) *family reunification; and*
- d) *legal labor immigration/visas.*

Immigrant Integration:

- a) *citizenship;*
- b) *anti-discrimination;*
- c) *language requirements⁸*

In other words, one aspect of immigration policy involves controlling migrant flows. This includes border control, which is a crucial component of not only migration flows but also of national security. In fact, border controls are often the main focus of policymakers when considering both immigration and security needs.

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The second aspect involves the incorporation of immigrants into society. Incorporation is beneficial for security purposes; for example, the integration of immigrants, particularly Muslim immigrants, has gained greater urgency in the wake of the terror attacks in the US and Europe, some of which were perpetrated by citizens. The focus of incorporation efforts needs to go beyond newcomers and address issues that impact the second generation as well.

COMPARING POLICY IN THE UNITED STATES AND EUROPE

Under this system of classification, much of recent US policy falls under the aspect of control, while most European policy developments fall under integration. The differences in the approaches to immigrant integration highlight the divergent ways in which immigration and security are defined in the US and Europe.

Controlling immigration is generally uncontroversial. However, countries have taken different approaches and the emphasis on policy changes over time. The US has focused more recently on external threats, particularly from Mexico. Therefore, border control has taken precedence, while there has been almost no emphasis on immigrant integration. In fact, the US has no nationally-organized integration policy.⁹ In contrast, Europe has taken a more internal approach, which has led to a greater focus on integration than border control. For instance, European countries have focused a great deal of time and energy on developing nationally implemented integration policies.¹⁰ The focus of these policies has shifted over time in many countries like the Netherlands, Britain, and Germany, from a multicultural approach to one more based on assimilation, which places most of the integration burden on the immigrant.

In Europe, there has been tension over what should be handled at the European Union (EU) level and what should remain in the domain of national governments. In general, issues related to border control, visas, and asylum have been relatively easy for countries to agree upon at the EU level, especially since they tend to increase restrictions on immigration flows. However, there has been a great deal of concern in allowing integration policy to be determined at the EU level. National policies on integration are trending towards linking the juridical status of immigrants to mandatory integration programs, thus linking border control and integration.¹² Countries like the Netherlands, Germany, and Austria are requiring immigrants to

take mandatory courses in language and culture.¹¹ Some are even considering imposing language requirements on family members prior to their emigration from their home country. These countries would then be able to control who enters by making migration contingent on at least partial integration. Policy could require that only those who could master the language and culture requirements would be allowed to enter. These policies allow countries to manage immigration by limiting people from particular countries or backgrounds, while EU policies tend to focus on general border control issues.

RECENT MEASURES IN THE UNITED STATES

In the US, immigrant integration policy has taken a backseat to immigration control policy. Some of the initial measures put in place after 9/11 included the creation of the Department of Homeland Security, increased funding for the border patrol, tightened tracking and oversight of international students, and new passport requirements with biometric data.¹³ Nationals from Arab countries were placed under greater scrutiny, particularly when traveling by air.

All of these security-based measures had been in process, or at least under consideration prior to 9/11.¹⁴ The 9/11 *Commission Report* called for changes in the way identification was issued by states, something which had been a concern for many years given that the US has no form of national identification. The REAL ID Act, which was passed in 2005, focused on border control issues and easing the deportation of asylum seekers and undocumented immigrants.¹⁵ Although it avoided the creation of a national ID card, the measure did impose federal requirements for the issuance of state driver's licenses, which could thus limit their issuance to immigrants and others who lacked the required identification documents, such as a social security card, birth certificate, or passport.¹⁶

Immigration remained at the top of the legislative agenda in 2005. An attempt at comprehensive immigration reform under the Bush administration ran into a variety of roadblocks. Rosenblum provides a detailed overview of the process, but security was clearly the priority of policymakers as they worked to push through a comprehensive immigration reform bill that would improve border security, address the presence of millions of illegal immigrants, and redefine rules for entry.¹⁷ As Rosenblum describes, many competing measures vied for support. Despite the development of a coalition around the McCain-Kennedy bill, mixed messages from the White House and competition from an enforcement-only bill in the House left many politicians feeling that they could not support a pro-immigration bill. In the end, politics trumped the need for change. As Rosenblum notes:

More fundamentally, reform efforts failed in 2006-07 because members of Congress—and the Americans they represent—disagree on a basic level about the goals of U.S. immigration policy. This chapter emphasizes America's economic, security and diplomatic interests in immigration policy. Yet questions about the economy and U.S. international relations (security and diplomacy) only represent two dimensions out of what is actually a three-dimensional policy debate, also encompassing ideational and cultural concerns.¹⁸

In failing to pass comprehensive immigration reform, neither security nor economic interests were served. One of the few victories anti-immigration forces could point to besides the REAL ID Act was the Secure Fence Act of 2006, which called for the construction of a border wall along the Mexico border.¹⁹ Policymaking in Europe would take a much different turn.

RECENT MEASURES IN EUROPE

In Europe, much of the policymaking related to border issues took place at the European Union level. However, the issue of controlling immigration has had difficulty making it to that same level. In terms of theoretical explanations for immigration's "lag" as an integrated policy area, Givens and Luedtke analyzed immigration policy at the EU level and showed that

Restrictionist national executives protect de facto national sovereignty over immigration (to maximise political capital), either by blocking supranational harmonisation of immigration policy, or making sure that the harmonisation that does occur is weighted in favour of law-and-order and security, and is not subject to the scrutiny of supranational institutions and courts.²⁰

A sampling of EU policies, displayed in Table 1, indicates the restrictive nature of many EU-level policies. In the area of legal migration, the two directives listed in Table 1 are considered mixed because they allow for entry, but the requirements for entry are based on a set of requirements determined by the member states. As Carrera notes:

The philosophy underlying these two Directives, which provide the hard policy approach towards the integration of immigrants, seems to strengthen the evidenced trend in a majority of member states in the direction of an increasingly mandatory integration policy. Both acts negatively link access to the rights they bestow (inclusion) to compliance by immigrants with a series of restrictive conditions left in the hands of the member states (exclusion) which are given wide discretion to stipulation national conditions for integration (conditionality of integration).²²

Therefore, even policies which are targeted at legal migration have strong implications for and are related to a more restrictive integration policy. As Lavenex summarizes, "The metaphor of 'fortress of Europe' expresses well this emphasis

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which has so far consisted more in downgrading existing domestic rights, for example, through limiting access to territory and full asylum procedures, than in creating common European standards."²³

One of the few areas where policy has been expansive is the EU's Racial Equality Directive (RED). Much of the motivation for passing the directive was the need to respond to the success of radical right parties, particularly Jörg Haider's

Freedom Party in Austria, which entered the Austrian government in 2000.²⁴ In contrast, integration policy at the national level has clearly begun to take a more restrictive turn. As shown below in Table 2, many countries have adopted mandatory integration regimes.

TABLE 1: PROPOSED EU IMMIGRATION POLICIES AND THEIR OUTCOMES

Policy Area	EU Proposal	Adopted by Council?	If Adopted, Restrictive or Expansive?
Legal migration	Family Reunification (COM(2003)86)	Yes	Mixed
	Status of third country nationals who are long term residents (COM(2003)109)	Yes	Mixed
Visas and border control	Council Regulation amending Regulation 1683/95 uniform format for visas (2002/C 51 E/03) (COM(2001)577)	Yes	Neither
	Listing third countries whose nationals must possess visas (COM(2002)679)	Yes	Restrictive
	Common Consular Instruction for examining visa applications (2000/C 164)	Yes	Neither
	Common Border Guard Manual (2001/C 73)	Yes	Restrictive
	Travel by nationals exempt from the visa requirement (2000/C 164)	No	
Illegal Immigration	Transit Assistance for Removal by Air (2003/C 4)	No	
	Mutual recognition of expulsion orders (2000/C 243)	Yes	Restrictive
	Compensating financial imbalances resulting from mutual recognition (COM(2003)49)	No	
	Residence permit for victims of illegal immigration who cooperate with authorities (COM(2002)71)	No	
	Penalties for Carriers of Illegal Immigrants (2000/C 269)	Yes	Restrictive
	Obligation of Carriers to Communicate Passenger Data (2003/C 82)	No	
	Combating Human Trafficking (COM(2000)854)	Yes	Restrictive
Anti-discrimination	Strengthening of Penal Framework (2000/C 253)	Yes	Restrictive
	Treaty of Amsterdam – EU can fight any discrimination, including on the basis of nationality (Article 12, TEC)	Yes	Expansive
	EU can fight discrimination based on sex, race, religion, disability, age or sexual orientation (Art. 13, TEC).	Yes	Expansive
	Charter of Fundamental Rights of the European Union (2000 / C 364 / 01)	Yes	Expansive
	Racial Equality Directive (COM(1999)566)	Yes	Expansive
	Community Action Program to combat discrimination (COM(1999)649)	Yes	Expansive
	Common Agenda for Integration (COM(2005)389)	No	

Source: Adapted from Givens and Luedtke, 2004²¹

TABLE 2. INTEGRATION PROGRAMMES IN SELECTED EU MEMBER STATES

EU member state	General framework on integration programmes for immigrants	Mandatory/voluntary nature
Austria	Yes	Mandatory
Belgium - Wallonia	Yes	Voluntary
Belgium - Flanders	Yes	Mandatory
Denmark	Yes	Mandatory
France	Yes	Voluntary
Germany	Yes	Mandatory
Poland	No	–
Spain	No	–
The Netherlands	Yes	Mandatory

Source: Carrera 2006²⁵

In countries with mandatory integration programs, obligatory integration courses must be successfully completed so that an immigrant can have access to permanent residency as well as social and welfare benefits.²⁶ Often, immigrants are required to adhere to an “integration agreement” or contract which may include language and culture courses. For example, in Austria, the Settlement and Residence Act requires 300 hours of language courses and a civic education course.²⁷ These requirements are often beyond the abilities and means of less-skilled immigrants, and they are usually the ones who would potentially be more reliant on social welfare, making them less desirable despite the need for low-skilled labor.

The outcome of these policies is that they give the state more control over who can gain permanent residency and requires a commitment from the immigrant to, at minimum, learn the language and culture of the country in which they hope to settle. Many of these measures are targeted at Muslim immigrants who are considered difficult or unwilling to assimilate. However, as in the US, much of the concern on the part of European policymakers is having the ability to assure their constituents that they are taking appropriate measures to control and restrict immigration. In Europe, there is the added component of ensuring that those allowed to immigrate meet the designated criteria for integration. This has been particularly true in countries where anti-immigrant radical right parties have kept immigration and integration on the agenda.²⁸

CONCLUSION

Immigration policy has often shifted between security, economic, and cultural concerns. Balancing security with the need for immigrants due to demographics,

labor needs, and economic growth is difficult in light of a public that tends to be generally anti-immigrant, which is mainly due to “ideational and cultural” concerns as highlighted by Rosenblum.²⁹ The difference in policy focus between the US and Europe is influenced by many factors, including many historical factors which I have not included here in my discussion. However, the political response can be considered similar in terms of acknowledging and incorporating the particular concerns of the public. In the US, the border with Mexico is often the most salient issue; while in Europe, Muslim immigrants are seen as a cultural threat.

There is no doubt that policymakers need to respond to security issues and public concerns. However, in both the US and Europe, there needs to be a more comprehensive approach to immigration that can help avoid the problem of social exclusion, which can also play a factor in both national and economic security. Border control policies need to be combined with increased access to visas or guest worker policies that help meet the demands of employers for low-skilled workers. Integration policies need to be more mutually-based to allow for cultural exchange while increasing social cohesion. Effective anti-discrimination policies are another important and needed factor, particularly to provide access to labor markets for the children of immigrants.

An immigration and security agenda that focuses only on national-level concerns is incomplete at best. International cooperation is a key to ensuring that security in this arena is maximized. There needs to be a strong linkage to aid the source countries to reduce the pressure for emigration. Migration is not only a complex topic, but also transnational and closely interrelated with foreign policy as well as domestic and international economies. Politicians will need the foresight and courage to take on the issue in a manner which will maximize benefits for all.

Notes

¹Chebel d’Appollonia and Simon Reich, *Immigration, Integration and Security: America and Europe in Comparative Perspective* (Pittsburgh: University of Pittsburgh Press, 2008), 4-5.

²Terri Givens, Gary Freeman and David Leal, *Immigration Policy and Security: US, European and Commonwealth Perspectives* (New York: Routledge, 2009) 3.

³d’Appollonia and Reich, *Immigration, Integration and Security: America and Europe in Comparative Perspective*, 4-5.

⁴Sergio Carrera, “A Comparison of Integration Programmes in the EU: Trends and Weaknesses” *CHALLENGE Papers* 1, (2006): 6.

⁵Christopher Rudolph, *National Security and Immigration: The United States and Western Europe Since 1945* (Stanford: Stanford University Press, 2006).

⁶Ibid, 9.

⁷Marc R. Rosenblum, “Immigration and U.S. National Interests: Historical Cases and the Contemporary Debate,” *Immigration Policy and Security: US, European and Commonwealth Perspectives* (New York: Routledge, 2009).

⁸For a detailed review of the literature on immigrant integration, see Terri E. Givens, “Immigration and Immigrant Integration in Europe: Empirical Research,” *Annual Review of Political Science* 10 (2007).

⁹Michael Fix, “Introduction,” *Securing the Future: US Immigrant Integration Policy, a Reader* (Washington, DC: Migration Policy Institute), 2-7.

¹⁰Helen Urth, “Draft Synthesis Report on Policies Concerning the Integration of Immigrants,” in Rita Süßmuth and Werner Weidenfeld, *Managing Integration: The European Union’s Responsibilities Towards Immigrants*

(Gütersloh, Germany: Bertelsman Stiftung, 2005), 49.

¹¹ Sergio Carrera, "A Comparison of Integration Programmes in the EU: Trends and Weaknesses," *CHALLENGE Papers*, (2006): 1.

¹² Clearly there are a variety of institutional differences which impact the types of approach countries take to immigration and integration policy, but I will focus on broad issues in this paper, due to space limitations.

¹³ Jennifer M. Chacon, "The Security Myth" in *Immigration, Integration and Security: America and Europe in Comparative Perspective*, Ed. Ariane Chebel d'Appollonia and Simon Reich (Pittsburgh: University of Pittsburgh Press, 2008), 154-155.

¹⁴ d'Appollonia and Reich, *Immigration, Integration and Security: America and Europe in Comparative Perspective*, 8.

¹⁵ Michele Waslin, "Immigration Policy and the Latino Community Since 9/11" in *Immigration Policy and Security: US, European and Commonwealth Perspectives*. (New York: Routledge, 2009), 44-45.

¹⁶ *Ibid*, 44-45.

¹⁷ Marc R. Rosenblum, "Immigration and U.S. National Interests: Historical Cases and the Contemporary Debate."

¹⁸ *Ibid*, 31.

¹⁹ *ibid*, 25.

²⁰ Terri E. Givens and Adam Luedtke, "The Politics of European Union Immigration Policy: Institutions, Salience, and Harmonization," *Policy Studies Journal* 32, (2004): 150.

²¹ *Ibid*, 145-165.

²² Sergio Carerra, "A Comparison of Integration Programmes in the EU: Trends and Weaknesses," *CHALLENGE Papers*, (2006): 15.

²³ *Ibid*, 12-92.

²⁴ For a detailed analysis of the passage of the RED see Terrie E. Givens and Rhonda Evans Case, "Legal Opportunity Structure: The Starting Line Group and the Politics of the Racial Equality Directive," *Journal of Common Market Studies*, Forthcoming March 2010.

²⁵ Sergio Carerra, 8.

²⁶ *Ibid*.

²⁷ *Ibid*, 9.

²⁸ Terri E. Givens, *Voting Radical Right in Western Europe* (Cambridge: Cambridge University Press, 2005).

²⁹ Marc R. Rosenblum, "Immigration and U.S. National Interests: Historical Cases and the Contemporary Debate."