

*dve* **DOMOVINI  
HOMELANDS**

*two*

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## TEMATSKI SKLOP

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# MIGRACIJE KOT IZZIV EVROPSKI SKUPNOSTI CHALLENGES TO EUROPEAN INTERNATIONAL MIGRATION





## UVODNIK

V posebni tematski izdaji revije *Dve domovini/Two Homelands* predstavljamo avtorje, ki se analize sodobnih migracij lotevajo z različnih profesionalnih in problemskih področij. Sodobni migracijski tokovi zadnjih desetletij spodbujajo proces nastajanja nove družboslovne discipline o transnacionalni mobilnosti ljudi (International Sociological Association, RC 31 Migration, 17.-23. maja 2001 – sklepni govor). Migracijski pojavi so spodbudili tudi razvoj novih konceptov vlad držav EU o tem, kako priseljence vključevati v svoje družbeno okolje. Potrebo o novih migracijskih paradigmah generirajo razlike v izkušnjah med zgodovinskimi spoznanji Amerike, Kanade, Avstralije na eni strani ter združene Evrope danes, na drugi. Razlike označujemo s skupnim nazivom atlantska vrzel. Klasične teorije migracij iz ZDA ne ponujajo zadovoljivih razlag za to, kar se zadnja desetletja odvija v državah Evropske skupnosti (EU) in na njenem obrobju. V tem procesu smo tako na razpotju med odsotno ali nezadovoljivo prakso usmerjanja migracij ter ustvarjanjem teoretske paradigme o sodobnih migracijah s stališča raznolikih disciplin.

Spoznanja avtorjev v tej izdaji, obenem z obsežnejšimi raziskovalnimi analizami v državah članicah Evropske skupnosti, bi v tem času lahko opredelili kot kritično in polemično družbeno analizo. Čeprav so tukaj predstavljeni avtorji iz različnih držav sodelovali v nastanku obsežnejšega koncepta za raziskavo o sodobnih migracijskih pojavih, na tem mestu nismo dosegli nazorskega poenotenja v pristopu.<sup>1</sup> To tudi ni bil namen skupnega sodelovanja. Cilj te izdaje, obenem z raziskavo, predstavlja raznolikost pogledov in praks v posameznih nacionalnih okoljih in znanstvenih disciplinah. Tako je zasnovana tudi migracijska politika EU: ob skupnem soglasju izvajanja politike prostega gibanja kapitala, blaga in storitev ter ljudi naj bi nacionalne države dosegle konvergenco lastnih nacionalnih migracijskih politik, ki temelje na njihovi tradiciji in zakonodaji. Veliko večje je poenotenje interdisciplinarnega pristopa. Lotevamo se tem in problemov, ki naj osvetlijo razlike med praksami, da bi preseglili konfliktnost migracijskega vprašanja. Vsak od avtorjev torej zastopa svoja osebna stališča in se z njimi odpira novim vprašanjem in strokovni kritiki.

V zadnjih dvajsetih letih doživljamo povsem nove oblike migracijskih tokov v sve-

<sup>1</sup> Temeljni raziskovalni projekt »Problemi sodobnih migracij in multikulturnih družb« je v toku izdelave, nosilka doc. dr. Barbara Verlič Christensen, Fakulteta za družbene vede, ob podpori Ministrstva za šolstvo, znanost in šport Republike Slovenije od leta 2000 do junija 2002. Projekt je izdelan tudi v sodelovanju z Univerzo København, Inštitutom za geografijo in Inštitutom za slovensko izseljenstvo ZRC SAZU ter Inštitutom za ekonomske raziskave, Ljubljana 2000.

tu in državah Evropske skupnosti. Na ta način se formira jedro novih multikulturnih družb in etničnih skupnosti. Obenem pa se spreminja demografska struktura nacionalnih držav in to še posebno v mestih. Procesi niso brez nasprotij, saj države Evropske skupnosti takšen obseg priselitev doživljajo po dolgih obdobjih odseljevanja in zgolj občasnega, selektivnega priseljevanja (začasnih) delavcev po drugi svetovni vojni. Izjema so nekdanje imperialne države. Značilnost sodobnih migracijskih tokov je v tem, da jih suverene nacionalne države EU želijo omejiti zgolj na potrebe trgov delovne sile, dejansko pa obseg in etnična raznolikost priseljencev vsa leta narašča. Te tokove tvorijo člani družin že priseljenih in stalnih prebivalcev ter njihovi potomci, ki si ustvarjajo nove družine. Obenem odpirajo nove zaposlitvene možnosti na področju etnične ekonomije ali se poskušajo integrirati v gospodarske dejavnosti dominantnega sektorja. V zadnjih desetih letih narašča še močan pritek begunskih skupin iz območij, ki so ogrožena na več načinov ter številne in raznolike skupine nedokumentiranih priseljencev. Zgolj del migrantov je ekonomskih, čeprav je med prosilci za stalno ali začasno naselitev mnogo takšnih, pri katerih se kriteriji in pravice preselitve prekrivajo ali pa jih je težko razlikovati. Kontrola globalnih migracijskih tokov torej ni preprosta niti uspešna, govore dolgoletne izkušnje.

Večina držav EU in tranzicijskih držav Vzhodne Evrope ima politične in socialne pomisleke priznati, da so dejansko postale novo območje imigracijskih prilivov. V tem obdobju je moč trditi, da se države EU zapirajo, medtem ko se vrsta tranzicijskih držav in držav drugih kontinentov (Afrika, Azija) odpirajo. Vzrokov za to je kar nekaj. Predvsem sledimo kopičenju ekonomskih in socialnih vzrokov za emigracijo iz slabo razvitih in kriznih območij sveta. Obenem je formalnih potreb za delo v razvitih državah premalo. Globalni pretoki kapitala se povečujejo, podobno je z blagom in storitvami. Medtem dostop do dela in zaslužka ostaja preveč omejen ali je zgolj kratkoročen in zato se selijo ljudje. Delo potencialno sicer je, vendar ni zaposlitev (Coleman et al., 1999, Christensen, 2001). Za priseljence manjka tudi dostop do dela pod enakimi ali primerljivimi pogoji, kot jih imajo državljani (Zulauf). Mnogi analitiki trdijo, da migracije naraščajo na račun povečevanja obsega socialnih razlik v neuravnoteženem procesu globalizacije ter širjenja skrajne revščine in deprivacije (Coleman & Wadensjo, 1999). Razvite države pa že dalj časa pesti relativno visoka stopnja strukturne brezposelnosti in nezanesljivih ali spremenljivih gospodarskih razmer. Kljub slabim demografskim napovedim je občutek narodnostne in socialne ogroženosti povzročil relativno močne negativne reakcije na obseg potencialnega priseljevanja. Nobena država blaginje ni predvidela obstoja časovno daljšega in večjega obsega brezposelnih ljudi. Dodeljene socialne in ekonomske pravice so tako postale breme za državo, obenem pa priseljence predstavljajo v položaj odvisnosti. Še toliko bolj v primerih držav, kjer tujci ne dobijo delovnega dovoljenja ter ni legalne in finančne podpore za razvoj samozaposlovanja.

Migracije so registrirane le v omejenem obsegu, primerljivost statističnih virov med državami pa je nezadostna. Največ migrantov-beguncev sprejemajo revne države, največ ksenofobičnih reakcij na tokove beguncev pa zasledimo v razvitem okolju. Številno ljudi, ki ne živijo v državi, kjer so rojeni, se povečuje in ocena tega števila se v letu

2001 suče okoli 160,000.000 ljudi (UN, 2001, UNHRC, 2001). Vrsta držav se je reševanja problema imigracijskih prilivov lotila na več normativnih načinov, ki se izražajo predvsem kot integracijski modeli (Christensen, 2000, 2001). Nekateri avtorji predstavljajo pregled tokov in stanja (Peach), drugi analizirajo integracijske modele (Cohen, Backlund, Pécoud, Zulauf). Tretji se lotevajo problema zakonitosti, reguliranja ali zaščite skupin v kontroverznih posledicah nezaželenih migracijskih tokov (Friedman & Stumpf, Syzmanska).

Objavljeni prispevki so usmerjeni k analizi sodobnih migracijskih pojavov v Franciji, Nemčiji, Veliki Britaniji, Švedski, Poljski, Sloveniji in ZDA. Pristop avtorjev je sila raznolik in predvsem odraža parcialnost odnosa do migracij s stališča posameznih družb in njenih zgodovinskih izkušenj. Nekatere države branijo svojo suverenost in lokalni teritorij, druge so v obrambi nekaterih vrednot ali lastnih ekonomskih interesov (trga dela). Osredotočenost vseh prispevkov je namenjena tudi k reševanju posledic, ki jih prinašajo s seboj pojavi nekontroliranih imigracij in s tem povezanih žrtev pollegalnih ali nelegalnih dejavnosti (Stumpf & Friedman, ZDA, Zulauf, Pécoud). Amerika je prvi primer države, ki se je s predstavljeno akcijo vlade in zakonom lotila obrambe žrtev nekaterih posledic nedokumentiranega priseljevanja in pollegalnih ali kriminalnih dejavnosti (Stumpf & Friedman). Za migracijske tokove v zadnjih desetletjih je značilno, da jih ne moremo povsem natančno kvantitativno in kvalitativno opredeliti. Kljub zaostreni kontroli meja (Schengenski sporazum) in stalnem uvajanju skupnih kontrolnih mehanizmov imigracij je obseg in pojavnost priseljevanja zelo težko, če sploh, uspešno usmerjati glede na nekatere ozko definirane interese držav prejemnic emigrantov. Mnoge države v svetu posebne migracijske statistike ne vodijo ali je le-ta nepopolna, komparativnih raziskav na tem področju pa je malo ali so ozko omejene. Tem pomanjkljivostim se torej tudi tukaj nismo mogli izogniti, vendar pa upamo pomanjkljivosti zapolniti tudi s to predstavitevijo v reviji in že omenjeni raziskavi.

Trende in pojavne oblike novejših migracijskih tokov sicer obširneje predstavljamo v delu Evropa v precepu med mobilnostjo in migracijami (Christensen, 2002, v tisku Založbe FDV). Revija Dve domovini/Two Homelands s posebnim poudarkom predstavlja s teoretičnega in sociološkega vidika aktualno stanje političnega ali akademskega razpravljanja ter se osredotoča na pojavne oblike migracij v svetu. Predstavi njihov odnos do tega konfliktnega vprašanja nastajanja multikulturnih družb v toku združevanja evropskih držav in kontroverznih procesov globalizacije z močnimi lokalnimi učinki (Peach, Pécoud).

Razvite države Evrope so v zadnjih dveh desetletjih prvič v zgodovini postale izrazite »de facto« imigracijske države, čeprav o tem še ni povsod doseženega političnega soglasja. Tudi javnost ima do imigracij ambivalenten odnos. Mnenja se razlikujejo predvsem o tem, kako, če sploh, lahko migracijske tokove kontroliramo in reguliramo s stališča problemov posamezne nacionalne države ter lokalnih trgov dela. Mnogi avtorji se vse bolj nagibajo k mnenju, da migracijskih tokov ni moč zaustaviti, niti uspešno regulirati, vendar pa bi lahko družbe uspešneje integrirale socialne in profesionalne resurse migrantov. Druga skupna točka razprav je odnos javnosti in vlade do procesa

vkjučevanja priseljencev v kulturo, politiko, izobraževanje in integracijske možnosti priseljencev za stalno bivanje. Nekdanja načela odprtih družb in svobodnega gibanja posameznikov so se v zadnjem desetletju porazgubila v toku sprejetih zakonskih omejitev priseljevanja. Ta trend poimenujemo z skupnim nazivom politike o formiranju »trdnjave Evropske skupnosti«.

Največ težav predstavlja usklajevanje migracij s potrebami trgov delovne sile, saj ima večina držav EU večje ali manjše probleme z lastno in že desetletja trajajočo previsoko brezposelnostjo. To temo na primeru Švedske, ki zelo radikalno izvaja transformacijo svojega ekonomskega in javnega sektorja, predstavlja Ann-Katrin Backlund. Drugi seznam problemov zadeva pristope k begunstvu, začasnim oblikam azila in humanitarnim problemom, ki jih povzročajo masovne, naraščajoče in slabo registrirane mednarodne migracije predvsem iz držav v razvoju ter v tranzicijskih družbah (K. Szymanska). Imigracijski tokovi ljudi se tako v končni empirični praksi posameznih držav obravnavajo kot potencialni razvojni resurs (M. Zulauf) ali pa kot socialno breme. Priseljevanje odpira ter reaktualizira dileme kulturnih razlik in sproža vprašanja integracijskih ter asimilacijskih procesov (Cohen, Peach). Odpira vprašanja načel multikulturnih družb znotraj same skupnosti držav EU in v vsaki posamezni nacionalni enoti. Politika dodeljevanja državljanskih in drugih kulturnih, ekonomskih ali socialnih pravic je v vsaki državi EU opredeljena drugače in nekateri avtorji predstavljajo nacionalne modele in pristope (Cohen, Szymanska, Pécoud).

Skupna politika Evropske skupnosti do imigracij iz tretjih držav je še vedno omejena na opredeljevanje skupnih načel in smernic, h katerim naj bi posamezne države »prispevale v čim večji meri« ter »približevale položaj priseljencev tistemu, ki ga imajo državljani«, kot sporoča sklep komisije EU iz Tempere. V tem oziru je moč opaziti večje razlike med državami s kolonialno preteklostjo in med državami večine članic EU, ki so dolga desetletja izvajale politiko relativne imigracijske odprtosti ter med tistimi državami, ki jih je novejši val priseljevanja povsem presenetil. Med njimi so tudi in predvsem nekdanje države Vzhoda (K. Szymanska).

Te razlike v tradiciji in stališčih do pojava novejših migracij imajo za posledico, da je položaj priseljencev, predvsem tistih iz »tretjih držav« (nečlanic EU ter EEA), zelo raznolik in mnogokrat marginaliziran. Različen je tudi položaj vsake posamezne skupine priseljencev in razlike so v obravnavi njihove kulture ter »etničnosti«. Avtorji navajajo obilo primerov za te razlike, kar je tudi eden namenov študije in objav v tej reviji. Avtorji v tem delu tematske številke izražajo zelo raznolika teoretska stališča. Moč je zaslediti odprtost in optimizem, ki ga po tradiciji oxfordske šole izraža avtor v eni od redkih klasičnih migracijskih držav, Veliki Britaniji, prof. Ceri Peach. Avtor se osredotoča na tiste pojave medsebojnega prepletanja ljudi in kultur, ki po klasični tradiciji procesov migracij v ZDA dajejo upanje na postopno usklajevanje socialnih antagonizmov. Ann-Katrin Backlund zastopa mnenje, da bi eventualna boljša vključitev priseljencev v trg dela pomenila tudi možnost za uspešnejše odpravljanje diskriminacijskih pojavov. Švedska je ena od držav na severu Evrope, kjer so deleži brezposelnih tujcev v zadnjih letih med najvišjimi v državah EU, poleg Danske in Holandije. Backlund v

svojem tekstu navaja predvsem primere zelo radikalnega in hitrega spreminjanja organizacije dela nekaterih gospodarskih dejavnosti na Švedskem, kjer je zmanjkalo dela za slabše kvalificirane delavce. Tudi v drugih segmentih trga dela (na primer na akademskem področju) je prišlo do sprememb, zaradi katerih odnos do tujcev in njihove možnosti za zaposlitev niso najboljše.

Pécoud analizira razmere v Nemčiji, ki je že vse od druge svetovne vojne sprejemala priseljence v največjem obsegu. Nemčija je poleg nekaterih sosednjih držav med tistimi, ki priseljencem že vnaprej z zakoni definira položaj odvisnosti ter postopnega prilagajanja. Vendar se je prav na področju etnične ekonomije turške skupine priseljencev v Berlinu marsikaj spremenilo v pozitivno smer: A. Pécoud ugotavlja, da je priznanje s strani prebivalcev, da je multikulturalnost sestavni demografski del mesta in njegovih storitvenih dejavnosti, reafirmirala pomen etničnega zaposlovanja. Definira se pozitiven odnos do priznanja ekonomske dimenzije koncepta multikulturalnosti. Tako se turške skupine priseljenih z samozaposlovanjem rešujejo iz brezposelnosti ter se obenem integrirajo v družbo.

V stališčih nekaterih avtorjev je moč zaslediti težnjo k mnenju, da so kulturni in socialni konflikti in njihovo reševanje nujni spremljevalec razvoja družb v globalnih procesih. Eden od manj zaželenih in tudi manj pričakovanih je sedanji obseg masovnih in raznolikih migracijskih tokov v Evropi in svetu. Za Afriko se ugotavlja eksodus, drugje sledimo begu pred revščino, medtem ko v tranzicijskih državah beležimo beg možgan in na drugi strani nelegalno priseljevanje. Mnoge države Vzhoda so tranzicijske, tok globalnih migracij teče od manj k bolj razvitim deželam. Ta značilnost se ohranja preko dolgoletnih izkušenj, vendar pa so razlike med razvitostjo držav obstajale vedno: v okviru te značilnosti ne moremo razložiti sprememb, ki so tipične za masovne migracijske premike v sodobnem času. Ne moremo tudi zajeti strukture raznolikih globalnih premikov ljudi, ki potekajo na trgu dela ali izven njega ter kulturnih vplivov. Te tokove hrani upanje na boljše življenje ali preživetje sploh. Vendar so bili priseljenci v preteklosti in so tudi danes resurs razvoja družbe, kjer so se naselili (Zulauf, Peach, Pécoud, Christensen, 2001). To je v praksi devetdesetih let v državah EU največkrat spregledano dejstvo zaradi nesigurne krivulje družbenih sprememb in predvsem zaradi nihanja gospodarskih trendov. Resnično, migrantje so živeli že tudi boljše čase.

Ljubljana - København, 25. marca 2002

Barbara Verlič Christensen

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## ETHNIC DIVERSITY AND THE CITY

Ceri Peach

COBISS 1.01

In the period 1945 to 1996, there has been a net movement of about 33 million migrants and refugees across international borders in western Europe. By way of comparison, in the period 1820 and 1985, there was a net migration of about 56 million people into the USA. The population of Europe is larger than that of the USA in the period in which most of the US migration was taking place, but the impact in demographic and psychological terms on Europe, a continent that was previously thought of as an exporter of population has been considerable.

The post-war period in Europe has seen four main waves of inward immigration:

- **Reflux** of Europeans from their colonial territories overseas or from their areas of historic settlement in Eastern Europe. 1945 - 1974 about 16 million of such people exist or existed.
- **Influx** of worker and family immigration 1950 - 1999 (Gastarbeiter) and dependants, of whom there were in 1993 about 12 million in western Europe and by the late 1990s closer to 20 millions.
- **Refugee**. 1989 - 2000 The new wave of asylum seekers from the former Socialist bloc: the former USSR, Yugoslavia as well as the dispossessed from earlier Islamic upheavals in Iran, Afghanistan, Iraq, Kurdistan and Algeria, civil wars in Sri Lanka, Somalia Rwanda and Burundi and elsewhere.
- Fourthly, we have seen the growth of the two newish movements. There are the white-collar internationalists. These are the chess pieces of transnationalism. They include Japanese and Americans parachuted into corporate city slots (de Lannoy, 1975; Glebe, 1986; Kesteloot and van der Haegen, 1997). Alongside them are Europeans on the move, settling for a while in other people's countries. Paul White, for example, writes how the French have produced a distinctive flavour to a part of Kensington in London, playfully dubbed 'frog valley' alongside the young Austrian's 'kangaroo valley' (White, 1998a, 1998b)
- Finally, there have been lifestyle developments, particularly in the display of sexuality and the formation of gay villages, which have added to the diversity of the city (Adler and Brenner, 1992; Knopp, 1995; Binnie, 1995). However, space does not allow us to develop this theme.

Post war Western Europe has experienced a demographic shock. The continent which considered itself to be an exporter of population has found itself to be the destination of substantial waves of immigration. The causes and consequences of these

movements are complex and contested, so that this paper attempts an overview of the major contributory factors.

The essence of the account is that the first phase was one of reflux: retreat from Empire (typified by Germans from Slavic lands, French from North Africa, Dutch from Indonesia and British from their colonies); the second was influx: worker immigration caused by expanding economies and ageing populations (typified by Turks to Germany, Algerians to France, West Indians and Indians to Britain); the third is efflux: the flight of refugees and asylum seekers into Europe (typified by Iranians and North African fleeing the Islamic revolutions and by East European nationals fleeing the breakup of the former socialist bloc).

Whereas the political response to reflux was sympathy and the response to influx was neutral acceptance, the reaction to asylum seekers and refugees has been closer to panic. Western Europe is battenning down the hatches and trying to repel potential refugee seekers. At the same time, there are profound differences in the strategies adopted by different countries in their acceptance or denial of their new minority ethnic populations. There are also powerful political conjunctions in the movements: the populations of the reflux form the hard core of the right wing opposition to influx and efflux.

Immigration into across European borders falls into three main (but not completely distinct) types.

- (1) Returnees and expellees from former colonial territories or territories where national boundaries were pushed eastwards at the end of the Second World War. About 16 million of such people exist or existed.
- (2) Worker migration (*Gastarbeiter*) and dependants, of whom there were in 1993 about 12 million in western Europe.
- (3) The new wave of asylum seekers, fleeing upheavals mainly in the former socialist countries, but also crises elsewhere in the world. These numbered about 2 million from 1980 to 1991 (SOPEMI, 1992, 132).

## (1) REFLUX

The largest number of returnees and expellees came to Germany. The Potsdam post war settlement removed East Prussia and severed Silesia from Germany, allocating the territory to the USSR and Poland. Ethnic Germans were expelled from these areas and those such as Sudetenland, which had been annexed by Germany during the war. The Soviet Zone of Germany was eventually created into the new state of the German Democratic Republic. It is thought that between 1945 and 1960, 9 million Germans fled to West Germany from the annexed territories. Between 1945 and the building of the Berlin Wall in 1961, it is thought that a further 3 million East Germans fled west. Altogether, about 12 million Germans fled to the west.

In addition to these directly displaced or fleeing people, there was a continuous



stream of ethnic Germans (Volksdeutsch) whom the Federal Republic virtually bought from the East European states, where they had been settled for hundreds of years. Anyone with German ancestry was entitled to come. Thus groups like the Silesian Poles, who had relatives in the German army in the past, for example, could claim German citizenship. Poland, Rumania and the USSR had considerable populations of ethnic Germans. As conditions in the Socialist countries deteriorated, the numbers moving to Germany increased substantially. Between 1968 and 1984, 652,897 ethnic Germans moved to the Federal Republic. From 1985 to 1991, a further 1,332,829 settled. Thus, from 1968 to 1991, nearly 2 million ethnic Germans returned to Germany, in addition to the 12 million discussed above in the earlier phase.

Table 1: *Aussiedler in Germany according to countries of origin, 1968 to 1991*

	Poland	ex USSR	Bulgaria	Yugoslav	Rumania	Czechos	Hungary	Other	Total
1968-1984	365234	72664	195	9982	147528	47011	7065	3218	652897
1985	22075	460	7	191	14924	757	485	69	38968
1986	27188	753	5	182	13130	882	584	64	42788
1987	48419	14488	12	156	13990	835	579	44	78523
1988	140226	47572	9	223	12902	949	763	29	202673
1989	250340	98134	46	1469	23387	2027	1618	34	377055
1990	113253	147455	27	530	107189	1324	1038	11	370827
1991	40129	147320	12	450	32178	927	952	27	22199
	1006864	528846	313	13183	365228	54712	13084	3496	1985726

Source : *Statistisches Jahrbuch, 1992, für die Bundesrepublik Deutschland*, table 3.39, p 91

Return movement to other European countries has been on a totally different scale from that of Germany. In 1962, after Algerian independence, there was a mass return of about 1 million *pièdes noirs*, French settlers in that country (Guillon, 1974). The Netherlands experienced a return flow of about 250,000 to 300,000 Dutch and Indonesians in 1953, when Indonesia became independent. In a few years up to 1975, when Surinam became a separate state, about 104,000 Surinamese left for the Netherlands in order to claim Dutch rather than Surinamese citizenship (Peach 1991 20-21). However, this latter movement is not an ethnic return movement in the sense of the German and French movements. In 1975 after Angolan independence from Portugal, about 400,000 Portuguese settlers fled that country, a substantial proportion returning to their native country. Settler return to Britain has undoubtedly occurred, but not in the dramatic way of the cases mentioned so far. The 1991 census shows that of the 1,653,002 born in the New Commonwealth, that is to say former colonial territories, living in Great Britain, 328,080 (or 20 per cent) were white plus 250,000 whites

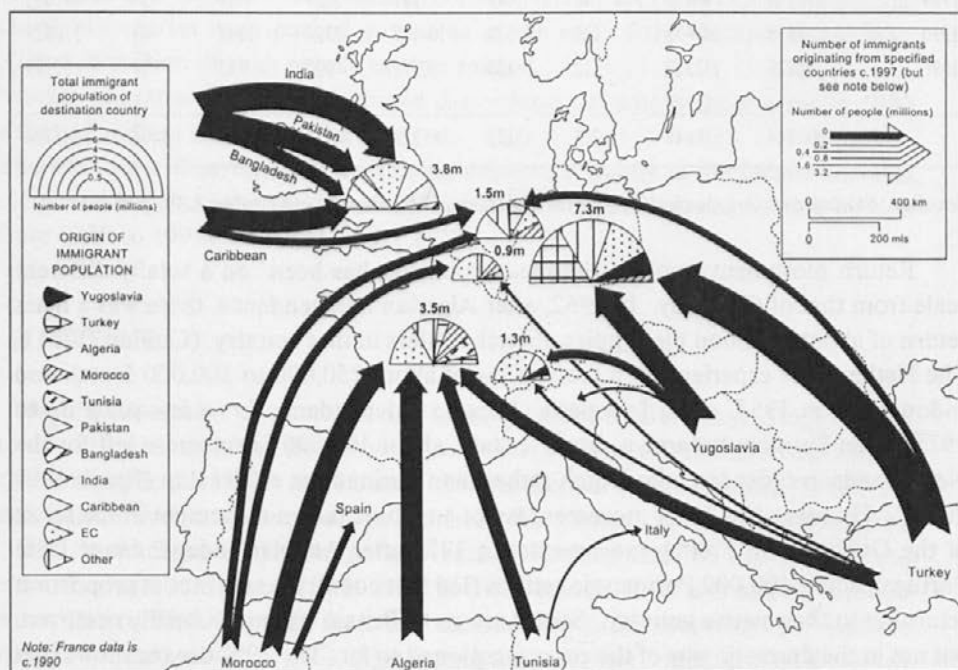
from Australia, New Zealand, Canada and South Africa. So there were over half a million whites from the Commonwealth. In western Europe, these reflux migrants have generally been quietly absorbed, although they may have had important political effects in some cases in their support for right wing parties.

## WORKER MIGRATION 1945 - 1990

However, when one refers to immigration in Europe, it is the worker movement which is assumed to be the focus of attention. Although earlier movements had taken place, such as the Polish worker migration to the northern coal fields of France in the 1920s and 1930s, the post war movement of labour into Europe was a revolutionary change of direction from the previous patterns of migration affecting the continent. Between 1950 and 1975, worker migration to western Europe, together with dependants, grew from practically nothing to about 12 million. Table 2 shows the position for some of the largest groups in 1990 for selected west European countries

This table should be read in two directions : (1) along the bottom rows and (2) down the final column. Reading along the bottom rows, Belgium has nearly 1 million

### *Immigration into western Europe, late 1990s*



Selected West European Countries of Destination for non-EC Sources c.1997

Source: Peach, 1997

foreigners, about 40 per cent of which come from outside the EC; France has 3.6 million of whom two thirds are non EC. Germany has the largest number of foreigners of whom two thirds originate from outside the EC. Three-quarters of the 700,000 foreigners in the Netherlands are non EC and two thirds of the British total of 2.5 million overseas origin population are non EC. Reading down the final column, the largest individual source of migrants into Europe is Turkey with 2.2 million (three quarters of whom are in Germany); Italy is the next largest supplier with 1.5 million (over a third of whom are in Germany, but with substantial numbers in Switzerland,

*Table 2: Major Sources and Destinations of International Immigrants to Western Europe, late 1990s*

Source SOPEMI 1999	COUNTRY OF DESTINATION								TOTAL
	1997 Belgium	1990 France	1997 Germany	1997 Netherlands	1998 UK	1997 Switzerland	1997 Italy	1997 Spain	
Turkey	73,8	197,7	2.107,40	172,7	63	79,6			<b>2694,2</b>
Algeria	8,9	614,2	23,1						646,2
Morocco	132,8	572,7	82,8	145,8			131,4	111,1	<b>1176,6</b>
Tunisia	4,7	206	28,1	1,5			48,9		289,2
Iran			101,5	16,5					118
Afghanistan			30						30
Pakistan			17		69				86
Bangladesh			23		69				92
India			12		139		14,3	5,7	171
Caribbean				183,2	122				305,2
									0
Yugoslavia (former)		52,5	721	46,7		313,5	44,4		<b>1178,1</b>
Bosnia-Herzgovina			281,4						<b>281,4</b>
Croatia			206,6						<b>206,6</b>
Poland	6		283,3				31,3		320,6
Italy	295,8	252,8	607,9	17,4	89	342,3		22,6	<b>1627,8</b>
Spain	47,4	216	131,6	17,6		94	17		523,6
Portugal	25,3	649,7	132,3	8,7		136,5		38,2	<b>990,7</b>
Greece	10,2		362,5	5,3			16,5		394,5
Ireland	19,5				448	6,4			473,9
France	103,6		103,9	16,5	74	55	28,3	34,3	415,6
Germany	33,3			126,8	75	94,7	40,1	49,9	419,8
									0
Other	141,9	835	7.365,80	790,3	918	218,8	868,5	238	11376,3
									0
<b>TOTAL</b>	<b>903,2</b>	<b>3596,6</b>	<b>7.365,80</b>	<b>1549</b>	<b>2066</b>	<b>1340,8</b>	<b>1240,7</b>	<b>499,8</b>	<b>18561,9</b>

Belgium and France). Morocco, rather surprisingly, has more citizens overseas than Algeria, 1 million as opposed to 650,000, but both heavily concentrated on France. Portugal, with 860,000 citizens in western Europe, particularly France, is the other major supplier of note.

### 1950 - 1973

Essentially the period of worker migration divides into the explosive growth stage, between 1950 and the oil crisis of 1973 and the period of entrenchment from 1973 and family reunification until the present. By 1973, there were about 15 million foreign immigrants living in the industrialised countries of north west Europe. These numbers remained stable at that level until 1983 and since that time have shown a decrease. The period from 1945 to 1973 witnessed a massive increase in immigration as the European economies recovered from the war. The recovery manifested itself earliest in Britain and France, with Germany acting as a source of immigrants until the early 1950s. German demand for foreign labour grew from just over 100,000 in 1958 to over 1 million in 1966. By 1968, Germany had overtaken France as the largest concentration of foreign labour (Mühlgassner 1984, 73).

In France and Germany, immigration took place as a result of planned bilateral agreements between those governments and third parties<sup>1</sup>. In Britain and the Netherlands, the movement was largely unplanned, although specific industries and services made initiatives which were important beyond the scope of directly involved authorities (Peach, 1991).

Essentially, what happened during the period 1945 to 1973 was that there was an outward ripple effect in terms of the catchment area of migration to western Europe. In the period up to the late 1950s, the movement was dominated by local effects - migration from adjacent or close countries: Irish to Britain, Finns to Sweden, Italians to Switzerland, France and Germany and so on. In the later period, to 1973 and beyond, the ripples extended far beyond the European catchment to include the Mediterranean Basin, sub Saharan Africa and South Asia.

Within this perimeter, there was a geographical partitioning of territory. The Mediterranean Basin was effectively divided along the axis of Italy into a western French sphere of influence and an eastern German sphere. The Maghreb and sub Saharan

<sup>1</sup> France set up a national immigration office (ONI) in 1945 and thereafter concluded a series of bilateral agreements with different governments. Between 1945 and 1950, agreements were made for the recruitment of German and Italian workers. Further agreements were made with Greece (1954) Spain (1961) Morocco, Tunisia, Portugal, Mali and Mauritania (1963) Senegal (1964) Yugoslavia and Turkey (1965). These arrangements were in addition to the supply of Algerian labour, freely available before independence in 1962 and which continued thereafter. Germany concluded bilateral arrangements with Italy (1955) Spain and Greece (1960) Turkey (1961) Morocco (1963) Portugal (1964) Tunisia (1965) and Yugoslavia (1968) (Peach 1992, 116).

Africa, Spain and Portugal fell into the French sphere. Yugoslavia, Greece and Turkey fell into the German sphere and Italy was divided between the two. Countries such as Austria and Switzerland showed a German pattern of migration sources. Belgium followed a more French pattern.

There was, in addition, a British pattern which was of overseas flows from former colonial territories in the Caribbean and South Asia. The Dutch shared some of the characteristics of the British pattern and some of those of the German (see map 1).

### 1974 - 1993

This rapid expansion of immigration into western Europe was brought to a dramatic halt by the oil crises of 1973/1974. The Yom Kippur War and the consequential rapid rise of oil prices following the Arab countries' embargo on exports, produced a major dislocation in western economies. Both France and Germany imposed a halt on immigration and made attempts to make migrants return to their home countries. Between 1974 and 1981, the overall number of foreigners living in Europe stabilised. Generally speaking, the number of workers decreased while the number of dependants increased. For example, between 1973 and 1981 the number of foreign workers in Germany decreased from 2,416,000 to 2,096,000 and in France from 1,813,000 to 1,600,000. On the other hand, the total foreign population increased from 4,127,000 in Germany to 4,630,000 and in France from 4,043,000 to 4,148,000 (Peach 1987, 36).

The period since 1974 has seen the maturing of many of the immigrant groups, so that, with some of the earliest established communities, the sex ratios have become more even and the majority of the ethnic minority communities have been born to their parents in the countries of settlement. We are no longer talking about simple immigrant minorities. Taking the sex ratio first, in Britain in the 1991 census, the numbers of Caribbean born men and women are almost identical. The number of Indian born women slightly exceeds that of Indian born men (1055 women per 1,000 men). For more recently arrived groups such as the Bangladeshis, the ratio was 883 women per 1,000 Bangladesh-born men. In Germany the ratio of Turkish women per 1,000 Turkish men rose from 554 in 1974 to 856 in 1989 (SOPEMI 1990, 143). Although it is difficult to establish what proportion of Turks has been born in Germany, 41 per cent were under 18 years of age at the time of the 1987 census, compared with 17 per cent for the German population as a whole. In France in 1985, there were 701 Algerian women per 1,000 Algerian men (SOPEMI 1990, 145) indicating a continuing substantial imbalance of the sexes.

## THE NEW WAVE: POST 1988 ASYLUM SEEKERS

### Europe 1985 - 1991

In the period leading up to and following the fall of the Berlin Wall and the associated collapse of socialist systems in Eastern Europe, there was a substantial growth in the number of asylum seekers moving into western Europe from the East. In 1983, there were less than 54,000 but in 1991, the annual figure reached nearly half a million (see table 3). The overwhelming majority of these asylum seekers moved to Germany, whose constitution obliged the government to accept them. In 1991, the number of asylum seekers in Germany reached over a quarter of a million. The political pressure to repeal this provision was intense and in 1993, all party was secured.

Table 3: *Inflows of Asylum Seekers into selected European countries, 1980 - 1998 (thousands)*

	Belgium	Denmark	France	Germany	Greece	Italy	Netherlands	UK	Sweden	Total
1980	2.7	0.2	18.8	107.8			1.3	9.9		140.7
1981	2.4	0.3	19.8	49.4			0.8	2.9		75.6
1982	3.1	0.3	22.5	37.2			1.2	4.2		68.5
1983	2.9	0.3	22.3	19.7	0.5	3.1	2	4.3	4	59.1
1984	3.7	4.3	21.6	35.3	0.8	4.6	2.6	4.2	12	89.1
1985	5.3	8.7	28.8	73.8	1.4	5.4	5.6	6.2	14.5	149.7
1986	7.6	9.3	26.2	99.7	4.3	6.5	5.9	5.7	14.6	179.8
1987	6	2.7	27.6	57.4	6.3	11	13.5	5.9	18.1	148.5
1988	4.5	4.7	34.3	103.1	9.3	1.4	7.5	5.7	19.6	190.1
1989	8.1	4.6	61.4	121.3	6.5	2.2	13.9	16.8	30	264.8
1990	13	5.3	54.7	193.1	4.1	4.7	21.2	30.2	29.4	355.7
1991	15.4	4.6	47.4	256.1	2.7	27	21.6	73.4	27.4	475.6
1992	17.3	13.9	28.9	438.2	2	2.6	20.3	32.3	84	639.5
1993	26.2	17.1	27.6	322.6	0.8	1.3	35.4	28.5	37.6	497.1
1994	14.7	6.7	26	127.3		1.8	52.6	42.2	18.6	289.9
1995	11.7	5.1	20.4	127.9	1.4	1.7	29.3	55	9	261.5
1996	12.4	5.9	17.4	116.4	1.4	0.7	22.9	37	5.8	219.9
1997	11.8	5.1	21.4	104.4	4.4	1.9	34.4	41.5	9.6	234.5
1998	22	5.7	21.8	98.7	2.6	4.7	45.2	79.8	13	293.5
										0
	<b>190.8</b>	<b>104.8</b>	<b>548.9</b>	<b>2,489.4</b>	<b>48.5</b>	<b>80.6</b>	<b>337.2</b>	<b>485.7</b>	<b>347.2</b>	<b>4,633.1</b>

Source : SOPEMI, 1997, 1998 and 1999 editions

### **Movement into Southern Europe and the Schengen Agreement**

Attention on worker migration and asylum seeking until the late 1980s has been focused on northern Europe. However, in the late 1980s immigration into southern Europe became a notable phenomenon. Table 1 shows that Greece and Italy, which had not figured on the tables of refugees before 1983, began to register arrivals in that year. Restrictions on immigration had been progressively tightened in northern Europe, beginning with British legislation in the 1962 Commonwealth Immigrants Act, but becoming most clear with German and French legislation to halt worker migration in the aftermath of the 1973 oil crisis. Southern Europe, however, which had been an exporter rather than a receiver of immigration had no comparable legislation.

Since the mid 1980s there has been the arrival, often illegally, of migrants from North and sub-Saharan Africa in Italy, Spain and Portugal. Because southern European countries had traditionally been exporters rather than importers of labour, arrivals were not subjected to rigorous immigration controls. However, as those controls tightened in northern Europe, the south became an easier point of access. The Schengen agreement allows for the free movement of populations without passports between the signatory states within the EC. Thus, once across the external boundaries of the Community movement of the undocumented becomes difficult to control. Italy began to regularise its illegal immigrants in 1987 (SOPEMI 1990, 21). Of these, the largest group at the end of 1990 came from North Africa and sub-Saharan Africa (80,000 Moroccans, 41,000 Tunisians and 25,000 Senegalese) but there were also 30,000 Yugoslavs and 34,000 Filipinos. In 1991, Italy had a sudden influx of about 38,000 Albanian refugees. About 17,000 of them were immediately repatriated (SOPEMI 1992, 66). There was also a sharp increase (from 99,509 in 1989 to 238,365 in 1990) in the number of residence permits granted to foreigners from Africa (largely North Africans).

Spain has, in recent years, received what has been called the 'new wetbacks'. The original wetbacks were the Mexicans who entered the USA illegally over the Rio Grande. The new wetbacks come across the Straits of Gibraltar, in frail fishing craft and are often made to swim the last dangerous stretch. Some do not make it. Between 1989 and 1992, 36 bodies have been found by the Spanish authorities on either side of Tarifa, in the main entry zone (*The Economist*, 12.9.92, 56). In 1985 and 1986, Spain mounted an operation to regularise illegal immigrants and again in 1991. About 40 per cent of the 100,000 or so who were successful, were Moroccan. In 1991, Spain introduced visa requirements for citizens of Maghreb countries (SOPEMI, 1992, 77).

### **Conclusion**

Western Europe has changed from a sub-continent of emigration to a sub-continent of immigration. It has changed from a set of countries, which between 1918 and 1945 have sought to make themselves internally more homogeneous, into a set of coun-

tries with dramatically changed ethnic compositions. The chillingly labelled process of 'ethnic cleansing' in the former socialist states of eastern Europe has a major potential to add to this change in the west. The migration frontiers of Europe have changed, during the 1990s from the south to the east. The south continues to send migrants, but they are coming to the countries of southern Europe.

The process of absorption of the new minorities is very different in the main receiving countries. There are, I believe, two main types (1) the assimilationist model of the British, the French and the Dutch and (2) the accommodationist model of the Germans and the Swiss. This is a bold generalisation which hides many differences between countries placed in the same categories, but which nevertheless, holds important truths. The assimilationist model stems from the colonial histories of the British, French and Dutch. Trapped by their own political rhetoric, they gave citizenship to their colonial subjects. They did not expect any but the elite to use their rights to gain access to the metropolitan countries. The political integration of minorities into those states has been achieved. The vote was given before the minorities arrived.

The accommodationist model of the Germans is fraught with greater difficulties. The Turkish minority is large and well established. The second generation is substantial and German educated. However, with re unification, with the continued inflow of the Aussiedler, the inflow of asylum seekers wished upon Germany by an imposed post war constitution, coupled with a deep economic depression, the political forces ranged against giving citizenship to Turks born in Germany is substantial.

The focus of this paper is the worker migration; data on asylum seekers and their settlement into European countries is more recent and less well known. The earliest movement was into Britain starting in 1948 and later into France and Germany. Thence it has spread to fill in the Benelux countries, Switzerland and Austria. From there it has spread to the Nordic countries and now to the southern Atlantic and Mediterranean shores, with Portugal, Spain, Italy and Greece becoming the new front door of Europe.

What has been the impact of these flows on the cities themselves? What strikes me is that despite the different ethnic groups involved, despite the different numbers and proportions formed by these groups, despite the different constitutional positions of the minority population in the various countries, despite the different time-scales over which the movements have taken place, there is an over-riding similarity of the patterns of settlement between the European countries. Not only is there a commonality of pattern, but that pattern is not that of the African American Ghetto. It is the pattern of the ethnic enclave, not the pattern of the ghetto.

To begin with, we need to understand the difference between the ghetto and the enclave. The Chicago School made a massive mistake when it fused these two models into a single type. The Chicago School was based on what we can call the *three generation model*. The first generation was geographically concentrated and socially ghettoised in the inner city. It did not speak the language, was employed at the lowest levels, was uneducated and married its own kind. The second generation moved out of



the inner city to the next urban ring. It was better educated, spoke the English language in America, improved economically; moved up socially and out geographically. It began marrying out. The third generation was suburbanised and homogenised with the general population. It was spatially mixed with the core society and assimilated socially.

The problem with this three generational model was that it assumed that the ghetto was part of the general model and not a distinctive spatial formation in its own right. In the Chicago School model, the second generation ethnic enclave was conceptualised as a low-fat version of the first generation ghetto – the same, but a bit less concentrated. In reality, the first generation was never ghettoised in the way in which the black population was ghettoised.

The key difference between the black ghetto and the urban enclave was that the ghetto was doubly exclusive. Black areas were almost entirely black; almost all blacks lived in such areas. The ghetto was doubly exclusive. Ethnic enclaves, on the other hand, were doubly dilute. Minority ethnic groups only rarely even formed a majority of the population of the areas with which they were identified; only rarely did a majority of the minorities identified with particular areas (their so-called 'ghettos') live in such areas. Thomas Philpott's *The Ghetto and the Slum*, (1978) demonstrates the point for Chicago in 1930 at the end of the era of mass migration (table 4).

*Table 4: 'Ghettoization' of Ethnic Groups, Chicago, 1930*

Group	Group's City Population	Group's 'Ghetto' Population	Total 'Ghetto' Population	Percentage of group 'Ghettoized'	Percentage 'Ghetto' Group's Population
Irish	169,568	4,993	14,595	2.9	33.8
German	377,975	53,821	169,649	14.2	31.7
Swedish	140,913	21,581	88,749	15.3	24.3
Russian	169,736	63,416	149,208	37.4	42.5
Czech	122,089	53,301	169,550	43.7	31.4
Italian	181,861	90,407	195,736	49.7	46.2
Polish	401,316	248,024	457,146	61.0	54.3
<b>Negro</b>	<b>233,903</b>	<b>216,846</b>	<b>266,051</b>	<b>92.7</b>	<b>81.5</b>

Source : Philpott (1978,141, table 7)

It can be seen that while the African American population formed 81.5 per cent of the population of the black ghetto and while 92.7 per cent of the black population lived in the black ghetto, only 3 per cent of the Irish lived in Irish areas and they formed only one third of the population of Irish areas. The two most concentrated

white groups were the Italians and the Poles. Just under half of the Italians lived in Italian areas and they formed just under half of the the population of Italian areas. The Poles were a little more concentrated : 61 per cent lived in Polish areas and they formed just over half of the population of Polish areas.

However, even their levels of concentration were different in kind rather than different in degree from the situation of African Americans. All the European minorities lived in mixed areas. Hardly any of the blacks did. While white ethnic enclaves dissolved over time, black ghettos intensified and expanded territorially in a compact form.

European attempts to understand minority settlement in their cities as the American ghetto model are entirely misplaced. The model of the ghetto and the model of the ethnic enclave are totally different in kind, in form, in origin and in their futures. Europe has enclaves not ghettos. To give an example, if we examine the concentration of minority ethnic groups in London in the 1991 census, along the lines of the Chicago table, we find that black groups look much more like the Irish in Chicago in 1930 than like the African Americans (table 5).

*Table 5: Ghettoisation' of Ethnic Groups at ED level in Greater London 30 per cent cutoff*

Group	Group's City Population	Group's 'Ghetto' Population	Total 'Ghetto' Population	Percentage of group 'ghettoized'	Percentage 'Ghetto' group's population
Non-white	1346119	721873	1589476	53.6	45.4
Black Caribbean	290968	7755	22545	2.6	34.4
Black African	163635	3176	8899	2.0	35.6
Black Other	80613	.	.	.	.
Indian	347091	88887	202135	25.6	44.0
Pakistani	87816	1182	3359	1.4	35.2
Bangladeshi	85738	28280	55500	33.0	51.0
Chinese	56579	38	111	0.0	34.2
Other Asian	112807	176	572	0.2	30.8
Other Other	120872	209	530	0.2	39.4
Irish born	256470	1023	2574	0.4	39.8

Source : Peach, 1996

It is not even that the US levels of concentration and segregation for African Americans have decreased substantially since 1930. If we examine the proportion of African Americans in Chicago living in areas where they form a high percentage of the area's population, we find the same situation holding as it did in 1930. Of the total black population of 1.3 million living in Chicago PMSA in 1990, 88 per cent were

living in areas which were 30 per cent or more black (cf the London figures for the 30 per cent cut off in table 5); 82, per cent were living in areas which were half or more black. Two thirds were living in areas which were 90 per cent black; 29 per cent were living in areas which were 99 per cent or more black and 8 per cent were living in areas 100 per cent black (table 6).

Table 6: Percentage of the African American Population of Chicago PMSA, living in tracts of a given black percentage, 1990

Black Percentage of Tract	Black Population living in such tracts	Percentage of the total Black Population of Chicago in such tracts
100 per cent	111,804	8.4
99 per cent or more	381,347	28.7
90 per cent or more	884,725	66.5
50 per cent or more	1,087,600	81.7
30 per cent or more	1,163,969	87.5
Total Black Population	1,330,636	
Total Population	6,069,974	

Source : Based on data from GeoLytics CensusCD+Maps US Census 1990 data [www.GeoLytics.com](http://www.GeoLytics.com)

The levels of segregation of African Americans in the US is such that they have been termed 'hypersegregated' by Massey and Denton (1993). In a way, the American and the European literature has been dominated too much by the ID and has paid too little attention to the absolute levels of concentration of minority groups.

The standard measure of segregation which has dominated the literature is the index of dissimilarity ID. Recent advances in the European literature allows us to look in a broadly comparative way at levels of segregation in different European countries. Glebe and O'Loughlin (1987) led the way with their 1987 volume. Complete issues of *Tijdschrift voor Sociale en Economische Geografie* (Volume 88, 2, 1997) and of *Urban Studies* (Volume 35, 10, 1998) were devoted to an analysis of the levels of segregation of minority populations.

In addition, Musterd, Ostendorf and Breebart (1998) have synthesised and systematised measurements of segregation for Amsterdam, Brussels, Frankfurt, Dusseldorf London and Manchester. They show that North Africans in continental Europe and South Asians in Britain manifest the highest levels of segregation of the composite groups which they consider (Amsterdam 40, Brussels 60, Dusseldorf 25, Frankfurt 18, London 44, Manchester 49). While these figures are not exceptionally high, Musterd et al's methodology of aggregating minorities into 'South Asian' and 'North African' groups disguises some of the critical factors. Bangladeshi in Britain have an excep-

tionally high rate of segregation, averaging 73 on the Index of Dissimilarity across the 11 cities in which they numbered 1,000 or more in 1991 (Peach, 1996, table 9), while Pakistanis averaged 61. Nevertheless, European rates of segregation are moderate when compared with those of African Americans.

### BRITAIN AS A MODEL FOR FUTURE EUROPEAN EXPERIENCE

To some extent we can use the UK experience as a predictor of future developments elsewhere in Europe. The UK was the earliest country to experience large-scale non-European immigration. In this respect, it was ten years in advance of Germany, so that there is a longer track record here than elsewhere. On the other hand, most of Britain's immigrant population came from its former colonial areas and had British citizenship. This marks a major difference between them and say, the experience of Turks in Germany.

The first thing to say about the British experience is that there are two main components, the South Asian and the Afro Caribbean and other African descendants. There are sharp differences both within and between these groups. However, one can detect two basic models of accommodation to British society: the Irish model and the Jewish model.

What this boils down to is that although the Caribbean population has a notably more blue collar socio-economic profile than the white population and has a higher proportion living in social housing than the white population, it has nevertheless made significant upward economic mobility and shows a significant degree of intermarriage and co-habitation with the white population (table 7). In addition, the mean un-weighted average Index of Dissimilarity (ID) for the Caribbean population compared with whites in the 17 cities where more than 1,000 Caribbean population were living in 1991, was 45 (Peach, 1996, table 11). In Greater London, which contained just under 60 per cent of the British Caribbean population, the ID at ward level had shown a continuous decrease between 1961 and 1991 from 56 to 41 as outward suburbanisation took place (Peach, 1996, table 13).

The South Asian populations (Indians, Pakistanis and Bangladeshis) all show far greater social closure. All three groups show a strong preference for arranged marriages, for married couple households and extended families. However, while their social conventions show strong similarities of traditional family values, their economic fortunes differ considerably. The Indian population has a white collar profile comparable to that of the white population and indeed rather higher in the professional class (Robinson, 1996) while the Pakistani and to a greater extent the Bangladeshi population is more blue collared, coupled with a low rate of female participation in the formal labour market. All three groups have higher average IDs from whites than do the Caribbeans. The most segregated are the Bangladeshis with an average unweighted ID

Table 7: *Ethnic Marriage and Co-habitation Patterns, Great Britain, 1991*

Unions expressed as percentage of male's ethnic group												
	White	Carib Blac	African Black	Other Black	Indian	Pakistani	Bangla- deshi	Chinese	Asian Other	Other Other	Total Per cent	Total
White	99.49	0.08	0.03	0.05	0.06	0.01	0.00	0.06	0.12	0.11	100	126803
Black Carib	27.27	67.76	0.97	1.21	0.48	0.24	0.00	0.24	0.36	1.45	100	825
Black African	17.08	5.69	74.02	1.42	0.71	0.36	0.00	0.00	0.00	0.71	100	281
Black Other	51.70	2.04	1.36	42.18	0.68	0.00	0.00	0.00	1.36	0.68	100	147
Indian	6.93	0.10	0.21	0.05	91.06	0.93	0.00	0.26	0.21	0.26	100	1935
Pakistani	5.05	0.00	0.00	0.12	0.72	93.26	0.00	0.00	0.48	0.36	100	831
Bangladeshi	3.00	0.00	0.86	0.00	1.72	0.43	93.13	0.00	0.00	0.86	100	233
Chinese	12.59	0.00	0.00	0.00	0.74	0.00	0.00	86.67	0.00	0.00	100	270
Other Asian	14.71	1.07	0.27	0.27	1.07	1.07	0.27	0.53	79.14	1.60	100	374
Other Other	50.46	0.46	0.23	0.46	1.62	0.93	0.00	0.46	1.16	44.21	100	432
												132131

Source: Peach, 1999

of 73; the Pakistanis have an average index of 61 with whites and for the Indians, the ID with whites was 45, just slightly higher than for the Caribbean/white comparison.

However, while the Caribbean population was showing trends of decreasing concentration, all three South Asian groups indicated the opposite trend. Indeed, it was notable for the Indian population, with its white collar distribution, that suburbanisation did not equate to dispersal, as in the Chicago three generational model. It followed much more what I have termed the pluralist model of voluntary segregation.

### France, Germany, Belgium and the Netherlands

Turning to the picture which we find in France, Germany, Belgium and the Netherlands, there has been a surge of publications. The pioneering effort was produced by John O'Loughlin and Günther Glebe in 1987. In the meantime the literature has expanded substantially and in the last three years there have been two issues of major journals, *Tijdschrift voor Economische en Sociale Geografie*, 1997 and *Urban Studies* 1998 (vol 35) devoted to analysis of the position of minority ethnic populations in a European context. Musterd, Ostendorf and Breebaart (1998) have also sought to synthesise and systematise these researchers into a single volume.

Despite the fact that the precise composition of ethnic minorities, the history of their movement and the constitutional situations of minorities varies very considerably between European countries, there are nevertheless some over-riding similarities.

- Worker migration has been drawn in as a replacement population to jobs which the

native population was avoiding. They have filled gaps in the occupational and housing structures.

- The movement has generally been to large cities
- The movement has generally been to the depressed parts of large cities, though these locations have not always been inner cities. In France, for example, it has been predominantly to *les banlieus*, the high rise social housing on the periphery. In Amsterdam, the suburban Bijlmermeer seems to have become depressed *as a result of* minority settlement.
- Although the American black ghetto model has been universally invoked by the press and to represent the settlement patterns, in reality these patterns follow what I have termed the ethnic enclave or urban village model rather than the dual characteristics of the black ghetto.
- There are areas where minorities form a high percentage of the local population, but they do not constitute a majority of the population over large areas, (The highest proportion that minorities formed at District level in Cologne in 1995 was 50.6 per cent Friedrichs, 1998,1758)
- nor do high percentages of minority populations live in areas where they form a majority.
- Taking the Index of Dissimilarity at the level of ward, tracts or *Stadtteile* (about 12,000 persons) as a guide, and benchmarking the values <39 as Low; <59 as moderate and >60 as high, we find that the overwhelming majority fall into the moderate to low category.
- Among the high categories are two opposite extremes :very poor, very recent Muslim populations such as the Bangladeshis in Britain; and rich short-sojourners like the Japanese in London and Düsseldorf.

### Cultural Landscapes

Finally, we come to the transformation of cultural landscapes. If we think of the diversity of the city, we can see a chronological development from the arrival of non-European faces, different clothes, different languages and music, different shops selling unfamiliar goods in the early days to the arrival of new building forms in the later days. In other words, there has been a progression in the cultural landscape from the soft features of people, dress and sound to the new, hard features of building forms. This latter development is particularly associated with the Islamicisation of the worker and asylum-seeking populations and is possibly further advanced in Britain than elsewhere in Europe, because of the longer period of settlement.

We have run a project in Oxford over the last three years examining the growth of Muslim Mosques, Hindu temples and Sikh Gurdwaras. There are about 1,000 such places of worship which are officially registered in England and Wales and possibly

double that number if the smaller unofficial domestic places of worship were to be included.

Altogether, the official listing of places of worship for Muslims, Sikhs and Hindus in England and Wales amounts to just under 1,000 buildings. Of these, only about 200 or 20 per cent are purpose built, but, about half of these, or about 10 per cent of the whole, are both purpose built and decorated. Some of them are of cathedral size and make a huge impact on the cultural landscape. The contested nature of some of these buildings can be seen from the severe modulation of their characteristic features. Minarets, in some cases, appear as almost the prehensile representation of a former feature. Cupolas are sometimes understated. Building materials fit in with the surrounding styles.

Even so, these buildings are more confident and self-assertive than mosques in German cities. In Düsseldorf, with which I am familiar and in which there are many Turkish families, mosques tend to be located out of sight, in courtyards. Mosques, Gurdwaras and Mandirs are the concrete representation of a self-confident multi-cultural society. We have passed the stage of soft additions to the cultural landscape and are now in the era of the concrete.

## CONCLUSION

### Conclusion and Discussion

Minorities now form a significant proportion of the population of large European cities. In Frankfurt am Main they formed 30 per cent in 1995, in Düsseldorf, Cologne and Munich (Friedrichs 1998) and London, for example, they formed about 20 per cent of the population. Multi ethnic populations are now a permanent part of the city and their permanence is marked by their new religious buildings.

Yet European cities are diverse in their particular patterns, in the combination of ethnicities, in the availability of social housing, private rentals and the locations of housing (Kesteloot, van Weesep and White, 1997). In many ways, Kesteloot and van der Haegen (1997) shows that Brussels has a very different pattern of settlement from other cities. Amersfoort and Cortie's (1973) and Amersfoort and Klerk (1987) work on Amsterdam also shows very distinctive patterns of a suburbanised working class ethnic Surinamese minority.

Yet despite these high percentages and relative recency of settlement, they do not seem to be moving on the American black ghetto model. ID Levels of segregation for groups in aggregate or taken singly are generally below 60. Even where groups are above 70 as is the case for Bangladeshis in Britain and Turks in some German cities and Brussels, they do not form the majority of population of large areas and the proportion living at high densities is generally below 50 per cent of the group.

One theme that unites the experience of European cities and the minority popula-

tions is a growing Islamicization of the minority, both workers and asylum seekers. This, together with a dissatisfaction with the dry statistical approach is leading us to a greater appreciation of life-styles, life worlds and cultural landscape. It offers another line of unifying pan European approaches to minorities and diversity in cities. There are, of course, very many different types of Islam.

In a general sense, then, there are similarities of European cities in comparison to the African American model. There are similarities to the process that has been observed historically with regard to other American minorities.

We have seen the growth of privileged new sojourner groups as well as the well known labour immigrants. The Japanese are significant for their high levels of spatial segregation, yet at the same time they teach us that we should not get too worried about high levels of ID. There are positive reasons for groups wishing to stick together as well as the negative reasons that have received the largest amount of attention.

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## POVZETEK

### ETNIČNA RAZNOLIKOST IN MESTNA SREDIŠČA

Ceri Peach

*Prispevek raziskuje značilnosti povojne imigracije v zapadno evropskih mestih. Obravnava se dotika razlik in podobnosti med različnimi evropskimi državami ter se loteva primerjav in vprašanj o tem, ali so evropski modeli prilagajanja priseljencev različni od tistih, ki so značilni za Združene države Amerike. Prispevek C. Peacha podaja splošen pregled migracijskih gibanj in nekaterih pojavov v nekoliko daljši zgodovinski in komparativni perspektivi.*

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# MULTIKULTURALIZEM, MEDNARODNE MIGRACIJE IN PODEDOVANE SKUPINSKE IDENTIFIKACIJE: ETNIČNOST, RASA, SPOL

Marina Lukšič-Hacin

COBISS 1.01

## 1. UVOD

Mednarodne migracije postajajo eden ključnih problemov v sodobnih integracijskih procesih EU. Problematika je večplastna in močno diferencirana. Upoštevati moramo, da imajo države članice EU različne migracijske politike, predvsem pa pomembno različne odnose do priseljencev in njihovih potomcev. Te razlike so ukoreninjene že v času liberalne politike šestdesetih let, še bolj pa so se krepile v sedemdesetih in osemdesetih letih, v obdobju po naftni krizi. Preraščanje nekdanje ohlapnejše EGS v EU in procesi usklajevanja razlik med državami članicami v različnih sferah delovanja je v ospredje prineslo tudi odnos do priseljavanja in priseljencev. Sama težava pri odnosu do dotoka nove delovne sile, hipotetično gledano, ni tako pereča. Potreben je zgolj kompromis o novem dotoku in le-ta potem določa vstopni režim državljanom držav zunaj EU. V zvezi s tem so danes pogosta razmišljanja o kvotnih sistemih. Pojav kvotnega sistema ni nov in ga ZDA zelo dobro poznajo. Zanje je to že preteklost, saj je bil v šestdesetih letih 20. stoletja ukinjen kot rasistični koncept.<sup>1</sup> Določen je bil, tako da je odredil številčne kvote etnij na način, da se ljudje z nezaželenim poreklom niso smeli priseliti v ZDA ali pa je bilo njihovo priseljevanje zmanjšano na minimum. V razmišljanjih o evropski migracijski politiki se govori predvsem o kvotah priseljencev, ki naj bi jih posamezne države sprejele – a od tu ni več velik korak do določitve kvot še glede na etnično poreklo prišlekov.

Postavitev kompromisnega režima priseljavanja je velik problem, a vsekakor veliko manjši kot uskladitev politik na področju odnosov do priseljencev in naturalizacije. Posamezne države članice EU danes lahko predstavljajo neke vrste lijak za dotok priseljencev s svojo odprto politiko do naturalizacije in naklonjenim odnosom do reševanja položaja beguncev in azilantov. Vprašanje pa je, koliko časa še in kdaj jih bodo ostale članice »partnersko prepričale« v spremembo. Še bolj se razmere zapletejo, ko

<sup>1</sup> Množično naseljevanje v ZDA se je zaustavilo z uvedbo sistema omejevalnih kvot 1921 in 1924. leta. Zakon iz leta 1921 je uvedel letno kvoto v višini 3 % pripadnikov določene narodnosti, ki je živela v ZDA. Leta 1924 je bil sprejet še bolj omejujoč zakon, ki je zmanjšal kvoto s 3 na 2 % pripadnikov določene narodnosti, glede na štetje prebivalstva v ZDA leta 1910. Sprejeta zakona sta temeljila na vse glasnejših zahtevah po izboru novih priseljencev. Te zahteve so bile povezane z rasističnimi domnevmami o inherentni inferiornosti in o pomanjkanju prilagodljivosti priseljencev iz južne in vzhodne Evrope. Cilj ukrepov ni bil zmanjšati števila priseljencev kot celote, ampak postaviti kriterije, ki bi vzpodbujali prihod ljudi iz severne in zahodne Evrope in omejevali pritek iz južne in vzhodne Evrope (Gordon, 1964, 102). Kvotni sistem so torej uvedli zaradi množičnega prihoda »ne-pravih« ljudi.

pritegnemo v razpravo t. i. »države v tranziciji«, za katere se predvideva, da bodo pristopile v EU. Danes so prav te države cilj množičnega priseljevanja in dolgoročno gledano predstavljajo možnost »tampon cone« za priseljence, ki si želijo utreti pot v EU.

Danes je v razpravah o priseljenih čutiti strah. Evropa se konstituira kot trdnjava. Prisotne so močne fobije v odnosih do različnosti, ne le do etnične in rasne, tudi do drugih. Lahko bi rekli, da prihaja do vračanja k monokulturalnemu principu mišljenja, ki temelji na hierarhičnem konceptu kulture in odpira vrata ksenofobiji. Poudarja se, da priseljenci ogrožajo nacionalno državo. Dejansko pa je klasična nacionalna država bolj ogrožena s strani sodobnih (evropskih) političnih in ekonomskih procesov in dogovorov med najvišjimi predstavniki držav, ki postavljajo teren za temeljito redefinicijo nacionalne države – sploh če upoštevamo dosedanje razumevanje koncepta suverenosti. Kot tolikokrat v preteklosti, se tudi danes prst usmerja proti priseljenecem kot grešnim kozlom in to v imenu boja za homogene nacionalne kulture (ki sploh niso homogene), za ohranitev njihove visoke razvitosti v odnosu do nerazvitih sredin, iz katerih se napaja priseljski tok. L. H. Morgan<sup>2</sup> bi dejal, da so te sredine barbarske ali celo divjaške. Dve stoletji nazaj je bilo v Evropi in o Evropi povedano vse in zakoličen je bil monokulturalni, hierarhični princip mišljenja, ki se ga ljudje evropocentričnih okolji še do danes nismo otresli. Nasprotje temu vsekakor predstavlja multikulturalni princip mišljenja. Ta je danes še v zametkih, a ni vezan le na področje mednarodnih migracij, ampak na radikalno redefinicijo temeljnega odnosa do različnosti in do pravice do različnosti. V izhodišče postavlja dejstvo, da smo si ljudje enaki le v tem, da smo si različni.

Zagovorniki tovrstnega (kritičnega) multikulturalizma si prizadevajo za nov odnos do različnosti. Zagovarjajo pravice marginaliziranih, podrejenih ali zatiranih skupin z moralnih in legalnih stališč. Kritizirajo stališča, da vedenje in dosežki pripadajo predvsem eni skupini ljudi (beli, evro-ameriški moški) podobno kot npr. nekateri ekologi kritizirajo antropocentrično stališče, po katerem človek predstavlja najvišje razvito živalsko vrsto, ki je inherentno superiorna drugim bitjem. V obeh primerih gre za napad na hierarhično obliko mišljenja, ki zanika ali zmanjšuje vrednost ostalih bitij. Ekologi, ki zavračajo antropocentrizem z biocentrizmom, izpostavljajo, da imamo ljudje moralno obvezo spoštovati vse oblike življenja. Ta princip mišljenja lahko povežemo s prizadevanji, da se spoštuje vse ljudi in kulture. Številni zagovorniki biocentrizma so tudi zagovorniki egalitarizma. Podobno nekateri zagovorniki multikulturalizma<sup>3</sup> zahtevajo, da se vsem kulturam podeli enakovreden položaj. Zagovarjajo načelo kulturnega relativizma, diferencialni koncept kulture in socialno pravičnost.<sup>4</sup>

<sup>2</sup> L. H. Morgan (1818-1881) je svoje razumevanje predstavil v delu *Ancient Society* (1877), prevedenem v srbohrvaščino pod naslovom *Drevno društvo; istraživanje čovekovog razvoja od divljaštva i varvarstva do civilizacije* (1981).

<sup>3</sup> Tu mislimo na avtorje, ki bi jih lahko uvrstili med zagovornike kritičnega multikulturalizma. Več o tem v razdelku o multikulturalizmu.

<sup>4</sup> S. C. Rockefeller pravi, da moramo razumeti spoštovanje etnične raznolikosti in kulturnega preživetja

## 2. OPREDELITEV OSNOVNIH KATEGORIJ

Pričujoča razprava ima v ospredju povezave mednarodnih migracij, multikulturalizma in nekaterih podedovanih skupinskih identifikacij. Pojem mednarodne migracije uporabljamo v pomenu, kot ga je opredelil P. Klinar (1976). O pomenih pojma multikulturalizem bo tekla beseda v naslednjem razdelku, zato si na tem mestu pogledjmo le še nekaj več o razumevanju t. i. podedovanih skupinskih identifikacij. Prispevek se osredotoča predvsem na etničnost, raso in spol z vidika procesov identitete in identitetnih kriz v migracijskih kontekstih, ki so danes še vedno (in vse bolj) etnično, rasno in spolno stratificirani in diskriminatorni.

Identiteta je kompleksen proces. Analitično lahko govorimo o njenih individualnih in skupinskih vidikih, ki se medsebojno prepletajo, dopolnjujejo ali si nasprotujejo. Individualna raven se veže na gensko določenost posameznika kot biološkega bitja, ki se dokončno uresniči v procesu inkulturacije/socializacije. Skupinska raven pa je povezana z neogibno potrebo človeka po pripadnosti neki skupini, z njegovo sociabilnostjo. V tem pogledu je identiteta interakcija med posameznikovim občutenjem identitete, privrženostjo skupini in pripravljenostjo te skupine, da njegovo identiteto prepozna in (ne) sprejme, pri čemer mu pripiše tudi določen položaj. S procesom kulturne/družbene diferenciacije so se pojavile številne alternativne skupinske identifikacije. Poleg podedovanih skupinskih identifikacij (etničnost, spol, rasa, religija, starost...), ki so bolj določujoče v kulturnem/družbenem kontekstu, so se razvile tudi alternativne (izobrazba, poklic, šport), katerih izbor je bolj prepuščen posamezniku. Posameznik je tako lahko nosilec več skupinskih pripadnosti, med katerimi prihaja do kontekstualnega uravnovešanja. Analitično govorimo o premikajoči identiteti, ki se z odvisnostjo od kontekstualnih sprememb sprotno vzpostavlja skozi mrežo sidrišč.<sup>5</sup>

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v kontekstu spoštovanja narave z biocentričnih stališč. Multikulturalizem torej ni le vprašanje političnih pravic za posamezne manjšine. Je veliko več kot to. Je zahteva po priznanju enake vrednosti različnih kultur (Rockefeller, 1992, 88-96). P. Caws dodaja, da je multikulturalizem povezan s transkulturalnimi sestavinami identitete, ki delujejo v povezavi z relativno stalnimi pojavi v objektivnem svetu, z internacionalizmom in s pluralizmom. Zagovorniki monokulturalizma se upirajo v imenu kulturnega preživetja. Čiste oblike kulture pa lahko preživijo ne glede na obče mešanje. Na svetu je na stotine jezikov, literatur, obrti, glasbenih oblik in umetniških praks. Vse to bi izumrlo, če jih ne bi razvijali profesionalci ali zavzeti amaterji. Posamezniki v kulturi izberejo vidike lastne identitete. Identiteta ni tako preprosto določena mimo posameznika. Tudi posameznik dejavno vpliva na samokreacijo. Posameznik v mejah omogočenega na koncu sam izbere iz tega, kar mu je dano, ponujeno od zunaj. Izbere identiteto in kulturno afilicijo. Na svetu obstajajo številne kulture. Temelj skladnega bivanja različnih kultur mora biti vzajemna delitev tistega, kar je konvergentno in vzajemno spoštovanje tistega, kar je divergentno. Ta vzajemnost je ideal. V praksi pa so še vse prepogoste situacije, ko je odnos med dvema kulturama asimetričen (Caws, 1994, 380-386).

<sup>5</sup> Identiteta je utrjeno sidrišče pod vplivom praks, pomenov (pojmovanj) in izkušenj. Identiteta je raznotera, nestabilna, zgodovinsko pogojena. Je rezultat obstoječe diferenciacije, polimorfne identifikacije in pluralizacije (Stam, Shohat, 1994, 300-301). Neprestano menjavanje posameznikovih vlog zahteva svojevrstno fleksibilno identiteto in uravnoteženje med identitetnimi sidrišči. V določenih situacijah lahko pride do identitetnega preklopa in do preklopa med lojalnostmi, ki se

Posameznik se lahko istoveti z različnimi skupinami in v njih zavzema različne položaje in igra različne vloge. Slednje ni nujno vedno usklajeno. Lahko pride do velikega neskladja oziroma do statusne inkogruence, krize identitete ali do pojava razcepljene osebnosti, kot njegove možne posledice. Slednje zasledimo prav v primerih migracijskih situacij, ko pri posameznikih pogosto prihaja do statusnih inkogruenc in identitetnih kriz zaradi odnosa večinskega okolja do priseljencev. Ta odnos je sicer povezan tudi s kulturno distanco, predvsem pa je prežet s predsodki večinskega okolja do različnosti. Največkrat se ti negativni stereotipi in predsodki nanašajo na podedovane skupinske identifikacije: raso, spol ali/in etničnost.

Prav razprave o multikulturalizmu (kot programu) ali pozneje interkulturalizmu so v ospredje postavile zanimanje za tiste podedovane skupinske identifikacije, za katere velja, da so postale politični in kulturni/družbeni znaki za ločevanje ljudi na boljše in slabše, sposobne in nesposobne, miroljubne in inherentne nosilce kriminala. Velikokrat se na slednje veže tudi stigmatizacija celotnih populacij.<sup>6</sup> Srž prizadevanj za vzpostavitev multikulturalnih odnosov je povezana z vprašanjem strpnosti do drugačnosti oziroma pri nekaterih avtorjih s samo različnostjo kot izhodiščem interpretacije realnosti, ko naj bi razlika (diferenca) zamenjala strpnost (toleranco) kot izhodišče. Ljudje smo enaki le v tem, da smo (tako ali drugače) različni.

Razlika je v vidnih znakih, telesnih ali kulturnih/družbenih, recimo jeziku. Telesnost je eden od osnovnih dejavnikov posameznikove identifikacije (spolne, rasne), je njen izvor, ki vpliva na vse ostale vidike identitete. Človekov odnos do lastnega telesa je središčni del njegove identitete, človek je telo in ima telo. Ta odnos je družbeno posredovan in določujoče vpliva na posameznikovo razumevanje kulturnega/družbenega okolja. Vendar pa se, pravita P. Berger in T. Luckmann, med organizmom (biološkim) in kulturnim/družbenim okoljem vzpostavlja vzajemni odnos omejevanja: družba z možnostmi, ki jih nudi posamezniku, spodbuja in omejuje razvoj bioloških predispozicij, hkrati pa telo s predispozicijami omejuje razvoj družbeno možnega (1988, 160). Na posamezne lastnosti našega telesa se vežejo kulturne/družbene vloge, ki jih opredeljujejo spol, rasa, starost, morfološke posebnosti in njihovo kulturno/družbeno dojetje. Telesna identiteta je primarno vezana na spol in spolno identiteto, ki ni le

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izražata skozi jezikovni kodni preklap. Oba, identiteta in jezik zajemata različne ravni pojavnosti, ki so vezane na situacijo. Pri jeziku v konkretnih primerih tako govorimo o govoric (Saussure). Ko pride do pomembne spremembe konteksta (ob upoštevanju etnične stratifikacije), pride tudi do kodnega preklopa in do vedno novega ohranjanja ravnotežja identitetne »strukture«, ki je v neprestanem gibanju (ni statična, torej na nek način ni več struktura) (Lukšič-Hacin, 1999, 43-44).

<sup>6</sup> Ch. Taylor pravi, da so se v času kolonialnega odnosa Evrope do ne-Evrope vzpostavili številni stereotipi o ne-belcih. Le-ti so preko procesov inkulturacije/socializacije že pomembno vplivali na identitete drugačnih. Interiorizacija evropocentričnega sistema vrednot in ovrednotenje statusa po teh merilih nujno pripeljeta do ponotranjenja stigme. V dolgem obdobju kolonialnih odnosov je bil vpliv na identiteto pripadnikov podrejenih kultur tako močan, da danes lahko govorimo o stigmatizaciji celih populacij. Priznanje, prepoznavanje človekove identitete je osnovna človeška potreba in njena negacija ima lahko globoke posledice tako za posameznika kot za skupnost, če je celotna skupnost dolgotrajno stigmatizirana (Taylor, 1992, 25-26).

biološko določen spol, ampak obsega tudi družbeno in kulturno pogojen življenjski proces njenega prepoznavanja, ki mu sledi samoopredeljevanje (tudi pogojeno z družbo in kulturo). V različnih kulturah/družbah je lahko na različne načine prisotno »prevajanje telesnega v psihološko«, če omenimo le spolno dihotomijo in rasizem.

Spol, rasa in etničnost lahko »delujejo« medsebojno ločeno, v številnih kontekstih pa prihaja do njihovega prekrivanja in s tem do potenciranja intenzivnosti diskriminacije večinskega okolja v odnosu do nosilca »izbranih kulturno/družbenopolitičnih« znakov za tovrstno ločevanje med ljudmi. Iz tega sledi, da so ženske priseljenke, pripadnice nezaželenih ras, ki znotraj tega prihajajo iz najbolj nezaželenih etničnih okolij, izpostavljene najhujši diskriminaciji. To potrjujejo tudi že pred leti opravljene študije evropskih migracijskih kontekstov, ki ugotavljajo, da najbolj ogrožen sloj subproletariata tvorijo ženske priseljenke ob upoštevanju etnične stratifikacije.

Za razliko od rase in spola, ki se vežeta na biološke določenosti in kulturni/družbenopolitični odnos do bioloških znakov, je etničnost izrazito kulturna/družbenopolitična kategorija, ki nima sidrišča med biološkimi predispozicijami, čeprav v realnosti funkcioniira, kot da bi ga imela. V svojem delovanju in določujočnosti je pravzaprav zelo podobna rasi in spolu. V zadnjih dvesto, tristo letih - v času nacionalne države in njene ideologije - je prav na evropski celine pridobila moč prirojenosti. Dejansko v evropskem kontekstu etničnost zavzema podobno središčno pozicijo, kot jo rasa npr. v vseh ameriških kontekstih (z različno intenzivnostjo). Lahko bi rekli, da predstavlja os družbene/kulturne stratifikacije, ki ima svoje vzroke in učinke tudi v politični kulturi in nenazadnje tudi v politiki v ožjem pomenu besede.

## 2.1. ETNIČNOST

Posameznik je rojen v določeni skupnosti, ki ima svoja etnična obeležja. Le-ta so mu v procesu inkulturacije/socializacije predpostavljena. Etnična identiteta (narodna, nacionalna) je bazična skupinska identiteta kultur/družb današnjega časa. Posameznikova etničnost je povezana tudi s pojavnimi oblikami etničnih skupnosti. Na etničnost se vežejo pojmi: etnija, narod, nacija in državljanstvo. Med teorijami, ki se ukvarjajo z etnično problematiko, bi lahko zasledili številna podobna ali povsem nasprotujoča stališča. Pri vseh pa so etnija, narod in nacija opredeljene v medsebojni povezavi oziroma skozi iskanje značilnih razlik med njimi in ne kot absolutne. Etnija je v primerjavi z narodom opredeljena kot »splošnejše stanje«, v katerem še ni močnih političnih in ideoloških razčlenitev, ki so značilne za narode. Etnije so potencialni narodi.<sup>7</sup> Ni pa nujno, da pride do procesa narodnega izoblikovanja. Diahrono spreminjanje nekaterih

<sup>7</sup> A. D. Smith med osnovnimi razsežnostmi etnije navaja skupno zgodovino, povezanost z določenim prostorom, različno kulturo, skupno ime, mit o skupnem poreklu in občutek solidarnosti (Smith, 1986, 22-29). Tej opredelitvi so blizu štiri kontinuitete etnij pri S. Južničju: teritorialne, biološko-genetične (resnično ali zgolj zamišljeno skupno poreklo), jezikovne in politične. Temu pogojno dodaja tudi gospodarsko kontinuiteto in homogenost. Kriteriji etničnega razlikovanja pa so jezik,

etnijski je pripeljal do pojavnosti naroda<sup>8</sup> kot specifične oblike etničnosti. Govorimo predvsem o dveh modelih izoblikovanja naroda (Rizman, 1995, 197). Prvi model (zahodni) se je pojavil v okvirih absolutistične države. Razumevanje naroda je vezano na določeno ozemlje. Močno se poudarjajo centralnost nacionalnega ozemlja, skupnih zakonov in ustanov, pravna enakost vseh državljanov in pomen skupne državljske kulture. Narod je predvsem legalni in institucionalni koncept. Drugi model se je uresničeval ob podpori intelektualnih in kulturnih elit. Poudarja pomen etničnega izvora, kulturnih vezi in skupnega jezika. Narod je kulturni in socialni koncept. Več narodov je bilo združenih v širši politični skupnosti oz. državi.<sup>9</sup>

Zahodnoevropska različica nastajanja naroda (prvi model) pripelje do relativnega prekrivanja meja naroda in države, do njunega sovpadanja in pojavnosti nacije. Pojma nacija in nacionalna država se v svojih začetkih vežeta predvsem na zahodnoevropsko različico nastanka naroda. Za razliko od pojma narod, pojem nacija kaže na ujemanje naroda in države, kar nakazuje tudi pojem nacionalna država. Vendar je v svetu dejansko le malo takšnih primerov. Pride pa v teh primerih do kontekstov, ki dajejo vtis, da sta državljanstvo in etnična (narodna, nacionalna) identiteta eno in isto, čeprav ni tako. To potrjujejo primeri, ko se etnične in državne meje razhajajo. V takih primerih se pri posamezniku lahko pojavi vodilo dvojne (ne)lojalnosti, ločevanje med etničnostjo in državljanstvom. Posamezne konkretne okoliščine se med seboj razlikujejo po stopnji razhajanja (ujemanja) med njima. Povezane so predvsem s srednjeevropskim procesom nastajanja naroda in z združevanjem več narodov v eni državi. Tako je etnična identiteta vezana na odnos posameznika do izvorne etnične skupnosti, državljanstvo pa na državo kot politično organizacijo in političnopравни položaj posameznika v državi. Njuno razlikovanje je povezano z definicijo pojmov, s katerimi se povezuje, to sta politika in kultura. Razhajanje med etničnostjo in državljanstvom je očitno npr. pri

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religija, zgodovinski spomin in zgodovinski miti (Južnič, 1993, 268-270). Najpogostejši kriterij razlikovanja med etnijami je jezik, ki je vidni simbol etnične pripadnosti. Med različno govorečimi skupnostmi se vzpostavljajo neke vrste komunikacijske ločnice, ki določajo komunikacijske prostore (čeprav niso mišljene tako ozko začrtane meje, kot so npr. državne meje; prej lahko govorimo o mejnih pasovih). Vendar tudi jezik ni vedno kriterij razlikovanja med etnijami. Znotraj komunikacijsko prehodnih jezikovnih okoliščin se lahko izoblikujejo različne etnije, ko pride do politizacije jezika oz. ene od njegovih variant. K. Verdery pravi, da podobnosti v jeziku niso nujno temelj za sklepanje o etnični homogenosti, kar nam jasno dokazujejo države Latinske Amerike in tudi razmere v ZDA. Iz omenjenih primerov jasno vidimo, da ne moremo »a priori« trditi, da lingvistična homogenost pomeni etnično homogenost. Posamezne politične in kulturne elite lahko dosežejo, da se jezikovna varianta razglasi za značilno različno in pomembno oz. etnično. Seveda pa morajo biti za to dovolj močne (Verdery, 1988).

<sup>8</sup> A. D. Smith (1986, 144) pravi, da se razlike med narodom in etnijo vežejo na teritorialnost, državljanstvo, pravice, pravni kodeks in politično kulturo. Vendar pa se je v svojih analizah avtor osredotočil predvsem na zahodnoevropsko situacijo. K temu S. Južnič (1993, 278) in R. Rizman (1995, 197) dodajata srednjeevropsko alternativo izoblikovanja naroda. V srednjeevropskem prostoru se je narod pojavil kot jezikovna in kulturna skupnost.

<sup>9</sup> Kot primer lahko navedemo npr. narode, ki so se razvili v sklopu avstro-ogrske monarhije po letu 1866.



narodnih manjšinah, regionalizmi in pri mednarodnih migracijah, ko priseljenci zapustijo izvorni kulturni/družbeni prostor in državo. Za obe identiteti pa velja, da sta posamezniku tako ali drugače posredovani in dodeljeni od okolja – torej, naj bi ju bilo možno spremeniti.

Državljanstvo je vezano na politično in ne na etnično identiteto. Pri razpoznavanju njunih razlik pa nastopi težava. Že v teoretičnih diskurzih je težko potegniti ločnico med politiko in kulturo. Pravzaprav se medsebojno posredujeta in je politika kulturna in kultura politična. Toliko bolj je relacija zamegljena v praksi in v svojem največjem ekstremu se razvije v nacionalizem in šovinizem. Nejasnosti pri ločevanju med narodno zavestjo in nacionalizmom koreninijo prav v prepletanju, točneje sopesredovanju politike in kulture. Začetke tega odnosa moramo iskati že v času francoske revolucije. J. Habermas v analizi francoske revolucije in njenih posledic pravi, da je v tem času postala nacionalna pripadnost konstitutivna za politično identiteto državljana demokratične družbe.<sup>10</sup> Narodi so dobili (politično) pravico do samoodločbe. Glede na različne okoliščine oblikovanja narodov pa se pojavijo tudi različni koncepti državljanstva (1991, 143). Izpostavimo predvsem dva principa: *ius soli* in *ius sanguinis*<sup>11</sup> (Južnič, 1993, 331-337). Po prvem načelu se državljanstvo podeljuje glede na kraj rojstva in bivanja, ne glede na poreklo staršev. Pri drugem načelu se državljanstvo podeljuje glede na državljansko pripadnost staršev. Državljanstvo se na nek način deduje in otroku je določeno z rojstvom. V kontekstih, kjer se državljanstvo enači z etničnostjo (nacionalna država), s tem postane etničnost navidezno biološka.

V razmišljanjih o nastajajoči evropski integraciji, ki naj bi združila različne države, narode pa tudi priseljence in azilante iz različnih delov sveta, J. Habermas odkriva prikrite napetosti med državljanstvom in etnično (narodno, nacionalno) identiteto. Te napetosti se zadnje čase celo krepijo. Izhod iz navzkrižja najde v ločevanju med skupno politično kulturo in različnimi nacionalnimi tradicijami (v umetnosti, književnosti, zgodovini, filozofiji...). Pravi, da ni razlogov, da bi se države zapirale pred prišleki, saj lahko znotraj pravne demokratične države vzporedno obstajajo različni načini življenja povsem enakopravno in se medsebojno bogatijo. Smiselnost tega se kaže, če upoštevamo pojav svetovne javnosti, povezane z razvojem komunikacijskih sredstev in medijev in njihove vloge v procesih socializacije in akulturacije (Habermas, 1991, 153-154). V nasprotju z J. Habermasom, ki išče skladnost med nacionalno identiteto in kulturnim relativizmom, pa H. A. Giroux pravi, da je multikulturalizem (ki temelji na kulturnem relativizmu) osreden v diskurzu boja proti nacionalni identiteti, obstoječi konstrukciji zgodovinskega spomina, namenu šolanja in obstoječemu pojmovanju zgodovine. Vsa naštetá področja se na posameznika vežejo v procesu socializacije, ki je ključni

<sup>10</sup> Demokracija in nacionalna država sta iz francoske revolucije izšli kot dvojčici, pravi J. Habermas (1991, 138).

<sup>11</sup> Države so uveljavile različne kriterije podeljevanja državljanstva in omenjena dva osnovna principa priredile tudi dodatnim zahtevam. Vendar pa razlika med dvema principoma povzroči, da v primerih selitev, beguncev, azilantov, ... pride do težav. Naj omenimo samo primere dvojnega državljanstva in apatridov, to je ljudi brez državljanstva.

moment produkcije in reprodukcije kulture/družbe in hkrati proces posameznikovega učlovečenja in izoblikovanja njegove identitete. Torej se multikulturalizem bori proti ideologiji nacionalne države, ki se veže na mite o homogenih nacionalnih kulturah in njihovi dednosti (Giroux, 1994, 325).

### 3. MULTIKULTURALIZEM IN PODEDOVANE SKUPINSKE IDENTIFIKACIJE

Pri razumevanju in rabi pojma multikulturalizem danes naletimo na velike razlike med posameznimi avtorji. V prispevku razlikujemo pojma multikulturalnost ali večkulturnost in multikulturalizem. Prvi označuje državo ali okolje, ki združuje več različnih kultur ali etničnih skupin, in ne govori o odnosih med njimi. Drugi pojem pa zasledimo v teoretskih diskurzih, razpravah in programih o ureditvi odnosov v večkulturnih prostorih, predvsem pa o odnosu do različnosti. Povezan je s kulturnim relativizmom, konceptom človekovih pravic, ideologijo, politiko in političnimi programi. Vendar tudi znotraj področja teoretskih razprav ni kompromisa o razumevanju pojma multikulturalizem. Razhajanja niso vezana toliko na teoretske probleme kot na politiko in ideologijo. Tako se srečamo s pojmi (neo)konzervativizem, liberalizem, radikalizem. Opredelitve in rabe pojma multikulturalizem lahko v grobem razdelimo na (Lukšič-Hacin, 1999, 100-139):

#### *A. Konservativne, korporativne oziroma neokonzervativne opredelitve in rabe*

Zagovarjajo koncept univerzalne kulture. Vrednote zahodnoevropskih kultur (in danes tudi ZDA) postavljajo kot univerzalne in preko njih presojuje drugačne. Uporabljajo termin različnost (diversity), a zato, da prikrijejo svoj zagovor asimilacije v vladajočo kulturo. Zagovarjajo univerzalni koncept razvoja. V povezavi z njim kulture delijo na bolj in manj razvite (hierarhični koncept kulture) in prav tako jezike. Spodbijajo legitimnost »tujih« jezikov ter regionalnih in etničnih dialektov. S tem se povezuje zagovor monolingvizma oziroma enega uradnega jezika, npr. angleščine. Opravičujejo imperializem držav Evrope in Severne Amerike do drugih delov sveta in do drugih kultur (McLaren, 1994, 47). Ne-evropske kulture obravnavajo kot monolitni blok. Zagovorniki tega modela se na verbalni ravni sicer distancirajo od kolonializma, nadvlade belcev in rasistične ideologije in priznavajo pravico do rasne enakosti. V nadaljevanju pa govorijo o neuspešnih manjšinah, ki imajo kulturno oropano ozadje in močno družinsko orientiran sistem vrednot. Prek tega razložijo, zakaj so nekatere manjšinske skupine uspešne, druge pa ne. Tu se kot dejstvo vpelje stališče o manjvrednosti ne-belih kultur. Pravijo, da vsak posameznik lahko doseže ekonomski dobiček in sodeluje v družbenoekonomski praksi ne glede na to, kateri etnični skupini pripada. Pravijo, da se nepravilna porazdelitev moči (oblasti) pojavi sama po sebi in sama po sebi povzroča nasilje. Zanje je multikulturalizem napad na najvišje družbene dosežke evropske civilizacije. Je napad na tiste kulturne/družbene vsebine, ki so evropsko civilizacijo branili

pred barbarstvom in kaosom. Za številne je multikulturalizem razdiralna, nered vzbujajoča in nevarna sila v družbi, za nekatere pa predstavlja slogan za promocijo esenci-  
alne identitetne politike (Giroux, 1994, 328, 336).

### ***B. Liberalne opredelitve in rabe***

Zagovorniki tega tipa priznavajo razliko, vendar izpostavljajo tudi pomen istovetnosti na univerzalni ravni. Liberalna razlika je individualna in ne skupinska. Tako se ne vidi povezave z obstoječimi razmerji moči (Giroux, 1994, 337). Preko univerzalne istovetnosti pridemo do pojma naravna enakost, ki naj bi bila bistvena. Ljudje smo si (naravno) enaki, ne glede na etnično, kulturno, rasno pripadnost. Temelj te perspektive je predpostavka o intelektualni istovetnosti, o kognitivni ekvivalenci ali racionalnosti vseh ljudi. V praksi pa vidimo, da prihaja do razlik. Zakaj? Vzrok za to ni v kulturni nerazvitosti, ampak v neenakih socialnih možnostih in možnostih za izobraževanje. Enake možnosti za izobraževanje pa bi vsakemu nudile možnost, da se enakovredno poteguje na kapitalističnem trgu. Verjamejo, da se lahko spremeni oziroma reformira obstoječe kulturne, družbene in ekonomske pritiske in se tako doseže uresničitev relativne enakosti. (McLaren, 1994, 51-53). H. L. Gates pravi, da liberalci uporabljajo termin multikulturalizem, da označijo pluralizem. V analizi pa se izognejo njegovi zgodovinski kontekstualizaciji in posebnosti odnosov moči ali pa govorijo o »kulturnem boju«. Na ta način se izognejo protislovnostim v povezavi z rasami, razredi in spoli in njihovi zgodovinskodružbeni analizi in kritiki (1994, 204).

### ***C. Levoliberalne opredelitve in rabe***

Poudarja se pomen kulturne razlike in diferencialnega koncepta kulture. Poudarjanje enakosti ras naj bi povsem zadušilo kulturne razlike med rasami, tudi tiste, ki povzročajo različna obnašanja, vrednote, nagnjenja, kognitivne stile in družbene prakse. Na nek način idealizirajo drugačnost in nativistično pribežališče. Izhodišče različnosti je locirano v kulturno avtentičnost, ki jo locirajo v tradicionalne družbe. Kulturno razliko pojmujejo kot esenco, kot formo pomena, ki je osvobodjena od družbenih in zgodovinskih okvirov. Pomen se vzpostavlja skozi pristno, neposredno izkušnjo na ravni posameznika brez interakcije z okoljem. Razlika je ločena od kulture in delitve moči. Ne pojmujejo je kot družbenozgodovinski konstrukt, ki se vzpostavlja skozi moč reprezentativnega razumevanja. Pri njih obstaja žensko ali afriško samo po sebi, kot takšno. Poudarjajo pomen razlike, a jo proučujejo le kot retorično formo. Lahko bi rekli, da je razlika absolutna, nezgodovinska kategorija, ki obstaja kot takšna. Ni relacijska in relativna. Kot takšna je na nek način element objektivnega sveta, objektivne resnice, ki »čaka«, da jo spoznamo, ne pa rezultat subjektivnega dojemanja sveta (McLaren, 1994, 51-53, 58).

### ***Č. Kritične, uporniške ali radikalne opredelitve in rabe***

Za kritični multikulturalizem se pojavljata tudi izraza uporniški ali radikalni. Vsem avtorjem je skupno, da izhajajo iz kritike obstoječih odnosov (predvsem v ZDA), ki jih

povezujejo z analizo novodobnega kolonializma in evropocentričnosti. Kritika izhaja iz koncepta človekovih pravic in kulturnega relativizma. Obstoječi odnosi in podrejenost etnično in kulturno različnih so zgodovinsko in kulturno/družbeno pogojeni in odvisni predvsem od delitve moči. Kritični multikulturalizem postavlja zahteve po radikalnem re-strukturiranju in re-konceptualizaciji odnosov oblasti med različnimi kulturnimi in etničnimi skupinami. Zavrača diskurz getoizacije, ki je povezan s podrejenimi skupnostmi. Bistveno pri tem je, da zavrača in izpodbija hierarhijo, ki naredi nekatere skupine za manjšinske in druge za večinske in normativne. Avtorji se osredotočijo na različna vprašanja, se medsebojno dopolnjujejo, prekrivajo, vendar si tudi nasprotujejo. Za razliko od levoliberalnega multikulturalizma tu razlika ni cilj, ampak dejstvo in bolj argument za dokazovanje, da se mora različnost uveljaviti tudi znotraj kulturnih politik, hkrati pa mora biti tudi obveza za socialno pravičnost. Razlika je vedno rezultat zgodovine, kulture, obstoječe delitve moči in ideologije. Razlika se vedno zgodi v interakciji med dvema ali več skupinami. Ni absolutna, ampak relativna in odvisna od interakcije. Razumeti jo moramo v terminih posebnosti njene produkcije. Obstoječe razlike so zgodovinski in kulturni konstrukti. Zato, da se doseže nove odnose, je potrebna radikalna sprememba obstoječih odnosov. Predpogoj za uspeh je, da se vzpostavi nov, ne-evropocentrični diskurz. Če se pomené razume kot rezultate socialnega boja med označevalci in označenci, je pri vzpostavljanju novega diskurza nujno, da se poseže v družbene odnose. Potrebno je zagotoviti enak dostop do socialnih virov in transformirati dominantne odnose oblasti, ki ta dostop omejujejo po rasnem, spolnem in razrednem ključu. Razlike med kulturami so politične in ne le formalne, tekstualne, lingvistične. Ne sme se spregledati globalnih ali strukturalnih odnosov oblasti. Koncepta totalnosti ne smemo ovreči, ampak moramo totalno gledati kot po razliki naddeterminirano strukturo. Razlika je vedno relacijska in relativna, ni enoznačna in enosmerna (McLaren, 1994, 52-58). Bistveno izhodišče je, da mora multikulturalizem priznati razliko, a vendar je to premalo. Priznati mora tudi nezdržljivost nekaterih pomembnih razlik - odnos do zemlje, ki ga imajo npr. ameriški domačini in je nezdržljiv z odnosom do zemlje kot neodtujljive privatne lastnine (Stam, Shohat, 1994, 320) oziroma, če rečemo širše, razlike v dojetanju prostora. Tem lahko dodamo tudi pomembna razhajanja v dojetanju časa.

Predstavljena delitev teorij multikulturalizma v skupine je idealno-tipski model (McLaren, 1994, 47), ki lahko služi zgolj kot pripomoček analize. Je redukcija in abstrakcija kompleksne realnosti. Lastnosti posameznih opisanih modelov se v realnosti prepletajo. V nadaljevanju bomo v razpravi uporabljali opredelitev, ki je podana pri opisu kritičnega multikulturalizma. Razprava o tako razumljenem multikulturalizmu in mednarodnih migracijah se nujno osredotoči na odnose multikulturalni vs. monokulturalni princip mišljenja in multikulturalizem vs. nacionalna država.

### 3.1. MULTIKULTURALIZEM VS. MONOKULTURALIZEM KOT PRINCIP MIŠLJENJA

Monokulturalizem je zgodovinsko in kulturno/družbeno pogojen. D. T. Goldberg pravi, da je institucionalizirana ideologija. Svoje korenine ima v 19. stoletju, ko je bila »evropska kultura«<sup>12</sup> razglašena za najboljšo na svetu. V odnos do različnosti kultur je novodobni kolonializem<sup>13</sup> pripeljal do prevlade monokulturalnega principa, ki je povezan s hierarhičnim modelom kulture in z idejo o univerzalni najrazvitejši kulturi (evropocentrizem),<sup>14</sup> ki je bila parcialna in so jo njeni protagonisti z močjo, ki so jo imeli, razglasili za univerzalno. Proces in inkulturacije/socializacije in akulturacije pa so »poskrbeli« (še vedno skrbijo) za produkcijo in reprodukcijo obstoječih odnosov, sistemov vrednot in »potrebni« identitetnih tipov. Največje težave multikulturalizma se danes pojavljajo prav v zvezi z vprašanjem, kako presekat kontinuiteto, ki jo zagotavljajo omenjeni procesi.

Pojavil se je diskurz univerzalnega, univerzalne resnice, univerzalnega razumevanja in seveda univerzalnih »pravih« vrednot. Lokalno vedenje, standardi so bili v imenu univerzalnega potisnjeni na obrobje in razglašeni za ne-prave, slabe in nerazvite (Goldberg, 1994, 3). Na univerzalizacijo vrednot, ki so po svojem bistvu partikularne,

<sup>12</sup> Pojem evropska kultura se nanaša predvsem na anglosaksonsko - protestantsko tradicijo v ZDA (WASP) in na kulture zahodnoevropskih držav, ki so s kolonialnimi odnosi vzpostavile tudi kulturno dominacijo ali kulturni imperializem.

<sup>13</sup> Evropski kolonializem ni edini, ki ga srečamo v zgodovini človeštva. Omenimo samo čas antične Grčije, rimskega imperija, Azteke in Inke. Njegove posledice pa so globlje in dolgotrajnejše. Zakaj? R. Stam in E. Shohat pravita, da je pri evropskem kolonializmu novo dejstvo, da je dosegel planetarno razsežnost. Ostale dele sveta si je podredil z institucionalno močjo in z naporji, da si ostali svet podredi in ga uredi v »univerzalni« režim resnice in moči (Stam, Shohat, 1994, 297).

<sup>14</sup> Pojma monokulturalizem in evropocentrizem se lahko medsebojno ujemata, a to ni nujno. Monokulturalizem teži k temu, da bi partikularno kulturo prikazal kot univerzalno. Je splošnejši pojem. Teži k uveljavitvi diskurza univerzalnega, univerzalne resnice, univerzalnega razumevanja in seveda univerzalnih »pravih« vrednot. Ostala partikularna vedenja, standardi so nepomembni, obrobni, ne-pravi in manj razviti. Za to, da partikularno postane univerzalno, je potrebna tudi politična moč. Vendar, pravi Ch. Taylor, ni samo to. Odvisnost nekaterih od drugih znotraj države ni povezana le s posedovanjem politične moči (oblasti) ali zaradi potreb po preživetju. Povezana je tudi s potrebo posameznikov po tem, da jih drugi častijo. Čast ni podeljena z lastništvom in politično močjo, ampak s statusom, ki ga podelijo podrejeni. Do tega pride s pomočjo hegemonije kulture (Payne, 1996) in procesov inkulturacije/socializacije, ki poskrbijo za njeno (re)produkcijo (Taylor, 1992, 45-46). Za evropocentrizem pa lahko rečemo, da je oblika monokulturalizma. Zanj je značilno, da je svet reduciriral na geslo »west and the rest« (Stam, Shohat, 1994, 297). Evropocentrizem je ideološki substrat, je oblika rudimentarnega mišljenja, ki prežema in strukturira sodobne prakse in predstave, četudi je formalno kolonializma konec. Kolonialni in evropocentričen diskurz se prepletata, a hkrati nista isto. Prvi opravičuje kolonialno prakso, drugi pa posredno zagotavlja in normalizira hierarhično razmerje moči, ki je bilo vzpostavljeno s kolonializmom in imperializmom (Stam, Shohat, 1994, 297). Evropocentrizem je vezan na imperialne in patriarhalne odnose (McLaren, 1994, 59). Tudi rasizem je ena od njegovih komponent. S tem je povezana organizacija jezika v binarni hierarhični logiki, kjer gospoduje Evropa: naši narodi - njihova plemena; naša religija - njihova vraževnost; naša kultura - njihova folklor; naša obramba - njihov terorizem (Stam, Shohat, 1994, 297).

a na osnovi obstoječe delitve moči razglašene za univerzalne, se navezujejo težnje po vzpostavitvi »najrazvitejše in edino prave kulture« in evropocentričnost.<sup>15</sup> Monokulturalne ideje se zrcalijo npr. v spremembah migracijske politike v ZDA v času, ko je prišlo do drugega sunka priseljevanj ljudi iz stare celine. Selitveni val je zajel ljudi iz južne in vzhodne Evrope. Množično naseljevanje v ZDA se je zaustavilo z uvedbo sistema omejevalnih kvot 1921. in 1924. leta. Kvotni sistem so uvedli zaradi množičnega prihoda »ne-pravih« ljudi iz Evrope, da o pripadnikih ne-evropskih etnij in kultur sploh ne govorimo (Gordon, 1964, 102). Kvotni sistem kaže, da so se principi hierarhizacije ras<sup>16</sup> novodobnega kolonializma vzpostavili ne le med različnimi rasa-mi, ampak tudi znotraj same bele rase. Tu kriterij razvrščanja ni bila več lastnost telesa (polt), ampak kultura ali etnija (narod, nacija). Namesto rasizma pa lahko govorimo o nacionalizmu. Ljudi so razvrščali po etničnem in verskem ključu. Pojavile so se ostre zahteve, da se

<sup>15</sup> Evropocentrični diskurz se prepletata tudi s kolonialnim, a hkrati nista isto. Drugi opravičuje kolonialno prakso, prvi pa posredno zagotavlja in normalizira hierarhično razmerje moči, vzpostavljeno s kolonializmom in imperializmom. Evropocentričen je diskurzivni ostanek kolonializma. S kolonializmom je Evropa dosegla ekonomsko, vojaško, politično in kulturno hegemonijo nad velikim delom Azije, Afrike in obeh Amerik. Evropocentričen je naturaliziran kot »common sense«, ki tvori očala dojemanja sveta. V tej obliki je kolonializem še vedno prisoten v današnji misli in sistemu izobraževanja. Predpostavlja se, da so najboljši, kar je mišljeno in zapisano, zapisali in naredili Evropejci. Poglejmo samo primer zgodovine. R. Stam in E. Shohat pravita, da zgodovino enačimo z evropsko zgodovino. Vsa ostala svetovna zgodovina je, gledano globalno, reducirana na nepomembna barbarska plemena. Evropocentričnost zgodovine temelji na linearnem dojetju zgodovine oziroma zgodovinskega razvoja in časa. V tem prikazu je Evropa gonilna sila razvoja, zgodovinskih sprememb, demokracije, razredne družbe, fevdalizma in kapitalistične industrijske revolucije. Molče obide neevropske demokratične tradicije in zamolči omejitve zahodne formalne demokracije. Minimalizira odgovornost in pomen »zahodne« prakse zatiranja. To se kaže kot slučajno in sprejemljivo. Prisvaja si kulturno in materialno produkcijo Neevropejcev in to hkrati zanika, vzporedno s tem pa zanika tudi njihove dosežke. Na nek način si prilašča spoznanja in jih kaže kot evropska (Stam, Shohat, 1994, 296-298). Prevladujoča skupina hoče vedno okupirati slovnično oblasten položaj. Zavzema zunanjo vlogo objektivnosti in vrednotenja pozicije ON. Pri tem se sugerira, da je njena uporaba jezika ne-stereotipna, oziroma da obstaja objektivni jezik. Jezik »belcev« je totalitaren. Sam sebi prisvoja pravico in vlogo predstavnika vseh ostalih etničnih skupin. Diada bel-ne-bel slovnično vedno zavzame obliko ON, nikoli JAZ ali TI (McLaren, 1994, 59-61).

<sup>16</sup> »Ko je Evropa vzpostavljala svojo svetovno hegemonijo, jo je v veliki meri obeležila in utrdila skozi domnevo o rasni superiornosti, ki je bila na poseben način prevedena v druge oblike večvrednosti. Med belo in druge rase je bil postavljen tako imenovani colour bar, ker je pravzaprav barva kože najvidnejše zaznamovala rasno pripadnost... Rasna hierarhija je torej vzpostavljena, tako da je na njenem vrhu bela rasa. Druge rase so na lestvici te hierarhije razporejene, tako da so v različnih stopnjah manjvredne. Nekako na samem dnu se je praviloma ustalil položaj črne, negroidne rase. Prav gotovo so bile rasne razlike že pred prodorom Evrope v svet znane, vendar niso imele enakega učinka, ko so rase živele ločene, oziroma ko ni prihajalo med njimi do trajnejšega kontakta. Izjemen pomen je rasna hierarhija dobila, ko so se pripadniki različnih ras tako rekoč razporedili v eni sami družbi oziroma državi. To se je zgodilo na dva načina: ko so Evropejci postali vladajoči sloj v kakšni osvojeni »novi« deželi, ki so jo v svojem interesu družbeno in politično preuredili, ali pa so že gospodujoči Evropejci dovažali pripadnike drugih in drugačnih ras na prisilno delo, kar se je predvsem dogajalo sužnjem iz Afrike.« (Južnič, 1993, 62-63)

prišleki povsem vključijo v obstoječo kulturo/družbo. D. T. Goldberg (1994, 5) pravi, da ta zahteva ni veljala za temnopolte, saj naj bi bili inherentno neprilagodljivi. Temu lahko dodamo, da se je podoben odnos vzpostavil tudi do ameriških domačinov. Zahteve po popolni vključitvi priseljencev v novo kulturno/družbeno okolje lahko označimo kot asimilacijsko politiko do priseljencev, ki jo D. T. Goldberg povezuje z monokulturalizmom. Njen cilj je vzpostaviti homogenost kulture in jezika. Za razliko od monokulturalizma pa je cilj multikulturalizma zaščititi in zagotoviti kontinuiteto drugačnosti, raznovrstnosti, heterogenosti (ob vzpostavitvi drugačnih družbenih in lastninskih odnosov).

Rekli smo, da ima monokulturalizem kot institucionalizirana ideologija svoje korenine v 19. stoletju. Sredi 20. stoletja se ta evropocentrični monokulturalizem v ZDA ukorenini kot hegemonia intelektualna ideologija in institucionalizirana praksa. Istočasno so ZDA pridobile svetovno gospodarsko prevlado. Znotraj teh okoliščin se je izoblikoval monokulturalni diskurz, vezan na evropocentričnost kultur in vrednot (Goldberg, 1994, 4-6). Osnovna diada, ki jo uvaja evropocentrični monokulturalizem je: kultura - ne-kultura; razvita - nerazvita kultura; evropska/ameriška kultura - ne-evropska/ameriška kultura. Pri tem D. McLaren opozarja, da ne-evropske in ne-ameriške kulture niso homogene To ni monolitni blok. A v nečem so si povsem podobne: istovetene s pojmom »drugi«, so se znašle na isti strani kolonialnih in imperialističnih odnosov, ki so jih vzpostavile evro-ameriške sile (1994, 48).

Do sedaj smo govorili predvsem o monokulturalizmu v ZDA. Kot princip pa se je monokulturalizem uveljavil tudi v evropskih nacionalnih državah. O tem priča že sama zgodovina nastanka nacionalne države. Monokulturalizem, trditve o eni homogeni (nacionalni) kulturi na določenem teritoriju, ki ga zamejuje jezik (standardni oziroma nacionalni), je bil ključni akter nacionalne ideologije, ki je postopno vzpostavila nacionalno identiteto kot specifično obliko etnične, vezane na nacionalno državo. Kratek pregled o usodi regionalnih (etničnih) razlik in njihovi utopitvi v prevladujočem kulturnem standardu, o sistemu vrednot (ki je bil zgolj partikularen in v nekem trenutku s politično močjo razglašen za univerzalnega), o usodi dialektov<sup>17</sup> v odnosu do standardnega jezika in nenazadnje o položaju manjšin znotraj meja nacionalnih držav, nam potrjuje, kako močno razširjena in učinkovita je (bila) ideologija monokulturalizma. V svojih koreninah pa je tudi multikulturalizem vezan na monokulturalizem, saj se ga misli skozi vzpostavljeni monokulturalni diskurz. Natančneje rečeno, nov diskurz se je izoblikoval v odnosu do starega, kot njegova negacija in je s tem zamejen.

<sup>17</sup> V mnogih okoljih velja, da je dialekt jezik, ki na nek način ni uspel. Spodrinil ga je standardni jezik. Vendar to ne velja za vsa okolja enako. Izjema v odnosu do dialektov je na primer švedski jezik. Tu so dialekti postavljeni kot najširše jezikovno bogastvo in ne kot jezikovni odklon. S. Južnič navaja podobno jezikovno situacijo v Švici (Južnič, 1993, 340).

### 3.2. MULTIKULTURALIZEM IN NACIONALNA DRŽAVA

Nacionalna država je po svojem nastanku vezana na zahodno Evropo. Zahodno-evropske države (pozneje tudi severnoameriške) pa so (bile) tudi nosilke evropocentrizma (monokulturalizma), ki se je pozneje razširil po celi Evropi in na druge dele sveta. Prav tako je bila nacionalna država v svojih konstitutivnih procesih močno povezana z nacionalno ideologijo in predstavo o homogeni kulturi (monokulturalni princip), kar smo že omenjali. Nacionalna država je tako že v izhodišču v konfliktu z multikulturalizmom.

Na nacionalno državo se veže koncept avtohtonosti, ki ima še danes v mednarodnem pravu zelo pomembno vlogo. Ta koncept je v osnovi evropocentričen, saj temelji na specifičnem dojetanju prostora, ko zemlja in okolje postaneta lastnina in blago človeka. Avtohtonost, ki je dejansko nedefinirana kategorija in prazen prostor, v kateri se s pozicije moči vpisuje različne vsebine in redefinicije, daje predpravo za razpolaganje s teritorijem in za odločanjem o tem, kdo še lahko vstopi nanj. Ta predpravo lahko poruši tudi klasična lastninsko-prodajna razmerja, ki so normativno pravno določena (primer romske družine, ki se pred časom v okolici Grosuplja ni mogla vseliti v svojo hišo). To je zelo pomembno, ko govorimo o mednarodnih migracijah, saj se na avtohtono področje priseljujejo ne-avtohtoni ljudje. Predpravo, utemeljena na avtohtonosti, naj bi prvimi dajala legitimnost za selekcijo med prišleki. Utemeljuje tudi moč za odločanje, koliko časa bodo slednji lahko ostali in na kakšen način bodo živeli. Socialna kontrola nad vsakdanjim načinom življenja priseljencev je veliko večja, kot je socialna kontrola med pripadniki avtohtone (domnevno) homogene kulture, nacionalnosti.

Realizacija koncepta (kritičnega) multikulturalizma vpelje pravico posameznika pred pravico skupnosti, ki ji posameznik pripada. Ščiti v prvi vrsti pravice posameznikov in šele skozi pravice posameznika ščiti tudi pravice skupnosti. Tako skupnost (npr. nacija) izgubi dominacijo nad svojimi pripadniki in postane odvisna od posameznikove odločitve in izbora. Ni več skupnost tista, ki podeli status, ampak dobi posameznik pravico do izbora. Država se na nek način znajde na trgu, ko mora tekrovati za svoje državljane, se zanje truditi, ker ni države brez državljanov. Država potrebuje ljudi, ki se prepoznavajo kot njeni pripadniki in so nanjo pripeti prek svoje skupinske (nacionalne) identitete. Tako je kakršnokoli mešanje kultur s stališč klasične nacionalne države ne le sporno, ampak lahko tudi usodno.<sup>18</sup>

Za multikulturalizem je glavno vprašanje, kako presekat opisani gordijski vozlož obnavljanja obstoječih odnosov in nacionalne ideologije ter vzpostaviti identiteto, ki bi bila »primerna« za vzpostavitev in vzdrževanje multikulturalnih odnosov oziroma mul-

<sup>18</sup> H. E. Giroux pravi, da številni konservativci opozarjajo, da multikulturalizem predstavlja grožnjo nacionalni državi in nacionalni identiteti. Zanje je utopična možnost za kulturno demokracijo postala nevarnost in sicer iz več razlogov. Predvsem pa kulturna demokracija podpira kritični jezik, ki omogoča razumevanje, kritiko in transformacijo hierarhičnih in izkoriščevalskih proizvodnih odnosov (Giroux, 1994, 331).



tikulturalno identiteto.<sup>19</sup> Npr.: S. C. Rockefeller poveže svojo idejo o primarni identiteti posameznika in sekundarni etnični identiteti s kritiko rigidnega koncepta o kulturnem preživetju in idej o absolutni pravici do kulturnega preživetja. Pravi, da je koncept povezan z ideologijo nacionalne države. Če je kultura preobremenjena z vprašanji o lastni zaščiti, ni sposobna, da se odpre za medkulturno sodelovanje, izmenjavo. Nujni sta kulturna transformacija in odprtost vseh kultur. To je za različne kulture izziv, da se izogonejo tistim intelektualnim in moralnim vrednotam, ki so nekonsistentne z ideali svobode in enakosti. Medkulturni dialog ima velik pomen. Vpliva na človekovo razumevanje in vodi do zlitja horizontov. S tem se družita dva alternativna načina gledanja in obstaneta oba, če obstajajo medsebojno spoštovanje in odnosi, ki ne uveljavljajo prevlade enega nad drugim. S tem se poveča alternativnost možnih pogledov na realnost. Res pa je, pravi avtor, da prihaja do močnega konflikta med idejo o medkulturnem sodelovanju in političnimi principi kulturnega preživetja (Rockefeller, 1992, 88, 92-93).

Ne smemo pa zanemariti dejstva, da se tudi nacionalne države pomembno razlikujejo. Omenili smo že razlike v odnosu do podeljevanja državljanstva. Prav tako imamo nekaj zanimivih modelov večkulturnih in večetničnih držav, ki imajo specifičen odnos do različnih kultur in etnij na svojem teritoriju. Navedimo le primera Švice in nekdanje SFRJ. V primeru teh držav izrekanje za skupno pripadnost izraža politično identiteto, državljansko in ne etnično. Lahko bi govorili o kontekstih, ki postavljajo (so postavljali) mehanizme različnih lojalnosti in identifikacij. Poleg teh multikulturnih držav pa je potrebno omeniti še multikulturne države, ki se na normativni ravni opredeljujejo za multikulturalne: Avstralija, Kanada in Švedska. Omenjeni konteksti bi lahko služili za primerjalne analize, katerih cilj bi bil, da se poišče morebitne poti redefiniranja monokulturalnega principa mišljenja v multikulturalnega na vseh ravneh.

#### **4. SKLEPNA EVALVACIJA MULTIKULTURALIZMA KOT MIGRACIJSKE POLITIKE**

Ali je nacionalna država danes v konfliktu z multikulturalizmom? Ima prav J. Habermas (1991, 154), ki išče kompromis med nacionalno državo, multikulturalnostjo in multikulturalizmom ali H. A. Giroux (1994, 325), ki pravi, da je multikulturalizem osredn v diskurzu boja proti nacionalni državi, obstoječi konstrukciji zgodovinskega

<sup>19</sup> Pojem multikulturalna identiteta poudarja predvsem radikalno redefinicijo obstoječe hegemonne ideologije v smeri zamenjave tolerance z različnostjo kot izhodiščem na vseh nivojih družbenega/kulturnega in političnega življenja. To ne pomeni, da bi posameznik nujno interioriziral več kulturnih sistemov, ampak da bi bil v svojega socializiran v vedenju o razlikah med posamezniki in skupinami ali skupnostmi, njihovi enakovrednosti in relativnosti (ki je hkrati absolutna, ko jo opazujemo z drugega zornega kota, notranje konsistentna). V razpravah o multikulturalni državi se pojavlja tudi kategorija multikulturalno državljanstvo. To naj bi bilo državljanstvo, ki je osvobojeno etničnosti. Vežano je na državo kot politično skupnost različnih in enakopravnih državljanov ne glede na razlike med njimi. Državljanstvo pa je politična relacija med posameznikom in državo, ki ji pripada.

spomina, namenu šolanja in obstoječemu pojmovanju zgodovine? Odgovor na vprašanje je odvisen od tega, o kakšnem tipu nacionalne države govorimo. Točneje rečeno, o katerem tipu moderne države govorimo, saj se za vse države danes govori, da so nacionalne, čeprav med njimi obstajajo pomembne razlike z vidika problematike, o kateri govorimo. Ali so vse države nacionalne, vezane na mit o homogeni kulturi? Posamezni primeri, ki jih najdemo v svetu, potrjujejo, da so možne tudi alternative. Poglejmo npr. ZDA, Švico ali nekdanjo SFRJ. Prav tako ne smemo mimo že omenjenih držav z multikulturalno politiko (Avstralija, Kanada, Švedska). V analizah švedskega multikulturalizma se govori o novem tipu državljanstva – o multikulturalnem tipu, ki temelji na državi kot politični skupnosti enakopravnih (različnih) posameznikov (Castles, Miller, 1993, 218-230). Ločena analiza omenjenih kontekstov in nadaljnja primerjava med konteksti ter umestitev rezultatov v primerjavo z razmerami znotraj nacionalnih držav, kjer se enačita etničnost in državljanstvo, bi lahko razprla možna alternativna iskanja za redefinicijo monokulturalnega principa v multikulturalnega. To vključuje tudi redefinicijo odnosa do spolnih, rasnih in etničnih razlik.

Prav migracijski konteksti so tisti, kjer danes najpogosteje prihaja do prekrivanja spolne, rasne in etnične diskriminacije. Za razliko od rase in spola je etničnost izrazito kulturna/družbenopolitična kategorija, ki nima sidrišča med biološkimi predispozicijami, čeprav v realnosti funkcionira, kot da bi ga imela, in jima je v svoji določujočnosti zelo podobna. In kot smo dejali, iz tega sledi, da so ženske - priseljenke, pripadnice nezaželenih ras, ki znotraj tega prihajajo iz najbolj nezaželenih etničnih okolji, izpostavljene najhujši diskriminaciji. Med argumenti za diskriminacijo v migracijskem kontekstu pa se kot najmočnejši pojavlja koncept avtohtonosti. Razpravljati o upravičenosti obstoja tako osrednjega koncepta za mednarodno pravo, je zelo občutljivo. Njegova ukinitve bi ogrozila manjšine v političnem ali sociološkem pomenu besede. Za realizacijo tako radikalne ideje, kot je ideja o odpravi koncepta avtohtonosti, bi bilo potrebno najprej redefinirati razmere, ki vzpostavljajo princip večine – se pravi, ukiniti princip večine in s tem ne bi imeli več manjšin ali razlogov za njeno zaščito. In tovrstni odgovor ponuja kritični multikulturalizem, ko pravice posameznika postavi pred pravice skupnosti. Pravice skupnosti se realizirajo skozi posameznika in njegovo pravico do izbora med alternativnimi skupinskimi identifikacijami. Državljanstvo pa bi bilo neke vrste članstvo enakopravnih (različnih) posameznikov v državi kot politični skupnosti z vsemi pravicami in dolžnostmi. To za sabo potegne tudi že omenjeno restrukturiranje in rekonceptualizacijo odnosov oblasti med različnimi kulturami in etničnimi skupinami. Zavrtnjen je diskurz getoizacije, podrejanja in hierarhizacije. Nov diskurz pa bi moral izhajati iz spoznanja, da smo ljudje enaki le v tem, da smo tako ali drugače različni. Vsaka podobnost, istost, ki navidezno družijo skupino posameznikov, je abstrakcija in redukcija realnosti. Je analitična kategorija, ki izpušča »nepomembne« razlike med posamezniki.

Razmišljanja o izbrani temi nas venomer opominjajo na priseljenški kontekst v Sloveniji. Slovenski etnični prostor je del evropskega in tudi zanj so značilni evropocentrizem, monokulturalnost in predprava avtohtonosti – ki pripada slovenskemu

narodu, saj baje že od nekdaj obstajamo v tem prostoru. Nekateri danes celo dokazujejo, da se nismo niti priselili s Slovani, kar pomeni, da nam ta predprava avtohtonosti toliko bolj pripada. V ozadju teh dokazovanj se zrcalijo razumevanje različnih kultur in etnij skozi hierarhični koncept, monokulturalni princip, evropocentrizem, predvsem pa prepričanje o biološki dednosti etničnega. V drugem primeru pravzaprav sploh ne bi bilo tako usodno pomembno, od kod so naši predniki prišli ali pa so tu živeli tisočletja – če avtohtonost in izvorna etničnost nista razlog za etnično stratifikacijo, v kateri bi sebe radi postavili na vrh kot najbolj razvite, če ne celo civilizirane (v relaciji do barbarov).

Vpogled v priseljski kontekst pri nas pokaže, da je v odnosu do priseljencev potreben nov diskurz. Na vseh jezikovnih ravneh bi nujno morali odpraviti pojem tujec, ki je diskriminatoren. Namesto njega bi lahko uporabljali pojem prebivalci Slovenije. Prebivalci pa se lahko delijo na tiste z državljanstvom ali brez, na ljudi z začasnim ali stalnim bivališčem itd. Vsi pa so prebivalci, saj za določen čas prebivajo v Sloveniji. Prvi koraki bi lahko bili narejeni na nacionalni RTV in znotraj javnega izobraževalnega procesa. V šolah pa bi med drugim pri novih programih lahko naredili vsaj dopolnjeni pregled zgodovine, ki bi preteklost približal tudi v luči dosežkov naših prebivalcev priseljencev, ki so v preteklosti aktivno živeli v našem prostoru, kot so umetniki, gospodarstveniki, politiki, humanisti, družboslovci, naravoslovci... in s svojim delom v priseljsko okolje prispevali marsikaj pomembnega.

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## SUMMARY

### MULTICULTURALISM, INTERNATIONAL MIGRATIONS AND INHERITED GROUP IDENTIFICATIONS: ETHNICITY, RACE, SEX

Marina Lukšič-Hacin

*International migrations are becoming one of the key problems in contemporary integration processes of the European Union. Member States of the EU have different migration policies and different relations towards emigrants and their descendants. Those differences are rooted in the time of liberal policy of the sixties, and they strengthened in the seventies and eighties, in the period after the oil crisis. A good example is Sweden with its multicultural policy. Differences are noticeable above all in the relation towards the inherited group identifications (ethnicity, race, sex). They exhibit on the level of everyday life, in political culture, and in politics in a narrower meaning of the word. The latter is as well connected with the conditions of naturalisation.*

*Sex, race and ethnicity can »operate« separately, but in numerous contexts they cover over each other, which results in intensification of discrimination of the majority environment in relation towards the carrier of »selected cultural/social-political« symbols for such distinguishing among people. Hence it follows, that women - immigrants, members of unwanted races who within that come from the most unwanted ethnic environments - are exposed to the worst discrimination.*

# INEQUALITY AND DIFFERENCE: CURRENT SOCIOLOGICAL CHALLENGES TO THE FRENCH »REPUBLICAN MODEL OF INTEGRATION«\*

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## INTRODUCTION

Far from the heated polemics of the mass media, various researchers of different nationalities have undertaken to examine the »republican model of integration«, which is most often associated with France, a country known for its singularity in the defense of a unitary and »universalist« conception of the public sphere. In this essay I will examine two currents in contemporary French sociology that are contributing, with greater impact than others, to a redefinition of the terms of the debate on citizenship and its relationship to diversity. Both overtly challenge certain aspects of the republican credo that is supposed to provide the terms of reference for the state actors whose job it is to manage the relationship between citizenship and the diversity of origins.

Republican »model«? We will of course need to be clear about the content and the status of this notion. I would argue that although the republican model constitutes a nebulous of currents and ideas rather than a single, unified doctrine, it nonetheless contains a central core of coherent ideas and hence and exercises an important influence – though certainly not all-powerful – in the formulation of public policy in France. In examining these two sociological currents, I want to show that the model is today confronted with important practical and theoretical challenges and that it can no longer avoid an open debate both about its practical, political implications and about certain of its central principles.

## Sociological Analysis and Political Engagement

The first current we will examine is embodied by Michel Wieviorka, author of *La différence* (2000)<sup>1</sup> and of several other works over the past 20 years on questions of racism, urban violence, identity and citizenship. This author represents a broader current in French sociology, based at the Ecole des Hautes Etudes en Sciences Sociales but influential well beyond the walls of that institution. The second is made up of a

\* Review essay on the following two works: Michel Wieviorka, *La différence*, Balland, 2000, et Véronique de Rudder, Christian Poiret, François Vourc'h, *L'inégalité raciste. L'universalité républicaine à l'épreuve*, PUF, 2000. Slightly revised English translation of an article published in *Hommes et migrations*, Paris, July-August 2001.

<sup>1</sup> Paris, Editions Balland.

group of sociologists – Véronique de Rudder, Christian Poiret et François Vourc'h, all of the Centre National de Recherche Scientifique (CNRS) – who have made it their specialty over the past several years to study the forms of racism and discrimination in French society. An important synthesis of their work is found in *Linégalité raciste, l'universalité républicaine à l'épreuve* (Racist inequality : republican universality put to the test, 2000).<sup>2</sup>

These two currents, although they converge on certain basic points, do not analyse the »republican model of integration« in the same way. While Michel Wieviorka is interested mostly in the theoretical and practical questions posed by the recognition (or non-recognition) of ethnic and ethno-cultural differences, Véronique de Rudder and her co-authors assign central importance to the problems posed, in theory and in practice, by what they call »ethnicist, racist and xenophobic« discriminations.

In the social sciences the choice of an object of analysis is never, of course, an innocent one; it represents, at the very outset of any investigation, a form of political engagement. The different objects they have chosen show that these two works center on two different types of democratic rights. While Wieviorka is preoccupied above all, in *La différence*, by the rights of cultural and ethnic recognition of communities of descent, de Rudder and her co-authors focus on the question of equality in the socio-economic sense of the term, which of course implies a right to socio-economic integration not affected by racism or xenophobia.

However, the choices of object made by researchers are not exclusively and immediately of a political order: the social sciences, after all, have their own (very diverse) criteria of theoretical rigor and scientific method. Undeniably, these two currents practice two very different *styles* of sociology. In *La différence*, Wieviorka makes his contribution to a broad international and interdisciplinary discussion of the theoretical and political paradigms of ethno-cultural difference, identity and citizenship as a specific form of belonging. This is no doubt what explains why he is content, in this work at least, with occasional and indirect *allusions* to the French republican model, among several other cases examined.

Véronique de Rudder et. al. are much closer than Wieviorka to the messy social and political terrain on which the French republican model plays itself out on a day-to-day basis. They seek above all to show the concrete circumstances in which discrimination takes place and how the republican »credo« influences the situation. Far from being content with empirical descriptions, they incorporate their field observations into a theoretical schema conceived to interpret racist and ethnicist practices as a particular type of social relation. Republican thought is grasped from the standpoint of the concrete public policies it generates, their practical consequences, their discourses of legitimation and, as we shall see, their possible lack of coherence.

<sup>2</sup> Paris, Presses Universitaires de France.

## I. A SOCIOLOGIST'S VIEW OF »DIFFERENCE«

Michel Wieviorka makes it a point, early in *La différence*, to distinguish clearly among three orders of social knowledge: *sociology*, *political philosophy* and *political analysis*, the latter of which can sometimes take the form of applied political expertise. The author is very conscious of how the confusion among these genres can lead to strange ideological mixtures, often steeped in hasty and schematic political judgments.

Without sacrificing his prerogative, as a citizen, to make philosophical and political choices, the author places himself resolutely on the terrain of sociology, for it is in this way that he claims to be able to examine, in their full variety and complexity, the practices and discourses of identity, ethnic, religious or cultural. According to Wieviorka, these practices have undergone a »boom« or »revival« in the Western world since the 1960s.

In its barest substance, Wieviorka's argument is twofold: first, the recognition by the state of ethnic or cultural differences can, under given circumstance, represent a »plus« for democracy; secondly, two extreme orientations need to be rejected: on the one hand, so-called »republicanist« orientations, which insist in a rigidly ideological way on the maintenance of the unitary character of the public sphere, and on the other, those variants of multiculturalism based on rigidly particularistic identity constructions, which can be openly or potentially aggressive. There is thus a happy medium to be defined, or forged in practice, which would allow for the expression of particular identities without abandoning the common ground of citizenship.

Could Wieviorka be called a »moderate multiculturalist«? The author is not particularly keen on assuming such a label, aware as he is of the degree to which the term has given rise to a remarkable cacophony in public debate. For the clarity of discussion, he prefers to reserve the term »multiculturalism«, used in a descriptive and non-normative way, to those states (such as Canada, Sweden or Australia) that have adopted concrete policies oriented to the »respect of particularisms«, usually with the object of combating inequalities defined both as »social injustices« and »cultural disqualifications« (p. 83). In a chapter dedicated to these national experiences, he notes that political leaders are always obliged to seek a difficult balance between »the reproduction of a culture and the universal values of law and reason« (p. 72).

Wieviorka argues that collective identities, when they become politicized, or ethnicized, or both at once, can nonetheless remain attached to a relatively unitary conception of citizenship. This is not always the case in practice, but, he would suggest, the dialogue with ethnic or cultural standard-bearers is a challenge to be accepted by democratic regimes.

However, it would be missing the essential point of Wieviorka's work to present it as a contribution to the study of citizenship. Between the republican »community of citizens« and the expressions of particular, ethno-cultural identities, his perspective tends to give greater visibility to the latter pole, hence the title of his latest work. He does not seek to make an uncritical apology of identities in general; his ambition is

rather to submit collective affirmations of identity of all sorts and all degrees of intensity to sociological examination, in order to understand how »differences« are made and unmade. The political management of difference, in its different forms, is certainly an important object in his field of vision, but Wieviorka is fascinated, above all, by the subjective processes of identity construction, both in their collective and individual dimensions.

In particular, he writes with great flair about the historically changing, »plastic« and »constructed« character of identities. Identities do not only evolve but mix with each other in many different ways, hence the importance of making clear distinctions among notions such as hybridization, *métissage*, and cosmopolitanism (pp. 75-76). In order to develop this vein of this thought, he relies on a number of important anglophone authors whose work is still little known (and untranslated) in France, such as Stuart Hall, Paul Gilroy, Arjun Appadurai, Homi Bhabha, etc.<sup>3</sup>

Through these references and many others, Wieviorka stresses the ephemeral and malleable character of identity discourses. Far from obeying any set of iron laws, they may, according to the circumstances in which they are generated and received, crystallize into exclusivist practices or call themselves into question, decomposing and recombining with other discourses. Particular identities, thus revealed as »constructions« subject to constant change, become in Wieviorka's eyes a parameter that political leaders must handle with greater flexibility. Although he never makes an open plea for a given model of citizenship, Wieviorka suggests that any public policy seeking to uphold and enhance democratic values should be able to open itself up to dynamic processes of composition, decomposition and recomposition of identities, rather than ignoring discourses of differences or, on the contrary, fetishizing them, which can be just as dangerous.

#### »Republicanist« rigidity et and republican flexibility

There is something imprecise about Wieviorka's manner of treating the republican model. The main source of my uneasiness on this score is the fact that Wieviorka grasps the model as an ideological construction rather than as a set of principles that conditions concrete political action. He presents the republican position as an ideal-type characterized by its attachment to »abstract universalism« and insistent, with greater or lesser violence, on cultural »assimilation«; it appears politically in the form of »nationalism, souverainism or republicanism« (pp. 95-96), keeping in mind that the suffix *-ism* in French denotes excess or exaggeration. The republican side of the debate is

<sup>3</sup> Some of the more notable works by these authors : David Morley and Kuan-Hsing Chen (eds.), *Stuart Hall: Critical Dialogues in Cultural Studies*, New York/Londres, Routledge, 1996; Paul Gilroy, *The Black Atlantic: Modernity and Double Consciousness*, Cambridge (Mass.), USA, Harvard University Press, 1993; Homi Bhabha, *The Location of Culture*, Routledge, 1994; Arjun Appadurai, *Modernity at Large: Cultural Dimensions of Globalization*, University of Minnesota Press, 1997.



always, as Wieviorka presents it, rigid, »old-fashioned« and dogmatic. However, he never informs his readers which precise political conceptions inspire the construction of this ideal-type.

Who are the »republicanists« that Wieviorka is so anxious to discredit? Anyone familiar with French political life can guess with little effort the names of certain political figures and intellectuals that he would be likely to classify under this heading: Jean-Pierre Chevènement, dissident socialist who has made the »Republic« the very emblem of his political action and Charles Pasqua, a right-wing rival of Chevènement who is often labeled as a »souverainist« in the press, are likely to be included in any list. However, next to these reputedly dogmatic »republicanists« – for this is *par excellence* a matter of political opinion – there is apparently no place in Wieviorka's typology for more moderate republican positions, and in particular positions that take an interest in the question of difference and its political treatment. The disputes that have pitted Wieviorka against certain »rigid« republicans (and a few have indeed been so) during the 1990s have apparently provoked him to reject and disqualify the very term »republican« itself. This polemical procedure is not likely, in my view, to encourage constructive debate in the French political context. Yet it is quite possible to imagine a common political ground that encompasses both Wieviorka's positions and those of *certain* republicans.

The French »republican model of integration« exists above all as a set of references – certain central, others more secondary. A short list of central references would include 1) *laïcité*,<sup>4</sup> 2) the principle of equality of citizens independently of their origins, and 3) the key role of the state in assuring policies of social integration. Each of these refers to complex theoretical and political debates; it is impossible to reduce the model to a single, monolithic doctrine. If certain political systems calling themselves multiculturalist succeed, as Wieviorka stresses, in practicing moderation in the valorization of particular identities, then why should it not be admitted that there is room, in the republican model in a broad sense, for the democratic expression of citizens in the full diversity of their origins, without violating the principle of a unitary ground of citizenship? Indeed, a careful examination of the French system as it actually functions today reveals that it is open to diversity in ways that Wieviorka's theorizations do not encourage us to notice.

The public sphere in France today, conditioned in part by the postulates of the republican model, includes broad spaces of expression for particular identities. Those who claim that the republican model by definition excludes from the public sphere, by definition, all manifestations of ethnic identities and cultural particularisms (aside from the dominant ones) appear to be working from a very restrictive definition of the public sphere.

<sup>4</sup> The term *laïcité* admits of no simple translation: it is more than just the institutional separation of church and state, since it refers as well to the separation of identities, drawing a sharp distinction between particularistic identities (religious, ethnic or cultural) and universalistic ones, and above all that of »citizen«.

To take an important example, the continual efforts by successive French governments of the left and right since the 1990s to favor the insertion of Islam into French religious life and to facilitate its adaptation to the prevailing rules of *laïcité*, can in no way be interpreted as an attempt to »assimilate« Muslims or discourage them from freely assuming a religious identity. Nor has anyone in positions of state authority required Muslims to limit their religious engagement to a watertight »private sphere« that would prevent any form of public expression of the *meaning* they attribute to their engagement.

Another example: the promotion of regional languages in the French educational system, as decided in April 2001 by the government president by Prime Minister Lionel Jospin.<sup>5</sup> It has often been assumed that the republican model is characterized by the dogmatic refusal of anything – including the publicly endorsed dissemination of regional or minority languages – that might be seen as contributing to the division of the nation along particularistic lines. However, the movements for the promotion of given regional languages (Breton, Occitanian, Alsatian, Basque, Corsican, etc.) did not have to wait for permission from French republican authorities to exist. What is at stake today is not the principle – which flows from basic democratic principles – of the right to disseminate these languages, but rather the question of how many pupils, on what scale, will be taught these languages in bilingual programs in the public schools. All the languages mentioned above are now in a position to broaden their public. Is this situation necessarily to be defined as a threat to republican unity? The only answer to this question is that there are regionalist movements of several different sorts, with differing aims, from the predominantly cultural to the openly nationalist and separatist. However, there is no republican orthodoxy that can determine with authority that the expansion of the publics of regional languages is by definition a threat. Although French is indeed designated as the »language of the Republic« by the Constitution, no one can claim it to be, *ipso facto*, the sole language of the public sphere and the sole vector of French national citizenship.<sup>6</sup>

The most elaborate philosophical formulations of the republican model do not in any way propose to ignore or suppress the diversity of citizens' origins; on the contrary, they postulate and encourage, on the basis of this very diversity, broad *intercultural*

<sup>5</sup> See Bernard Poignant, *Langues et cultures régionales*, a report to the French Prime Minister, Paris, La Documentation Française, 1998 ; » Jack Lang installe les langues régionales dans le service public de l'éducation«, *Le Monde*, 27 avril 2001. We shall leave aside here the complicated affair of the European Charter or Regional and Minority Languages, signed by France in May 1999, approved by both President Chirac and Prime Minister Jospin, but then rejected by the Constitutional Council in June 1999. The measures announced by Minister of Education Jack Lang in April 2001 were decided upon in spite of the non-ratification of this charter by the French state.

<sup>6</sup> One has no great difficulty envisioning a compatibility between French citizenship and a regional revival of the ancient Occitanian language; it is not farfetched, however, to see the growing dissemination of Basque as a possible vector for the growth of a militant separatist movement, already present on both sides of the French-Spanish border.

encounters.<sup>7</sup> It is true enough that the notion of interculturality, at the current time, is more of a generous republican principle than a set of practices deeply rooted in public institutions. In an intercultural perspective, the point of republican citizenship is certainly not to hide avowed differences of origin or of culture, but rather to bring them to light in order to confront them with one another and thus promote mutual confidence among citizens, as a necessary basis for a sentiment of common belonging. It cannot be ruled out that Michel Wieviorka, who, as we have seen, is suspicious of any attempt to freeze or reify particular identities, and who places great emphasis on the theme of *métissage* (ch. 3), might find a broad area of common understanding with republican defenders of the idea of interculturality.

There are, indeed, broad grounds for potential agreement between »republicans« and others in France today. Does this mean that nothing further distinguishes republicans from their detractors, that everything is negotiable, and that we are heading toward a harmonious convergence of models? To say so would be an exaggeration. Let us take the example of the republican principle of equality above and beyond the differences of origin among citizens. In a republican logic, this principle implies, in one way or another, active and durable efforts by the state to promote the socio-economic integration of society, that is, a permanent strategy of struggle against inequalities. Republicans conceive of the state as a rampart to protect citizens from the hazards of the market, whereas numerous detractors of republican ideas call, on the contrary, for a minimal social function for the state, in the framework of a liberalism (in the French vocabulary) or neo-liberalism (to use a term with greater resonance in the Anglo-American world) that may involve greater or lesser doses of social policy to compensate for market-generated inequalities but premises social freedom on the autonomy of the market. In certain extreme versions of market liberalism, the nation-state has already been abandoned as an obsolete instance, whereas for republicans the defense of the state is the main defense against an anti-social and market-driven globalization.

However, there is no republican doctrine that defines with any exactitude the public policies or societal integration to be elaborated; this is a question that only practice can determine. In the past several years in France, republicans have shared the uncertainties and lack of resolve of market liberals in defining such policies, and as a result there is no long-term and effective strategy for the struggle against inequality.

Wieviorka remains remarkably discreet on these matters. Here, more than elsewhere, he respects a strict limit between sociology and political analysis, venturing only to enunciate certain very general philosophical principles, such as: »If it is admitted that equality constitutes an end or horizon and equity constitutes a means, then it becomes possible and desirable to associate the two in a common approach« (p. 92). The practical, political modalities of striving toward the end of equality remain unexplored.

<sup>7</sup> The reference to interculturality is quite clear in *L'intégration à la française*, Report of the Haut Conseil à l'Intégration (ed. 10/18, 1993), a document often considered as a representative expression of the »republican model of integration«.

And yet it can be said that showing an interest in the problems of societal integration, in however oblique a manner, is already a step toward a republican approach. Beyond this point, the discussion remains largely open. Take, for example, the current French debate about the causes of social exclusion. Is it engendered directly by the logic of globalizing market liberalism, or is it also conditioned or mediated by »ethnic« variables, in the form of discrimination on the basis of origins or phenotype? On this point Wieviorka would clearly insist on taking into account the logic of difference, and here he converges, as we shall see, with Véronique de Rudder, Christian Poiret et François Vourc'h.

## II. THE REPUBLICAN MODEL CONFRONTED WITH ITS OWN PRINCIPLE OF EQUALITY

Although they share certain important theoretical premises with Wieviorka, the authors of *L'inégalité raciste* deploy a very different sociological methodology and manifest a completely different relationship to politics. For these authors, it is never a question of denying the importance of cultural and ethnic identities, but they attribute greater urgency to the problem of discrimination and how to fight its different forms.

This urgency is revealed by the gap these authors observe between rampant discriminatory practices and the republican model's principle of equality, central to the republican credo. How can this principle, fully accepted by many political leaders and by the authors themselves (they make no secret of it), be reconciled with the existence of dire inequalities, often with flagrant ethnic and racial connotations?

The political and ideological articulation of the principle of equality within the republican model has often given rise, in the authors' view, to public policies based on a puritanical denial of ethnic cleavages, as if they did not exist at all. Hesitancy in recognizing the various forms of »ethnicization of social relations« leads to a shocking blindness in the face of discrimination. This is not to say that ethnic and racial factors are never noticed by the actors of public policy; however, when they invoke the categories and the vocabulary habitually associated with the republican model, they have great trouble in *naming* these phenomena. Ethnically or racially conditioned inequalities are usually subsumed under the category of »socio-economic« or »territorial« inequalities, or again under the heading of »urban exclusion«.

The authors have a clear practical understanding of French republican reservations regarding ethnicity, having observed their operation in many different situations: in public housing administrations, in private enterprises and trade-unions, and among different categories of employees. While appreciating the proclaimed republican goal of promoting perfect impartiality in the distribution of resources among all citizens regardless of origin, they nonetheless feel compelled to denounce what they consider to be a terrible illusion of the republican credo, involving serious consequences: state actors, even as they proclaim their refusal of social divisions based on ethnicity, actu-

ally deny the existence of such divisions, even when they occur on a massive scale. This manner of abstracting away the factor of discrimination may have the positive effect, in a republican perspective, of »banalizing« or disguising the interethnic implications of policies of integration, in accordance with the notion that any ethno-racial connotation attached to public policy can be exploited by right-wing racist movements such as the Front National that are avid to legitimize their own differentialist and ethnically exclusive conception of the French nation. But this generous intention results in what amounts for Véronique de Rudder and her team, to hypocrisy.

Republican principle dictate a rejection of the notion of ethnic »minority«, on the grounds that no specific categories of citizens should be recognized, only citizens in general, that is, in the universal sense. The authors reject this reasoning, alleging that it prevents public actors from recognizing and fully understanding the processes by which given groups are relegated to a minority status, »ethnicized«, »racialized«, or otherwise assigned identities forcibly.<sup>8</sup>

»All indicators point to the development of a subterranean process of wholesale ethnicization of the portion of the proletariat excluded from employment and segregated« write the authors (p. 194). In order to fight this tendency, they see it as essential to provide actual or potential victims of discrimination with more rights, not just by making existing legislation more flexible, but also by allowing victims themselves to mobilize effectively in their own defense. Republicans conceive of the antiracist movement as a »universal« one, concerning not only victims but all citizens of good will who defend the principle of equality. Véronique de Rudder et. al. suggests that this high-minded principle may be a very »universalist« fashion of casting doubt on the capacity of individuals thrust into a »minority« status to mobilize democratically in defense of their own rights as citizens.

However, the authors do not go into detail about the precise forms such mobilizations could or should take, since they defend both their own autonomy as sociologists and that of the social actors concerned. However, they do call, more modestly, for a new *theorization* of social relations whose practical implications, if taken into account by political leaders, could encourage a loss of republican complexes regarding the question of ethnicity.

For V. de Rudder, C. Poirer and F. Your'h, it is essential to recognize the existence inter-ethnic relations as a constitutive dimension of social relationships in general. Ethnicity (and »race«) are certainly not, in their eyes, notions to be absolutized or reified. Their thesis is that there is ethnicity wherever social actors produce it, by drawing borders, however shifting, unstable and apparently irrational, between »us« and »them«. And when they do so, there is no alternative but to apprehend their discourse and their actions as the fruit of a subjectivity in which ethnic (or racial) categories *make sense*. Naturally, these categories can be, to varying degrees, frozen, hierarchical

<sup>8</sup> On this subject, see also Fred Constant, *Le multiculturalisme*, Flammarion, 2000. This author speaks of processes of »*assignation à résidence identitaire*« (identity house arrest) that is, processes by which identities are forcibly ascribed.

and dehumanizing; sometimes they play on cultural distinctions (real or supposed), and sometimes on differences of phenotype, very often on both registers at once. Whatever the mechanisms of this differentializing subjectivity, it would be illusory to ignore its operative or performative character. The point is not to ask the state to adopt these subjective ethnic categories as their own, but simply to take them into account in devising its struggle against discrimination.

In the authors' vocabulary, there are two sorts of interethnic relations that need to be carefully distinguished. One is designated by the French term *rappports* (a very close synonym of »relations«) and the other by the word *relations* itself. Interethnic *rappports* are »social relations that take their place, at the structural and macrosocial level, within national and international relations, and that establish and organize the coexistence and contacts between majority and minority« (p. 154). These *rappports* provide the framework of interethnic *relations*, which constitute a somewhat freer space of interaction in which social relations reproduce themselves but can also be modified. This distinction is important because ethnicity »does not rest on an easily objectivizable substratum; it can only be grasped in interaction« (p. 155).

Véronique de Rudder et al. adhere to theories of ethnicity – that of Fredrik Barth<sup>9</sup> for example – that stress the socially constructed character of ethnic and ethno-cultural »borders«. Like Michel Wieviorka, they are interested in the processes by which these distinctions are produced and reproduced. However, they place little emphasis on the identity discourses produced by ethnicized groups themselves, considering it a greater priority to analyse the ethnic and racial stigma of which they are made the objects. In this framework, they take a close interest in the ways in which the state, caught in the mesh of a republican discourse that often chooses to interethnic relations (in both senses noted above), becomes partially responsible for the reproduction of such stigma.

The research summarized in *L'inégalité raciste*, carried out between 1994 and 2000, does not take systematically into account the efforts of the Jospin government since 1998 to dynamize the struggle against discrimination: the creation of territorial commissions (*Commissions départementales pour le développement de l'action citoyennes*, CODAC), a free telephone number to report instances of discrimination, modification of the conditions under which discrimination can be proven in court, etc. They recognize a significant evolution since 1998, insofar as the problem of discrimination is now designated as an important target of public policy, but they remain skeptical regarding the measures taken to date. The new governmental approach still »neglects the specific weight of institutions and the state apparatus itself in the production of 'racial' inequalities and does not fully appreciate the actual racist character of discrimination, that is, the production and reproduction of a social relation of domination that impregnates and structures society as a whole« (p. 185-186).

<sup>9</sup> See P. Poutignat et J. Streiff, *Théories de l'ethnicité*, Paris, PUF, 1995, for the French translation of an important text by Fredrik Barth, *Ethnic Boundaries*.

More generally, the authors criticize what they see as the »improvisation« (*bricolage*) in the area of social policy. While successive governments have attempted to impart a semblance of coherence to the policies adopted, analysis of the policies pursued reveals a tendency to fragment the areas of intervention. Social policies are often formulated on the basis of a »territorial« or »urban« approach that runs the risk of what one sociologist has called an »over-localization of the social« (A. Belbahri, quoted on p. 194). The basic difficulty being that »local social problems are defined without relation to the societal whole of which they are both the product and the expression«, to such an extent that »the social processes and relations that produce social marginalization are covered up in silence«.

There is no obvious remedy to this problem, the authors stress: no royal road, and no theoretical model ready at hand to suggest original solutions. Although it is not altogether inconceivable to introduce a dose of interethnic sociology into the social policies inspired by the republican model, the task is not an easy one, either politically or intellectually. The authors take a clear distance from the experience of affirmative action in the United States,<sup>10</sup> with the following commentary: »the policies of struggle against ethnic and racial discrimination can, when they define disfavored groups on the basis of unilateral criteria (»race«, ethnicity, »underclass« status or »exclusion«), they miss their goals in part and contribute just as much to the reinforcement of ethnic or 'racial' borders as to social fragmentation« (p. 194). In an even more critical vein, they denounce »an approach to defining categories that is closed and exclusive, and hardly takes into account the pluridimensional character of social relations of domination, reducing interethnic relations solely to their juridical mode of regulation«.

Nonetheless, they judge certain polemics in France waged against U.S. affirmative action policy to be self-serving, making light of the fact that the republican perspective too, often tends to reduce questions of social policy to their »juridical-statist dimension« and thereby »ignores the multiple adjustments that are born in the process of interactive ethnic relations« (p. 196).

The republican model is thus faced with a dilemma, or something closely resembling one: »There is a narrow path between two obstacles: a path that would make it possible to fight the concrete effects of racism or ethnicism without redoubling their impact through the institutional designation of categories of the population that they take as their target« (p. 194).

The sometimes ironic or even exasperated tone of the authors regarding social policy inspired by the republican model does not prevent them from judging that, after all, the orientation chosen in France is not so bad, since it »seems to offer, at least in the historical and political context of this country, a reasonable way out« (p. 195).

<sup>10</sup> In this book the authors refer little to the comparative dimension of their research, but they are, naturally, very interested in other national experiences. See, for example, Ida Simon-Barouh et Véronique de Rudder (éds.), *Migrations internationales et relations interethniques. Recherche, politique, société*, Paris, L'Harmattan, 1997, which contains some remarkable work on the United States, Canada, Australia, the United Kingdom, South Africa, and other countries.

However, the approach remains in their view »too abstract« and too marked by an »ideal of liberating civilization« that masks and justifies a »racist social order« and thereby »prolongs the colonial era«. <sup>11</sup>

How it is possible, then, to conserve the framework of the prevailing model of integration while inciting it to reinvent itself? The authors prefer to leave to others the task of defining in detail the policies to be invented, but they do not hesitate to make a few practical suggestions for those who read their work in a political perspective. For example, they call (along with many other sociologists interested in questions of racism and discrimination) for the French national apparatus of demographic statistics to take into account the »ethnicity« of individuals. Such data is, of course, sensitive and subject to abuse, as some defenders of republican thinking have stressed, can lead to abuses. <sup>12</sup> However, a change in statistical methods is inevitable in the authors' eyes, if the state is truly interested in struggling more effectively against discrimination, for only through such change can knowledge of the phenomenon become more precise.

The authors call as well for more extensive legislative reforms in order to make it easier for victims of discrimination to prove its existence: »L' the legal definition of discrimination must include practices that, without intending to harm, engender systematic, or even structural, 'racial' or ethnic inequalities« (p. 198). Finally, they recommend the creation of an »official authority, pluralist and independent« capable of »meeting the requirements of a necessary 'positive action' in favor of equality«. (Others, in a recent past, have called for the creation, in France, of a body equivalent to the British Commission on Racial Equality.)

Implicitly, de Rudder et. al. hope for a renewed social and political inventivity, knowing full well that creative solutions to the problem of discrimination are condemned to forge a difficult path in political life. For everyday politics is conditioned by the pitiless logic of struggle among apparatuses; policymakers hardly ever have the privilege of bringing perfect philosophical coherence to their decisions.

## CONCLUSION

The two sociological currents examined here take clear distances from certain aspects of the republican credo, without calling into question all its assumptions. Each current in its own way shares with the republican outlook a concern for *socio-economic equality* and for *democratic cohesion*. In spite of significant differences between these

<sup>11</sup> The authors do not specify in what manner, in their view, colonial era is perpetuated in contemporary social relations. Others, however, have examined this question. See, for example, the journal *Hommes et migrations*, issue 1107, May-June 1997, dossier entitled »Imaginaire colonial, figures de l'immigré«; issue 1128, November-December 2000, dossier »L'héritage colonial«. See also Etienne Balibar, »Racisme et nationalisme« in E. Balibar and I. Wallerstein, *Race, nation, classe, les identités ambiguës*, Paris, La Découverte, 1988, 1997.

<sup>12</sup> In particular, see Hervé Le Bras, *Le démon des origines*, Editions de l'Aube, 1998.



two approaches both to social analysis and to politics, both currents forcefully raise a question that defenders of the republican outlook in the future will find hard to avoid: how can the principle of democratic national citizenship be reconciled with the recognition of a tangible logic of ethno-racial differentiation stubbornly lodged within social relations? In the coming years, republican thinking will have to forge its own »narrow path« toward the solution of this problem, and in so doing will have to reinvent itself.

## POVZETEK

### NEENAKOSTI IN RAZLIKE: TRENUTNI IZZIVI SOCIOLOGIJE

James Cohen

*Avtor predstavlja razširjen in polemiziran francoski koncept socialne integracije priseljencev, ki ga imenuje »republikanski model integracije«. V modelu so vsebovane ideološke predpostavke družbene enakosti preko unitarnega pojmovanja univerzalističnega koncepta javne sfere življenja. Francija je ena od držav, ki ta model razvija in zagovarja, čeprav je polemika dokazovala njegove nekonzistentne značilnosti, predvsem v praksi. Avtor sledi dvema tokovoma sociološke diskusije v Franciji, ki težita spremeniti pojmovanja o državljanstvu in odnos do etnične raznolikosti. Cilj javnih in strokovnih diskusij na to temo je preseči nekatere republikanske vrednote, ki so ovira razvoju kulturnega pluralizma. Spremembe bi vladi omogočale, da bi lahko bolje stregla priznanju ali razlikovanju med državljanstvom ter etnično identifikacijo priseljencev glede na njihov izvor.*

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# EAST-WEST LABOUR MIGRATION AND INTEGRATION: TRENDS AND PROSPECTS FOR HEALTH PROFESSIONALS

Monika Zulauf

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## INTRODUCTION

The labour market situations in the East and West could provide an incentive for governments and employers to develop more extensive openings for migrants from Central and East European countries (CEEC) in the European Union (EU). This chapter will examine opportunities and obstacles for CEE health professionals during the transition period and beyond. The processes of enlargement to Central and Eastern Europe, and Cyprus and Malta, will eventually enable the people of twelve additional countries to move and seek employment freely within the enlarged EU labour market. East-West labour migration will therefore constitute, in the foreseeable future, a much greater element in the migration movements in Europe. Germany, and to a lesser extent, Austria and Italy have so far been the preferred EU countries for CEE migrants. They have developed various schemes to provide controlled admissions for temporary employment since 1989. The objectives of the schemes vary between countries and employment sectors, but on a broader level they aim to promote co-operation between East and West European employers and mutual benefits to the countries concerned (Werner 1996). On a smaller scale, programmes also exist between Central and East European countries (CEEC) and Belgium, Finland, France and Sweden. Other EU countries have so far shown little inclination to participate actively in the development of short-term employment opportunities for CEE migrants. However, reviews of immigration laws in a number of EU economies are underway because of changing trends in labour demand and supply.

Current and potential recruitment difficulties in the West open opportunities for skilled CEE migrants. Their geographical and cultural closeness, and their imminent membership of the EU, places them in an advantageous position in the pool of potential candidates. Employment growth in OECD countries is expected to be highest in the computer industry, followed by the health sector (Hilbert et al 2000). Although such demand will vary between countries, the need for medical, nursing and caring skills is unlikely to diminish in the foreseeable future. At the same time, health professionals in CEEC have been laid off due to the restructuring of the health sector, and others are willing to emigrate because of declining employment conditions (Heitlinger 1999; Heidenreich 2001). Moreover, the training systems of health professionals in CEEC have undergone many changes in the 1990s. They have been adapted to meet

EU and international requirements (Buchner-Jeziorska and Evetts 1997; Heitlinger 1999).

The chapter is divided into three sections: It begins with a brief overview of migration patterns since the late-1980s, and the restructuring processes in the health sector in CEEC. These sections will identify some of the main causes for temporary skilled migration to the West. The core of the chapter discusses the diverse factors and processes that may influence the incorporation of CEE health professionals in EU labour markets. Britain and Germany provide the broader societal-structural context, and the institutional arrangements and policy developments in the health sector the specific basis for the analysis. Germany has the highest proportion of CEE migrants residing and working in the EU. On the other hand, Britain has been reluctant to develop specific employment schemes for CEE migrants. Furthermore, the two countries differ in their employment and health care systems, and in the demand and supply factors among health professionals. The experiences of, and outcomes for, CEE migrants will be conditioned and shaped by these societal structural factors and developments and the regulatory system of the professions in the individual countries. Opportunities and obstacles to CEE health professionals will be discussed by examining four areas: labour demand and supply, legal framework, training and regulatory processes, and professional roles and work organisation. To ensure in-depth discussion, the analysis will, in part, focus on one profession (nursing) from two sending countries, the Czech Republic and Poland.

### **Patterns of East-West Migration**

The current stock of CEE migrants in the EU is estimated at about 850,000 or 0.2 per cent of the EU population. The stock of CEE workers amounts to about 300,000 or 0.3 per cent of the EU workforce. Around 80 per cent reside in Germany and Austria. The majority of the existing stock immigrated before 1993. Since then net immigration from CEEC has been insignificant because of increasing restrictions in the countries of destination (Boeri and Brücker 2000). No EU-wide legislation on the employment of non-EU migrants exists. However, non-EU labour migrants usually enter member states via a work permit system. A number of countries, in addition, have signed bi-lateral agreements with their East European neighbours. Some agreements have existed for a long time, others are more recent. According to the classification of the UN agencies, this form of migration includes migration for training, migration for professional or business purposes, and contract migration (including temporary, seasonal and project-tied workers). Such migration movements are temporary, and vary in duration between the different types and countries (Werner 1996).

Migrants from Poland, the former Yugoslavia and, in recent years, the former USSR form the largest groups in Western Europe. Others include workers from the Czech Republic, Hungary, Albania and Bulgaria. The majority is young or middle-aged

and has tertiary or secondary level education. Most work as contract employees, and predominantly in agriculture, the building trades and nursing. There has also been an increase in 'brain drain' migration. In the 1970s and 1980s, such migration movements occurred mainly among students and researchers. In the 1990s, other professional groups in addition have increasingly taken up opportunities in the West, including physicians, computer scientists, engineers and technicians. Little is known about this migration path, as it is a fairly recent phenomenon. However, research undertaken on East European commuters and seasonal workers found that many East European university graduates were in jobs that did not require high level education, and Polish university staff and teachers worked in the service sector in Western Europe (Blaschke 1994; Molle et al 1994).

Many analysts predict that the flow to the West will probably grow in the foreseeable future (Molle et al 1994; Hönekopp and Werner 2000). There is, however, little agreement between them about the migration potential. Figures range from 590.000 to 1.18 million per year until the year 2010, declining to between 300.000 and 530.000 per year by the year 2030 (Franzmeyer and Brücker 1997). No figures are available on the migration potential of health professionals but, as already indicated, their migration may become more substantial because of labour shortages in the West and loss of jobs and poor employment conditions in the East. The following section looks at the transformation of the health sector in CEEC to identify some of the push factors for the emigration of health professionals.

### **Health Sector Restructuring in CEEC**

Economic restructuring in CEEC has been accompanied by an increase in unemployment, a reduction in social and welfare services, a worsening of the working conditions, and major changes in the training, regulation and status of occupational groups. These developments, together with low incomes, lack of employment opportunities and poor prospects, are among the economic factors encouraging people to seek opportunities in Western Europe. Mistrust of new governments, poor housing, environmental conditions, the young age structure of the population, and cultural and geographical closeness to Western European countries are among the non-economic push factors (Golini et al 1993; Drbohlav 1997). The importance of each of these factors apply to some countries more than to others (Grečić 1993). Their significance is also likely to differ between occupational groups.

Since 1989 health care systems in CEEC have undergone complete reorganisation. The timing and the intensity of the reforms vary, but common among them has been the selection of the Bismarckian system of compulsory health insurance. The dismantling of the centrally planned system offering universal coverage and the introduction of a self-governing social health insurance system required changes to health care financing, management, planning, efficiency, and the organisation and employ-

ment of staff (Deppe and Oreskovic 1996). The impact of the reforms on profession-state relations and the conditions of employment have been wide-ranging. The process of restructuring has led to the creation of independent self-governing medical and nursing associations, a shift from political to professional control over the content of medical education and research, and modifications to medical and nursing training. Moreover, clinics, hospitals and health practitioners, including nurses, have been given permission to offer services privately (Heitlinger 1995; Deppe and Oreskovic 1996). As a result of the reorganisation, the majority of CEEC have experienced a slight but constant decline in the numbers employed by the health sector throughout the 1990s (European Training Foundation 2000).

The reorganisation of the health care system during a period of economic and social difficulties, including unemployment, has come under growing criticism in most CEEC. In the Czech Republic, for example, large-scale privatisation has been seen as the ultimate goal of health care and other reforms. The privatisation of many clinics and medical practices, however, has increased fears about gaps in regional and medical speciality provision. The fee-for-service scheme has been criticised for being too complex and expensive for it encourages professionals to provide more services in order to increase their salaries (Heitlinger 1995). Moreover, the introduction of self-governing professional associations has not achieved the desired goals. They have received educational, licensing, fee-bargaining and lobbying functions, and together with the trade unions, have exerted major influence on the debate and subsequent strategies about health care reforms and changes in the training of staff. However, as regards improvements to employment conditions, the medical and nursing lobbies have had limited influence, despite widespread industrial action. Salaries have remained very low compared to other occupational groups: for example, the average salary for a doctor was about 7,000 crowns a month whereas a metro driver earned 12,000 crowns in the mid-1990s (Heitlinger 1995). Nurses earn about 6,500 crowns a month, which is also below the average salary of employees (Heidenreich 2001). Perhaps not surprisingly, the demand for nursing training has declined. In 1995 the nursing high schools in Prague received one-half to one-third fewer applications than in the previous year (Heitlinger 1999).

In Poland, health reforms, including the restoration of a health insurance system and the introduction of privatisation schemes, have only come into force in 1999. Despite re-examining the proposed structural changes and slowing down the process of reforms, dissatisfaction with the restructured health system is widespread (Deppe and Oreskovic 1996; Domagala 2000). Criticisms have been raised against the slow development of administrative decentralisation and the delivery of home-care through family doctors. District hospitals in cities have lost their district status in the transformation process. Their role and financial situation, and the surplus labour that will arise as a result of the change, have remained uncertain (Heidenreich 2001). First estimates predict job losses of 10 per cent, though the indications are that losses will be closer to 30 per cent (Domagala 2000). In 1989 all occupational groups with higher education, including doctors and nurses, obtained the right to self-government and

representation of their professional interests. Since 1992, most aspects of professional regulation have come to be influenced by the professional associations and, more so, by the market (Buchner-Jeziorska and Evetts 1997). Professional associations, in conjunction with independent examination boards, have begun to control registration, licensing and accreditation, and the monitoring of the curricula. The market is determining the numbers of students, professional career development and increasingly also pay. The growing privatisation of health care provision and the withdrawal of the state from its control and funding has led to a two-tier system in the occupational situation of professionals. Those working in the private sector operate according to different regulations and effectively determine their own fees for service provisions. Those working in the public sector have increasingly had to defend their interests through trade union activities (Buchner-Jeziorska and Evetts 1997). Strikes and demonstrations by health sector personnel in response to poor pay and growing job insecurity have become numerous (Domagala 2000).

Other CEEC have undergone similar changes (Deppe and Oreskovic 1996; Richardson 1996). As regards the workforce, the focus in CEEC has been on educational reform, the conditions of employment have been neglected. In fact, they appear to have worsened in the process of change. The migration potential among health professionals is therefore relatively high. In the short term, regulated East-West migration will continue to be influenced largely by the economic and institutional factors in the receiving and, probably to a lesser extent, the sending countries. The following section will examine the structures and processes that will influence the incorporation of CEE health professionals in EU countries, with specific reference to Britain and Germany.

## OPPORTUNITIES AND OBSTACLES IN THE EU

### Labour demand and supply

The ability of individual labour markets to absorb labour influences migration and the quota for the temporary employment schemes. Many EU countries are short of nurses, and Britain is also experiencing a severe shortage of doctors. In Britain, many hospitals claim a severe crisis in recruitment and retention of health professionals, particularly in large cities, and especially in London. Nation-wide, there are almost 10,000 nursing vacancies remaining unfilled for three months or more, and many hospitals have had to make increased use of agency staff and bank nurses.<sup>1</sup>

Bank nurses are estimated to fill about 10,000 nursing posts at any given time. Recruitment difficulties are likely to worsen in the future because of an ageing nursing workforce. The percentage of medical vacancies still unfilled after three months in

<sup>1</sup> Bank nurses register with the hospital (and not an agency) for temporary work. They are drawn on when there is an increase in the demand for staff.

some hospital-based specialities is seven per cent. Eleven per cent of general practitioner vacancies lie vacant for more than six months. Other developments will add to such trends. For example, a large proportion of overseas doctors who came to Britain in the 1960s and entered general practices will retire in the next few years, with some health authorities potentially losing 25 per cent of their general practitioners (Davies 2000). A series of cohort studies (1983-1993) on the intentions of newly qualified doctors identified a doubling of the percentage of 'undecided' graduates, and a significant increase in the number of newly qualified medical graduates not wanting to pursue a career in Britain (Lambert et al 1997). Staffing shortages have recently worsened, largely as a result of the government's increased investment in the National Health Service (NHS) (Davies 2000). It aims to bring the current funding level of the NHS (6.8% of GDP) closer to the European average (8.6%), to modernise the NHS and achieve a fully patient-centred health service within a 10-year period. As part of the NHS plan, published in 2000, the government promises 7,500 additional consultants, 2,000 general practitioners, 20,000 nurses and 6,500 therapists by the year 2004.

Germany has recruitment problems in nursing, though not in medicine. However, certain developments signal a change in the demand for doctors. Discontent among the medical profession is growing because of declining working conditions and poor pay. Increasingly, young doctors turn to alternative careers, and the numbers applying for medical training have declined over the past few years. Some areas of medicine are particularly affected, such as rehabilitation, radiology, neurology and general medicine (Wüsthof 2001). In addition, a recent ruling by the European Court on working hours will increase the need for additional medical staff throughout the European Union, as doctors' on-call hours in the hospital will be counted towards their full working time by employers (Weber 2000). Nevertheless, at present recruitment problems are restricted to nursing and caring staff. The reasons lie partly in the low staff-patient ratio and partly in high staff turnover and dissatisfaction. Until the early 1990s, the ratio was still based on a formula established in 1969, despite an increase in the number of patients with higher care needs (Schmidbauer 1992). Vacancies have declined since 1993, and official figures for May 1999 show 19,000 vacancies and 107,000 persons seeking work in the health services sector (Heidenreich 2001). Despite the decline, the situation has by no means eased. Hospitals have faced growing budgetary constraints since the 1993 reforms, which has limited the annual increase of their budgets (Dietrich 1995). Moreover, the fixed daily rate for care was replaced with a differential fee system in 1996. Responses to these budgetary reforms and the nursing care insurance of 1996 led increasingly to the provision of inadequate training programmes, and the recruitment of unqualified, assistant, and foreign staff. Shortages are expected to worsen because of the continuing increase in care needs and the decline of young people who opt for the profession (Becker 1996). A forecast by Prognos for the year 2010 shows an additional demand of 170,000 nursing and caring staff (Heidenreich 2001). The budgetary reforms to come into effect in January 2003 will introduce a flat rate fee system for groups of related diagnoses, which will impose further budgetary constraints on hospitals (Simon 2001).



Reducing staff shortages in the British and German health sectors will, therefore, be one of the key challenges of the next few years. Both countries have introduced initiatives to attract new staff and returnees. In Britain, new nursing categories have been introduced and pay also increased. The NHS Plan of 2000 sets out a number of new roles and responsibilities for nurses, offering a wider range of clinical practice, and improvements to continuing professional development (Bird, 2000/2001). In Germany, increased pay scales and fringe benefits and the provision of some university programmes in nursing studies have been introduced to improve the status of nurses (Wagner 1996). Despite these changes, nurse recruitment and retention have been insufficient to meet demands. Both governments have had to resort to foreign recruitment. Over 13 per cent of employed health associate professionals in Britain, among them mostly nurses, are foreign-born (Salt and Clarke 2001). The number of foreign nurses and midwives has increased by 48 per cent in the past year. Several large hospital trusts have signed agreements with the ministries of health of a number of countries to recruit nurses. Some hospitals offer special bonuses for weekend and night shifts to increase the earning capacity for these nurses. Others provide flexible work arrangements so that migrant nurses can work in different locations in Britain and take longer breaks for the purpose of travelling (Heitlinger 2000). About 28 percent of medical and dental staff in Britain obtained their primary qualification outside the European Economic Area (Department of Health, 1998). Despite the current shortage of doctors, health trusts have been reluctant to increase foreign recruitment, claiming that training outside the UK is inappropriate for the workload found in most hospitals (Davies 2000). Germany does not maintain statistics on foreign health professionals, and EU statistical sources do not categorise their samples into health personnel (Scar 2001). Estimates of foreign workers in the health sector therefore diverge widely. These range from four to forty per cent, with the highest share expected to be in large urban agglomerations (Heidenreich 2001).

It is evident that attracting foreign labour for shortage areas has been a common strategy adopted by both governments to solve past and current recruitment problems. Skill shortages and skill mismatch in European health sectors may open up employment opportunities for CEE migrants. Temporary migrants on work permits are particularly beneficial to employers because the quota admitted and the skills required can be adjusted flexibly according to the labour market needs (Werner 1996). Occupational deficits may contribute to a relatively smooth integration of foreign labour in the respective labour markets.

### **Legal Framework**

Despite the opportunities that may arise as a result of the labour market situation in the West, migrants may face legal barriers in obtaining employment. Access to labour markets for third country migrants is regulated by a set of work or residence

permits defined by the existing national laws governing immigration. These vary between EU countries and also for different migrant groups within countries. With regard to the migration from CEEC to EU countries, entry rights and access to work operate either through bilateral agreements and the work permit system (eg Germany) or only through the work permit system (eg UK). Temporary migration laws offer short-term work opportunities, usually up to one year with possibilities of extension, and long-term permits, which are primarily for skilled and highly skilled workers. Many EU countries have adjusted their temporary migration laws and have introduced temporary work opportunities for seasonal workers, project workers, short-term workers, and occupational trainees. Moreover, long-term permits have increased with the change in skill demands (OECD 2001a). For example, in the UK, the number of work permits issued to non-EEA citizens increased by 63 per cent between 1995 and 2000 to almost 65,000, and all but a few issued in 2000 were to the skilled and highly skilled on longer term permits. However, the different response to recruitment problems between the medical and nursing professions is reflected in the proportion of work permits granted. More than eighteen per cent were issued to nurses and midwives, but only one per cent to medical practitioners (Salt and Clarke 2001). The number of decisions given to nurses and midwives from the CEE applicant countries for admission to a part of the professional register has increased from 64 in 1989/90 to 348 in 1999/2000. These decisions are valid for two years, but may be extended (UKCC 2000). Moreover, the British government has recently announced the introduction of a Green Card Scheme, including a fast-track work permit system with quotas in areas of severe labour shortages, including fields of medicine. Skilled workers from Eastern Europe are specified as one of the key groups to attract (OECD 2001a; Travis 2001). Given the current workforce shortage in the British health sector, it may only be a matter of time that a wider variety of professionals allied to medicine will be added to the 'shortage occupation list'.

In Germany, since 1991, CEE migrants can obtain temporary work opportunities through a variety of work permit mechanisms: as a border commuter, a guest worker, a seasonal worker, a project-tied worker, a nurse on job placement, or as trainee or worker through a specific bilateral agreement (Hönekopp 1997). In 1998, 234,600 CEE migrants entered Germany under these various schemes, including about 400 placements for nurses. Ninety-five per cent of all work permit holders work in the former West Germany. However, the numbers of non-EU foreign workers on work permits have declined since 1993, partly because of the deteriorating economic situation. Moreover, the permits are valid only for a specific activity, and are granted in many cases on the proviso that the existing labour force, German and foreign, will not be disadvantaged (Werner 1996). Exceptions to the rule of prior entitlement exist for the employment of contract labour and of guest workers from CEEC, though annual quotas are set for each nationality and occupation depending on the labour market situation. In addition to the 'ordinary' (general) permits, there are a small number of 'special' permits that give free access to the labour market for a limited or unlimited period without geo-

graphical or occupational restrictions. Furthermore, a Green Card work permit scheme was introduced in 2000. At present, the scheme is aimed at information technology specialists to allow employers to extend their recruitment catchment areas to non-EU countries in order to solve staffing shortages (OECD 2001a). However, a review of the Green Card scheme has been on the political agenda over the past few months. The scheme has been criticised by some for being inflexible. For example, the permit is restricted to a period of five years, and it requires the holder to be offered a salary of at least DM 100,000 per year (Haase 2001). The outcome of the review may lead to more flexibility and expansion of the scheme to other employment sectors. The revised scheme may offer additional opportunities of access to employment for CEE migrants.

Thus, the movement of labour from CEE (and other non-EU countries) to EU countries is tightly controlled. Regional, sectoral, numerical and durational restrictions usually apply for temporary employment opportunities. However, further deregulation of labour markets as a consequence of greater Europeanisation and globalisation can be expected. Changes in the demand for labour has already led governments to relax the regulations under which workers trained abroad can work in EU member states. Growing demand in skilled and highly skilled labour will further promote the expansion of the legal routes into national labour markets for non-EEA migrant groups.

### **Training and Regulatory Processes**

Access to employment will be influenced by the institutional structure and organisation of labour markets and employment sectors in individual countries. Many occupations in the European health sector, including the medical and nursing professions, are regulated either by professional associations (eg UK) or by State bureaucracies (eg Germany). In Britain, self-regulatory professional associations operate license and registration systems, and thereby control the numbers and limit access to professional practice positions. They assess and accredit education and training courses.<sup>2</sup> Although

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<sup>2</sup> Nursing training in Britain is the responsibility of the National Boards (England, Scotland, Wales and Northern Ireland) for Nursing, Midwifery and Health Visiting. The United Kingdom Central Council for Nursing, Midwifery and Health Visiting (UKCC) administers the professional register for each qualification. First level nurse training takes three years. It consists of a common 18 month foundation programme for registered general nurses within the university system, which is followed by a choice of four specialisation programmes for another 18 months. Post-registration training is offered by the Royal College of Nursing, and other further education institutions approved by the individual national boards. The UKCC may set standards for such courses. A record of all courses undertaken must be kept in the personal professional profile for verification by the UKCC. To practice legally, nurses must be registered with the UKCC. To remain on the register, they must undergo a minimum of five days training every three years, and keep a record of reflection on learning in a personal professional profile. Health care assistants undergo work-based training of varying lengths and often hold National Vocational Qualifications (NVQs, levels 2 and 3), but have no professional qualification. The average training for level 2 takes 6-12 months, and for

the government has increasingly criticised, and intervened in, aspects of professional self-conduct, including training and supervision practices and structures, the professional associations have maintained their self-regulatory role. In contrast, in most mainland EU countries, with singular exception, professional associations do not exist in the same way nor perform the same functions as in Britain. In Germany, for example, the State accredits education and training courses. It operates the licensing and control procedures, and professional associations and the State negotiate over control of professional regulation (Buchner-Jeziorska and Evetts 1997).<sup>3</sup>

EU migrants are guaranteed equal access to employment and equal treatment in employment conditions in member states by various legal provisions implemented since the Treaty of Rome in 1957. Even though, in practice, they still encounter difficulties (see Ackers 1998; Zulauf 1998, 2001), the initiatives with regard to the mutual recognition of qualifications and diplomas have removed important formal obstacles to intra-EU mobility.<sup>4</sup> CEE migrants do not yet benefit from EU legislation on freedom of

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level 3 it takes 9-18 months. Details on educational and training provision and the regulatory framework for first level registration and post registration qualifications can be found in a study commissioned by the Internal Market Directorate General of the European Commission (European Commission 2000). The medical training is described by Rogers (2000).

<sup>3</sup> In Germany, the Ministry of Health presides over the nursing schools that are eligible to provide training. Federal law regulates four nursing qualifications: general nurse, children's nurse, midwife and nursing assistants. The training for the two nursing qualifications takes three years, for midwives two years and for nursing assistants one year. The details of education programmes and regulations vary between the federal states. Post registration training is not regulated by federal law. Each regional government has its own regulatory framework and recognises different disciplines of post-registration training. The length of training for post-registration qualifications varies between disciplines, but most last a minimum of one to two years full-time or the equivalent part-time. The German Hospital Association provides guidelines and lists of recognised further training institutions which regional governments may or may not adopt. Training for management and teaching qualifications are not regulated at either federal or regional level. Applicants apply to the German Hospital Association for recognition of their qualification. However, there is no guarantee that certificates are recognised throughout Germany (Dietrich 1995). To be able to practice, nurses have to register with the regional governmental body (Regierungspräsidium) responsible for registration in the area of their workplace. Details on the educational and training paths and the regulatory framework for initial registration and post registration qualifications in the various regions can be obtained from the study commissioned by the Internal Market Directorate General of the European Commission (European Commission 2000). For the medical training, see Bundesärztekammer (2001).

<sup>4</sup> Medicine and nursing were among the first occupations to benefit from EU sectoral directives, which were implemented during the 1970s and 1980s. Directives 75/362/EEC, 75/363/EEC and 86/457/EEC for qualifications in medicine (in 1993 integrated into one directive 93/16/EEC); directives 77/452/EEC and 77/453/EEC for general nursing qualifications (in 1989 amended by directive 89/595/EEC); directives 80/154/EEC and 80/155/EEC for midwives; and directive 89/594/EEC for doctors, nurses responsible for general care, dental practitioners, veterinary surgeons and midwives (which made amendments to all the above directives) govern the recognition process within the Community. Groups not covered by the sectoral directives had to wait until the implementation of the General Directives in the 1990s to benefit from EU legislation on the mutual recognition of qualifications. Directive 89/48/EEC covers qualifications in regulated profes-

movement. Recognition of their qualifications and skills will be largely at the discretion of the regulatory bodies of the host country and the employers who take them on. A number of international conventions protect third country migrant workers, but they apply only to those countries that have ratified them. For example, convention 97 (1949) of the International Labour Organisation (ILO), which aims to ensure equality of treatment for migrant workers in respect of issues such as pay, working hours, overtime, has been ratified by many countries. Yet, other more far-reaching conventions have not been ratified by the majority of European countries. This includes the ILO's convention 143 (1975) concerning migrants in irregular situations with regard to their entry, stay or economic activity and the promotion of equality of opportunity and treatment of migrant workers, and the United Nation's convention of 1990 on the protection of the rights of all migrant workers and members of their families. Importantly for CEE migrants, some conventions do not cover the short-term employment of migrant workers, for example the 'European Convention on the Legal Status of Migrant Workers' of the Council of Europe (Werner 1996: 10-11). Outside these international provisions, CEE migrants depend on the provisions as laid down in the bi- or multi-lateral agreements or by the labour protection laws and agreements of the host countries. For example, employers of work permit holders in Britain have to guarantee that pay and conditions are the same as those of British employees (Findlay 1995). In Germany, foreign employees on the Green Card Scheme are guaranteed a minimum salary of DM 100,000 per year. Even though this requirement has been criticised by employers and others for a variety of reasons, it helps prevent that foreign employees are being recruited as cheap labour (Haase 2001). Moreover, the German government has allocated a large budget funding on an annual basis for measures that promote non-discriminatory practices in the recruitment of foreigners and their comparable standards of living to Germans (OECD 2001a). Thus, reforms in the past years have led to some improvements in the status of foreigners, and more attention is being given to integration measures in many countries. Despite such measures and controls, foreign workers are more vulnerable than native workers to being in less favourable employment situations.

Knowledge about training and employment in specific sectors in CEEC, including the variety and paths of training and further training, types of qualifications, nature of occupations and skills, different licencing, registration and certification arrangements, and the different bodies controlling access, as well as diverse professional culture and practices, in Western Europe is limited. The transferability of the acquired

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sions that require three or more years of full-time (or equivalent) higher education training. A second general directive (92/51/EEC), which complements Directive 89/48/EEC, covers all those regulated qualifications that require less than three years of post-secondary school training. In countries where an occupation for the second general directive is not regulated, two years experience on the job are required for recognition in another member state (Commission of the European Communities 1975a, 1975b, 1977a, 1977b, 1980a, 1980b, 1986, 1989a, 1989b, 1989c, 1992, 1993).

skills and experience in a West European context, where such factors are also diverse despite the changes that have come about with European integration, is difficult to assess without undertaking extensive empirical research. At the macro level, according to Iredale (1999: 94), the integration of skilled migrants in a labour market may be experienced at three levels. Firstly, migrants may experience a negative reception, and be confronted with closed shop practices of trade unions, racial discrimination or lack of legal status, and obtain employment at a level below their qualifications and skills. Secondly, they may find themselves in a neutral situation, and obtain employment in the primary labour market at a level commensurate with their qualifications and skills. Thirdly, employment may occur within an advantaged context, and they experience upward mobility in their profession because of political, social and economic factors.

Some evidence about CEE migrant nurses in Austria and Germany, for example, suggests that many are employed as nursing assistants rather than qualified nurses on the grounds that their training is not equivalent to that of the host country (Heitlinger 1995; Heidenreich 2001). Nursing in CEEC has undergone major changes in the 1990s. For example, in the Czech Republic the old system of four year specialised training into general, women's and paediatric nursing in nursing high schools has been abandoned. Instead, a two-year training course for general nursing in nursing colleges was introduced in 1994-95, and specialised training paths have become available only to those who have completed the general nursing training. New training centres have been set up to offer specialised post-graduate courses on aspects of nursing theory, clinical practice and management. Similarly, nursing schools in Poland replaced its two and a half-year training for nurses and midwives with a three-year programme in 1996-7 to bring the training into line with standards set by the European Union, the International Council of Nurses and the World Health Organization. Higher nursing education has been available since 1969, offering masters diplomas in nursing studies (Wrńska 1996; 1998). Recent reforms in CEEC show a move towards harmonising nursing education with countries in the EU. Therefore, eventually, nursing education, certification and licensing will resemble those of Western Europe (Heitlinger 1999). CEE migrants who obtained their qualifications post the reforms of the 1990s should thus have received training equivalent to EU standards in terms of content and length. While nurses who obtained their qualifications prior to the educational reforms may need supplementary skills training to be effectively incorporated into the EU labour market, the four-year training in the past, for example in the Czech Republic, suggests that nurses received extensive instruction and experience. Research into the labour market position of ethnic Germans from CEEC in Germany and CEE migrants in Austria suggests that the returns on human capital acquired are low, despite high education levels. Many work at the levels of other immigrants in the country, even if in possession of good language skills (Drbohlav 1997; Boeri and Brücker 2000). Interviews with employers and regulatory bodies in British nursing in the mid-1990s found that expectations concerning linguistic competence were very high and determined access to employment. However, Britain did not experience a shortage of nurses at the

time. German hospital employers showed significant leniency with respect to linguistic ability. The reasons given were severe labour shortages and not wanting to alienate foreign nurses (Zulauf 1998, 2001).

Nonetheless, research into the employment status among migrant professional workers in a number of advanced economies provides ample evidence of a decline in occupational status for migrants, at least in the short run (eg Bernstein and Shuval 1995; Kiehl and Werner 1999; Robinson and Carey 2000). In the case of non-EU foreign nurses, many have in the past been unable to find jobs in Germany in which to make use of their qualifications and experience (Schmidbauer 1992). Recent research on CEE nurses suggests that downgrading to assistant scales continues to be widely applied (Heitlinger 1999; Heidenreich 2001). Repeated findings on graduates from medical schools suggest similar problems concerning achievement for overseas doctors in Britain (Berlin et al 1997). Robinson and Carey (2000) report that Asian doctors have had it twice as difficult being shortlisted, and overseas doctors more generally have been less successful in reaching the upper grades of the occupational structure. A major study undertaken on ethnic minority nurses in Britain show similar results (Beishon et al 1995). Recent research on foreign nurses in Britain is mixed, highlighting positive (Daniel et al 2001) and negative experiences (Gow 2001).

Non-recognition of work experience by employers is by no means restricted to CEE migrants working in EU labour markets. The High Level Panel (1997) identified this obstacle for EU migrants working in a wide variety of employment sectors and member states. The new simplification directive, which is due to be implemented into national law by January 2003, amends the existing directives on the recognition of diplomas and professional qualifications. It aims to create a more transparent and flexible framework for the recognition of qualifications, and includes an obligation on EU countries to recognise work experience obtained in another member state (Commission of the European Communities 2001; Scatizzi 2001). CEE migrants will not be protected by the legislation for several years subsequent to its implementation. However, they may benefit from the standardisation of conditions brought about by the directive, and the increasing importance attached to the diffusion of good practice and peer pressure to promote greater convergence of policies within the EU.

There is also the danger that temporary foreign staff will be employed on pay below the collectively bargained or regular wage (Werner 1996). European countries generally push for greater rationalisation and competition within their individual health systems due to budgetary pressures and changing government ideology, and there is a growing emphasis on the privatisation of health services. These developments have increased the demand for less expensive health workers. Those who are trained and experienced are particularly sought after (Phillips 1996). Heidenreich (2001) claims that the employment of foreign labour has been used as a strategy to save costs in the German health sector. Heitlinger (1999) reports that the alleged discrepancies between Czech high school and West European nursing diploma training have been used by Austrian and German employers not to pay local wages to Czech nurses. An addi-

tional factor may be the knowledge among employers in the West that the salaries of health professionals in the Czech Republic (and other CEEC) are low compared to those of other professions (Lunts 1998), and much lower than the pay of their counterparts in the West. For example, the salaries of health professionals in CEEC bordering Western Europe are about one tenth of those in the West (Heitlinger 1999; Heidenreich 2001). Migrants may not oppose the conditions offered since remuneration will still be significantly above the accustomed pay they received in the country of origin (Wrńska 1996). Moreover, the aim of temporary migrants often is to maximise income during the short period abroad (Werner 1996). Equal opportunities policies and their monitoring are therefore of particular importance for the protection of temporary migrants. In the absence of such protection, third country migrants on short-term contracts may be particularly vulnerable to experiencing discriminatory treatment in working conditions and pay.

### **Professional Roles and Organisation of Work**

Adjustment to the professional role and organisation of work influences the integration abroad. Variations in these areas exist between countries because of differences in the institutional arrangements of labour markets and the organisation of employment sectors. The institutional structure, patterns of government, professional associations and professional relationships, and political and economic circumstances all influence the role of occupational groups, their autonomy and power within a national context (Freidson 1986, 1994). The status and role of occupations are influenced, among other factors by the historical development of training systems and by forms of work organisations and practices. Skills, level of competence and responsibilities assigned to particular occupational groups will therefore also differ between countries. Aspects relating to the professional role and organisation of work include the care system, the role and status of qualified staff, the role boundaries between staff, professional specialisation, staff-patient ratios, and job routines such as shift patterns and medication administration (Döhler 1997; Daniel et al 2001). However, studies about foreign personnel in European health sectors have shown that the care system and the staff-patient ratio are particularly problematic issues in the integration processes.

In nursing, care delivery systems largely determine the organisation of work. Care systems may be largely holistic or task-oriented. Britain fully incorporated a holistic care system into nursing training with the implementation of Project 2000 in the late 1980s. Various care systems have been implemented over the past years, the main ones being patient allocation, primary nursing and team nursing. Under the system of patient allocation, the nurse is in charge of a group of patients, usually for a shift or several days. Under primary nursing, a nurse is also assigned a group of patients, but assumes 24-hour accountability from admission to discharge. In team nursing, care is



supervised by a team leader who assigns a number of nurses with different skill levels, determined by the needs of the patients, to the provision of care (Higgins and Dixon 1992). The development of these care systems, together with the shift to university training, has given nurses greater autonomy in their professional role and professional status (Walby et al 1994). Due to the reduction of working hours and shortages of medical personnel, clinical work previously done by doctors has increasingly been shifted to nurses. Moreover, patient-focused care has contributed to the development of multi-skilled job designs and work roles. Although still widely opposed as a desirable development, the utilisation of generic workers in the health sector, ranging from NVQ-trained health care assistants to cross-trained qualified professionals, is likely to grow. They may account for 48 per cent of the workforce by 2005 compared to the current 28 per cent (Hurst 1997).

In Germany, care delivery systems vary within and between regions, though functional care continues to operate in many hospitals. Functional care is a largely task-oriented approach under which work is highly fragmented and routinised. A change to a patient-focused system has been in the process of being implemented by an increasing number of German hospitals over the past years. However, a survey among nursing staff found that the adoption of holistic care was not as widespread in general hospitals (54 per cent) and university hospitals (47 per cent) as in other institutions, such as specialised hospitals (60 per cent) and old people's homes (82 per cent) (Dietrich 1995). Under the system of functional care, nurses receive responsibilities for tasks and not patients, and tasks are distributed on a rota basis and not by professional grades. Contrary to British nursing, there is no clear division of labour within the various nursing grades (Taubert 1994; Döhler 1997). Although one nurse will be in charge of a particular shift, it can be a nurse who has just qualified. Developments of new systems of care have remained underdeveloped in comparison to other countries (Philbert-Hasucha 1993). Nurses in Germany lack professional status and autonomy (Herbst 1995). The 1990s have seen a growing shift towards a holistic care system, an autonomous professional status and role for nurses, and university training for managerial positions. Moreover, regular updating of skills through continuous and/or further training has become a requirement. Despite these changes, management problems, authoritarian management styles and lack of communication influence the employment conditions in the hospital and geriatric sector negatively (Heidenreich 2001).

Shifting to a different care system can create adjustment problems for migrant nurses. A shift from a functional to a holistic care approach could create uncertainties, and a lack of confidence in performing the work role, particularly in combination with language impediments. In contrast, a shift from a holistic to a functional care system may create resentment among migrants because of a loss of status and a fear of de-skilling. The level of difficulties experienced by migrants will vary, and will be influenced by a number of factors. Of particular importance will be the organisations' response to the specific needs of foreign staff, the migrants' expectations, attitudes and values, and the time period following emigration within which the migrants find them-

selves (Hormuth 1998; Daniel et al 2001). However, Czech hospitals appear to use a task allocation system. A dialysis unit in a Prague hospital, for example, puts one nurse in charge of a shift who hands over to the nurse in charge of the next shift. Other nurses simply read the report of the earlier shift and the nursing instructions of the day. Among the 30 nursing staff on the unit there are about six experienced nurses with the remaining numbers comprising new and inexperienced staff. Junior nurses complete the tasks as specified in the nursing instructions, without taking or being given much responsibility. Nurses carry out their work according to doctors' orders, and have little professional autonomy (Lunts 1998). Thus, the care delivery system resembles that of the German nursing culture. Care delivery and the role of nurses in Poland appear to be closer to the British system. A law passed in 1997 recognised the nursing profession as an independent occupation with extended tasks and responsibilities. This law has given nurses greater autonomy in their work role and has contributed to the development of nursing practice (Wrónska 1998). Health sector restructuring in CEEC has reformed and upgraded nursing training and has expanded the functions of professional associations (Heitlinger 1999). These changes may gradually shift more responsibilities and power from doctors to nurses (Lunts 1998). The above factors combined may ultimately lead to further improvements in the autonomy and status of the nursing profession. It will aid their adjustment process in the West, particularly in those countries where holistic care has been practised for some time.

The staff-patient ratio has been identified as another area where health professionals may experience adjustment problems in the work environment. OECD figures for 1998/9 show a similar average ratio of doctors per 1,000 inhabitants between Britain (1.7) and Poland (2.3), and between Germany (3.5) and the Czech Republic (3.0). The same applies to the average ratio of practising certified/registered nurses in hospitals per 1000 inhabitants, which was 5.0 for Britain and 5.1 for Poland compared to 9.6 for Germany and 8.2 for the Czech Republic. These figures indicate a higher workload for the first group of countries compared to the second. However, both Germany and the Czech Republic have a significantly higher number of in-patient care beds per 1000 inhabitants (9.3 and 8.9 respectively) than Britain (4.2) and Poland (5.3). Staff-patient ratios differ between wards according to care category and needs, but the average ratios influence the supply of personnel on wards, and ultimately the workload of doctors and nurses. For example, in 1997 the average number of nursing staff per bed in acute care was 1.0 in Britain, 0.58 in Germany and 0.44 in the Czech Republic (OECD 2001b).<sup>5</sup> No figure is available for Poland, but a similarity between Germany and the Czech Republic can again be identified. How closely the staff-patient ratios in the country of origin resemble those in the destination country will therefore play an important role in the integration process of health professionals abroad.

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<sup>5</sup> The groups of countries are also similar in collecting statistical data. Figures for Britain and Poland refer to public sector institutions only, whereas those for Germany and the Czech Republic include the private sector.

Clearly, differences in staff cover are greater between the Czech Republic and Britain and between Poland and Germany. However, adjustment problems to workloads on hospital wards may turn out to be minimal for a number of reasons. The restructuring process in the Czech Republic has led to the privatisation of many hospitals. The workload of staff in state-run hospitals has increased tremendously as a result because of the pressure to maintain their funding. The average ratio of nurses per patient has been impossible to uphold, with the effect that nurses have little time to communicate with patients. Moreover, the professional status of doctors, and in particular of nurses, in the Czech Republic is low compared to many West European countries. As a result of poor pay and status and heavy workloads, turnover of staff is high. Shortage of personnel is therefore a common problem (Lunts 1998). In Poland, stress, exhaustion and absence through sickness have been common features among the nursing profession (Wrónska 1996). Recent reforms may have worsened the situation. Increasingly, employers try to employ health professionals outside the Labour Code. Individual contracts allow them to increase the working time according to the needs of the hospital rather than the time requirements for specific tasks. Moreover, conflicts between management and staff have increased because of differing opinions about the importance of financial considerations and the value of care to the patient in service delivery (Domagala 2000). Thus, a number of factors in both CEEC contribute to disillusionment among health professionals, leading to high turnover and exit from the sector. For some, the developments may provide incentives to search for opportunities abroad.

However, if decisions to migrate are primarily driven by specific occupational improvements, then the German and British health sectors may not be able to fulfil these aspirations. As shown earlier, staffing levels on wards in Germany are low. For a long time, hospitals have had to rely heavily on assistant nursing staff because of high staff turnover and exit (Jacobs 1992). In recent years, an increase in the recruitment of insufficiently qualified or unqualified staff can be observed, especially in the provision of long-term care needs (Becker 1996). Britain in the past decade has favoured qualified rather than support nursing staff for the delivery of care. However, with rising health care costs and severe staff shortages, a shift in the balance between the two categories of staff has become a growing tendency (Hurst 1997). Such developments in the two EU countries suggest a more problematic integration process for foreign staff. Time limits will affect not only the level of input expected of staff, but also staff mentoring, and ultimately the tasks allocated to newcomers. However, there is wide evidence that migration is often prompted by a set of economic and non-economic reasons. Short work periods abroad, the main route for CEE migrants into Western Europe, may offer benefits and rewards other than those directly related to careers.

## CONCLUSION

The purpose of this chapter has been to examine the potential incorporation of health professionals from the accession countries of Central and Eastern Europe in EU labour markets during the transition period. The discussion shows that many factors inhibit the movement of CEE migrants to EU countries, and their integration into the labour markets. Admission to the West is strictly controlled, and is mostly short-term. Only a small number of EU countries have developed schemes offering temporary employment opportunities to CEE migrants. Employment systems and the organisation of specific employment sectors provide additional obstacles. A number of potential obstacles for health professionals have been identified in the regulatory system for training, qualifications and skills, and the professional role and organisation of work.

However, a few factors do promote the migration of CEE migrants, and their integration, to the West. The demand for specific skilled labour, including health professionals, in the EU is high, and several countries already look for solutions to meet skill shortages. Attracting labour from non-EU countries has become one attempt to solve shortages of labour. The European Commission favours the encouragement of intra-EU mobility to meet new labour demands (Vandamme 2000). Yet such mobility has remained low throughout the existence of the EU. Enlargement to Central and Eastern Europe is imminent, and the push factors of migration in the East are unlikely to diminish in the near and intermediate future. Demand for skilled labour in existing member states, and the growing need to recruit labour from abroad may lead to the increased acceptance and recruitment of staff from CEE countries, and to improved employment conditions for CEE migrants in the West. However, wide varieties are likely to remain, unless member states agree on greater convergence of short-term employment schemes offered to CEE migrants. While such agreements may have little impact on the actual experiences in workplaces, they would provide additional protection against unfair treatment due to their status as temporary migrants with work permits.

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## POVZETEK

### DELOVNE MIGRACIJE VZHOD - ZAHOD IN INTEGRACIJA: TRENDI IN IZGLEDI ZA ZDRAVSTVENE DELAVCE

Monika Zulauf

*Svoboda gibanja ljudi je bila predmet razprav med EU in novimi potencialnimi članicami. Začasne delovne pogodbe za delavce iz Srednje in Vzhodne Evrope (CEE) so bile na voljo že vse od kasnih osemdesetih let. Ta ponudba odpira legalno pot v trg delovne sile držav EU za priseljence iz držav CEE v obdobju tranzicije. To poglavje raziskuje različne faktorje in procese, ki vplivajo na profesionalno vključevanje zdravstvenih delavcev iz Češke in Poljske v Veliki Britaniji in Nemčiji. Njihov sedanji in potencialni zaposlitveni položaj je obravnavan v odnosu na povpraševanje ter ponudbo za takšnimi zaposlitvami, legalni okvir tega trga dela, uvajanje v samo delo in proces reguliranja takšnih procesov ter profesionalno vlogo in delovno organizacijo v njem. V poglavju se napoveduje, da bo povpraševanje po specialni kvalifikaciji in visoki izobrazbi pri delu v mnogih državah EU lahko vodila v širitev zaposlitvenih priložnosti za priseljence iz držav CEE v naslednjih letih. Zagovarja se stališče večje konvergence pri izdajanju dovoljenj začasnih zaposlitev med državami članicami EU, v prid pridobivanja višje stopnje zaščite zaposlenih in pravičnejše obravnave začasnih priseljenec s takšnimi delovnimi dovoljenji.*

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# CONTEMPORARY TRENDS IN BERLIN'S TURKISH ECONOMY

Antoine Pécoud

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## INTRODUCTION

This essay investigates the contemporary situation of German-Turks' business activities in Berlin. It argues that major changes can currently be observed and attempts to present them and to analyse their consequences. It then proposes a connection between some of these changes and the multiculturalist ideology that is emerging in Germany.

## FIVE TRENDS IN TODAY'S TURKISH ECONOMY

In North America and in many Western European countries, ethnic economies are now a central aspect of ethnic minorities' presence. Immigrants' independent economic activities have gone through a huge expansion during the last four decades, changing the landscape of most cities and becoming a landmark of all advanced urban economies. An important literature, both empirical and theoretical, has been dealing with this phenomenon (Barrett *et al.*, 1996; Light and Gold, 2000). Two sets of factors, the 'structure' and 'resources' arguments, have been showed to play a key-role in shaping ethnic economies.

The structure side refers to factors external to the minority group. The existence of a potential market is obviously a crucial factor (Jones *et al.*, 2000). Laws may or may not facilitate immigrants' access to independent business activities. High unemployment and socio-economic discrimination push disadvantaged immigrants into self-employment (Light and Gold, 2000: chap. 8). However, immigrants must not only find themselves in a favourable context, they must also be able to seize the existing opportunities and therefore need 'resources' (Aldrich, Waldinger and Ward, 1990). The resources side is thus composed of factors internal to the minority group. A trade experience helps a group take advantage of business possibilities. Ethnic solidarity can help overcome class disadvantages. In a Weberian fashion, it has also been argued that some groups had cultural values that support business behaviours and help migrants adapt in capitalist societies. There have been huge debates on the respective importance of these two sets of factors, the fundamental issue being the 'structure versus culture' question: do immigrants succeed in business because they have the right mentality and culture or because they find themselves in a structurally favourable position? Scholars from the Marxist tradition have argued that a group's 'cultural predisposition for business' was

to be interpreted as a reaction to structural factors such as high unemployment and discrimination. Immigrants are then seen as forced to develop such a culture if they want to survive economically (see Chan and Ong, 1995).

More recently, research on immigrant economies has been investigating the broader contexts in which immigrants' entrepreneurial activities develop. The fundamental idea is that the 'structure side' goes beyond market conditions and discrimination. Ethnic economies are then seen as embedded in 'economic, politico-institutional and social environments' (Rath, 2000: 1) and the concept of 'mixed embeddedness' (Kloosterman and Rath, 2001) has been coined to stress the influence of such macro-contexts on immigrant entrepreneurship. For example, economic regulations and institutional contexts vary across countries and importantly determine the perspectives and success of immigrants' business activities (Kloosterman, 2000). Similarly, the evolution of post-industrial 'globalised' economies towards less regulation and more informalisation has created new opportunities for immigrant entrepreneurs (Sassen, 1991; Wilpert, 1998). Political *laissez-faire* can cynically tolerate the informal practices of some immigrant businesses because their existence profits to larger firms with whom they deal (Bonacich, 1993). The argument developed in this article follows this way of thinking and suggests that a policy towards immigration and minorities inspired by a multiculturalist ideology can, albeit in a less direct way, contribute to shape the functioning of an immigrant economy.

In Germany, self-employment among immigrants has been growing regularly. In 1970, less than 2% of non-German workers were self-employed but in 1998, this percentage had climbed to 8.8% (Özcan and Seifert, 2000). This is still under the proportion of self-employment among German workers that lies at 10.1%. However, evidence shows that the first rate is growing while the second is declining so that one can expect that non-Germans will soon be proportionally more represented among independent workers than Germans (Buch *et al.*, 1994).

Numerically, this means that there are altogether 279,000 non-German self-employed workers in Germany. Turks who, with a population of over 2.1 million (2.5 if one includes those who have become German), constitute the biggest minority group, are also the most represented in this category. It is estimated that in 1998, there were 51,000 businessmen of Turkish origin, providing jobs to 265,000 persons. This represents 18.3% of the total number of economically independent non-Germans. Italians and Greeks are the second and third groups, with 38,000 (13.6%) and 33,000 (11.8%) self-employed workers respectively (Zentrum für Türkeistudien, 1999a). In Berlin, there are about five to six thousand German-Turkish enterprises employing 20,000 persons (Hillmann, 1999).

This growth contrasts with immigrants' difficulties on the labour market. In 1998, 20.3% of non-German workers were unemployed. This percentage was almost twice higher than the unemployment rate for German workers that lies at 10.5%. The rate for German-Turks was the highest of all at 22.7%. Real figures are probably higher because not all unemployed immigrants are registered. A major problem here is immigrants' lack of education. In Germany's highly regulated economic system, most jobs require workers to have followed a specific professional training (*Ausbildung*).<sup>1</sup>

However, many young non-Germans leave school early and do not follow a professional training: this greatly hinders their insertion on the labour market (Beauftragte der Bundesregierung für Ausländer, 1999).

The first Turkish businesses to appear in Germany in the early sixties were catering to Turkish labour migrants' special needs (restaurants and cafés, translation services, travel agencies, alimentation shops). The family reunification that took place in the seventies enlarged these needs (clothes, transport firms, music shops, grocery stores). Turkish business activities went through a phase of huge expansion in the 1975-1985 decade, due to several factors. Many German-Turks abandoned their return plans and invested the savings initially destined to their life back in Turkey; changes in their legal status enabled easier access to self-employment and unemployment problems pushed them into independent business (Yen and Goldberg, 1996). By the end of the eighties, several tendencies appeared, which now constitute crucial features of the German-Turkish economy. These can be described under five categories: heterogeneity, hybridity, professionalism, internationalisation, and state interest. These five trends challenge the literature on ethnic entrepreneurship and have enabled the emergence of the new context mentioned in the introduction.<sup>2</sup>

### Heterogeneity

If most self-employed German-Turks started with small family businesses, there are now huge differences between them. These correspond to the growing divisions in terms of socio-economic achievements that have superposed themselves on previous religious, ethnic and rural/urban differences. German-Turkish entrepreneurs differ in the size and duration of their business, and in the skills and qualifications they have.

In terms of size, a majority (57.3%) of them have less than three employees while 9.6% of them have more than ten. A very small minority (about one per cent) can be considered as big, which means that they occupy between twenty and fifty people. Duration varies too. 14.5% of Turkish businesses have been existing for more than

<sup>1</sup> About two third of the German workers follow such an *Ausbildung*, which gives them an *occupation* (Maurice, 1993). An *occupation* is different from a *job* in the sense that it is closely linked to a position on the labour market and to a social identity. An unemployed worker may not have a *job* but still has an *occupation*. The German word for *occupation* is *Beruf* and its etymology shows its connection to the verb *rufen* (to call): to a certain extent, *Beruf* thus also has the meaning of *vocation*.

<sup>2</sup> In describing the current situation of Berlin's 'Turkish economy', I rely both on statistical data and on interviews with leading German-Turkish businessmen and policy-makers. Regarding quantitative data on German-Turkish business activities, I use the statistics provided by the Zentrum für Türkeistudien as well as estimations by other authors working on the topic. It must be said that there is a scarcity of empirical investigations on the subject. As for other sources of information, I interviewed several members of German-Turkish business organisations as well as policy-makers from the Berlin government.

fifteen years while almost half of them (48.6%) are younger than five years old. German-Turkish entrepreneurs' skills are also very heterogeneous. 43,2% of them still have no professional qualifications while a minority (15.4%) have completed a German or Turkish university degree. Their sectors of activity also show an important variety. A majority of them are still active in the 'classic' branches such as the food (24.2%) and grocery stores (35.9%) sectors. But 'there is more business than Imbissness'<sup>3</sup>, and the service sector now occupies 19.1% of German-Turkish entrepreneurs (Zentrum für Türkeistudien, 1999a).

### Hybridity

If, in the early stages of their existence, German-Turkish entrepreneurs used to rely on the 'protected market' constituted by Turkish migrants' special needs, they now have more and more contacts with Germans and the mainstream economy. 86.7% of Turkish businessmen have German customers and 72.9% of them collaborate with Germans for their supplies. Moreover, almost a third (30.2%) of their employees are not of Turkish origin, but German or of another nationality (Zentrum für Türkeistudien, 1999a). Turkish entrepreneurs have thus gone 'from the niche to the market' (Duymaz, 1989) and speaking of an 'ethnic' or 'enclave' economy therefore does not make sense for the vast majority of them.

This evolution towards hybridity is due to both socio-economic and cultural factors. The protected market is losing its importance because German shops and German-Turkish customers have mutually adapted their supplies and demands to one another. Very few businesses can therefore survive by relying exclusively on coethnic customers (Yen and Goldberg, 1996). Moreover, an important evolution of German customers' consumption habit also took place, especially in the food sector. 'Ethnic' food is now purchased by nearly everybody and this obviously fuels the growth of restaurants held by immigrants, giving them opportunities to leave the niche and deal extensively with Germans.<sup>4</sup> From a cultural perspective too, the nature of German-Turkish business activities is thus very much hybrid (Pécoud, 2001).

<sup>3</sup> This quote was the name of a meeting organised for young Turkish entrepreneurs by the *Türkisch-Deutsche Unternehmervereinigung* (TDU) in October 1998. *Imbiss* is a German word meaning 'snack' and by extension also designates the numerous snack bars that can be found almost everywhere in Germany. They used to sell mostly German food like sausages, but since the seventies many of these *Imbiss* are held by immigrants and sell Chinese, Italian or Turkish food. It is in such Turkish snack bars that one can buy the famous *Döner Kebab*.

<sup>4</sup> This diversification of tastes is only one aspect of this cultural globalisation. The other one is of course the standardisation (often called 'americanisation') that is taking place. This double trend corresponds to world culture scholars' analysis of globalisation that has underlined the tension between homogenisation and heterogenisation (see for example Appadurai, 1990). Moreover, it must be noted that products themselves are also becoming hybrid. In Germany, this is exemplified by the emblematic *Döner Kebab* story, a 'typically Turkish' product that was actually created in Germany, thus illustrating the mutual adaptation of German customers and Turkish food.

### Professionalism

The tendency towards professionalism manifests itself mainly in the emergence of a business elite. This elite is composed of highly successful German-Turkish entrepreneurs who have become organised. This has resulted in the creation of an association representing their interests. This association is called the TDU (*Türkisch-Deutsche Unternehmervereinigung Berlin-Brandenburg*/Turkish-German entrepreneurs' association) and has become a quite visible and well-known organisation. Its approximately 130 members are mostly successful entrepreneurs and its main goal is to contribute to German-Turks' 'integration' in Germany by facilitating their business activities. It has become a discussion-partner for both German and Turkish politicians as well as for businessmen of both countries. Similar associations also exist in all German big cities and are becoming organised to act on a national level. The impact of this association is larger than the number of its members could suggest. The TDU, with its image of professionalism and respectability along with its frequent appearances in newspapers and public debates, has given a new image of Turkish entrepreneurs and constitutes an important landmark.

There are several other signs of this trend towards professionalism. The publication since 1996 by a German-Turkish editor of a yellow pages book - called *Is Rehberi* - that lists about 4,000 of Berlin's 5,000-6,000 Turkish businesses in very different sectors shows how German-Turkish businessmen have become conscious of themselves and of their importance. German banks have started recruiting German-Turkish employees to deal with their German-Turkish customers. Advertisement has also 'discovered' German-Turkish customers and several important firms now promote their products and services in Turkish.

### Internationalisation

The internationalisation trend is not exactly new since Turkish businessmen's import-export activities between Germany and Turkey have been existing since the very beginning of Germany's 'Turkish economy'. Businessmen would bring Turkish products to Turkish customers in Germany. But the international dimension of the Turkish economy is now taking new forms. Products do not only circulate from Turkey to Germany but also in the reverse direction: several German-Turkish firms export their products to Turkey. Other countries are involved as well, especially those with important Turkish minorities such as Belgium and the Netherlands.

Moreover, new forms of transnational business practices are becoming more frequent. Taking advantage of the growing facility of international trade and of the cheap labour available in Turkey, some German-Turkish firms are now established in both countries. Textile is a good example of this 'globalisation from below' (Portes, 1998): clothes are produced in Turkey and sold in Germany. Another sector in which transnational entrepreneurship is flourishing is tourism: German-Turkish businessmen invest in Turkey's tourism industry, using their knowledge of German tastes to

successfully deal with German tourists (Zentrum für Türkeistudien, 2000). Such activities are often embedded in familial and social networks that span the two countries and that make transnational business activities possible.

### State interest

The 'Turkish economy' has long grown in a context characterised by policy-makers' indifference or even adversity. Legal constraints in particular were not supportive of immigrant entrepreneurs. Today however, governments, politicians and policy-makers are increasingly taking German-Turkish businessmen's activities seriously. Self-employment is increasingly viewed as a potential 'solution' to 'immigration problems'.

Economic independence is indeed supposed to help the disadvantaged Turkish minority to improve its socio-professional situation, and thus to 'integrate' better. Entrepreneurship should offer economic opportunities and provide jobs to German-Turks, thus elevating their standard of living. Moreover, business success is thought to give them self-confidence and a more respected place in the German society. Germans are also expected to react positively to German-Turks' economic dynamism, which should improve their mutual relations. The above-mentioned fact that some Turkish businesses now employ Germans is perceived as an indication that German-Turks can even become job-givers and thereby greatly improve their status in the German society. Finally, it is hoped that German-Turkish entrepreneurs will provide apprenticeship places for young German-Turks, thus ameliorating their level of professional qualifications and helping them to integrate on the labour market. This has not been so much the case until now because of German-Turkish entrepreneurs' ignorance of the system (Zentrum für Türkeistudien, 1999b).

More generally, it should also be noted that this concern for self-employment among immigrants takes place within a larger context of political interest in small and medium-sized enterprises in Western Europe. Since the beginnings of the eighties there has indeed been a growing political conviction that economic growth and job creations will not come from large industries but from self-employed workers and the smaller enterprises they create. As a result, political measures have targeted such sectors throughout Europe (Bögenhold, 2000). This process has contributed to draw attention on immigrant entrepreneurs.

One may reasonably argue that this new approach of German-Turkish entrepreneurship has so far largely remained at the discourse level. Little has been done practically to encourage and support potential businessmen and money is not yet readily available for that, even if a few initiatives have been taken to push German-Turkish entrepreneurs to create apprenticeship places. But it should be noted that this change of perspectives is also taking place in several other European countries (Betz and Haberfellner, 1999).<sup>5</sup>

<sup>5</sup> The Zentrum für Türkeistudien has played a key-role in promoting this new vision of Turkish entrepreneurship. This important think-tank based in North Rhine-Westphalia, a large and highly industrialised region with an important foreign and Turkish population, has long been stressing German Turks' contributions to the German society, and one of their most powerful argument has



## CONSEQUENCES AND CONTRADICTIONS

These five trends are deeply changing the face of Turkish entrepreneurship in Germany. This section analyses their different consequences, among which, it is argued, several contradictions can be observed.

The first consequence of these five trends is a matter of definition. The issue is whether or not the 'Turkish economy' is still a meaningful entity. This entity is indeed challenged internally by its heterogeneity and externally by the hybridisation process. The differences between German-Turkish businessmen make it increasingly difficult to consider them as a whole. Putting them into the same category implies over-emphasising their 'Turkish' dimension to the detriment of their socio-economic diversity. From the 'emic' businessmen's point of view too, the relevance of a common label is questioned. Many 'humble' entrepreneurs do not see any common point between them and the elite businessmen represented by the TDU. The trend towards hybridity also challenges the relevance of the 'Turkish economy' entity since it leads to a blurring of boundaries between 'German-Turkish' and 'German' business activities. Hillmann (1999) has observed how self-employed German-Turkish women do not see themselves as part of an 'ethnic' economy but as 'normal' businesswomen. They indeed tend to rely less than men do on 'ethnic resources', having less Turkish staff or customers than average. Similarly, many leading Turkish entrepreneurs claim that relatively big and successful German-Turkish businesses actually deal with the same problems - finding qualified employees or gathering reliable information for example - than any other business of a similar size or in a similar sector. Parts of the Turkish economy may thus 'merge' with the mainstream economy. One can therefore wonder whether common features to German-Turkish entrepreneurs still exist and distinguish them from other businessmen (Pécoud, 2000)

The second major consequence of these recent changes is the new respectability of Turkish entrepreneurship. The emergence of an elite among German-Turkish entrepreneurs as well as policy-makers and leading businessmen's interest in self-employment in the Turkish minority have given an unprecedented importance to German-Turks' business activities.<sup>6</sup> German-Turks' economic dynamism and high rate of self-employment have become important elements of many debates surrounding Germany's Turkish minority. This new interest in the Turkish economy has led to the

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precisely been the potential of their economic activities. They have pushed local authorities to consider seriously these activities and to take measures to favour them, which is now slowly inspiring Berlin and several other German regions.

<sup>6</sup> The new respectability and professionalism of these successful ethnic entrepreneurs have even attracted big business newspapers' attention. This is in itself a significant evolution. See notably: 'Secret of Success for Many Turks in Germany Lies in Start-Ups' (by K. Richter, *The Wall Street Journal*, July 13, 1999) and 'Unsung heroes. Europe's immigrant entrepreneurs are creating thriving businesses and thousands of jobs' (*Business Week*, European edition, February 28, 2000, pp. 20-24).

production of an important literature on the topic by policy-makers and leading German-Turkish entrepreneurs themselves.

These two major consequences are partly contradictory. The 'Turkish economy' is increasingly becoming a meaningless entity but is simultaneously gaining a new respectability. The focus on German-Turks' business activities has indeed popularised the idea of a 'Turkish economy'. The 'Turkishness' of German-Turks' economic activities is questioned and challenged but simultaneously reinforced and emphasised. Some elements described above illustrate this contradiction. Why do elite German-Turkish entrepreneurs create a specifically 'Turkish' business association if they themselves claim that they have similar problems than German businessmen? What is the point of publishing a yellow-book of all 'Turkish' businesses if German-Turkish businesses rely mainly on non-Turkish customers?

This contradiction has an epistemological dimension, focusing on the 'Turkish economy' concept. On the one hand, speaking of a 'Turkish economy' does not make much sense any more: using this concept does not do justice to the diversity of German-Turks' self-employment and over-emphasises their 'ethnic' or 'Turkish' specificity.<sup>7</sup> On the other hand however, this concept is widely used by policy-makers and by leading German-Turkish themselves. Despite its loss of relevance, it has indeed become necessary because German-Turkish business activities are now a popular and much-discussed issue. This conceptual confusion is revealing. I would like to interpret it as an outcome of the ideological context in which the changes that are now affecting the so-called 'Turkish economy' are taking place.

## TURKISH ENTREPRENEURSHIP AND MULTICULTURALISM

Foreigners' status in Germany has long been a problematic issue. Much has been written on this topic, often in an especially dramatic way because of recent history. Turks have sometimes been referred to as the 'new Jews' (Mandel, 1989) and Germany's *Volk* ideal, characterised by racial and ethnic purity and based on a conception of Germaness as defined by blood (*jus sanguinis*), has drawn much attention. Rightly or wrongly, this has often been linked to the lack of rights given to immigrants and their descendants, most dramatically illustrated by their limited access to German citizenship. German political leaders used to legitimate this attitude towards foreigners by insisting that Germany was not an immigration country: guestworkers and their descendants were therefore not to remain permanently (Castles, 1985). However, this situation is changing and for the last ten years Germany has often been described as being 'at the crossroads' (Kurthen, 1995). Despite tough opposition and heavy debates, citizenship policies have been

<sup>7</sup> Another reason to be dissatisfied with the concept of a 'Turkish economy' is of course that it neglects Turkey's minorities. Many 'Turkish' businessmen are actually Kurds for example. This is however not recent: the ethnic, religious social and political diversity of 'Turkish' migrants to Germany was present from the very beginning even if it has long been underestimated.

gradually softened, making it easier for foreigners to become German.<sup>8</sup> The reunification that took place in 1990 has also accelerated this rethinking of German identity.

In this process, multiculturalism has become a key-notion. It refers to a new way of managing public culture, that recognises ethnic and cultural diversity and that allows this diversity to coexist. It also constitutes an alternative model for the German society, counter-balancing xenophobic feelings and nationalistic ideals. Important cities like Frankfurt and Berlin have established new institutional frameworks to better take into account ethnic minorities and to promote greater tolerance and respect between Germans and non-Germans. Of course, the very idea of multiculturalism lies on a somewhat essentialist conception of culture (Caglar, 1997) and such initiatives have often been criticised for their 'folkloristic' or 'exotic' approach of ethnic minorities (see Vertovec, 1996).

State interest for Turkish entrepreneurship takes place within this larger ideological framework. Acknowledging German-Turks' economic achievements and encouraging them to further develop their business activities is part of a more general recognition of German-Turks' position in the German society. It constitutes a step towards a more pluralistic form of integration, in sharp contrast to the insistence on assimilation that used to be the official way of considering minorities in the past. Minorities are now allowed and expected to bring their specific contributions to the German society, and one of these contributions is their economic dynamism.

The emergence of an organised elite among German-Turkish entrepreneurs fosters this process. These immigrant businessmen indeed represent perfect examples of a successful 'integration' and of the wealth minorities can bring to the country they live in. Moreover, they also constitute ideal spoke-persons that are supposed to 'represent' their fellow German-Turkish businessmen. The existence of immigrants' organisations and leaders is indeed a necessary element in multicultural politics, even if these acknowledged persons may arguably fail to represent the interests of the whole immigrant population.

### **The economic dimension of multiculturalism**

Economic considerations thus play a key-role in this emergence of multiculturalism. Both leading German-Turkish entrepreneurs and policy-makers now perceive German-Turks' business activities as an indication of their importance for the German society. Economic usefulness becomes a central aspect of their presence in Germany. German-Turkish entrepreneurs are not an isolate case: this economic approach to multiculturalism

<sup>8</sup> The most recent step in this process was the introduction by the newly elected left-wing government of a new naturalisation law (voted in May 1999 by the Parliament). The main innovation of this law was to recognise the *jus solis* principle, allowing foreign children born in Germany to become automatically German. Initially, the right to double citizenship was included in this new law, but an extremely violent campaign by the opposition, supported by an important part of the population, forced the government to retire this plan and to elaborate a more modest project.

and immigrant minorities also influences immigration policies. 'Brain-drain' immigration policies are of course a well-known example of how countries like the United-States or Canada recruit 'business-friendly' and economically interesting immigrants.<sup>9</sup>

Not surprisingly, such policies are becoming increasingly popular in Germany too. This was very clearly illustrated by the German government's recent decision to recruit computer experts from abroad (notably Eastern Europe and India) to stimulate its economy. This initiative was motivated by the fear that Germany might not benefit from the economic growth linked to the information technology because of the lack of German specialists in this field. Unions, fearing for unemployed German workers, strongly opposed the project but the government replied that foreign experts were going to stimulate the whole economy and thus to create jobs, which would profit to all German workers. Many but not all conservative politicians, still believing that 'Germany is not an immigration country', also rejected the project. However, everybody agreed that this initiative was a radical innovation in Germany's attitude towards immigration: it indeed constituted a very first indication that Germany might one day explicitly decide to regularly welcome new immigrants and become a country of immigration, thus getting closer to the North American model.<sup>10</sup>

Leading German-Turkish businessmen were very much interested in this debate. It indeed raised larger questions regarding foreigners' place and role in Germany. A particularly unconventional and therefore disturbing idea was that such foreign computer experts, unlike former guestworkers, were to have better jobs than many Germans. Socio-economically successful immigrants are still quite uncommon and are thus viewed as a rarity, which obviously affects leading German-Turkish entrepreneurs. They indeed often complain that regardless of their socio-economic success, they lack proper recognition from Germans who are used to think of German-Turks as guestworkers' descendants doing guestworkers' jobs. They invariably see the United States as a society in which their business achievements would be much better accepted, recognised and even encouraged.

Comparative studies of the European and North American institutional frameworks and welfare systems actually corroborate this complain. It has indeed been showed that Germany's highly developed social welfare system protects to a certain extent low-skilled migrants from poverty and low earnings. But this regulated system is not very

<sup>9</sup> For a recent review, see 'People who need people. With skilled workers in high demand, employers are hunting them down - no matter where they live' (by G. Pascal Zachary) *The Wall Street Journal*, September 25, 2000.

<sup>10</sup> The huge debate provoked by this plan (that took place mainly between February and April 2000) was known as the 'Green-Card issue', which clearly indicates its American inspiration even if important differences exist between this project and its US homonym. At the time of writing (November 2001), about 8,000 foreign IT professionals have been admitted, mainly from India, Russia and Romania. Moreover, following the debate, an Immigration Commission was appointed with the purpose of making suggestions for a more comprehensive immigration law. In its final report, issued in July 2001, the Commission called for the admission of about 50,000 newcomers a year and for greater efforts to incite immigrants to learn German. The next step is the elaboration of an immigration law, which will not be a straightforward process given the conservative opposition.

flexible and therefore hinders migrants' upward mobility. This is the exact opposite of the North American situation, in which migrants (like everybody else) benefit from almost no protection but where those who succeed find less obstacles on their way (Reitz *et al.*, 1999). In his comparison of the American and the Rhineland socio-economic systems, Kloosterman (2000) similarly points out that Continental Europe's regulated system makes mobility through self-employment more difficult for immigrants: the 'normal' way of achieving socio-economic success in Europe is finding a well-paid and well-protected job in the mainstream economy. In other words, the 'American dream' is difficult to implement in Germany, and this explains why elite members of the Turkish minority were so much interested in this debate.

What emerges here is what could be called the economic dimension of multiculturalism. On the one hand, German-Turks' - and more generally, immigrants and foreigners' - position in Germany is less and less contested. The multi-ethnic dimension of the country is increasingly acknowledged and one realises that, whether this is a good thing or not, Germany is a multicultural society. On the other hand, an important motivation in this change of perspectives is of economic nature. A crucial argument in favour of minorities and immigrants is their economic dynamism and importance. A multicultural society is thus thought to be the corollary of an open and powerful economy. In an era of globalisation, Germany's self-centred economy and ethnically homogeneous nation must become more open to the outside, to foreigners and the wealth, economic dynamism and knowledge they bring.

This has very concrete implications. Big multinational companies, for example, are expected to react negatively to a country in which they perceive closeness to foreigners or even racism: they may fear for their staff and will prefer establishing themselves elsewhere. Cultural openness is then supposed to attract investments and to create jobs whereas racism and closeness are bad for the economy. Finally, it must be added that this approach of immigration is of course a powerful argument in a political context characterised by strong conservative and anti-immigration political formations as well as sceptical public opinions. Indian computer experts, multinationals companies and German-Turkish entrepreneurs are all, in a way or another, important factors in the emergence of this new context, in which multiculturalism is seen as going along with a successful and globalised economy.

### **The contradictions of multiculturalism**

This context helps us understand the contradictions that have been highlighted above. The popularity of the 'Turkish economy' concept fits very well into the economic dimension of multiculturalism. Despite its loss of relevance, it conveniently stresses German-Turks' 'Turkishness' while simultaneously emphasising their business activities.

As Radtke (1994) has firmly argued, multiculturalism in Germany has inherited the disproportionate emphasis on 'ethnic', 'cultural' or 'linguistic' factors that has

characterised earlier approaches of immigrant workers (see also Caglar, 1990). According to his analysis, this emphasis transforms social problems into ethnic ones, and this specific treatment of migrants' situation thus 'creates' minorities. Another characteristic of German multicultural policies is that German-Turks and other immigrants, not being citizens, are politically speechless. Instead of participating in such policies, they remain 'clients' in what becomes a folkloristic multiculturalism.

Such an 'over-ethnicisation' of immigrants' activities can be observed in the 'Turkish economy' context. As mentioned above, the distinction between 'Turkish' and 'non-Turkish' is increasingly unclear. Moreover, the heterogeneity among German-Turks' business activities is so important that defining what is a 'Turkish' economy is problematic. Some German-Turkish entrepreneurs may be 'very' Turkish in the sense that they rely on specifically Turkish networks or customers but they are a minority. All entrepreneurs of Turkish origin are nevertheless labelled 'Turkish' regardless of their actual business activities.

However, this is only one side of the process. Radtke also observes that immigrants react to such multicultural policies through a process of 'self-ethnicisation', presenting their own problems as specifically 'ethnic' in order to draw government or media's attention. This has also been highlighted by Baumann (1996) who has showed that members of minority groups may use such processes of self-ethnicisation and reification of their own culture for some purposes while simultaneously challenging and 'contesting' such ethnic and cultural categories in other contexts. Minority members' behaviours may constantly challenge cultural boundaries but bounded notions remain because they are useful and strategically used by these same members.

Again, this phenomenon can be observed in Germany's 'Turkish economy' and to a large extent, it explains the contradictions mentioned above. Highly successful German-Turkish entrepreneurs indeed organise themselves and create associations that they specifically label 'Turkish'. In the mean time however, they themselves claim that the business problems they encounter are not linked to their being 'Turkish' but are similar to those of other German businesses of the same size in the same sectors.

For such elite businessmen, claiming their 'Turkishness' is undoubtedly useful. Their proclaimed will to contribute to German-Turks' 'integration' through business success and the fact that they themselves illustrate this very success have attracted considerable attention. Their regular contacts with politicians, policy-makers and private sector leaders are disproportionate with the relatively modest importance of their own business activities. These elite businessmen thus smartly react to the ideological and political context and, since they fit very well into the economic dimension of multiculturalism, find it useful to stress their 'Turkishness' and to take advantage of it.

### **A critical perspective**

It may seem unquestionably right to support German-Turkish entrepreneurs and

to help potential businessmen to open their enterprises. However, such initiatives as well as the general ideological context in which they take place deserve critical attention. I shall not mention the very problems that support to ethnic minority firms has encountered elsewhere<sup>11</sup> but concentrate on the underlying assumptions.

One of these assumptions is that German-Turkish business activities present an important growth potential. Both policy-makers and leading German-Turkish entrepreneurs seem to believe that German-Turks are increasingly successful in their business activities but this optimism is debatable. The data presented by Hillmann (2000) shows for example that in Berlin, the number of businesses owned by German-Turks has been declining in the last two years. Moreover, even in recent years, most enterprises were opened in sectors in which skill qualifications are low (restaurant, service, retailing). The future perspectives of the 'Turkish economy' are thus not as bright as one might wish to think.

Another debatable assumption is the connection made between German-Turks' business activities and their 'integration' that lies at the core of the interest in German-Turkish entrepreneurs. This connection is not straightforward. Self-employment can indeed be a trap (Hillmann and Rudolph, 1997). The growing percentage of self-employment among German-Turks certainly shows their dynamism but also the gap that separates them from German workers who behave very differently. It highlights the fact that in a high number of cases self-employment is an answer to employment and qualification problems. 'Integration' can also be hindered by the often-observed consequences of immigrant self-employment, namely extremely hard working conditions, precariousness and economic vulnerability.

In some cases, self-employment may allow German-Turks to find ways to upward social and economic mobility and to express their particularities in accordance with the idea of a multicultural society. But it may also lead to a situation in which German-Turks are encouraged to rely even more than they already do on their own networks, having thus less opportunities to reach the main labour market. Turks would employ Turks, Germans would employ Germans, and so on. Multiculturalism may then become separation.

In a recent article based on data from 1995, Özcan and Seifert (2000) have discussed the potential of immigrants' self-employment in Germany in terms of social mobility, reaching a very balanced conclusion. They show that self-employed immigrant workers are comparatively better off than employed immigrants: their earnings are higher and they have better skills. However, immigrant entrepreneurs are disproportionately concentrated in unpromising sectors of the economy and work considerably

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<sup>11</sup> Support to ethnic minority firms is indeed not new. It has long been done in Britain for example. The problems that such initiatives encounter are numerous. Immigrant entrepreneurs may be unwilling to seek or receive advice, finding it uselessly time-consuming or even insulting; they may not even know that the possibility exists or be discouraged by the bureaucracy it implies; or they may look for advice only when they are in a desperate situation, in which case support does not contribute to growth and job creations (Oc and Tiesdell, 1999). One should also note that it can be done with purposes that are not strictly economic: Ram (1998) writes that a frequent goal of such programmes was to avoid civil disturbances and maintain social harmony.

more than employed immigrants, without even mentioning family members' undeclared work.

This debate is not new. Whether self-employment is a positive phenomenon or not has long been discussed: 'We ... have two contrasting images of ethnic entrepreneurship: one of human emancipation and possibility, the other of social entrapment and impossibility' (Chan and Ong, 1995: 527). Many scholars have drawn attention to the negative consequences of immigrants' self-employment. As Bonacich has sharply put it, 'being an ethnic entrepreneur is a joyless existence' (Light and Bonacich, 1988: 431). She has emphasised the dark side of ethnic entrepreneurship, characterised by in-group exploitation, high rate of failure, extreme vulnerability, low profits and tough competition. And Aldrich, Jones and McEvoy (1984) also invite us to a 'deglamorisation' of ethnic economies, which they view as being essentially 'a negative adaptation to racial disadvantage, a hardy weed clinging precariously in the wall' (1984: 192).

A definite conclusion on this point is likely not be reached soon. But this debate is worth being kept in mind when approaching the current interest in immigrant economies. German-Turks' business activities are indeed not an isolate case. Although there is a lack of empirical studies on this topic, there is evidence that, throughout Europe, initiatives are being taken to promote entrepreneurship as a possible pattern of integration and as a solution to the persistent difficulties immigrants encounter on the labour market (Betz and Haberfellner, 1999). While it would be absurd to dismiss all these efforts as cynical and counter-productive, one should nevertheless carefully examine all the implications of such policies and not forget their dangers.

## CONCLUSION

In 1939, J. S. Furnivall published an extensive study of what he called the 'plural society' of Netherlands India. He portrays a society composed of different groups that have nothing in common and nothing to do with one another except trading. 'There is only one place in which the various sections of a plural society meet on common ground - the market place' (1939: 449). This is because, he argues, 'individuals of all sections have in common ... the economic motive, the desire for profit' (ibid.). In other words, the economic logic becomes the only value that transcends the differences between groups. This leads to a society in which 'the economic side of life is emphasised', to the detriment of its social, cultural or political aspects. Eventually, he concludes, such a society has 'the structure of a factory ... rather than of a State' (1939: 450).

It seems clearly exaggerated to describe Germany and its minorities as a modern case of a 'plural society'. However, Furnivall's description highlights the problems of this economic approach of multiculturalism. The basic danger of the version of multiculturalism described in this essay is indeed to promote a society in which relations between groups are determined and dominated by economic concerns. It is natural to



consider non-Germans' economic contributions to the German society as arguments in favour of a better recognition of their place and specificity. It is of course urgent to create jobs for unemployed German-Turks and to improve their qualifications. However, a really multicultural society should go beyond these concerns. Non-Germans' participation on the German society should not only be economic, but also political of course, and social and cultural.

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## POVZETEK

## SODOBNI TRENDI V TURŠKI EKONOMIJI BERLINA

Antoine Pécoud

*V tekstu so analizirane povezave med multikulturalnostjo, brezposelnostjo in samozaposlenostjo na primeru Berlina in njegove turške etnične ekonomije. Pet značilnosti karakterizira turško delovno sfero: heterogenost, hibridnost, profesionalnost, internacionalizacija in interes države. Posledice teh značilnosti so delno nasprotujoče. Na eni strani poudarjajo pomen koncepta ekonomije turške skupnosti. Na drugi strani pa se odkriva doslej nepoznano spoštovanje, cenjenost in popularnost turške etnične ekonomije. Omenjeno nasprotje je razumljeno kot nov dokaz pomena multikulturalnosti v Nemčiji in odnosa Nemcev do priseljencev. Priznanje njihove prisotnosti v družbi je vodilo k visoki rasti samozaposlovanja, kar je ena od rešitev iz brezposelnosti in pot v integracijo. Posledica je ekonomska dimenzija multikulturalizma, torej ideologija, ki vsebuje etnični pluralizem kot pozitiven element. V zaključku je podana kritična analiza te ideologije.*

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# WHY ARE THE BARRIERS INTO THE LABOUR MARKET RISING? : AN ANALYSIS OF THE EXCLUSION PROCESS OF IMMIGRANTS IN THE SWEDISH LABOUR MARKET

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## INTRODUCTION

As a result of demographic transitions a possible labour shortage has been forecasted in the European labour market and the EU commission has urged the member states to estimate their need of immigrant labour in the coming decades. Immigrants have played and play a significant role in West European labour markets but the belief that Europe will encounter a labour shortage and the hope that the problem can be solved with labour immigration can be questioned for several reasons. With the current process of increasing social and economic exclusion of immigrants in mind it can be asked if labour immigrants will at all be willing to contribute to societies that overtly or covertly build barriers for them. The Swedish labour market where the exclusion has gone far will most likely have problems to attract competitive foreign labour.

The modern history of immigration to Sweden is relatively short, where immigration did not start until after 1940. Today eleven percent of the Swedish population was not born in Sweden (SOS 1998). Swedish immigration regulations have never employed the category »guest worker«. Migrants were received as immigrants with the right to stay permanently and to achieve citizenship, with a stipulated time of residence in the country as the only requirement. Until the 1970s the incoming foreigners were mainly labour migrants. They were welcomed in Swedish industry, which after the Second World War suffered from labour shortage. Immigrants had then no difficulties in finding jobs. Today, labour participation is lower and unemployment higher among immigrants than among people born in the country.

A similar difference between immigrants and native born is seen in most states in the EU. But the gap seems to be significantly wider in Sweden than in comparable states. This difference in labour participation and unemployment between foreign born and native Swedes is the result of a process of discrimination. The concern of this article is to identify this process and explain some of the mechanisms leading to the exclusion of immigrants from the labour market.

## THE COMPLICATED CONCEPT OF DISCRIMINATION

In order to discuss discrimination some definitions have to be made. Exclusion of specific ethnic groups from certain sectors of society is commonly explained as an

effect of racism. In most cases »race« and »racism« are understood as social constructs, synonymous with ethnic minority and ethnic discrimination and do not carry the original biological meaning – genetic differences between groups of people. In the USA it seems the word race is used without conflict. In Europe, due to its history of racial politics, the concept is more loaded. In some European countries the way out of this dilemma is to use the term »ethnic minorities«, as is common in UK. In France and Sweden the use of the term »minorities« is inappropriate. In France it would be against the »republican tradition« and in Sweden against the spirit of integration and equal opportunities to speak about minorities.<sup>1</sup>

In Sweden the term immigrant has been perceived as correct. In this text immigrant shall be understood as a person that was not born in Sweden but is now living in the country. Children of foreign born parents are not included in the concept. To use the term ethnic minorities would oppose both the above mentioned idea of equal opportunities as well as making a new social construct – that of *ethnic belonging* – which would be opposed to by many immigrants who, do not feel they share identity with an ascribed ethnic group.

Finally there is the concept of xenophobia which seems to have the greatest acceptance. But if the connotation that comes with the word phobia is taken into consideration it is not as unproblematic as it might seem. Phobia is a mental state that can not be controlled, that is out of reach for logical arguments and therefor not a state of mind that one can be held responsible for. At this stage it can be concluded that this is a discourse with few if any accepted concepts.

## REINFORCING PROCESSES OF DISCRIMINATION

If we turn from concepts to practice we frequently encounter organisations in which one claims that there was never any job applicants who were turned down because of their ethnic background. This might well be true. Non the less it is just as probable that the same organisations are engaged in selection processes, where their decisions have led to a systematic exclusion of immigrants. The dynamic can be illustrated like this.

We know that, approximately one third of all vacant jobs are not overtly advertised (AMS 1998). In the informal job seeking process the extent of a persons social network is crucial for the chance to get a job (Korpi 1998). If information about jobs is mediated through personal contacts, knowledge is spread among people that have contacts in the labour market, which immigrants have to a lesser extent. *In this instance the immigrant is excluded due to lack of information.*

If a job is formally advertised, we know that people that already have jobs stand a

<sup>1</sup> For a more extensive discussion on cultural differences regarding conceptualisation of immigrants see Weil & Crowley (1999), Wrench et al. (1999)

far better chance to be selected than people that are unemployed. The difficulty of re-entering the labour market after a long period of unemployment is well known (Agell & Lundborg 1995, AMS 1998). The very prolonged administration before refugees are accepted and residence permits are issued gives that immigrants often enter the labour market from the worst possible position, after several years without gainful employment. *In this instance the immigrant is excluded due to his or her position as unemployed.*

There are many mechanisms of selection like the above demonstrated, and the aggregated effect is usually unknown for the people that perform these decisions. Personnel engaged in recruitment are actually quite rarely confronted with »the moral test« of having to choose between one of »ours« and one of the »others«, as after the first selection process there are no immigrants to face.

This type of exclusion is to the disadvantage of the immigrant. But to differentiate it from xenophobic discrimination or racism it ought to be described by a term of its own. The concept *systemic discrimination* would cover the situation where exclusion is connected to the ethnic background of individuals, but is not primarily a result of hostility towards the »other«. It could also be described as *indirect* or *unintended* discrimination (Wrench et al 1999a). The concept *institutional* discrimination is also used to describe this situation. But if institutional discrimination is reserved to describe the case where *formal* rules exclude specific groups, like French and Belgian regulations that prohibit people with foreign citizenship to be employed by the state, it would better contribute to disentangle the dynamics of labour market discrimination.

The different types of discriminative processes all exist and most likely *reinforce* each other. But the aim here is to demonstrate how *systemic* discrimination has increased as a result of the situation that arises in the encounter between the immigrants and the post-industrialised organisation of work as it has appeared in the Swedish labour market during the last twenty years.

The aim of identifying and explaining systemic discrimination does *not* deny the prevalence of discrimination on ethnic grounds. It can rather be claimed that to some extent discrimination on ethnic grounds can be taken for granted. »Discrimination testing« made in several European countries shows quite convincingly how employers prefer applicants with e.g. English (Wrench et al 1999b) and Dutch names (Gras & Bovenkerk 1999) to applicants with non-European names. Such studies have not been made in Sweden but there is no reason to believe the outcome would have been different.

If however, »racial« discrimination is taken for a given, if not tolerable, reality in society, the interesting questions turn out to be, how immigrants enter the labour market, which immigrants that are welcomed and why their possibilities vary in different societies, and in different organisations at different moments of time. To detect the full range of discriminating mechanisms one has to broaden the view from the social-psychological perspective and see how the perception of »the other« interacts and is reinforced by structural changes in the division of labour.

## IMMIGRANTS EXCLUSION FROM THE SWEDISH LABOUR MARKET

For reasons of national discrepancies in the perception of immigrants, and heterogeneity in nomenclatures it is difficult to obtain comparable figures concerning immigrants in the labour markets. But if existing statistics are used as an indicator it shows an unemployment gap between Swedish born and immigrants that is wider in Sweden than in comparable European states. A comparison between foreign-born men and nationals in 1997 reports that the difference in unemployment is almost *twice* as big in Sweden than in France, Germany and the UK (SOPEMI 1999). This is worsened by the fact that foreign-born also have lower labour participation rate in Sweden. Eurostat shows that the labour participation rate for male non EU citizens, 25 - 49 years old, is 90.9 percent in France, 88.6 percent in Germany, 82.3 in UK but only 73.6 percent in Sweden (Eurostat 1998).

Unfortunately it is not possible to compare OECD statistics on this matter over time as comparisons are made differently between the years. But regardless of how comparisons are made (nationals or natives compared with foreign citizens, foreign-born, born overseas etc.) Sweden places it self in the group of countries where labour market integration of immigrants is low (SOPREMI 1999, 1998, 1995).

Until the 1970s immigrants had no difficulties finding jobs. In fact both foreign born men and women had labour participation rates that exceeded the population born in the country. But this relation shifted during the late 1970s when immigrants became unemployed to a greater extent than native Swedes. This difference has since persisted, regardless of fluctuations in the economy. The gap in the rate of unemployment between immigrants and people born in the country is just as great when general unemployment is high, e.g. the early 1980s as when it is extremely low, e.g. the late 1990s (Bevelander 1995). During the last recession in early 1990s this rather stable relation was replaced by a dramatic rise in unemployment rates for immigrants as cut backs in industry and public service coincided with a great inflow of refugees from former Yugoslavia.

During the 1970s the immigrants shifted from being mainly labour migrants into family reunion immigrants and refugees. The same type of shift in migration pattern occurred simultaneously in other West European countries, and can therefor not as such explain the difference in labour participation and unemployment.

The difficulties that immigrants encounter in trying to enter the labour market are commonly explained to be the result of ethnic discrimination (Augustsson 1996, Paulsson & Schierup 1994, Pred 2000). But if the *prime* reason for high unemployment among immigrants is explained by racism, it has to be explained why this racism appears in the 1970s but not in the previous decades. It could be related to fluctuations in the demand of labour, as one could argue that during periods of labour shortage, employers and colleagues are more prone to accept minorities, into the work places. This argument is weakened by the fact that the employment gap is not reduced even during periods of very strong labour demand.



Waldinger and Cross argue along the same lines when they, discussing the increasing unemployment among immigrants in Europe, state: »To believe that discrimination was the prime cause would be to assume that the intensity or extent of discrimination had risen dramatically or widened« (1997:15). Their use of the word discrimination is to be interpreted as ethnic discrimination as the authors then go on to discuss what they call »non-racial factors« under the skill mismatch hypothesis. We have sought for an explanation to the labour market situation along the same lines. In the following is given an overview of the most significant organisational trends and how these changes affect labour market requirements.

### THREE STUDIES OF WORK

Ever since the German industrial sociologists Kern and Schumann (1984) presented the idea that »new concepts of production« lead to an upgrading of skills in the work force, labour process research has focused on new work practices. Research in different branches of Swedish industry during the 1980s showed the same trend towards new and rising demands on the workforce (Bäcklund 1986, 1994; Nilsson & Sandberg 1988). Although disputed (Pollert 1991; Tomaney 1994) the European research agenda on work processes today focuses changes in the design of jobs, towards greater complexity, higher skill levels and greater use of team work, delegation of responsibility and improved communication (Nutek 1995; OECD 1999).

In a Swedish study where a random sample of 10 percent of the employees in eight big companies were interviewed about changes in their work between the years 1987-92 the results showed that almost 50 percent of the positions had gained additional administrative, economic and communicative work tasks (Bäcklund 1994). The study demonstrated a trend towards up-skilling or enlargement *within* existing jobs. Parallel to this a general upgrading of qualification levels in the labour market could be noticed (Lundgren 1996).

With the background of rising unemployment for immigrants and diminishing number of simple jobs the following question rose? If labour market demands were moving in a general direction of job enlargement, how did this affect the possibility for immigrants and other newcomers in the labour market to enter?

A study was designed, with the conscious ambition to search for the most unqualified work, in jobs that during the 50's and 60's had served as entries into the labour market for immigrants. It should be noticed that we focussed jobs that require only low or semi-skilled personal. Workplaces that thus far had employed great numbers of immigrants were chosen for the studies. They were found in industry, services, retail, transport and care sectors.

More recently arrived immigrants generally have training and education at higher levels so that the average educational level among immigrants now is equal to people

born in Sweden, even though it is more unevenly distributed. The studies made have not looked at the labour market segment for highly skilled.

The investigation was performed in two steps. First, managers in 40 public and private organisations were interviewed about their organisational strategies and hiring policies. The results showed that the relative numbers of immigrants in the organisations had diminished and/or was expected to decline further (Broomé et al 1996).

After the first round of interviews with managers, six of the organisations were chosen for closer study. One of them had very few immigrants employed, one had almost 100 percent and the others between 30 – 50 percent immigrants. Between 20 and 30 interviews were made in each of them. Samples were stratified to assure diversity of jobs, gender and ethnic background among the interviewed. The aim was to trace the dynamic that marginalise immigrant labour in the workplaces or prevent them from entering the firm and how these mechanisms were understood and explained by the actors. We wanted to understand how respondents had experienced organisational development and how they viewed the processes of selection in their workplaces (Broomč & Bäcklund 1998).

In the following there will be argued that some significant changes in working life contribute to rising unemployment among immigrants. The argumentation is based on the accumulated knowledge of the three studies described above (Bäcklund 1994, Broomé et al 1996, Broomč & Bäcklund 1998). If these studies are taken together, over 560 persons are interviewed in more than 50 workplaces, located in the three metropolitan areas Malmö, Gothenburg and Stockholm.

The first study reported a trend towards up-skilling and broadening of jobs. The second study confirmed the tendency towards rising requirement also in service industry and low skill jobs, and together with the third study it helped to explain the rising thresholds for entry into the labour market.

The changes in work associated with the augmented demands can be described:

- A. Unqualified work tasks are rationalised at a *rapid* pace, and formal education is required to perform an increasing number of tasks
- B. Service work gets professionalised.
- C. Hierarchies and tight work control are replaced by selfcontrolled work .
- D. As a result of the changes A – C communicative skills are an increasingly important feature of most jobs.

The above shifts in the division of labour constitute the core of the structural transformation of work. The described trends are similar in most post-industrial economies (OECD 1999). But it is believed that for historical and social reasons these tendencies have developed in a more profound way in the Swedish labour market. In the following sections the effect of these trends will be discussed in relation to immigrant labour.

## **UNQUALIFIED JOBS IN INDUSTRY DECREASE AND WORK BECOMES MORE THEORETICAL**

The same labour shortage that in the early post-war period led industry to recruit women and immigrants has constituted a forceful pressure to advance automation and reorganise work during the last decades (Berggren & Björkman 1991). Under pressure from labour shortage, high minimum wages and unions strongly in favour of technological and organisational development, Swedish industry became, the second most robotised in the world industry, next to Japan already in the 1980s (Edquist & Jacobsson 1988).

Labour unions were actively participating in the rationalisation process. Introduction of new technology was never regarded as a threat by the unions, but as a possibility for their members to achieve good jobs with extended responsibility and job enrichment. In this process thousands of simple jobs disappeared, jobs that used to be an entrance to the labour market. Between 1987–1991 the demand for people with only basic schooling fell more than 30 percent (Lundgren 1996).

As a result of automation a quite ordinary factory job as a minimum demands some kind of familiarity with computers and technical equipment as well as language skills good enough to take part in daily group work and in internal training and development programs. The more processlike production becomes, the more theoretical knowledge is required. This shift from manual towards more theoretical knowledge gives that proof of formal qualifications is demanded also for low skill jobs. Immigrants might well have the formal qualifications needed but they face specific difficulties as regards documentation and personal references.

## **UNQUALIFIED SERVICE JOBS DIMINISH AS SERVICE WORK BECOMES PROFESSIONALISED**

If traditional jobs in industry diminished one would believe that immigrants would get employed in the growing service sector, which is a common way to enter the labour market for immigrants in the metropolitan areas the world over (Sassen 1991, 1994). But for reasons described below also the demands on staff in service jobs have risen.

Sweden is a small economy that hosts a number of big multinational companies. These companies have a tremendous impact on the spread of management styles. When ABB out-sources services, this will soon be followed by other companies and due to close liaisons between public and private actors, the same management styles are soon implemented in the public sector. In the 1990s out-sourcing was a dominating trend and hence the process could be observed in factories as well as in public hospitals.

Services within a wide array are taken care of by entrepreneurs, which specialise in everything from accountancy to cleaning and serving in coffee rooms. The new

service firms are *specialised*, but for their personnel the jobs become *enlarged* as they have to manage a combination of manual, administrative and economical work tasks.

The inhouse employed cleaner only had to do the cleaning job, but when the cleaner is employed by an entrepreneur the job for one thing also requires a driving license since the job is spread over several workplaces. To administrate the job one has to read, write and talk over the phone. The employees in the service enterprises have to adjust to the needs of different customers and at the same time each employee represents the entire image of the firm they work for.

The phenomenon of »styling« known from entertainment industry, now becomes part of creating a corporate brand. While on duty the employees are asked only to speak Swedish, to promote their firms and sell additional services. They shall be able to calculate the price for new job offers to customers, and have the capacity to sell in these additional jobs, let alone to accept the subordination to this type of role. Often a part of their wages is bound to commission

It became obvious in the study how the out-sourcing process had led to that a number of private and public organisations that once employed great numbers of immigrants now employed very few. With the demands listed above it can be explained why some of the workers with service tasks who lost their jobs in factories or hospitals do not hold the out-sourced jobs in the new service firms.

In service jobs there are still a number of tasks that can be performed without any prior training. But instead of employing lowskilled people in hamburger bars, grocery stores or hotels several employers reported that they prefer to hire students. They accept low pay and odd working hours, and they have the social capacity to perform an independent job from the first day. Students are not expected to stay on for a long time but they are efficient enough while they are there to make it profitable to hire them. The jobs that the increasing number of students in the metropolitan areas now take on, were once the jobs that gave entrance to the labour market.

### **Selfcontrolled work is replacing hierarchies and tight managerial control**

In the professionalised service jobs an increasing number of employees get autonomous responsibility as they are in control of the daily planning of their own work. There are normally a number of ways to register the efficiency of their work, without having to superintend it rigorously. The process is the same in manufacturing, where the number of shop stewards has been drastically reduced, and work teams are given responsibility to organise their own work.

Sweden is known for team organisation in industry. The phenomenon spread from the Volvo plant where it was first introduced in the late 1960s (Leborgne & Lipietz 1988). The followers were for a long time quite few but as decentralised, self-controlled work gradually was perceived as both economically profitable (by employers) and socially preferred (by unions) it soon became the dominant organisational principle in

the entire labour market, public as well as private (Bäcklund 1994). In the 1990s we find work organised in profit units all the way from the Volvo plants to municipal day care centres and university departments.

This development is reflected in an OECD report (1999) which shows that teamwork is particularly prevalent in Sweden. In a number of measured parameters like job rotation, delegation of tasks, flat management structures, the Nordic countries group together but Sweden always shows the most extreme figures. For instance, 91 percent of Swedish work places report the use of team working, compared to an average of 73 percent of the workplaces in the other Nordic countries. The results of the OECD study fits well with the findings Gordon (1994, 1996) reports from a study of organisational hierarchies in 12 advanced economies which indicated that Sweden had the flattest organisations.

A flat organisation means in practice - fewer bosses. The decreasing number of shop stewards has had a special side effect for immigrant labour. Many of the early immigrants who had managed to advance to a job as shop-steward now lost their positions. When immigrant shop stewards disappeared, their former role as gatekeepers ceased to exist and people in their network lost one of the possibilities they previously had to enter the labour market. In several of the work places we studied, there were no longer any immigrant foremen at the time of our visit. The process had normally been the following:

The position, shop steward is withdrawn. The new person to lead *all* of the teams in a division is usually recruited from outside among younger men or women with higher formal education, and who acts and thinks 'Swedish'. The last demand is important. A decentralised organisation does not only demand responsibility and effective communication it also demands commitment and identification with the ambitions and goals of management. In a decentralised organisation, people are not controlled by surveillance they are controlled by means of identification!

Hence, the competence demanded in the work group changed character to more soft skills. We found that many immigrants had been less successful in this transformation process. They had had greater difficulties to follow corporate training. They had difficulties to be part of the new work groups, as the demand on communicative skills were higher, but also the work roles could be described as getting an ideological content of Swedish origin, with vague hierarchical positions and a required feeling of belonging.

In the late 1980s it was still quite common to find work places organised by ethnic principles. It was then considered practical but in the 1990's employers were quite reluctant to recruit kin to employees. This can be explained by management not wanting relations of loyalty within the organisation, other than the loyalty to the performance of the organisation.

We noticed a clear orientation away from kin or family groups, *regardless* of their ethnic origin. The decentralised teams are supposed to be in control of their own tasks but not until the company has established *their* control over the organisation. In six of

the seven companies that still had some kind of »family groups« in their organisations, efforts were made to dissolve these groups.

This organisational shift can be perceived in different ways. On the one hand, it gives all individuals a better chance to be fully integrated and respected at the work place. On the other hand it is a disadvantage for a person who needs support of others. This model, which could be called an »individualised team strategy«, dominates management thinking and stands in sharp contrast to the situation portrayed by Waldinger (1992) in his report from a New York hotel industry. The following quotation from his investigation would not be heard in a Swedish setting.

»Over the course of time, English has become less and less important. Most of the hotels have some refugee staff. Where they have gotten a couple of people and they have turned out to be very good, we get calls: I don't care if they speak English, we have a Vietnamese supervisor and they'll do the rest.« (Waldinger 1992:106).

There are quite few supervisors at team level at Swedish workplaces. Team members themselves have to communicate both inwards and outwards.

### COMMUNICATION AN INCREASINGLY IMPORTANT FEATURE OF MOST JOBS

When the team to a greater extent is in control of their own work process their need to communicate within the firm and with customers increases. This communication has to be both oral and written. To master Swedish at some functional level is an absolute requirement to become employed in any of the investigated workplaces. The increased need for communicating in work was demonstrated already in the first study, as more than 20 percent of the new work tasks were identified as communicative tasks (Bäcklund 1994).

Waldingers report on immigrants in US hotel industry, demonstrates a great acceptance of employees not mastering the English language. This could be explained as a more positive attitude towards immigrants in general but in line with the argument pursued, it probably demonstrates differences in the way work is organised. About language skills, another of Waldingers respondents says:

»Service demands for English are much greater than in manufacturing. When I get someone an interview with a hotel personnel department, the expectation of the hotel personnel people is that the person will speak for him self, although I will accompany him. In a factory, the expectation is that I will do everything – fill out the interview, translate at the interview, explain what the job involves.« (Waldinger 1992:107)

This can be contrasted with the personal manager at the cleaning enterprise who said she only selected people for interview who »could present themselves to her over

the phone«. The reason given was that the cleaners had to master Swedish well enough to be able to sell additional services to the customers as the company gradually was reducing the number of salesmen.

That people in sales occupations or personal services are dependent on their ability to communicate is easy to understand. But as service accounts for a gradually growing share of the value input also in manufactured goods, the ability to interact with people in the production process becomes a valuable skill also for people in what is still regarded as manual work. All of the manufacturing industries reported that they earlier employed people with poor language abilities but that this was no longer the case.

## DICUSSION

When an increasing number of firms compete in a global economy, with access to the same technology, adapting to the same management trends, the only parameters left to compete with are differences in the quality of labour, corporate culture or other qualities difficult to capture. Hiring policies therefore much stronger than before tend to emphasise recruitment of *individuals* with personal characteristics that can contribute to a specific corporate profile.

In the process of selecting the individual that will fit into the team it takes less effort to judge the qualities of a person belonging to the same culture or same sub group. The simple but not economically optimal way out in this recruitment process has led to the paradox that organisations are becoming more homogenous – Swedes in »Swedish« work places and immigrants in their »ethnic« work places – in a period where the economy is becoming more international.

The effort here to identify *different* discriminative forces, is based on the belief that the understanding of the exclusion process have far-reaching political and managerial implication. For the individual it might be of no difference if unemployment is caused by systemic discrimination or outright xenophobia but from a policy point of view it matters.

To return to the point of departure with an anticipated demand of labour, where the European countries might face a situation where they will have to compete for both low-skilled and high-skilled labour it is likely that Sweden will face great difficulties in attracting the labour needed. Therefor the particular features in the Swedish model of division of labour has to be considered when policies and monitoring of labour market exclusion is made. It calls for a re-evaluation of the perception of the phenomenon as well as a thorough understanding of the mechanisms involved if the process is to be altered.

We also need to be able to explain why immigrants have higher unemployment in some European countries than others. If it is primarily a result of xenophobia, it would according to the OECD unemployment statistics make the Scandinavian countries

together with the Netherlands the most »racist« countries in Europe. Is there reason to believe that xenophobia is greater in these countries than in the rest of Europe? Denmark has political parties in power with an articulated hostile attitude towards immigrants. Sweden does not have such political parties. That is however the case in France, Germany and Austria, countries where immigrants have a better position in the labour market.

If labour market dynamics play a central part in this process there is an immense research field ahead where comparative studies of national or institutional differences are undertaken, seeking to explore questions like: What is the impact on the French labour market caused by the rule that only French citizens can be employed by the state? Why are care sectors in USA a great employer of immigrant labour, where as the publicly administrated child care, is not a natural entrance for new labour in Sweden? Why are immigrant workers so frequent in the German construction industry but almost totally excluded from the Swedish construction market? What is the impact of the obligation in the UK to advertise vacant jobs, does it widen the market for job seekers, etc.

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## POVZETEK

### ZAKAJ SE POVEČUJEJO OVIRE PRI VSTOPU NA TRG DELOVNE SILE?: ANALIZA PROCESA IZKLJUČEVANJA PRISELJENCEV NA ŠVEDSKEM TRGU DELOVNE SILE

Ann-Katrin Backlund

Razlike v stopnji brezposelnosti med domačim ter priseljenim delom prebivalcev so značilnost povsod v Evropi. Te razlike so posebno velike na Švedskem. Predstavljeni rezultati so plod dveh raziskav na delovnih mestih, ki so po tradiciji zaposlovala večje število manj kvalificiranih priseljencev in kjer se beleži upad. Predpostavlja se, da je vzroke za to izključevanje iz dela moč iskati v tehnoloških in organizacijskih spremembah teh dejavnosti. Te spremembe so na Švedskem izvedene hitreje in bolj korenite, kot v drugih državah Evropske skupnosti. Stališča in vrednote, ki so zaokrožene pod terminom »Švedski model delovnega življenja«, so postale strategija za sistemsko izključevanje delovnih imigrantov.

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# SPEAKING A NEW LANGUAGE: IMMIGRATION AND CIVIL RIGHTS IN A GLOBAL ECONOMY

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## INTRODUCTION

The migration of the labor pool across international borders leaves nations faced with conflicting pressures to maintain the cultural and economic status of the current population, while at the same time responding to the demand for more labor. In the United States, this response comes through immigration law – the primary tool that the government, as a sovereign state, employs to control its borders. To hold firm against undesired immigration,<sup>1</sup> the United States fortifies its defenses by enacting new laws and implementing new strategies to control the effects of immigration, particularly unlawful immigration, on the domestic labor market. However, these strategies may have the effect of harming the very labor pool that the laws are designed to protect when implemented without adequate protections for the civil rights of individuals within that labor pool. These strategies may also harm individuals outside the labor pool in unforeseen and negative ways.

This paper examines the interplay between immigration and civil rights laws and its effect on labor markets in two contexts. First, we will discuss the role of civil rights in the Immigration Reform and Control Act of 1986, which prohibited employers from hiring employees whom the State had not authorized to work. The Act created civil rights protections for work-authorized immigrants and U.S. citizens to prevent and remedy discrimination based on citizenship status and national origin. We will address how this law uses civil rights to balance the negative effect that immigration policies may have on the labor market.

The second focus is the Victims of Trafficking and Violence Protection Act of 2000. This newly minted legislation prohibits trafficking in persons, and is currently being implemented within the United States. The law responds to the growing international market in human trafficking controlled by multinational criminal organizations. The paper will examine how the legislation interweaves immigration policy and civil rights to create a tool to combat the globalization of the market for trafficking in humans.

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<sup>1</sup> Several incentives exist for the State to push back against such pressure. One is a desire to protect the labor market for those who currently support the State. Another is the potential that the incoming workforce would change the current political balance in predictable and unpredictable ways. Yet another is the fear that employees from cultures, races, and backgrounds different from the incumbent majority of the United States population may change the makeup and culture of the body of the State and therefore have more influence over it.

## I. IMMIGRATION AND CIVIL RIGHTS LAW AND POLICY: LINKING TWO REALMS

The connection between immigration law and policy and civil rights is not immediately apparent. Immigration policy in the United States has, at least in recent history, been the province of the U.S. government as the sovereign State. Immigration law is a means for the State on a physical level to control the flow of people across its borders – essentially, defining and maintaining its geographical identity. On another level, immigration law is the means by which the State defines its membership – its cultural or sociological identity.

Civil rights laws can also have a self-defining role for the State. Civil rights reflect the legal attributes that the State uses to identify the people who comprise its community. In the way that the State defines the civil rights of its membership, it makes a statement about how it differentiates those who are members of its communities from those who are not. Those imbued with the strongest rights are those with the strongest claim to membership. Those with the weakest rights have the weakest claim – or none at all.

Yet civil rights and immigration law collide in several significant ways. Perhaps the greatest point of tension results from the fact that immigration law, by its very nature, requires discrimination on the basis of citizenship status and national origin.<sup>2</sup> In the context of the labor market, laws that prohibit non-U.S. citizens from working without authorization from the State erect divisions based on citizenship status between those who have rights to work and those who do not. Based on an individual's citizenship status, the State may confer or deny employment authorization, physically remove employees from the workplace, place employees in detention, and deport them from the country.

The ways that civil rights and immigration laws are enforced reflects a significant difference between those laws. Immigration law is sufficiently central to the identity of the State that the federal government retains exclusive control over immigration law and policy. Federal law, through the use of traditional mechanisms of the State, such as federal investigations, search warrants for workplaces suspected of having undocumented workers, and detention and deportation of employees found to be working without authorization, is central. It is the State that has sole jurisdiction over the entry of individuals into the United States, who may lawfully remain, and for how long.

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<sup>2</sup> Discrimination on the basis of citizenship status is distinct from most forms of prohibited discrimination such as race, sex, or national origin, which are immutable characteristics. It is difficult to define whether citizenship status is a mutable or immutable characteristic. On the one hand, the immutable fact of one's place of birth, inside or outside the U.S. border (as determined at that time), determines whether one is a U.S. citizen by birth. On the other, citizenship status in the U.S. is mutable in that the State can confer a status, up to and including U.S. citizenship, on any individual, depending on the individual's circumstances and the laws of the State in existence at the time.

Significantly, the State defines how individuals may obtain citizenship, becoming full members of the State.

In contrast to the State-centered enforcement of immigration law, the enforcement of civil rights law has depended heavily on private actors. U.S. laws that prohibit discrimination in employment on the basis of race, national origin, gender, religion, disability, and age encourage private enforcement of their prohibitions by allowing individuals to bring suits against their employers and providing for attorneys fees for employees who prevail. Underlying this emphasis on private action is a concern that the State will be less likely to exercise its power on behalf of those who, lacking a majority in a democratic society, have less influence on the actions of the State.<sup>3</sup> Civil rights statutes have been described as encouraging the creation of »private attorneys general« – individuals who act in the place of the State in order to increase the level of compliance with antidiscrimination laws.<sup>4</sup>

Despite these differences, civil rights and immigration policy have in common that they are tools that the State uses to affect labor markets. Immigration law traditionally limits labor markets by restricting the ease with which they can expand across international borders. Within those borders, civil rights laws restrict the ability of employers to divide employees across lines of race, sex, national origin and other arbitrary categories. In other words, immigration laws limit labor markets geographically and by nationality. Civil rights laws expand labor markets by removing artificial restrictions on the labor pool. By meshing immigration and civil rights laws, the State can use the private action focus of civil rights to affect State-centered immigration policy as it relates to labor markets.

## II. THE PROHIBITION AGAINST IMMIGRATION-RELATED DISCRIMINATION

### A. The Immigration Reform and Control Act of 1986

The interplay between immigration law and civil rights is nowhere more clear than in the Immigration Reform and Control Act of 1986. The law has three basic components. First, it legalized the status of undocumented immigrants who had lived in the country continuously since before 1982. Second, it prohibited employers from knowingly hiring undocumented workers, and set forth legal sanctions against employers that did. Third, the law created a new civil right against discrimination in employ-

<sup>3</sup> *Carolene Products Co. v. U.S.*, 323 U.S. 18, 21 n.4 (1944) (suggesting that prejudice against discrete and insular minorities distorts the political process, rendering such minorities politically powerless).

<sup>4</sup> *E.g., Independent Federation of Flight Attendants v. Zipes*, 491 U.S. 754, 758 (1989) (discussing Congress' intention that individuals injured by racial discrimination act as »private attorney[s] general« to vindicate a policy that Congress considered of the highest priority).

ment on the basis of citizenship status. It also expanded protection against national origin discrimination by subjecting a greater range of employers to coverage. It conferred the new protection against citizenship status discrimination on U.S. citizens and certain categories of work-authorized immigrants. It also created a government office – the Office of Special Counsel for Immigration Related Unfair Employment Practices – to investigate charges of discrimination and litigate meritorious claims on behalf of victims of discrimination.

The 1986 law broke with the previous identification of immigration law as primarily a State function. Through the amnesty, the State used its power to define citizenship status to incorporate into its membership those who had shown a commitment to long-term residence, who were *de facto* members of the community already. Through employer sanctions for hiring undocumented workers, the State effectively made employers parties to enforcement of the immigration laws controlling the labor market. Employers themselves became the primary method of screening the labor pool for employees not authorized by the State to work. In this way, the State expanded the scope of its enforcement powers to include employers.

Converting employers into enforcers of immigration law has consequences for the civil rights of employees. Requiring employers to discriminate between those who the State has authorized to work and those who it has not requires employers to make determinations about employment based on an employee's citizenship status. The potential for sanctions against employers heightened their incentives to discriminate against those they perceived not to have a citizenship status commensurate with work authorization. The work-authorized employees who are most likely to experience discrimination based on citizenship status are those whom employers are most likely to associate with undocumented workers. Employers are likely to associate undocumented workers with certain ethnicities or national origins. Thus, as a consequence of expanding immigration law enforcement into the private realm, there is an increased potential for discrimination based on ethnicity or national origin by employers. In 1990, the General Accounting Office, a government agency that oversees the effectiveness of the government's implementation of the laws, found that employer sanctions had increased the incidence of discrimination against immigrants and those perceived as immigrants.<sup>5</sup>

Prior to the passage of the Immigration Reform and Control Act, civil rights protections against citizenship status discrimination, in contrast to national origin discrimination, were essentially nonexistent. Employees who had work authorization had no federal protections against employers who discriminated against them because of their immigration status. As a result, civil rights laws did not directly reach discrimination that related to how citizenship status was defined by the State, or how that definition affected immigrant employees.

The antidiscrimination provision was meant to counter the potential for greater

<sup>5</sup> General Accounting Office, Immigration Reform- Employer Sanctions and the Question of Discrimination 3 (March 1990).

discrimination created by the employer sanctions provision. The law created civil rights-centered prohibitions against discrimination on the basis of citizenship status. It established enforcement mechanisms for those prohibitions in both the public and private realms. A government agency, the Office of Special Counsel, was imbued with the power to investigate potential discrimination and represent the State in lawsuits brought on behalf of the victims of discrimination. The law also turned to private enforcement by creating a private right of action: a way for individual victims to remedy discrimination through legal action independent of the State. The provision reflects an acknowledgment that a shift in enforcement of immigration law to private actors must be balanced with an increase in civil rights protections for the labor pool.

True to the remedial purpose that is the hallmark of civil rights legislation, the antidiscrimination provision shoulders a heavy mandate to prevent discrimination against work-authorized immigrants and U.S. citizens nationwide. True to immigration policy, the law limited the categories of citizens and non-U.S. citizens who are protected by the antidiscrimination protections. Under the law, U.S. citizens, certain permanent residents, asylees, refugees, and certain formerly undocumented immigrants received protection from discrimination in employment. Those not protected include undocumented workers and those without indefinite permission to reside in the United States.<sup>6</sup>

The antidiscrimination provision can also be seen as a way for the State to reduce the influx of undocumented workers. When the State endows certain employees with antidiscrimination rights enforceable against employers, it increases the risk to employers of hiring those without rights. When the State parcels those rights out along the lines of citizenship status, employers have less incentive to hire people outside of the protected citizenship status. In a way, this incentive is a negative benefit. Employers who fail to hire the protected class face the risk of lawsuit, and significant monetary damages being awarded against them.

Under the 1986 antidiscrimination law, those protections are given to U.S. citizens and individuals with indefinite permission to reside in the U.S., including permanent residents,<sup>7</sup> refugees, and asylees. Thus, antidiscrimination protections are given to those who the State has already sanctioned to enter the U.S. and to work within the U.S. labor market. Securing and enforcing the rights of the approved employees disadvantages persons without such rights. Generally, those without those rights are individuals who do not have the right to enter or work in the U.S.

<sup>6</sup> One way to view the scope of the protection of the law is as another way that the State defines its community – as a statement about who should be included in the community and who excluded. Those who the State endows with civil rights are those who are in some sense its members: those who reside permanently in the United States and who thereby have a more permanent relationship with the State.

<sup>7</sup> The statute exempts from protection permanent residents who do not apply for U.S. citizenship within six months of becoming eligible. For better or for worse, this exemption removes civil rights from those who do not take steps to become citizens, i.e., those who decline membership in the State.

In this way, work-authorized employees themselves become enforcers of immigration law. When work-authorized employees exert their rights against employers that hire undocumented immigrants, they aid the State in controlling the entry into the labor market of undocumented workers. The result is an expansion of the State's enforcement of immigration law and its control over labor markets by including as enforcement agents the supply and demand side of the labor market: employers and work-authorized employees. Thus, the antidiscrimination provision becomes a tool by which the State indirectly controls - and attempts to check - the expansion of the labor market across international lines.

### **B. Evaluating State Control of the Labor Market: One Step Forward, Two Steps Back**

Does this meshing of immigration law and civil rights law work? The effectiveness of immigration law and enforcement is usually measured using only one factor: its success in keeping undocumented workers from entering the labor market. In the context of IRCA, this measure of success asks whether the law reduces the incentives for employers to hire undocumented workers to a level that is lower than the incentives to hire work-authorized individuals.<sup>8</sup>

Yet, this measure of the effectiveness of the State's protection of the labor market is dangerously incomplete. It addresses only whether individuals that the State considers undesirable are successfully excluded. It does not measure the costs of immigration enforcement strategies when they result in the exclusion of portions of the labor pool that the State considers desirable, i.e., individuals that the State has authorized to work. If immigration control policies that the State implements to protect the labor market result in excluding certain populations that are a legitimate part of that labor market, those immigration policies cannot be considered effective. Thus, a critical part of evaluating the influence of immigration law on the labor market is evaluating the effectiveness of the antidiscrimination provision of IRCA.

As immigration controls tighten in the U.S. in response to globalizing markets, the potential for resulting discrimination intensifies. With higher levels of immigration enforcement, the State's response to heightened levels of discrimination must expand

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<sup>8</sup> Some would say that the State fails in protecting the labor market for the benefit of the incumbent work-authorized labor pool. Kitty Calavita, *Employer Sanctions Violations: Toward a Dialectical Model of White-Collar Crime*, 24 *Law & Society Review* 1041, 1046-55, 1067, 1060 (1990). The article posits that the devil is in the details of the laws prohibiting employment of undocumented workers. It argues that the law gives the employer a shield behind which it can hire undocumented workers with impunity. The employer sanctions provision provides employers protection from fines when they complete a form certifying review of employment authorization documents. The antidiscrimination provision prohibits unreasonable scrutiny of those documents. The result is that employers can hire undocumented employees without violating the law against knowingly hiring them.



equally. Whether the antidiscrimination provision effectively reduces discrimination on the basis of citizenship status depends on the effectiveness of its enforcement.

Consistent with its origins as a meshing of civil rights and immigration law, the enforcement of the antidiscrimination law is based in both private and State action. Evaluating the effect of the law on discrimination requires examining both levels.

Private enforcement of the antidiscrimination provision is complicated by the nature of the immigrant population and the nature of the industries that depend on immigrant labor. Recent immigrants are more likely to experience discrimination than U.S. citizens or immigrants who have resided longer in the U.S. Recent immigrants often start at the bottom of the labor market, where wages are low and unskilled labor is needed. This is also the area where discrimination is least costly for the employer because unskilled employees tend to be more fungible. Rejecting an unskilled applicant because of concerns about that person's citizenship status does little harm to the employer when that employer can hire another unskilled applicant perceived as less risky. Employers are more likely to associate recent immigrants of Latino or Asian origin with undocumented workers based on their appearance, accent, or fluency in a language other than English.

While recent immigrants are more likely to experience discrimination, they are less likely to enforce prohibitions against it. The first barrier to enforcement is lack of information. Before victims of discrimination can exert their rights, they have to know about them. Due to their status as newcomers to the country and unfamiliarity with the law and the processes of government, immigrants are less likely to know about the prohibition against citizenship status discrimination or how to go about acting on it. Cultural unfamiliarity or discomfort with using the legal system to address issues such as these also contributes to a suboptimal level of enforcement. And because the immigrant population is ever-changing, adding new members and losing others to repatriation or naturalization, there is always a sector of the immigrant population that does not have this information.

The second hurdle is a simple one. Immigrants at the bottom of the labor market have fewer resources to enforce rights against discrimination. Fewer resources means more difficulty in obtaining legal representation and pursuing litigation. In addition, the immigration population at that lower level of the labor market tends to be very mobile. Turnover in employment is high. It is more difficult for an individual to enforce his or her rights against an employer when moving from one place to another.

High turnover rates in parts of the labor market that have a large immigrant workforce create another barrier to private enforcement. High turnover means employees invest less time and resources in a particular job. Employees who are less invested in a job will have less incentive to enforce their rights through the legal process if the effort of resolving the issue by moving to another job takes less effort and the gain from enforcement is small. The result is that employers with relatively high levels of discrimination do not experience the same level of private enforcement actions than if its labor pool were fully informed, had more resources, and was more stable.

Finally, although the prohibition against discrimination is meant to weigh in favor of hiring work-authorized employees, there are ways in which it may not. Due to labor market pressures, the undocumented workforce leaks around the restrictions on entry into the United States and grows larger. The result is a population of undocumented workers unprotected by certain civil rights or lacking the information or incentives to enforce any rights they do have.

This creates a civil rights vacuum. Employers have incentives to hire workers with fewer rights – to the extent they can avoid sanctions from the State – because employees without rights accept lower wages and cannot bring costly enforcement actions. This provides reasons for employers to prefer undocumented workers. The effect of such a preference is that employees with rights have incentives not to assert them in order to increase their ability to compete for jobs. In other words, to the extent that the level of enforcement of civil rights is dependent upon employee vigilance, it may be severely curtailed.

The structure of the antidiscrimination provision reflects an awareness of the difficulties inherent in private enforcement in this area. It establishes mechanisms by which the State may intervene to combat discrimination. The approach embodied in the Act is likely unique among nations because of its particularized focus on protecting the rights of immigrants, who have no voting rights and little political influence. Primarily, by establishing the Office of Special Counsel, the statute set up a government body, representing the State, specifically charged with the enforcement of the provision.

The creation of this Office addresses several of the problems presented by private enforcement. First, as an agency mandated to address discrimination, the Office does not face the hurdle of lack of information about the law that individual victims of discrimination do. Rather, victims of discrimination benefit from the information and expertise the Office has gathered in this area when the Office brings enforcement actions on their behalf.

In addition, to address the barrier created by lack of information, the statute mandates that the Office perform outreach and education about the rights of employees and the responsibilities of employers under the statute. This outreach function reduces information costs for victims of discrimination, but also has a prophylactic effect by educating employers in ways that will reduce discriminatory conduct.

Perhaps the most powerful aspect of the statute is its provision for independent investigations by the agency. This independent investigatory power directly addresses the concern that the level of private enforcement may be too low. By allowing the Office to bring independent investigations, divorced from any individual initiative, the statute increases the enforcement capabilities on the State level to the greatest extent that the agency's resources allow.

The result is that, compared with the focus on private enforcement of many civil rights statutes, this statute emphasizes enforcement on the State level. This shift in the

burden of enforcement of the antidiscrimination laws towards State action parallels the shift in enforcement of the immigration laws towards private action.

The heavy reliance on State enforcement of civil rights is an appropriate and necessary response to the impracticality of private enforcement. However, the current level of State enforcement does not go far enough to remedy the effects of the changes in the immigration laws since 1986 because of the limitations of the agency charged with enforcement. As globalization has led to increasingly heightened controls on immigration, the need for more comprehensive efforts to combat discrimination has increased, beyond the current capacity of the State to address.

In sum, in evaluating the strategies that the State has established to enforce the immigration laws in a way that protects the labor market, it is critical to determine whether the antidiscrimination provision has been effective in ensuring that those the State has allowed to work are not excluded. This calculus must take into consideration that by setting up employers as enforcers of immigration law, the State increases the potential for discrimination against those most likely to be taken for undocumented workers: recent work-authorized immigrants of color. Without effective enforcement of the antidiscrimination laws, the burden of immigration enforcement falls on that population. And, absent adequate enforcement, the population that receives the greatest protection within the labor market is the population least likely to need it – employees whom employers are most likely to perceive as U.S. citizens because of their skin color, accent, or language.

### **III. DE-GLOBALIZING THE MARKET FOR HUMANS: IMMIGRATION POLICY AS A STATE-SANCTIONED TOOL AGAINST HUMAN TRAFFICKING**

Trafficking in humans is a market in which humans are commodities and the profits of labor are completely removed from the person providing that labor. That trafficking is illegal does not diminish its status as an industry that is expanding across borders on a global scale, and continues to increase in scope and sophistication.

Until a few short months ago, the criminal and immigration laws of the United States excluded victims from the protection of the State and denied them the civil rights accorded to U.S. citizens and legal immigrants. These laws permitted traffickers to control their imported victims to the extent that victims had no viable alternative to remaining within the confines of the labor market defined by the trafficker.

A new law, passed in 2000, employs an approach similar to IRCA in that it combines immigration and civil rights law to address a problem that the State had been unable to effectively address up to that point. This new law uses immigration and civil rights law as a tool to do two things: (1) differentiate victims from traffickers and (2) remove the traffickers' bargaining power over victims by conferring legal status on victims and offering the legal workplace as an alternative.

## A. Buying and Selling Human Beings

### 1. *The problem*

Human beings are sold into slavery every day throughout the world. Men, women and children are trafficked for their labor primarily for agricultural work, sweatshops, domestic servitude, and the sex industry. The number of individuals trafficked each year is staggering. The United Nations estimates that 4 million women are trafficked throughout the world.<sup>9</sup> The International Organization for Migration estimates that five hundred thousand women are trafficked into Western Europe.<sup>10</sup> The United States Central Intelligence Agency («CIA») estimates that approximately 50,000 women and children are trafficked to the United States,<sup>11</sup> but other estimates double that figure.<sup>12</sup> The victims who are trafficked into the United States are increasingly coming from the new independent countries within the old Soviet Union, and Central and Eastern Europe, in addition to Southeast Asia and Latin America.<sup>13</sup> Due to the very nature of this global industry, it is impossible to know the full extent of the illegal market for human beings.

Nonetheless, there is little disagreement concerning the growth potential of the trafficking industry given the weak economies and internal strife of the source countries, the enormous profit potential for the traffickers, economic globalization, and the traditionally low risk of prosecution.<sup>14</sup> Trafficking in humans is the fastest growing and third largest source of profits for organized criminal enterprises behind only drugs and firearms.<sup>15</sup> Profits from this multi-billion dollar industry,<sup>16</sup> whose commodities are people, are not shared with its victims, but rather pad the pockets of criminal enterprises throughout the world.<sup>17</sup> The trafficking industry ranges from complex criminal enterprises to smaller mom and pop smuggling rings.<sup>18</sup> Typically, the scheme requires many actors covering different stages of the process, including recruitment or abduc-

<sup>9</sup> Integration of the Human Rights of Women and the Gender Perspective, United Nations Economic and Social Council, at 24 (February 2000) (UN).

<sup>10</sup> UN at 24.

<sup>11</sup> Amy O'Neill Richard, *International Trafficking in Women to the United States: A Contemporary Manifestation of Slavery and Organized Crime*, Central Intelligence Agency, at iii (November 1999) (Richard).

<sup>12</sup> Department of State Fact Sheet: *Trafficking in Women and Children* (<http://secretary.state.gov/www/pics/trafficking/def.htm>) (DOS Fact Sheet).

<sup>13</sup> Richard at iii; Department of State Fact Sheet: *Source Countries* (<http://secretary.state.gov/www/pics/trafficking/source.htm>).

<sup>14</sup> Department of State Fact Sheet: *Trafficking Industry's Rapid Expansion, Contributing Factors*; Donna M. Hughes, *The «Natasha» Trade – Transnational Sex Trafficking* at 9, *National Institute of Justice Journal* (January 2001)(Hughes); UN at 6.

<sup>15</sup> Andreas Schloenhardt, *Organized Crime & the Business of Migrant Trafficking*, *Australian Institute of Criminology* at 3.7.2 (November 1999) (Schloenhardt); DOS Fact Sheet.

<sup>16</sup> Hughes at 9, 13; Schloenhardt at 3.7.2.

<sup>17</sup> Hughes at 9, 13.

<sup>18</sup> Richard at 13, 35.

tion, transportation, harboring, transferring, sale and receipt.<sup>19</sup> In contrast to the unlimited profits realized by traffickers, the cost of the trafficking industry is staggering: while local communities receive no benefits of the traditional marketplace,<sup>20</sup> the costs to the victim, the victim's family, and the community are immeasurable, and long term.

Thus, the trafficking industry is a labor market, albeit an illicit one, that operates on a global scale. Like a labor market in any other context, it involves a demand side, i.e., the trafficker or those the trafficker provides with the trafficked labor, and a supply side, i.e., the victim. Yet trafficking constitutes a labor market taken to an extreme, in which the traffickers obtain such complete control over their victims as to convert them into commodities. The trafficker effectively takes the place of the victim as the supplier of the victim's labor, usurping the profits of the victim's labor and co-opting the victim's ability to choose the labor market in which he or she will compete. By means of unlawful coercion, the trafficker wields sufficient bargaining power over the victim to restrain him or her from exiting the illicit labor market that the trafficker supplies.

Historically, the immigration and criminal laws and policies of States have fostered the labor market in the trafficking industry. Traffickers use the immigration policies of States to obtain control over their victims by placing them in a vulnerable immigration status. In many countries, victims are prosecuted for undocumented entry and presence in the country, even though their entrance was obtained by force, deception or coercion. In Canada and Italy, for example, illegal border crossings are punishable by up to two years imprisonment.<sup>21</sup> In other countries (including Poland), victims are prosecuted upon their return home because they did not receive prior permission to leave the country.<sup>22</sup>

In addition to violating immigration law, victims of trafficking are often prosecuted for violating criminal laws regulating the sex industry. In the United States, for example, police raids on brothels and massage parlors frequently result in the arrest, prosecution, and detention of the women under local law. After serving their sentences, the women are then administratively processed by the Immigration and Naturalization Service and deported.

Aside from the consequences victims suffer from immigration and criminal law prosecution, including deportation, local prosecution for sex offenses, and prosecution in their home country for illegal emigration, victims of trafficking usually have no

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<sup>19</sup> Testimony of Theresa Loar, Director, Office of the Senior Coordinator for International Women's Issues Before Representative Christopher Smith, House Subcommittee on International Operations and Human Rights (September 1999); Testimony of Regan Ralph, Executive Director Women's Rights Division, Human Rights Watch, before the Subcommittee on Near Eastern and South Asian Affairs, Senate Committee on Foreign Relations (February 2000).

<sup>20</sup> Hughes at 13.

<sup>21</sup> UN at 22

<sup>22</sup> UN at 22.

effective legal recourse against their abductors either in their home country or in the country to which they were trafficked.

Traffickers are aided in their work by public opinion within the State. In many countries, undocumented individuals are viewed as criminals, and are convenient scapegoats for the community's ills, including unemployment, budget deficits, crime and declining school systems. Racism and xenophobia fuel the hostility and scorn.<sup>23</sup> Sex industry workers are stigmatized in their home country, by their families and communities, and in the destination country – keeping them under the power of traffickers because they are labeled prostitutes.

Traffickers make full use of local laws to threaten and coerce their victims. They do this by telling their victims that escape will lead only to prison and deportation.<sup>24</sup> In fact, victims may serve jail sentences for sex crimes and undocumented entry, be deported, and then serve additional jail sentences in their home country.<sup>25</sup> In at least one country (Israel), victims are often jailed for sex crimes, and then must pay the costs of their own deportation.<sup>26</sup> Victims may also be afraid of local police because their traffickers were assisted or ignored by corrupt police in their home country. Many victims of trafficking have never traveled outside their home community, let alone their home country. Language and cultural differences discourage them from seeking assistance.<sup>27</sup> Even if victims do not suffer prosecution, their work in the sex industry may make them pariahs with their families and in their home communities.<sup>28</sup>

Traffickers also make use of laws in countries that issue non-immigrants visas to work for a specific employer,<sup>29</sup> in effect limiting access to the labor market to a single employer. For example, foreign diplomats and employees of international organizations (i.e., the World Bank) in the United States, may obtain special visas to bring domestic workers into the country. These workers are ripe for exploitation, because many are from their employer's home country, do not speak English, are unaware of the customs, laws and rights in the United States, and are permitted to work only for their sponsor. All too often, newspapers report that domestic workers are held in slave-like conditions, with little or no pay for extended work hours, minimal food, and living conditions not fit for family pets.

## 2. *The use of trafficked persons in the United States*

Trafficked workers are found in many industries. In the United States, the reach of traffickers is extensive. Women and girls are trafficked for the sex industry, includ-

<sup>23</sup> UN at 16.

<sup>24</sup> Richard at 5.

<sup>25</sup> UN at 28; Ralph Testimony.

<sup>26</sup> UN at 28.

<sup>27</sup> Ralph Testimony.

<sup>28</sup> Donna M. Hughes, *The »Natasha« Trade – The Transnational Shadow Market of Trafficking in Women*, *Journal of International Affairs*, 53(2)(Spring 2000).

<sup>29</sup> Richard at 26.

ing work as prostitutes in brothels and massage parlors, and exotic dancers. Men, women and children are forced to work in agriculture and garment industry sweatshops. The breadth of work is without limitation; and includes domestic workers, restaurant workers, asbestos removal, and individuals required to beg for handouts on the streets and other public places.<sup>30</sup>

## **B. Insufficiency of Existing Laws in the United States to Combat Trafficking**

Before October 28, 2000, U.S. law and policy failed to adequately protect victims of trafficking. The law lumped together the victims and the traffickers. Criminal law treated victims like criminals. Immigration law treated victims as undocumented immigrants. The deficiencies of these laws, in combination with the traffickers use of them, kept victims from being able to leave the illegal labor market.

There was no comprehensive law in the U.S. against trafficking in human beings.<sup>31</sup> Existing laws did not adequately provide for modern day slavery, either in coverage or in punishment.<sup>32</sup> Similarly, services for victims were largely non-existent.<sup>33</sup> There was little incentive for victims or the public to come forward, and the traffickers took advantage of the failure of law enforcement to treat victims as victims rather than criminals and undocumented immigrants. Criminals served short prison sentences, victims were prosecuted for sex crimes and ultimately deported.<sup>34</sup> In criminalizing the conduct of the victims, sanctioning more lightly the conduct of traffickers and others who benefitted from victim's labor, and excluding victims under the immigration laws, the State placed the costs of trafficking squarely on the victims.

### **1. Criminal Law Did Not Cover All Forms of Slavery**

Prosecutors in the United States faced an uphill struggle to prosecute traffickers by using a patchwork of criminal laws, including the Mann Act,<sup>35</sup> laws against involuntary servitude and slavery,<sup>36</sup> kidnapping,<sup>37</sup> extortion,<sup>38</sup> conspiracy,<sup>39</sup> the Racketeer In-

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<sup>30</sup> DOS Fact Sheet on Cases and Law ([secretary.state.gov/www/pics/trafficking/def.htm](http://secretary.state.gov/www/pics/trafficking/def.htm)).

<sup>31</sup> Richard at 35.

<sup>32</sup> Richard, at 33, 34; Testimony of William R. Yeomans, chief of staff, Civil Rights Division, U.S. Department of Justice, before the before the Subcommittee on Near Eastern and South Asian Affairs, Senate Committee on Foreign Relations (April 2000) (<http://secretary.state.gov/www/picw/trafficking/tyeo.htm>).

<sup>33</sup> Richard at 40.

<sup>34</sup> Yeomans Testimony.

<sup>35</sup> 18 U.S.C. § 2421.

<sup>36</sup> 18 U.S.C. §§ 1581, 1584.

<sup>37</sup> 18 U.S.C. § 1201(a)(1).

<sup>38</sup> 18 U.S.C. § 894.

<sup>39</sup> 18 U.S.C. §§ 241, 371.

fluenced and Corrupt Organization Act,<sup>40</sup> money laundering,<sup>41</sup> labor laws governing wages, child labor, and agricultural workers,<sup>42</sup> and immigration laws governing recruiting, smuggling, and transporting aliens and harboring for prostitution.<sup>43</sup> These laws do not focus specifically upon the act of trafficking, impose difficult if not impossible elements of proof upon prosecutors, fail to address common trafficking scenarios, fail to provide for the needs of victims, and provide lenient sentences for traffickers, even for brutal conduct.<sup>44</sup>

Perhaps the major defect of criminal law in the United States was the failure of the law against involuntary servitude (slavery) to cover situations where a victim was coerced to act through psychological coercion. Title 18, Section 1584 of the United States Code, provides that an individual is guilty of involuntary servitude if he or she requires another individual to work against their will. Title 18, Section 1581 of the United States Code, provides that an individual is guilty of peonage if he or she requires another individual to work against their will, and such act is tied to the discharge of a debt. The United States Supreme Court in *United States v. Kozminski*<sup>45</sup> interpreted the involuntary servitude statutes conservatively, and required prosecutors to prove that servitude was brought about through the use or threatened use of physical or legal coercion, and excluded other conduct that had the same purpose and effect.<sup>46</sup> In effect, prosecutors had to establish coercion through force or threat of force.

Prosecutors could not reach employers who used more »subtle,« albeit deliberately coercive, forms of coercion to keep control of their victim. For example, the United States Department of Justice investigated a case involving a domestic helper. The woman's passport was taken upon arrival, she was forced to work 16 hours per day, 7 days a week, and was given only small rations of food. When she complained, her employer threatened to have her deported, and told her that if she left the house they would call the police and have her put in jail. Under such circumstances, because the employer used psychological and economic coercion to keep the victim trapped, prosecution for involuntary servitude was unlikely.<sup>47</sup> In short, the law did not cover situations »where the use of fraud, deceit, or misrepresentation toward any person exists in an effort to wrongfully obtain or maintain the labor or services of that person, where the person is a minor, mentally disabled, or otherwise susceptible to coercion.«<sup>48</sup>

The laws in the United States also permitted those who knowingly benefitted from forced labor to avoid prosecution. For example, land owners who contracted out

<sup>40</sup> 18 U.S.C. § 1961.

<sup>41</sup> 18 U.S.C. §§ 1956, 1957.

<sup>42</sup> 29 U.S.C. §§ 201, 1801.

<sup>43</sup> 8 U.S.C. §§ 1324, 1328.

<sup>44</sup> Yeomans Testimony.

<sup>45</sup> 487 U.S. 931 (1988).

<sup>46</sup> Victims of Trafficking and Violence Protection Act of 2000, Section 102(b)(13) (Findings).

<sup>47</sup> Yeomans Testimony; Ralph Testimony.

<sup>48</sup> Yeomans Testimony.



for labor to farm their fields, but nonetheless knew how such labor was obtained, were not open to prosecution. Thus, although the contractor might be subject to arrest and prosecution, the economic incentive continued to exist for the landowner to use exploitative labor.<sup>49</sup> The laws of the United States did not address the common scenario where traffickers took victims' papers (identification documents, passport, and immigration papers) as a means of control and coercion.<sup>50</sup>

Finally, although labor laws prohibit certain criminal acts related to wages and working conditions, these laws provide for minimum prison sentences and fines, and are rarely prosecuted except in the most egregious cases. For example, the Fair Labor Standards Act<sup>51</sup> provides for a fine of not more than \$10,000 and imprisonment for not more than six months, but only for second offenders.<sup>52</sup>

## *2. Weak Penalties for Traffickers*

An additional significant flaw with the pre-2000 criminal laws involved inadequate penalties for traffickers. The penalties imposed simply did not meet the severity of the crime, and did little to deter traffickers. The statutory maximum for sale of a human being into involuntary servitude was only ten years per count.<sup>53</sup> In contrast, certain crimes related to controlled substances are punishable with life in prison.<sup>54</sup> In short, the punishment for trafficking in women was less than the punishment for trafficking in drugs.<sup>55</sup> A number of examples of real cases prosecuted by the United States and discussed in the Richard CIA report (at 33-34) show that the penalties are much less severe than would be expected of the crime committed by the traffickers.

In Los Angeles, traffickers kidnapped a woman, raped her, forced her into prostitution, posted guards to control her movements, and burned her with cigarettes. The lead defendant received a prison sentence of four years and the other defendants received prison sentences of two to three years. In another case where women were kept physically confined for years with metal bars on the windows, guards, and an electronic monitoring system and were forced to submit to sex with as many as 400 customers to repay their smuggling debt, the traffickers received prison sentences of between four and nine years.

In New York City, 70 deaf individuals from Mexico were forced to peddle trinkets. They were frequently beaten, and in some cases tortured. The ringleader received a

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<sup>49</sup> Yeomans Testimony; Richard at 34.

<sup>50</sup> Yeomans Testimony.

<sup>51</sup> 29 U.S.C. § 216(a).

<sup>52</sup> Richard at 34.

<sup>53</sup> Richard at 33; 18 U.S.C. § 241. However, the collection of extensions of credit by extortionate means can lead to imprisonment not to exceed twenty years, 18 U.S.C. § 894, and conspiracy against rights secured by the United States Constitution can result in life in prison, or the death penalty, if death results to the victim. 18 U.S.C. § 241.

<sup>54</sup> 21 U.S.C. § 848(a).

<sup>55</sup> Richard at 33.

prison sentence of 14 years and the other traffickers received prison sentences from 1 to 8 years.

In the state of Maryland, Russian and Ukrainian women had answered ads to be au pairs, sales clerks, and waitresses, but were forced to provide sexual services and live in a massage parlor. The owner of the massage parlor was fined. He entered a plea bargain and charges were dropped with the restriction that he would not operate a business again in that particular county. The women, who had not been paid any salary and were charged for their housing, were deported or left the United States voluntarily.

In Los Angeles, over 70 laborers were held against their will, systematically abused, and made to work 20-hour shifts in a sweatshop. The seven defendants received prison sentences ranging from four to seven years, with one defendant receiving a prison sentence of seven months.

In many cases, prosecutors accept plea bargains from defendants based upon less serious offenses, such as immigration violations concerning fraud or the hiring of illegal immigrants. They do this for many reasons, including the strength of the case, resources available to prosecute larger cases, workload, and the burden a trial places upon the victims, who must testify against their abductors in open court.<sup>56</sup>

### 3. *The Fate of Victims*

The fate of trafficking victims, once within the grasp of law enforcement, also encouraged the traffickers, and discouraged attempts at escape by their victims. All too often, victims were arrested on charges involving sex crimes, became subject to adverse immigration consequences for their undocumented stay in the country, and were ultimately deported back to their country of origin. Either law enforcement did not recognize that the victim was indeed a victim and not a criminal, or law enforcement was unable — through lack of knowledge, time, or ability — to secure valid immigration status for the victims as an alternative to deportation. In one recent case reported in the newspapers, the INS conducted a criminal investigation of Nebraska Beef, a meat packing plant in Nebraska. The INS charged human resource personnel with knowingly smuggling undocumented workers into the plant. Although approximately 200 undocumented employees were deported to Mexico within days, the alleged criminals were back to work the next day after posting bail.

Current law did not provide a viable alternative for law enforcement and trafficking victims. First, the bureaucracy of obtaining the special visa for even a single crime victim (known as the S Visa) was time consuming and unwieldy. Prosecutors simply did not have the time or inclination to complete the many forms and follow the many procedures required of them, both before and after issuance of the visa. In the case involving many victims, the S visa provided the ultimate bureaucratic nightmare. The S visa also failed to provide any relief for victims of civil violations; victims were eligible for the S visa only if they possessed critical and reliable information that was essential

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<sup>56</sup> Richard at 34.

to a criminal case. Even if the S visa was seen as a valuable tool by law enforcement, the Immigration and Naturalization Services was limited by law to issuing only 200 per year, with an additional 50 available for immigration with significant information tied to terrorist actions.<sup>57</sup> The value of the S visa can be summed up in one short fact: the INS has never issued the maximum number of visas permitted in any year.

Choices between deportation and issuance of an S visa were few and far between. Victims could obtain deferred action, but this status did not guarantee employment authorization. Further, the victim would accrue »bad time,« which delayed when they could return to the United States after deportation, if at all. The government could also withhold deportation for a set period of time, but, again, bad time would accrue. Finally, the government could parole the individual into the country, but this option proved difficult for prosecutors, because the victim was required to leave and then re-enter the country.

Even if the government succeeded at obtaining lawful status for the victim to assist with the prosecution, the victim was frequently unable to access needed benefits and services because recent federal legislation overhauling the welfare system severely cut back benefits afforded to immigrants.<sup>58</sup> Other than certain basic services provided by shelters and clinics, unauthorized workers and many lawful immigrants (largely those who do not have lawful permanent resident, asylee, or refugee status) were unable to access basic services. This meant that prosecutors had to arrange for food, shelter and protection, at the prosecuting agency's expense.

The consequence of these factors was the complete loss of economic options for the victims. By criminalizing the victims' conduct, the State excluded them from its defined community. By denying them lawful immigration status, the State declined to recognize their existence within its borders. In combination, the State effectively denied the victims the civil rights that the State provides to recognized members of its community, with the result of denying the victims access to its legal labor markets. And, if State-sponsored benefits are considered an alternative to the labor market, by categorizing victims as undocumented immigrants, the State denied access to such benefits and thereby denied access to an alternative to the unlawful market in which the traffickers operate.

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<sup>57</sup> Richard at 41-42.

<sup>58</sup> On August 22, 1996, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Personal Responsibility Act), Pub. L. 104-193, became law. Section 401(a) of the Personal Responsibility Act provides that, subject to limited exceptions, only »qualified aliens« may receive Federal public benefits, including retirement, welfare, health, disability, public or assisted housing, postsecondary education, food assistance, and unemployment benefits, among others. The term »qualified alien« means following six groups of aliens: (1) aliens who are lawfully admitted for permanent residence under the Immigration and Nationality Act (Act); (2) aliens who are granted asylum under section 208 of the Act; (3) Refugees admitted into the United States under section 207 of the Act; (4) aliens who are paroled into the United States under section 212(d)(5) of the Act for a period of at least 1 year; (5) aliens whose deportation is being withheld under section 243(h) of the Act; and (6) aliens who are granted conditional entry.

### C. A Renewed Effort to Combat Trafficking in Human Beings

On October 27, 2000, President Clinton signed into law the Victims of Trafficking and Violence Protection Act of 2000,<sup>59</sup> which contains two significant subparts. The first is the Trafficking Victims Protection Act of 2000 and the second is the Violence Against Women Act of 2000. This law is significant because it addresses the issue of global trafficking by legitimizing and legalizing the previously unlawful and undocumented status of trafficked victims, in addition to creating new criminal laws to combat traffickers and increasing criminal penalties against traffickers. The law liberalizes the immigration policies of the State to encourage victims to come forward and to weaken the power of traffickers over victims, and strengthens the criminal laws to counter the profit potential of trafficking. By de-criminalizing the victims and liberalizing the immigration laws to redefine victims as lawfully present in the U.S., the law endows victims with the civil rights that the State parcels out to all lawful immigrants. The law's provision of employment authorization, access to benefits and services, and freer access to information opens the door to the legal labor market. Effectively, the law is directed at deconstructing the network of control that the traffickers held over their victims while at the same time providing the full range of alternatives to the coercive labor market for trafficked victims.

#### 1. Congressional Findings

In support of the new law, the United States Congress made explicit findings regarding the trafficking of human beings in the United States.<sup>60</sup> These findings covered both the limitations of existing criminal law, and the failure to provide for the victims of trafficking. Concerning the limitations in criminal law, the Congress found that the existing laws and enforcement were inadequate to deter trafficking and to bring traffickers to justice,<sup>61</sup> including weak penalties that were not proportionate to the crime<sup>62</sup>.

More significantly, however, the Congress found that the victims of trafficking should not be punished solely because of their unauthorized status or unlawful acts committed as a result of being trafficked. The Congress also recognized that victims hesitate to report crimes or to assist in investigations and prosecutions. Specifically, the Congress found that:

Victims of severe forms of trafficking should not be inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts committed as a direct result of being trafficked, such as using false documents, entering the country without documentation, or working without documentation.<sup>63</sup>

<sup>59</sup> 114 STAT. 1464, Public Law 106-386, 106th Congress.

<sup>60</sup> Section 102 of the Trafficking Victims Protection Act of 2000.

<sup>61</sup> Finding 14.

<sup>62</sup> Finding 16.

<sup>63</sup> Finding 19.

Because victims of trafficking are frequently unfamiliar with the laws, cultures, and languages of the countries into which they have been trafficked, because they are often subjected to coercion and intimidation including physical detention and debt bondage, and because they often fear retribution and forcible removal to countries in which they will face retribution or other hardship, these victims often find it difficult or impossible to report the crimes committed against them or to assist in the investigation and prosecution of such crimes.<sup>64</sup>

In other findings supporting more humane treatment of victims of trafficking, the Congress found that victims were punished more harshly than traffickers because of the victims' unlawful status within the country.<sup>65</sup> The Congress found that in addition to inappropriate punishment, victims also failed to obtain needed services to meet their needs.<sup>66</sup> Finally, the Congress found that victims must be able to report crimes, and participate in the investigation and prosecution of the bad actors.<sup>67</sup>

These findings are significant because they recognize that victims have more heavily borne the costs of trafficking. The findings provide justification for legalizing the status of victims to both counter the arsenal of traffickers and to support increased prosecution. The Congress expressly recognized the global nature of trafficking when it provided protection to victims of trafficking both on a national and an international scale.<sup>68</sup>

## *2. Victims of Trafficking and Violence Protection Act of 2000*

The Victims of Trafficking and Violence Protection Act of 2000 has a number of features designed to encourage victims to come forward. The discussion below will focus on the definition of »victim,« the new legal protection afforded victims, and finally, the services and benefits victims are entitled to under the new law.

### *a. The Definition of Victim under the Trafficking Victims Protection Act of 2000*

The Trafficking Victims Protection Act of 2000 provides special protections to »victims of a severe form of trafficking.« A »victim of a severe form of trafficking« is defined as an individual who has been subjected to:

(1) »sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age,« or (2) »recruitment, harboring, transportation, provision or obtaining for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery,« and

(3) is less than eighteen years of age, or (4) is willing to assist in every reasonable way in the investigation and prosecution of traffickers, and is needed by the Government to effectuate prosecution of traffickers or has applied for a T (or victim's visa).

<sup>64</sup> Finding 20.

<sup>65</sup> Finding 17.

<sup>66</sup> Finding 18.

<sup>67</sup> Section 1513 of the Violence Against Women Act of 2000, Finding 1B.

<sup>68</sup> Finding 24 (Trafficking Victims Protection Act of 2000).

Although the language of the law is somewhat confusing, an abbreviated definition of a victim of a severe form of trafficking is an individual who has been induced to commit a commercial sex act, or forced to work against his or her will, and is willing to assist the government with the prosecution of the traffickers.

*b. Positive Immigration Consequences*

Victims of a severe form of trafficking are now eligible for a greater range of lawful immigration status. Most significantly, victims are eligible for two new non-immigrant visa classifications, the T visa under the Trafficking Victims Protection Act of 2000 and the U visa under the Violence Against Women Act of 2000.

T visas are available to victims of a severe form of trafficking if they satisfy the following conditions: (1) physical presence in the United States, American Samoa, or the Commonwealth of the Northern Mariana Islands on account of trafficking, (2) compliance with any reasonable request for assistance by prosecutors, and (3) would suffer extreme hardship involving unusual and severe harm upon removal.<sup>69</sup> The law also provides that the spouse, children and parents of victims who are less than twenty one years of age are eligible for the T Visa, as well as the spouse and children of victims who are twenty one years of age or older, if the government determines it necessary to avoid extreme hardship.

The Violence Against Women Act of 2000 also provides for an additional non-immigrant visa category, the U visa. The purpose of the U visa is to strengthen the ability of law enforcement agencies to combat domestic violence and sex crimes, including trafficking, and to »encourage law enforcement officials to better serve immigrant crime victims and to prosecute crimes committed against aliens.«<sup>70</sup> Similarly, the U visa is intended to facilitate the reporting of crime to law enforcement by undocumented aliens and to provide law enforcement with a means to legalize the status of cooperating victims.

U visas are available to aliens who suffer substantial physical or mental abuse as a result of having been a victim of domestic violence or sex crimes, possess information concerning such criminal activity, and will be helpful to a Federal, State, or local law enforcement official. The U visa is also available to aliens if a law enforcement official certifies that an investigation or prosecution will be harmed without the assistance of the alien. U visas are also available to certain relatives of victims, if necessary to effectuate investigation or prosecution.

Victims (and their families) who obtain T and U visas may work lawfully in the United States and will receive employment authorization from the Immigration and Naturalization Service. The Government will also provide T and U visa holders with referrals to non-governmental organizations that will advise the victim of his or her options while in the United States and appropriate resources available to the victim.

<sup>69</sup> Victims who are less than 15 years of age are not required to comply with the requests of law enforcement agencies.

<sup>70</sup> Section 1513 of the Violence Against Women Act of 2000.

T visa holders (and their families) may adjust to lawful permanent resident status after three years if they have complied with any reasonable request for assistance in the investigation or prosecution of acts of trafficking, or would suffer extreme hardship involving unusual and severe harm upon removal. The U visa permits adjustment of status to lawful permanent resident if justified on humanitarian grounds, for family unity, or is otherwise in the public interest.

There is a limit of 5,000 T visas and 10,000 U visas available each year to victims, not including their relatives. This number may or may not be adequate; but will be reviewed by the Congress in the event that it is not sufficient to protect victims.

In addition to the T and U visas, law enforcement officials may permit a victim's continued presence in the United States if necessary to effectuate prosecution. 107c. These victims will receive temporary legal status, and may receive employment authorization to work in the United States. Although the continued presence here is temporary, many such victims will be eligible to apply for a T or U visa.

*c. Providing Benefits and Services to Victims of a Severe Form of Trafficking*

The Trafficking Victims Protection Act of 2000 provides that the United States government will treat victims of a severe form of trafficking as victims of crime and not as criminals or undocumented aliens. Therefore, the government will expend its resources to ensure that victims are provided needed benefits and services, rather than focusing its efforts on prosecuting and deporting victims for violations of criminal or immigration law.

Victims of a severe form of trafficking are now eligible for the same federal, state and local benefits and services as lawful refugees, even though a comprehensive welfare reform law passed in 1996 bars undocumented and many legal aliens from receiving such benefits. Victims are eligible for medical care, food stamps, housing assistance, job training programs, educational assistance, legal assistance, and other public assistance.

Like IRCA, the new law recognizes the barrier that lack of information can erect for immigrants as a result of language and cultural barriers and unfamiliarity with the laws and processes of the U.S. government. It expressly provides that victims of a severe form of trafficking are entitled to access to information about their rights and translation services. This provision is critical because trafficking victims typically know little about the laws, rights, and customs in the United States. It will help ensure that victims make educated decisions on their own about their own future, and consider benefits and services available in the United States when deciding whether to stay permanently in the United States or travel back to their home country.

*d. New Criminal Provisions*

The Trafficking Victims Protection Act of 2000 provides new weapons for prosecutors against traffickers. These weapons include new criminal provisions, new penalties, and restitution for victims. Each plays a part in shifting the costs of trafficking from the victim to the trafficker.

The law »creates new felony criminal offenses to combat trafficking with respect to slavery or peonage; sex trafficking in children; and unlawful confiscation [or destruction] of the victim's passport or other documents in furtherance of the trafficking scheme.«<sup>71</sup> Further, the law creates a new »forced labor« felony criminal offense that allows for prosecution when »sophisticated forms of nonphysical coercion« are used to exploit victims.<sup>72</sup> These forms of coercion include psychological coercion, trickery, and the seizure of documents,<sup>73</sup> and effectively overrule the Supreme Court's decision in *United States v. Kozminski*.

The new criminal penalties increase the earlier penalties of up to ten years in prison to a maximum of twenty years for involuntary servitude, forced labor, peonage and slavery.<sup>74</sup> Traffickers may be sentenced to life in prison if death results from a violation, or if the violation includes kidnapping, aggravated sexual abuse, or an attempt to kidnap, an attempt to commit aggravated sexual abuse or an attempt to kill.<sup>75</sup> Upon conviction, traffickers are required to pay restitution to the victim of the »full amount of the victim's losses,«<sup>76</sup> and are subject to mandatory forfeiture of their assets used in or gained from trafficking activities.<sup>77</sup>

### 3. *The Effect of the Victims of Trafficking and Violence Protection Act of 2000*

Victims of traffickers now have more power. While previously, victims were frequently prosecuted for criminal law violations, including prostitution, and then deported, victims now have a viable future in the United States. Victims are entitled to legal immigration status and the rights to work, with the potential for lawful permanent resident status. Victims are also entitled to benefits and services covering the complete spectrum of needs, including medical care, job training, and food, housing and legal assistance.

The law achieves this, first, by invoking its power to draw lines based on citizenship status in a way that includes victims within its protection. Second, it enhances those protections by conferring additional civil rights on victims and simultaneously lowering barriers to access to those rights. The intersection of immigration and civil rights policy in this new law is the vehicle by which the State restricts the illegal market in trafficking by providing its victims with viable economic alternatives. Victims who obtain legal status and work authorization through the T or U visa, or who are other-

<sup>71</sup> Weekly Compilation of Presidential Documents, Vol. 36 (2000).

<sup>72</sup> DOJ Fact Sheet on Worker Exploitation (Press Release, March 27, 2001). The law provides that individuals may not provide or obtain the labor or services of a person »by means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint.« 18 U.S.C. § 1589.

<sup>73</sup> DOJ Fact Sheet on Worker Exploitation.

<sup>74</sup> 18 U.S.C. § 1590.

<sup>75</sup> See, for example, 18 U.S.C. § 1590.

<sup>76</sup> 18 U.S.C. § 1593.

<sup>77</sup> 18 U.S.C. § 1594.



wise entitled to temporary status within the United States to assist with the prosecution of traffickers, will receive the full protection of the laws governing employment and labor rights, as well as other civil rights statutes' protection governing non-discrimination in housing and government services. These individuals will be entitled to work for full wages, to work in lawful working conditions, and to enjoy the benefits of legal immigrants without suffering unlawful discrimination. They will have legal standing to sue to protect their rights, and to obtain remedies for violations.

Victims now also have access to an alternative labor market – the legal workplace. Victims now have the chance to choose their employer; their options for legal employment far outweigh the limited choices of undocumented workers.

In turn, traffickers now have less power. Their actions are more roundly covered by criminal law, their prison sentences will be longer, and their profits and property will be forfeited. Perhaps most important, the threats of traffickers that escape will bring only more punishment at the hands of the Immigration and Naturalization Service and local police may become less effective at controlling victims. Of course, success in this area is dependent upon victims knowing about their new rights and having confidence in and comfort with the appropriate law enforcement agencies who will protect these rights.

## CONCLUSION

The Immigration Reform and Control Act of 1986 and the Victims of Trafficking and Violence Protection Act of 2000 illustrate the complexity of the relationship between civil rights and immigration law, and the consequent effect on the labor market. When used judiciously, as with trafficking, it can be an effective tool to limit the negative effects of the labor market. However, when immigration law and civil rights are not carefully balanced, unexamined use of immigration law to influence labor markets carries a high risk of increasing discrimination in populations that the State is bound to protect.

### POVZETEK

#### GOVORITI NOV JEZIK: IMIGRACIJE IN CIVILNE PRAVICE V GLOBALNI EKONOMIJI

*Bruce Friedman in Juliet Stumpf*

*Migracije delovnih tokov preko državnih meja soočajo nacije s konfliktnimi razmerji vprašanj o kulturnem in ekonomskem statusu prebivalcev ob vse večji potrebi po delu. V ZDA je ta odgovor ponudil zakon o imigracijah - osnovni instrument vlade za kontrolo*

meje svoje države. V obrambi pred nedokumentiranimi priseljenci je vlada ZDA sprejela vrsto zakonov in uveljavila nove strategije, da bi nadzorovala učinke priseljencev na domači trg delovne sile. Vendar, te strategije lahko povzročajo škodljive posledice na trgu dela, ki naj bi ga ščitile, če ne upoštevajo civilno pravnih pravic posameznikov znotraj istega trga delovne sile. Te strategije lahko prizadenejo tudi posameznika izven trga delovne sile na nepredvidljiv in negativen način. Tekst torej analizira medsebojne vplive imigracije in uzakonjenih civilnih pravic ljudi ter učinke tega odnosa na trgu dela, v dveh smereh. Prvo, odpiramo vprašanja vloge civilnih pravic posameznikov v reformi imigracijskega zakona (Act of 1986), ki je delodajalcem prepovedal zaposlovanje ljudi, ki jim država ne prizna pravice zaposlovanja. Druga pozornost je usmerjena na analizo položaja žrtev nedokumentiranega »transporta ljudi« ter Zakona Violence Protection Act of 2000 (Zakon o zaščiti ljudi pred nasiljem).

Juliet P. Stumpf dela za sodnika Richarda A. Paez-a na prizivnem sodišču ZDA v Devetem okrožju, Kalifornija, pred tem pa je bila advokatinja na Pravosodnem ministrstvu ZDA. Področje njenega dela je usmerjeno na različne vidike migrantskih problemov in legalne prakse. J. Stumpf je diplomirala na Georgetown University Law Center v Washingtonu D. C. in Oberlin College v Ohio.

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# SOCIAL POLICY TOWARDS FOREIGNERS IN POLAND AFTER 1989: AN OUTLINE OF ISSUES

Katarzyna Szymańska

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## INTRODUCTION

This text presents the aspects of a research project, the main task of which is to answer the following question: What kind of social policy towards foreigners is needed in Poland at present? I outline a number of research problems, ask numerous questions which need answers, and present in part the state of knowledge concerning foreigners in Poland.

Until 1989 Poland was primarily an emigration country. It were our citizens who emigrated in large numbers to other countries, mainly because of political and economic reasons. After the fall of Communism the prevailing 'emigration fever' in the Polish society (the readiness to leave the country almost immediately - see Romaniszyn and Slany 1997:10) declined. Now Poland is becoming a more and more interesting target for immigration (see Tables 1 and 5). Potential immigrants perceive it in three ways:

- (1) as a transit country treated as a stop on the way to rich countries of the Western Europe;
- (2) as a country where you come with the aim to earn some money (a temporary stay followed by going back with the money earned to your own country) and
- (3) as a final destination place.

The Polish economic development, and the ensuing prospect of inclusion into the European Union has increased the attractiveness of our country for foreigners. It seems that Poland's much less restrictive migration laws, in comparison with the Western European states, are a separate important factor accounting for the attraction of Poland in this respect.

Migration to Poland undoubtedly confronts the Polish society with new challenges. I will omit here various integration issues, so often discussed both in the professional literature, issues including the problem of the Polish society's openness towards 'others', our inclination to intolerant behaviour, and so forth. I will concentrate, instead, on the problem of the migration policy of the state. In order to meet the increasing challenges, there is a need for a migration policy that would be long-term, well-planned, consistently administrated, and clearly communicated to the society. However, at present, there are too many *ad hoc* - evoked by particular cases - reactions to problems associated with foreigners.<sup>1</sup> Granting foreigners specific rights, including the right to

officially recognised employment, access to welfare benefits, and so forth, should come within the laws which thoroughly and consistently regulate the place of foreigners in our society.<sup>2</sup>

In order to create a consistent policy towards foreigners, deeper research concerning migration will be of some importance, research that would show the course of processes under way in all their complexity.

## I. TERMINOLOGY

For the needs of this text the term 'policy' is understood in such way as to include any consistent, long-term action undertaken by authorized state organs oriented towards accomplishing a specific group of goals. The term *social policy* I understand as a system of ideas and actions which aim at the improvement of life conditions (Danecki 1996; Rajkiewicz 1996; Supińska 1996). In this context, any long-term migration policy overlaps with issues typical of general social policy.

Another term worthy of interest is 'foreigners'. According to a definition which functions in Polish internal legislation a foreigner is a person who does not have Polish citizenship (*Dziennik Ustaw 1997*, no 114, pos. 739). In Polish everyday language, the word 'foreigners' [*cudzoziemcy*] usually means people who come to our country only for a certain period of time and is used interchangeably with such words as 'aliens' [*obcy*], 'strangers' [*obcokrajowcy*] and 'immigrants' [*imigranci*] (for more information see Szymańska 1998:412).

Among the community of foreigners staying in Poland we can specify various categories depending on the criteria we apply. For instance, from the legal point of view we distinguish foreigners who have authorization, and those who do not. Taking into account the aims of immigration, we may distinguish the following groups: foreign workers, foreign students, and immigrants who want to settle down in Poland for good, tourists (see Table 2; see also Szymańska 1998:415).

It seems that not all categories of foreigners in Poland must be subjects of social policy. Refugees, repatriates, illegal immigrants, but also officially authorized immi-

<sup>1</sup> A clear example is the forceful liquidation of Romanian illegal camps in Warsaw on 16 June 1996 (see Pur Rachnama 1996; „Rumuni...» 1997; TD 1997). Another matter is receiving numerous groups of refugees without properly organized centers for them or qualified social staff (see Grzymała-Moszczyńska and Nowicka 1998).

<sup>2</sup> For example Article 40 of the *Law of Foreigners* says that a foreigner who applied for refugee status, may be provided with 1) accommodation, 2) food, 3) medical care, 4) material and/or 5) financial help for the time required by the authorities to make the decision (and in justified cases for a period of up to 3 months after the date of issuing the decision) - see *Dziennik Ustaw 1997*. This law does not regulate precisely, however, what the rights of a foreigner with the status of refugee are, except for the right of temporary stay in Poland. In order to be employed a registration in the place one lives is necessary, but on the other hand, it is extremely difficult to register anyone if s/he is not legally employed. There is no law that would clearly regulate how to deal with refugees in such situations (see Łodziński 1998).

grants (e.g. foreign experts) definitely should be. On the other hand, real tourists normally should not.<sup>3</sup> In order to identify groups among the community of foreigners which could (or should?) be in the field of interest of social policy, that much more specific information on their life in Poland needs to be provided.

A matter worth a separate analysis, which I omit here, is the issue how social policy towards foreigners is related to its other aspects.

## II. WHAT KIND OF POLICY TOWARDS FOREIGNERS IN POLAND DO WE HAVE AT PRESENT?

A good answer to this question requires thorough observation of state actions concerning foreigners, NGOs, and other organizations dealing with foreigners' problems. I will concentrate on seven exemplary areas, some of which are already in force, some may potentially be enacted by policy towards foreigners. These seven areas are (1) admission to Poland; (2) foreigners' education; (3) cultural co-operation and exchange; (4) employment; (5) asylum, (6) criminal, and (7) information policy. I will omit though, three other areas: the issues which may be considered as property rights policy (the problem of land sale is most often discussed); matters of integration policy (actions assisting the adaptation of foreigners to life conditions in Poland as well as the propagation of broad pluralism and tolerance in Polish society); information policy - both towards our society and the subject of this policy, i.e. the foreigners themselves.

### 1. Admission policy

I understand this policy quite broadly, as general arrangements of the principles of the foreigners' movement across the Polish border. *The Statute on Foreigners [Ustawa o cudzoziemcach]* states that a foreigner staying on Polish territory should have a passport, a valid visa (if a certain person does not travel according to an inter-state agreement concerning border crossing without a visa), and means necessary to cover the costs of entering the country and the intended stay there. The statute offers four types of visa: visitor's visa, visitor's visa with work permit, transit visa and repatriate visa. It specifies the situations in which visas may be denied or invalidated and also how to refuse admission to somebody who basically is entitled to enter the country according to the agreement on traffic without visa entry. Moreover, it established the control and registration of invitations for foreigners (*Dziennik Ustaw* 1997). The European Union

<sup>3</sup> However, a foreign tourist who enters our country may become an immigrant. Quite a number of foreigners cross the border as tourists and soon 'lose' their identity papers. Then they try to obtain a Polish passport or seek asylum (see „Azył...« 1998; „42 znikąd« 1996; Mozołowski 1996:20). Usually the purpose of arrival given by immigrants from the former Soviet Unions is tourism, even though they come to get involved in trading on street markets or taking up some seasonal odd jobs.

standards and the arrangements of the Schengen Group concerning implementation of external border protection dictate such regulations. European integration will mean that the eastern part of the Polish border would become an external border of the EU. This will bring another challenge – conforming to the EU law with simultaneous maintenance of good relations with the neighbours to the East. We already realized how difficult it might be to meet this challenge the moment the *Statute on Foreigners* came into force. Increased possibilities to control the entrance and stay of foreigners caused a significant decline in cross-border traffic mainly on the Polish border with Russia and Belarus, and also triggered protests of Polish small entrepreneurs relying mostly or exclusively on the half-legal cross-border trade. In order to alleviate the dissatisfaction of the border areas population it was necessary to partly change the rules of crossing of the eastern border (cheaper visas were introduced). Policies based on sheer legal principles which do not take into account the social and economic interests of various groups happen to be quite expensive. As it turned out, the introduction of rigorous regulations mainly struck the so-called ‘swing migrants’ who, during their short visits, carried out small businesses (mainly trade) in the border areas. A decrease of border traffic caused a sudden drop of turnover by about 40% in the biggest bazaars in Poland (Łodziński 1998:6-11).

## 2. Educational policy

I understand educational policy as all purposeful actions which are related to the education of foreigners in Poland.

Among the foreigners studying in our country we may distinguish people who are being educated on the following levels: elementary, secondary, higher, postgraduate, PhD studies and specialist trainings. Further on I will focus on the area of higher education.

Taking into account the kind of sponsorship, we distinguish three groups of students: holders of Polish government scholarships along with :: : welfare benefits (the holders are offered free education as well as accommodation and food grants); scholarship holders without welfare benefits (they receive free education but must live on their own means); and finally those that study in Poland relying on their own resources (they have to pay for their education). Holders of scholarships from the Polish government constitute the largest group – almost 80%. The Ministry of Education decides who may be granted which scholarship. The access to education without charge and access to maintenance means is most often granted to people of Polish origin (almost all of whom came from Kazakhstan, Lithuania and the Ukraine etc.). The holders of Polish government scholarships who are provided only with free education are usually students from Africa, Asia and Western Europe. However, the rector of the specific university takes decisions concerning admission to a university (no matter whether the person is a scholarship holder or is ready to cover all the costs himself/herself).

Universities do not provide special integration programmes for foreign students, although there seems to be a need for this. In some universities the newcomers, especially

from the former Soviet Union, live almost exclusively in their own circles; they spend their leisure time and holidays together and refrain from contacts with Polish students.

It remains to be established to what extent the present educational policy is coordinated with the direction of the Polish foreign policy. Are geopolitical factors included in considerations on granting scholarships from the Polish government to foreigners from various countries? Is there any geographically coordinated scholarship policy at all? Is the policy related to sign agreements of bilateral cooperation? For instance, assuming that strategic priority is placed on Poland's good contacts with the Ukraine, the Polish state should create extremely favourable conditions for students applying from this particular country. However, there are no data indicating that such a policy exists.

### **3. Cultural policy**

I define cultural policy as the actions of the state's official institutions (or institutions acting on its behalf – e.g. subsidized foundations) aimed at stimulating, supporting, and organizing, international artistic exchange and cooperation broadly understood.

It would be quite interesting to find out whether most of this cooperation is accomplished as a result of coordination on the level of the central government or whether local cooperation, e.g. between particular Polish and foreign cities, dominates. I was not able to establish whether there is a unit in the Ministry of Culture that collects information concerning the entirety of such cooperation. Is this cooperation correlated with the directions of our foreign policy? Is there any data showing that the organization of such cooperation is focused towards particular countries, regions and/or groups of countries? What countries' artists are most often (and which most willingly) hosted in Poland? Can any clear-cut patterns be identified here? Are any such patterns spontaneous or are they arranged according to some programmes monitored by the Ministry of Culture or the Ministry of Foreign Affairs? It seems to me that the answers to the above questions may have a significant indicatory value in creating migration policy in the field of cultural exchange.

Relatively closed communities of immigrants cultivating their own culture (e.g. the Vietnamese) are a problem of a different nature. Do they receive any kind of support on behalf of the Polish State? If so what are the rules of such support distribution?

### **4. Employment policy**

I understand employment policy as state actions regulating the number and structure of foreigners present in legal and illegal (within the grey zone) job markets in Poland.

Since 1990 the influx of foreign workers to Poland, employed both legally and illegally, has significantly increased. Individual foreigners are not entitled to apply for a work permit on their own behalf. Only legally operating firms may apply for such a

permit, providing details about a job position which is to be taken by a foreigner. The bodies, which are authorized to issue work permits for foreigners in Poland, are Provincial Work Offices. When issuing such permits, executives in the Provincial Work Offices should take into account the situation on the job market in a given region (see Łodziński 1998:18-19). It would be quite interesting to know whether the authorities allowing immigrants to take up legal jobs take into consideration the phenomenon of the black work force market. And to what extent they can recognize this issue. It would also be quite interesting to find out whether the decisions concerning employment are influenced by the nationality of foreigners or by the fact that some of them graduated from Polish universities. Does corruption exist (and on what scale) in the field of these decisions?

The highest number of work permits is granted every year in the Warsaw region, where foreigners receive over half of all the work permits issued in Poland. Those who are legally employed are mainly the managing staff of foreign companies, advisors or specialists of state and private companies, and foreign language teachers (Domaradzka 1996; GSM 1998; Mozołowski 1996: 20; PAP 1998; Santera 1995: 10; Skulimowska 1995; Wojtaszewski 1995). Employment of foreign managers is associated with the presence of foreign capital in Poland. The figures of the National Labour Office produced by the end of the '90s indicated that the number of foreigners legally working in Poland had reached 30 thousand.

The phenomenon of taking up illegal jobs by immigrants has developed in Poland on a wide scale right next to the legal employment of foreigners. The phenomenon of illegal employment of foreigners is quite difficult to capture statistically. The estimates indicating the number of illegally employed foreigners vary from 250 thousand to even 1 million (com. GSM 1998; Ornacka, Szczesny 1998: 28; PAP, KATA 1997; Skarbek 1998). In the context of the high unemployment rate in our country (about 3 million unemployed at the end of 2001), it is worth exploring whether, and in what degree, this phenomenon has negative effects on our job market. It is important that foreigners are often paid much less than Poles, and in addition 'one does not have to' pay any insurance fee for them. Foreigners are in general in league with their employers and other illegally employed foreigners. Therefore, the fact that foreigners are involved in the black job market is only revealed via some conflicts with the criminal law either on the part of the foreigner himself or his/her employer (Margaz 1993).

## **5. Asylum policy**

The term asylum policy is used in order to specify all state actions, which regulate the inflow of immigrants who come to a country on a non-voluntary basis, for example, war refugees and sufferers of various kinds of discrimination or natural disasters. In recent years they have been arriving in our country in greater and greater numbers (Łodziński 1995: 65; Walaszek 1994). Quite a lot of them seek asylum or refugee status (see Tables 2 and 3).



Chapters 4 and 5 of the *Law of June 25<sup>th</sup> 1997 of Foreigners* (*Dziennik Ustaw 1997*, no 114, pos. 739) regulate *granting* asylum and the refugee status. Both refugee status and granting asylum consist in giving shelter on our territory to foreigners who are persecuted in their own country for their political, religious, social etc. convictions or activities.

Each state may specify the procedures for granting asylum independently; however, granting refugee status must proceed according to the established international conventions (Geneva Convention of 1951; New York Protocol of 1967). The countries which ratified these regulations must grant refugee status to each person who fulfils specific requirements. Asylum decisions, however, belong to a sovereign field of a given country. The Polish authorities in cases in which „an important interest of the Polish Republic speaks for it« grant asylum (art. 50, law 2 *The Law of Foreigners*, see *Dziennik Ustaw 1997*).

Although *the Law of Foreigners* defines the subject matter of asylum policy, the reports of the Ministry of Internal Affairs and Administration show a tendency to abuse (see Table 4) of the procedure for applying for refugee status. A new category has appeared, the so-called 'quasi-asylum seekers'. Persons wanting to get to the West, but were intercepted in Poland, almost automatically apply for the refugee status in order to gain one more chance to reach the »countries of prosperity« and avoid deportation to the mother country (see DW 1997; Jachowicz 1997; Lentowicz 1997; Niklewicz 1997). Seeking refugee status or sometimes asylum is often probably a cover for other motives for migration e.g. earning money, especially among the citizens of the former Soviet Union.

The waiting time for refugee status specified by law is 3 months. However, in practice it may even last well over a year. During this time the Polish State covers the costs of the stay of immigrants awaiting a decision.

## **6. Criminal policy**

To deport or to initiate legal procedures of investigation and punishment - this is one of the basic dilemmas of criminal policy. However, do we have a clearly defined policy in this respect in Poland?

Undoubtedly, in any country visited by large numbers of foreigners, there are also crimes committed by them. This creates a number of problems. Is it more beneficial for a state in which the proportion of foreigners who infringe the law is quite high to send them back to their own countries or to make them serve a sentence on the spot after convicting them? Is it less expensive, in case involving some minor offence(s), to deport the foreigners than activate the whole machinery of justice? How many more agreements on mutual extradition should be signed and with which countries? What are the costs of imprisoning foreign citizens?

In fact, can we even talk about such a policy, in the sense of well-premeditated and consistently carried out actions? Is Poland bound by any international agreements as well as e.g. unwritten principles of mutuality when establishing such a policy?

## 7. Information policy: a note on the media discourse

It is not difficult to spot a media coverage on foreigners in Polish press, radio or TV. However, there seems to be no comprehensive debate on the place of foreigners in Polish society. An overwhelming majority of newspapers and journals offer texts which are organized according to principles of political correctness. Foreigners and our asylum policies are not overtly criticized; stereotypes are not cherished. But, as my analysis of the picture of the Vietnamese in Poland presented by the Polish press demonstrates (Szymańska in press), for the most part they are mentioned in not neutral, rather unpleasant circumstances like: problem of land sale, illegal employment, beggary, shadow economy and numerous, mostly petty, crimes. Readers of the Polish press, well aware of the high unemployment rate (below 20%, i.e. under 3 million) can hardly have positive associations with foreigners in Poland. So, a comprehensive information policy, including education programmes on intercultural communication, seems to be desirable.

In 2001 when the EU enlargement negotiations reserved momentum the sensitive issue for many Polish people became the future right of foreigners to buy land in Poland. Polish peasantry (small holders) especially, is extremely perceptive to this question - at present agricultural land in Poland is about seven times cheaper than in Germany. Therefore, there are political groupings which want to enact legislation which enforces an interim period when foreign investors would have limited rights to own land property in Poland. However, hot parliamentary debates on the issue are not framed within any broader discourse on the role of foreigners in Poland when our country becomes a fully pledged member of the EU.

### *A note on the Vietnamese in Poland*

First large groups of Vietnamese have appeared in Poland in the 60s under official schemes of cooperation within the Soviet Bloc. In the 70s in the height of the American-Vietnam war numerous groups of students studied at Polish universities receiving grants from the Polish government. At the time they were the majority of the Vietnamese population in our country. At present about 200 persons are studying. Parts of the students of the 70s have stayed in Poland for good and seem to be well integrated in our life. Therefore it is not they who are the most visible.

Now, the majority of the Vietnamese seem to be small, largely unofficial, trade businessmen or black labour force groups who arrived after 1989. They came to Poland on the basis of a Polish-Vietnamese inter-state agreement concerning border crossing without a visa which was valid until 1997. In most recent years there was another inflow of former Vietnamese Gastarbeiter from Germany. In 2000 about 40.000 Vietnamese were obliged to leave Germany after expiration of the German-Vietnamese agreement from 1995 on employment (see Pur Rahnama 1999). An unknown, but probably substantial, fraction of them lives in Poland. There are reports about Vietnamese who try to enter Poland illegally. 6000 of the Vietnamese are legal residents in

Poland; according to various assessments the actual number of them ranges from 25.000 to 35.000 (Belka 2000).

In 2000 the Vietnamese were granted 1230 work permits - more than received by French or British citizens (Stankiewicz 2001). There were also reported illegal and sort of underground (hidden) work camps in which migrants from the former USSR, Bulgaria and Vietnam work. According to some assessments there are about 100 such work camps (Kudzia and Pawelczyk 2000). An insight into the scope of such kinds of activity was provided by a police investigation which in 1998 traced an illegal bank transfer out of Poland of 74 million dollars organized by two Vietnamese who were cooperating with networks of their country fellowmen illegally working in Poland (PAP 1998).

It seems that the best part of newcomers appear in Poland in order to earn quick although hard earned money; mostly in small trade and gastronomy. According to the Ministry of Economy data in 1997 the Vietnamese owned 20 companies, but were running 200 of them (Pawlicki and Ziel, and PAP 1997). This may indicate that at least in some cases officially registered Polish owners serve only as front men for the black Vietnamese capital.

In order to omit work permit restrictions which are related to the present high rate of unemployment in Poland, the Vietnamese companies' managers often declare that they need employees who possess such unique abilities as full command of the Vietnamese language. In such cases work permits are usually granted. Another method used are bogus marriages. Only in one of the regions there were during 1998 over 200 such Polish-Vietnamese marriages; most of them pretty quickly followed by real divorces (ZM 2000).

Among various groups of foreigners in Poland the Vietnamese people consist one of the most (if not the utmost) hermetic one; they do not learn Polish, do not inform our police about inter-group disorders and try to keep low profile. This poses problems not only for the police (investigating cases as the one above is utterly difficult) but also for scholars. For example, we do not know how it is possible to live many years in Poland (not being territorially separated in clearly cut enclaves) and not to move outside the borders of one's own cultural ghetto. And this refers mostly to the »new«, i.e. post-Communist times immigration.

## CONCLUSION

Can the current social policy meet present challenges? Which dangers can and which cannot be avoided? Are institutions dealing with foreigners, equipped with sufficient power and resources? Does coordination of the various types of policies presented above, exist? In what degree? How does the visa policy relate to employment and educational policies? What is the access to education of people who have been granted the status of a refugee? Does Polish society understand the reasons for which

there are certain funds reserved for refugees? What is the information policy of the government in this field?

The point is that, according to my knowledge, no one in Poland can provide exhaustive answers to these kinds of questions. One of the aims of this research project I am working on is to acquire answers to such questions, and to formulate recommendations for concerning legal norms, public education, directions of propaganda (the public media included) etc. However, before this can be done, a lot of conceptual and factual consideration is needed.

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Table 1

## Inflow of foreigners to Poland

1985 -	3 410 100
1989 -	8 232 600
1990 -	18 210 800
1991 -	36 845 800
1992 -	49 015 000
1995 -	82 243 600
1996 -	87 438 600
1997 -	87 817 400
1998 -	88 592 400
1999 -	89 117 900
2000 -	84 514 900

Source: *Ruch Turystyczny w Polsce 2000*, Warszawa: GUS, p. 166.

Table 2

## Foreigners temporary staying in Poland longer than 1 year

Year	Studying in Poland	Employed in Poland; the number of permissions for work only	Which received the residence permit	Persons who completed applications for refugee status
1994	5176	11181	2463	562
1995	5202	11363	3067	843
1996	5313	13668	2841	3211
1997	5443	17498	3973	3531
1998	5541	20759	1567	3398
1999	6025	20618	661	3002

Source: *Rocznik Demograficzny 2000*, Warszawa: GUS, p. 338.

**Table 3**

**Applications for refugee status in Poland according to citizenship**

1994	1995	1996	1997 January-November
Armenia - 289	Armenia - 151	Sri Lanka - 630	Sri Lanka - 760
Bosnia and Herzegovina - 39	India - 110	Afghanistan - 487	Afghanistan - 579
Iraq - 39	Russia - 83	Iraq - 355	Armenia - 392
Georgia - 26	Afghanistan - 73	Armenia - 350	Pakistan - 320
Russia - 26	Somalia - 73	India - 230	Iraq - 182
Algeria - 22	Sri Lanka - 60	Bangladesh - 203	Bangladesh - 179
Ukraine - 21	Iraq - 57	Somalia - 187	India - 151
Yugoslavia - 18	Algeria - 34	Pakistan - 173	Somalia - 69
India - 11	Pakistan - 34	Russia - 62	Russia - 47
Sudan - 11	Georgia - 23	Lebanon - 41	Azerbaijan - 36
Angola - 8	Bosnia and Herzegovina - 14	Liberia - 35	Algeria - 34
Sri Lanka - 8	Stateless - 13	Azerbaijan - 33	Bulgaria - 32
Afghanistan - 7	Romania - 11	Moldavia - 33	Byelorussia - 30
Ethiopia - 6	the Ukraine - 11	Algeria - 31	Romania - 26
Pakistan - 5	Yugoslavia - 9	Turkey - 28	Ukraine - 26
Others - 62	Others - 85	Others - 555	Others 295
All - 598	All - 841	All - 3203	All - 3138

Source: Kuczyński 2000:24.

**Table 4**

**Refugees in Poland**

Year	Applying for refugee status	Status granted	Status rejected	Procedure discontinued*
1993	819	61	135	235
1994	598	391	188	362
1995	843	105	193	394
1996	3205	120	375	1454
1997	3533	148	597	3161

Since taking a decision usually takes about a year, the sum of decisions taken and applications under consideration is not the same as the number of persons applying.

\* The most frequent reason of discontinuation is leaving Poland by persons which apply before a decision is taken.

Source: UNHCR: [www.unhcr.pl/podstawowe/tabela3.html](http://www.unhcr.pl/podstawowe/tabela3.html)

Table 5

## Ethnic structure of illegal immigrants

1993	1994	1995	1996	January-July 1997
All - 11309	All - 10907	All - 11670	All - 10942	All - 2999
Romania - 6989	Romania - 358	Romania - 2827	Romania - 1226	Romania - 505
Bulgaria - 1691	Ukraine - 1070	Armenia - 1356	Moldavia - 1067	Sri Lanka - 452
Ukraine - 1446	Armenia - 850	Ukraine - 874	Armenia - 1010	Afghanistan - 308
Russia - 993	Czech Republic - 617	India - 772	Czech Republic - 986	Czech Republic - 244
Armenia - 883	Bulgaria - 611	Czech Republic - 750	Afghanistan - 867	Ukraine - 226
Czech Republic - 488	Russia - 499	Moldavia - 639	Ukraine - 628	Armenia - 173
Byelorussia - 389	India - 462	Russia - 474	Iraq - 626	Pakistan - 98
Algeria - 348	Moldavia - 413	Afghanistan - 459	Sri Lanka - 609	Iraq - 83
Germany - 325	Byelorussia - 291	Iraq - 372	India - 484	Russia - 82
Yugoslavia - 270	Algeria - 276	Bulgaria - 261	Pakistan - 443	Bangladesh - 80
Lithuania - 250	Yugoslavia - 252	Macedonia - 258	Russia - 382	Bulgaria - 80
Vietnam - 209	Sri Lanka - 185	Pakistan - 166	Bulgaria - 246	India - 59
Moldavia - 198	Iraq - 166	Germany - 211	Bangladesh - 219	Germany - 56
Slovakia - 184	Pakistan - 166	Sri Lanka - 201	Germany - 170	Lithuania - 51
Chinese - 135	Germany - 157	Byelorussia - 185	Slovakia - 159	Slovakia - 44

Source: Kuczynski 2000:21.

## POVZETEK

DRUŽBENA POLITIKA DO PRISELJENCEV NA POLJSKEM PO LETU 1989:  
ORIS PROBLEMA

Katarzyna Szymanska

*Avtorica predstavi nekatera bistvena vprašanja raziskave o migracijskih tokovih v Poljski od leta 1989 naprej. Predvsem se odpira žgoči problem odnosa družbe, javnosti in vladnih reakcij na nove in masovne oblike migracij, na primer vietnamske etnične skupine in prebežnikov. Med migracijske tokove se prišteva tudi številne kratkoročne »obiske« tujcev iz sosednjih držav, ki na neformalnem trgu dela ponujajo storitve. Szymanska poskuša klasificirati oblike migracij ter jih statistično in normativno opredeliti. Analizirani so nekateri pogoji za priselitev različnih kategorij migrantov, ki jih vlada uveljavlja v svoji nastajajoči zakonodaji. Predstavljen je oris zanimivega primera etnične ekonomije stalno priseljenih Vietnamcev. Značilnost sedanje politike vlade je nekonzistentnost, plitkost ter pomanjkanje dolgoročne perspektive v regulaciji migracijskega fenomena. Tudi seznanjanje javnosti je odsotno ali nezadovoljivo. Raziskava je še v teku in avtorica se na tem mestu zadovolji z postavljanjem vprašanj, za katera upa najti odgovore ter izdelati priporočila vladi.*

*Katarzyna Szymanska je asistentka, mag. sociologije in raziskovalka na Inštitutu za sociologijo Univerze Nicolaus Copernicus v Torunu. Njeno področje analiz so novi socialni*



*in kulturni izzivi, ki jih doživlja družba na Poljskem. Piše tudi knjigo o migrantih na Poljskem s stališča vidikov kulturne antropologije ter socialne politike. Je avtorica več objav, med drugim 'Tujci na Poljskem', objavljenem v Polish Sociological review, no. 4, 1998.*



ESSAYS AND ARTICLES

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**RAZPRAVE IN ČLANKI  
ESSAYS AND ARTICLES**

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RAZPRAVE IN ČLANKI



Janja Žitnik

COBISS 1.01

## UVOD

Pričujoči prispevek je delni rezultat raziskave »Slovensko literarno povratništvo«, ki še poteka kot sestavni del temeljnega raziskovalnega projekta Inštituta za slovensko izseljenstvo ZRC SAZU z naslovom »Stanje in perspektive slovenskega povratništva« (2000–2002). Namen tega dela raziskave je kompleksna analiza procesa, ki ga označujem z izrazom literarno povratništvo in ki je v devetdesetih letih vtisnil viden pečat v slovenski matični kulturi. Pojem zajema proces sprva postopnega in nato radikalno pospešenega vračanja slovenske zdomske književnosti v matični prostor v zadnjih dobrih dveh desetletjih. V prvem poltretjem desetletju po drugi svetovni vojni so kulturnopolitične razmere v Sloveniji bolj preprečevale kot pa spodbujale integracijo emigrantskega slovstva v matično kulturo. V sedemdesetih letih se odpre nekaj več možnosti za začetek tega procesa, ki z letom 1990 prestopi meje individualnega znanstvenoraziskovalnega interesa, osebnih stikov z zdorskimi književniki in občasnih zdorskih leposlovnih objav v posameznih matičnih kulturnih revijah oziroma pri posameznih domačih knjižnih založbah in postane splošna značilnost sodobne izvirne kulturne ponudbe na Slovenskem.

Vračanje zdorske književnosti v matični prostor se kaže na treh področjih: v kulturi, literarni znanosti in šolstvu. Rezultati podrobne analize spreminjajoče se prisotnosti zdorskega slovstva v matični kulturi po posameznih desetletjih od leta 1950 (v založniških programih v Sloveniji, v matičnih izdajah antologij izseljenske poezije in proze, v domačih kulturnih revijah), v literarni znanosti (v literarnozgodovinskih pregledih in leksikonih, v drugih znanstvenih in strokovnih objavah v serijskih in neserijskih publikacijah) in šolstvu (osnovnem in srednjem šolstvu ter univerzitetnih študijskih programih) so povzeti v treh predhodnih objavah v okviru omenjenega projekta,<sup>1</sup> zato jih na tem mestu ne bom posebej obravnavala. Za jasnejšo predstavo o izrazitem nastopu in obsegu pojava slovenskega literarnega povratništva v letih 1990–2001 naj izpostavim le nekaj najzgovornejših podatkov. Samo v prvih osmih letih

<sup>1</sup> Janja Žitnik, Književno delo slovenskih izseljencev, *Slavistična revija*, letn. 48, št. 2, apr.–jun. 2000, str. 159–176; ista, Slovenski izseljenski pisci in literarno povratništvo, *Zbornik predavanj: 37. seminar slovenskega jezika, literature in kulture*, ur. Irena Orel, Ljubljana: Center za slovenščino kot drugi/tuji jezik pri Oddelku za slovanske jezike in književnosti Filozofske fakultete, 2001, str. 155–172; ista, Besedna umetnost slovenskih izseljencev in njeno mesto v sodobni slovenski kulturi, *Dve domovini/Two Homelands*, št. 14, 2001, str. 67–90.

preteklega desetletja je v Sloveniji izšla dobra polovica vseh dotedanjih v domovini objavljenih izseljenskih leposlovnih knjig. Od sedmih dosedanjih matičnih izdaj antologij zdomske poezije in proze jih je kar šest izšlo v letih 1990–1993. Prvi celovitejši pregled te književnosti je bil objavljen v Ljubljani leta 1999 (*Slovenska izseljenska književnost 1, 2, 3*), v večjem obsegu je bila izseljenska literatura vključena v leksikon Cankarjeve založbe *Slovenska književnost* in v *Pregled književnosti V: Slovenska književnost 20. stoletja* Andrijana Laha leta 1996, v osrednji literarnozgodovinski pregled *Slovenska književnost III* (Ljubljana: DZS) pa leta 2001. V teh delih je zdomsko slovstvo mnogo temeljiteje predstavljeno kot v vseh dotedanjih delih slovenske literarne zgodovine. Število domačih raziskovalcev zdomske književnosti in njihovih monografij, zbornikov in drugih objav s tega področja je v prvi polovici devetdesetih let skokovito naraslo, prav tako opazno se je v istem času povečalo tudi število kulturnih revij v Sloveniji, ki so pokazale poudarjen interes za izseljensko slovstvo.

Namen in posledica aktualnega procesa slovenskega literarnega povratništva je integriranje slovenskega zdomskega slovstva v zakladnico narodne literature in kulture. V okviru obravnave tega procesa pa se med drugim zastavlja vprašanje obsega oziroma meja narodne književnosti: katera literarna dela slovenskih izseljencev in njihovih potomcev še sodijo v sklop slovenske književnosti? Odločilna ločnica pri razvrščanju posameznih literarnih del v okvir te ali one narodne književnosti je – po kriteriju, ki je v najsplošnejši veljavi – jezik literarnega ustvarjanja oziroma prve objave. Če bi v poenostavljeni definiciji torej sledili zgolj omenjenemu kriteriju, bi trdili, da slovenska književnost obsega literarna dela, napisana v slovenskem jeziku. Na drugi strani pa osrednji pregledi slovenskega slovstva vključujejo v svojo obravnavo tudi nekatera literarna dela v drugih jezikih in celo nekatere pisce, ki so pisali samo v tujem jeziku. Ker se dosednji poskusi ustrezne definicije obsega narodne književnosti zdijo nezadovoljivi, mi zdi smiselno, da v okviru obravnave literarnega povratništva posvetim temu vprašanju posebno pozornost.

## MEJE NARODNE KNJIŽEVNOSTI

Vprašanje obsega/meja narodne književnosti je bilo že nekajkrat aktualizirano, zlasti pri obravnavanju regionalne književnosti na jezikovno mešanih območjih ter pri obravnavi dvojezičnih ali tujejezičnih zamejskih in izseljenskih piscev. Najširša razprava o tem vprašanju se je vedno znova odpirala, kadar je tekla beseda o Louisu Adamiču. Mnogi smo tega ameriškega pisatelja brez pomislekov uvrščali tudi med slovenske književnike, bodisi izrecno ali vsaj implicitno.<sup>2</sup> V svojem znamenitem eseju, ki je dvignil

<sup>2</sup> Leta 1992 sem na zagovoru svoje doktorske disertacije »Zadnje obdobje Adamičevega literarnega ustvarjanja« v odgovor na vprašanje člana komisije, ali lahko ameriškega pisatelja Louisa Adamiča uvrščamo tudi med slovenske pisatelje, izpostavila tiste literarne prvine Adamičevih del, ki ga po mojem mnenju nesporno uvrščajo tudi med slovenske književnike. Tedaj še precej nedorečeni argumenti takšnega stališča so povzeti v mojem delu *Pero in politika*, Ljubljana: Slovenska matica, 1993, str. 89–92.

toliko prahu, da ga je nekaj še vedno ostalo v zraku, je Župančič med drugim zapisal: »Adamič je ostal Slovenec v prvini svojega duha, v instinktivnem pogonu, v tajnem bistvu. /.../ Amerika mu je dala, kar mu je mogla dati ... Ničesar pa mu ni odvzela.« Ali pa še bolj slikovito: »Ali sem še pri Adamiču? Še. Saj sem pri smehu. In pri slovenski žalosti in slovenskih problemih.«<sup>3</sup> Tudi Zadravec se mu s stališča slovenske kulture ni pripravil odpovedati: »Slovenci smo imeli tačas nekaj pisateljev Američanov /.../: Kolumb med njimi je bil Louis Adamič. Kolumbi pa niso izgube niti za svoje narode niti za človeštvo.«<sup>4</sup> Poniž poudarja pisateljevo slovenstvo, kot se zrcali v njegovih delih, in ugotavlja, »da je Adamič v svojem literarnem delu /.../ prešel dolgo in miselno zapleteno pot od prvega samozavedanja svojega dvojnega porekla – v biti Slovenec, po svojem učenem, pridobljenem znanju Američan – ki mu je odprla bistvene razsežnosti obzorja. /.../ Zato se lahko identificira s svojimi nacionalnimi koreninami, lahko jih skozi literarno pripoved predstavi svojim bralcem. Rezultat tega prizadevanja je vsekakor tudi Adamičevo obojestransko prizadevanje za pretok kulturnih in literarnih vrednot.«<sup>5</sup> Najradikalnejši pa je Paternu: »Adamič je v svojem portretu Slovenije na poseben, strnjen način opravil tako rekoč celotno pot slovenskega pripovednega pisanja o njej in njenih ljudeh, od Trdine in Jurčiča mimo Kersnika do Cankarja, Župančiča in Voranca. Ne da bi se zavedal je ob prihodu na domača tla kljub vsej svoji drugačnosti postal tudi slovenski pisatelj.«<sup>6</sup>

Temeljni sintetični pregledi zgodovine slovenskega slovstva običajno vključujejo v obravnavo tudi v tujih jezikih napisana leposlovna dela tistih avtorjev, ki so glavnino svojega literarnega opusa vendarle ustvarili v slovenskem jeziku. Manj dorečeni pa so kriteriji vključevanja literarnih opusov tistih piscev (večinoma slovenskega rodu), ki so ustvarjali oziroma ustvarjajo izključno v tujih jezikih, vendar njihovo delo v pretežni meri izhaja iz slovenske kulture, slovenskih literarnih tradicij, narodno pogojenih ustvarjalnih pobud, slogovnih, tematskih in motivnih asociacij s preteklo in sodobno slovensko kulturo. Dejstvo, da je Adamič kot nekakšen poseben fenomen kar samoumevno uvrščen v leksikografske in praktično vse pomembnejše literarno-zgodovinske preglede *slovenskega* slovstva, drugi tujejezični pisatelji, katerih delo je prav tako utemeljeno v slovenski kulturi, pa ne (z nekaj bolj ali manj slučajnimi izjemami v posameznem pregledu), samo še dodatno potrjuje nedefiniranost obsega narodne književnosti. Helga Glušič se tega zaveda: »Ob vprašanju jezika izseljenske književnosti je za raziskovalce književnosti zanimivo širše vprašanje vključevanja književnosti, ki jo izseljenski pisatelji slovenskega rodu pišejo v neslovenskem jeziku, v okvir slovenske nacionalne kulture. Raziskava (*Slovenska izseljenska književnost 1–3*, op. J. Ž.) v tem

<sup>3</sup> Oton Župančič, Adamič in slovenstvo, *Ljubljanski zvon*, 1932, št. 9, str. 513–520.

<sup>4</sup> Franc Zadravec, Oton Župančič in Louis Adamič, *Louis Adamič: Simpozij: Symposium*, ur. Janez Stanonik, Ljubljana: Univerza Edvarda Kardelja, 1981, str. 110.

<sup>5</sup> Denis Poniž, Nacionalno v literaturi Louisa Adamiča o Slovencih in Jugoslaviji, *Louis Adamič: Simpozij...*, str. 114–115.

<sup>6</sup> Boris Paternu, Nastajanje Adamičevega sestava vrednot ob Ameriki in Jugoslaviji, *Louis Adamič: Simpozij...*, str. 94.

pogledu ponuja bogato in pomembno gradivo, ki je že (literarno ustvarjanje Louisa Adamiča) ali pa še bo našlo živ odmev v slovenski kulturni zavesti.«<sup>7</sup> V devetdesetih letih so našla svoje mesto v matični kulturi še nekatera imena tujejezičnih slovenskih izseljenskih pisateljev (Igor Šentjurs, Vlady Kociancich...), zaradi česar postaja vprašanje meja narodne književnosti, ki ga slovenska literarna znanost še vedno ni dorekla, s pojavom literarnega povratništva iz leta v leto aktualnejše. Novi predlogi za njegovo razrešitev pa so, če že ne docela spregledani, vsaj brez temeljitega premisleka zavrjeni.<sup>8</sup>

Janko Kos definira obseg slovenske književnosti v *Enciklopediji Slovenije* takole: »Pod slov. k. razumemo praviloma besedno umetnost, ustno sporočeno ali zapisano v slov. jeziku; izjemoma lahko štejemo vanjo tudi tujejezična besedila (lat., nem., it.) tistih pisateljev, ki so svoja poglavitna dela ustvarili sicer v slov. (Trubar, A. Bohorič, A. T. Linhart, Prešeren, J. Stritar). Do konca 19. st. se je razvoj slov. k. omejeval na slov. etnično ozemlje, po 1900 se je z izseljenci, emigranti in zdomci razširil v ZDA, po 2. sv. v. tudi v Argentino in Avstralijo.«<sup>9</sup> V isti publikaciji se tudi s soavtorico gesla *izseljensko slovstvo* dotakneta tega vprašanja. Najprej navajata svojo definicijo pojma izseljenska književnost: »književnost slov. izseljencev, zdomcev in emigrantov, ki nastaja zunaj sklenjenega slov. etničnega ozemlja in je objavljena v tujini, v zamejstvu ali v Republiki Sloveniji. Pojem vključuje predvsem književnost slov. ekonomskih izseljencev v 19. st. in 1. pol. 20. st.; od te se razlikuje t. i. zdomska književnost.«<sup>10</sup> Nato izpostavi vprašanje jezika: »I. s. nastaja po navadi v slov. jeziku, pogosto pa tudi v jeziku novega okolja, najpogosteje v angl. in špan. Med ustvarjalci, ki pišejo samo v tujih jezikih, so posamezniki, ki s svojim delom v celoti pripadajo novi domovini, vendar je v njihovih

<sup>7</sup> Helga Glušič, Slovenska izseljenska književnost: sklepna misel, *Slovenska izseljenska književnost 3: Južna Amerika*, ur. Janja Žitnik s sodelovanjem Helge Glušič, Ljubljana: Založba ZRC in Rokus, 1999, str. 357.

<sup>8</sup> Tako, denimo, Andrijan Lah v sicer zelo ugodni recenziji *Slovenske izseljenske književnosti 1-3* (Pregled onkraj literarnozgodovinskih okvirov, *Delo*, Književni listi, 5. avgust 1999, str. 13-14) na kratko polemizira s konceptom integriranja tistih literarnih del v tujih jezikih, ki izhajajo iz slovenske kulture in jo posledično nadgrajujejo, v sklop slovenske izseljenske književnosti: »Ustaviti se kaže pri vsebinskem obsegu naslova SIK. Beseda 'slovenska' nas vodi sicer v smer slovenščine kot jezika SIK, vendar sega koncept SIK širše: tudi v pisanje slovenskih izseljencev (oziroma potomcev slovenskih izseljencev) v drugih jezikih (npr. v nemščini, angleščini, španščini...). Seveda ostaja načelno vprašanje, ali lahko uvrščamo tujejezično pisanje v okvir SIK oziroma ali je tovrstno uvrščanje smiselno. /.../ Sledi poglavje Literarno ustvarjanje avstralskih Slovencev v angleškem jeziku /.../. Tako se zdi, da je pravzaprav vseeno, v katerem jeziku pišejo avtorji SIK: vsi enakovredno spadajo v SIK! Smiselno pa bi bilo uvrstiti angleško pišoče avtorje le kot zanimivost v Dodatek.«

<sup>9</sup> Janko Kos, *Književnost, Enciklopedija Slovenije*, 5. zvezek, Ljubljana: Mladinska knjiga, 1991, str. 140.

<sup>10</sup> Ker imata književno ustvarjanje slovenske ekonomske in politične emigracije kljub nekaterim pomembnim razlikam dovolj skupnih značilnosti (med katerimi so najbolj očitne slogovna vpetost v slovensko literarno tradicijo, tematsko in motivno vračanje v matično domovino, domotožje kot ustvarjalni vzgib in soočenje matične kulture s kulturo novega okolja), zaradi česar so številni pisci iz predvojne in povojne emigracije objavljali v skupnih revijah (*Duhovno življenje, Ameriška domovina, Amerikanski Slovenec, Ave Maria* idr.), sama ne upoštevam takšne delitve. Privednike zdomski, izseljenski in emigrantski uporabljam sinonimno, po potrebi s časovnim določilom.



besedilih mogoče zaslediti literarno snov in duhovne prvine iz slov. tradicije (L. Adamič, J. Vodaine). [...] Izrazit del i. s. je *ZDOMSKA KNJIŽEVNOST*; pod tem se najpogosteje razume literarno ustvarjanje slov. ideološke in politične emigracije, tj. beguncev in izgnancev po 2. sv. v. [...] V nasprotju z drugim i. s., ki se v novejšem času nagiba k dvojezičnosti, je zdomska književnost pisana samo v slov. jeziku.<sup>11</sup> V nadaljevanju pisci podgesel v okviru gesla *izseljensko slovstvo* enakovredno obravnavajo slovenske izseljenske pisatelje ne glede na jezik njihovega literarnega ustvarjanja.<sup>12</sup>

O samem pojmu literatura piše Janko Kos med drugim, da se »literarna veda še ni zedinila ob določitvi obsega in vsebine tega pojma, tj. o eksistenci in ustroju literature.«<sup>13</sup> Citat je že star, a je še vedno aktualen. Nedorečenost obsega in vsebine pojma *literatura* podvaja nedorečenost pojma *narodna književnost*. Definicija pojma književnost/literatura pa je bila doslej vendarle mnogo pogosteje problematizirana kot definicija določila narodna (slovenska). V Kosovi obravnavi zgodovine pojma *literatura* na Slovenskem se nehote razkriva enoznačno pojmovanje določila *slovenska*: »Čop je uporabljal termin [literatura] v obeh pomenih – v širšem smislu kot oznako za celotno spisje v slovenščini, tako v naslovu svojega nemško napisanega prispevka k zgodovini slovenske literature...« (poudarila avtorica).<sup>14</sup> Pomen prilastka *slovenska* v oznaki *slovenska literatura* se od Čopa do danes ni bistveno spremenil, saj ga domala vsi, ki to književnost obravnavajo, načelno uporabljajo kot sinonim prilastka *v slovenskem jeziku*, ob tem pa brez jasnih kriterijev vključujejo v svoje obravnave tudi literarna dela v drugih jezikih in nekatera imena tujejezičnih slovenskih pisateljev. Upravičeno se torej lahko vprašamo: kaj je slovenska književnost? Kaj je narodna književnost? Kaj je švicarska, kanadska ipd. književnost?

Če gledamo na narodno književnost kot na enoznačni pojem, tj. kot na književnost

<sup>11</sup> Janko Kos in Helga Glušič, *Izseljensko slovstvo*, *Enciklopedija Slovenije*, 4. zvezek, Ljubljana: Mladinska knjiga, 1990, str. 229. Tudi s trditvijo, da je zdomska književnost, v nasprotju z drugim izseljenskim slovstvom, pisana samo v slovenščini, se ne morem strinjati. Izrazito dvojezični slovenski izseljenski pisci na Dunaju in drugod, ki prav tako sodijo med povojne ideološke in politične emigrante, se sami prištevajo k zdomskim piscem (v ožjem pomenu besede) in zdomski pisci jih prištevajo medse.

<sup>12</sup> Ko vključujemo tujejezične pisatelje v obravnavo slovenskega slovstva, pa bodimo enako pozorni glede pravilnega zapisa njihovih imen, kot smo pri navajanju tistih, ki pišejo v slovenščini (prim. »Španger« namesto Šprager, *Enciklopedija Slovenije*, 4. zvezek, Ljubljana: Mladinska knjiga, 1990, str. 233). Isto velja tudi pri citiranju naslovov njihovih del (pravilna naslova Špragerjevih prvih zbirk – do 1990 – sta *Spuren überall* in *Mein Leseabend*). Po podatkih, objavljenih v *ES*, bi sklepali, da Venčeslav Šprager piše v slovenskem jeziku, vendar ni tako. Pesniška besedila, ki jih je objavil v slovenščini, je prepesnil iz svojih nemških izvirkov, pri čemer je potreboval pomoč. O svoji zadnji, trojezični zbirki, ki jo je objavil s soavtorico G. Schlosser - Laukel (*Jezik kamna/Lingua di pietra/Steinsprache*, Koper: Lipa, 2000), piše: »Originali so bili v nemščini, slovenske prevode je napisal moj prijatelj Kajetan Kovič, deloma tudi jaz...« (pismo V. Špragerja J. Žitnik, Au, Nemčija, 4. september 2001, avtoričin zasebni arhiv).

<sup>13</sup> Janko Kos, *Literatura*, (Literarni leksikon: Študije, Drugi zvezek), Ljubljana: Državna založba Slovenije, 1978, str. 12.

<sup>14</sup> Kos, *Literatura*, str. 13.

narodnostne skupine z enim matičnim jezikom, potem njena določenost z narodnim jezikom seveda ni sporna. Ker pa pojem narod z vidika etnične, kulturne in jezikovne pripadnosti ni enoznačen, tudi narodna kultura, narodna književnost in celo narodni jeziki ne morejo biti enoznačni pojmi. V sodobni družbeni realnosti obstaja narod z etničnega, jezikovnega in kulturnega vidika vsaj na štirih ravneh (od katerih sta bistveni prva in zadnja, drugi dve pa predstavljata vmesni stopnji med njima). V primeru slovenskega naroda so to:

1. vsi tisti neposredni potomci iz slovenskih zakonov, ki svojo jezikovno in kulturno pripadnost slovenskemu narodu občutijo kot primarno in nesporno;
2. neposredni potomci iz mešanih zakonov (v domovini, zamejstvu in izseljenstvu);
3. Slovenci, ki so jezikovno asimilirani v drug govorni prostor, vendar je pri njih še vedno prisotna tudi slovenska etnična in kulturna identiteta;
4. slovenski narod v smislu sodobne mnogoetnične in multikulturne nacionalne tvorbe (mnogi potomci iz zakonov drugih narodnosti, ki živijo v Sloveniji bodisi kot pripadniki avtohtonih manjšin ali priseljenskih skupnosti, se izrekajo za Slovence).

Tako obstaja na več ravneh tudi narodova kultura, in če smo pripravljeni pogledati na narodno književnost s širšega zornega kota, tudi ta obstaja na več ravneh. Ker je tako pojmovane slovenske literature v drugih jezikih za sedaj še sorazmerno malo, jo je verjetno manj smiselno obravnavati ločeno od literature v večinskem jeziku naroda kot, denimo, v primeru švicarske književnosti, kjer je ločena obravnava po jezikovnem principu še vedno aktualna. Seveda pa tudi v Švici obstaja literarna dejavnost v številnih priseljenskih jezikih, ki je za švicarsko kulturo ravno tako pomembna kot književnost v avtohtonih jezikih.

Morda si je smiselno tudi priznati, da se – kljub poudarjeni skrbi za materinščino – vloga večinskega narodnega jezika v kulturi posameznega naroda tudi zaradi drugih dejavnikov nezadržno spreminja: »Ob vsem tem pa se je kulturna politika dolžna s posebno pozornostjo in trajno skrbjo posvečati tistemu bistvenemu elementu naše kulturne identitete, ki je hkrati temelj naše nacionalne identitete. To je slovenski jezik. Ne samo zato, ker se slovenski kulturni prostor ne prekriva s slovenskimi državnimi mejami in ker so slovenske manjšine v sosednjih državah izpostavljene močni eroziji, ampak tudi zato, ker postaja slovenščina v procesih globalizacije sama po sebi celo v Republiki Sloveniji pogosto ogrožena, pač kot negospodarno, če ne kar odvečno sredstvo komunikacije.«<sup>15</sup>

O izumiranju slovenskega jezika in slovenske književnosti v ožjem pomenu besede bi zaenkrat še težko govorili, saj gibanje števila piscev in njihovih literarnih del v slovenščini (tudi tistih, ki so jih založbe v posameznem letu prejele, pa jih zaradi krize v založništvu izvirnega leposlovja niso mogle objaviti), še ne vzbuja resne zaskrbljenosti.<sup>16</sup>

<sup>15</sup> *Slovenski nacionalni kulturni program: Predlog*, Ljubljana: Nova revija, 2000, str. 17.

<sup>16</sup> Od leta 1952 do 1991 je število izdanih knjig in brošur v Sloveniji naraslo od 524 na 2459 naslovov, v naslednjih dveh letih pa se je skrčilo za 19 naslovov. (Vesna Čopič in Gregor Tomc, *Nacionalno poročilo o kulturni politiki Slovenije*, [Ljubljana: Ministrstvo za kulturo Republike Slovenije, 1996], str. 201.)

Če bo zaradi nezadostnih možnosti za objavo izvirna slovenska literarna produkcija začela upadati, jo bo treba reševati s povečanim državnim subvencioniranjem.<sup>17</sup> Vsekakor pa se je treba zavedati razsežnosti sodobnega procesa izumiranja jezikov in usihanja književne produkcije v etničnih jezikih. V Kanadi, podobno kot v nekaterih drugih delih sveta, je – ob vseh administrativnih ukrepih federacije ali posameznih provinc in teritorijev za njihovo ohranitev – število še živih jezikov avtohtonih etničnih manjšin iz leta v leto nižje. A ko jeziki izumrejo, jih trdoživejše prvine etnične kulture, v katerih se še naprej udejnjanja etnična identiteta, preživijo. Dokler obstaja etnična identiteta, obstaja tudi narodnost. Navidez samoumevni predpostavki, da hkrati z jezikom izumre tudi etnična književnost, bi etnični pisci, ki pišejo v večinskem jeziku, in drugi nosilci etničnih kultur brez lastnega jezika oporekali. Mnoge kulture so v svojih najstabilnejših prvinah preživele svoje matične jezike. Druge živijo v diaspori bolj ali manj neodvisno od jezika. Takšna skupnost svoje književnosti ne utemeljuje v etničnem jeziku. Kadar pa govorimo o širših narodnih združbah, kakršni sta, denimo, ameriški in kanadski narod, postane pomen jezika kot temelja kulturne in narodne identitete docela vprašljiv. Ali lahko tudi spreminjanje etničnega in jezikovnega zemljevida sveta upravičeno terjaja premislek o našem dosedanem razumevanju meja narodne književnosti?

Menim, da lahko literarno delo avtorja, ki si je za osnovno sredstvo umetniške komunikacije ali – z vidika primerjalne estetike – za gradivo umetniškega oblikovanja izbral tuj jezik, vsebuje več specifičnih literarnih prvin, ki nesporno izhajajo iz kulture njegovega matičnega naroda, kot mnoga dela, napisana v matičnem jeziku tega naroda. Janez Stanonik kategorično zastopa stališče, da je »v bistvu izseljenska književnost dvonacionalna«.<sup>18</sup> Lahko se celo vprašamo, ali ni bistvo izseljenske književnosti v tem, da je dvonacionalna. Izseljensko literarno delo sodi v kulturno zgodovino obeh narodov, celo če je napisano v kakem tretjem jeziku. V nemškem jeziku napisana avtobiografija Andreja Bernarda Smolnikarja, iz katere si je Longfellow izposodil odlomke in jih uporabil v *Hyperionu*, vsekakor sodi v slovensko in ameriško kulturno zgodovino, v nemško pa ne.<sup>19</sup> Po svojih literarnih značilnostih brez dvoma sodi tudi v slovstveno zgodovino. V katero? Stališče, da narodno književnost prvenstveno določa jezik, je torej v kontekstu ožjega pojmovanja narodne književnosti seveda še vedno nesporno, v kontekstu širšega pojmovanja narodne književnosti pa ne. Zanima me, ali je smiselno ta koncept razširiti že v sami definiciji pojma narodna književnost, k čemur se bom vrnila v Sklepu.

<sup>17</sup> Leta 2000 je Ministrstvo za kulturo RS namenilo za knjige največje število subvencij dotlej (272), od tega jih je bila polovica (136) namenjenih izdaji leposlovnih del, večinoma izvirnih. Subvencioniranih leposlovnih prevodov je bilo okoli 25. (Jelka Gazvoda, Založništvo, *Letno poročilo 2000*, Ljubljana: Ministrstvo za kulturo Republike Slovenije, 2001, str. 93.)

<sup>18</sup> Janez Stanonik, *Književnost Slovencev v ZDA pred letom 1891, Slovenska izseljenska književnost 2: Severna Amerika*, ur. Janja Žitnik s sodelovanjem Helge Glušič, Ljubljana: Založba ZRC in Rokus, 1999, str. 17.

<sup>19</sup> Smolnikarjeva avtobiografija z naslovom *Denkwürdige Ereignisse* je izšla v treh obsežnih zvezkih v ZDA (1. zv.: Cambridge, 1838; 2. zv.: Philadelphia, 1839; 3. zv.: New York, 1940).

Zorni kot, ki ga bom na kratko predstavila v nadaljevanju, ne sodi med relevantnejše vidike v okviru obravnavanega vprašanja, temveč le dodatno relativizira pomen posameznega jezika v narodni književnosti. Umetnostne teorije se veliko ukvarjajo z ugotavljanjem razlik in podobnosti med posameznimi vrstami umetnosti. Brž ko začnemo razmišljati o pojmu *književnost* predvsem kot o eni od vrst umetnosti in o pojmu *slovenska književnost* kot o eni od slovenskih umetnosti, se nam lahko odpre še nekoliko drugačen pogled na pomen določila *slovenska*. Likovni umetnik, arhitekt, skladatelj, koreograf itd. oblikuje pri svojem umetniškem ustvarjanju »univerzalno« gradivo v tem smislu, da njegove osnovne prvine (zvok, barva, črta, gib itd.) same po sebi načeloma še ne pogojujejo bolj ali manj vitalne povezanosti umetnine s kulturo umetnikovega naroda. Ustvarjalni opus *slovenskega* slikarja, skladatelja itd. po bolj ali manj dorečenih kriterijih vključujemo v korpus *slovenske* likovne umetnosti, *slovenske* glasbene umetnosti..., ga v tem smislu opredeljujemo, komentiramo in vrednotimo, tudi če v njem ni mogoče zaslediti prav ničesar specifično slovenskega. Zaznavanje zvoka, barve, oblike, giba samo po sebi ni pogojeno s pripadnostjo določenemu narodu in njegovi kulturi. Prav tako tudi vidno zaznavanje grafičnega jezikovnega zapisa ali slušno zaznavanje govora ni pogojeno s pripadnostjo določenemu narodu/kulturi. Tudi semantično razumevanje jezika je bolj odvisno od znanja jezika kot pa od naravne jezikovne pripadnosti, ki običajno (ne pa nujno) sovpada z naravno kulturno pripadnostjo, z etnično pa pogosto ne. Podobne omejitve se kažejo tudi pri zaznavanju etničnokulturno pogojenega pomena določenih barv, oblik, melodij, ritmov, gibov itd., s katerimi umetnik na področju drugih umetnosti vnaša v svoje delo specifične motive, ki izhajajo iz določene kulture. Njihovo razpoznavanje je prav tako bolj odvisno od poznavanja te kulture kot pa od naravne kulturne pripadnosti.

Ko torej govorimo o psihičnem (psihofizičnem, psihofiziološkem) odzivu ob gledanju, poslušanju, branju sodobne umetnine, postaja posebnost besedne umetnosti z vidika ustvarjalčevega gradiva vse bolj relativna. Predpogoj za celovito percepcijo vseh komponent sodobne umetnine je dovolj razvita sposobnost čutnega, čustvenega in miselnega zaznavanja, slednje pa je v veliki meri pogojeno s pridobljenim znanjem in pridobljenimi sposobnostmi (med kakršne sodi tudi razumevanje tujega jezika). Določene smeri v različnih umetnostih sicer vztrajno zagovarjajo takšno umetnost, ki ni v nobenem pogledu pogojena s kulturno razgledanostjo in posledično pridobljenimi sposobnostmi specifičnih miselnih zaznav, večji del sodobne umetnosti pa je utemeljen prav v dialogu s kulturno zgodovino. Zato je brez pridobljenih znanj in sposobnosti lahko naš doživljaj ob pogledu na sodobno likovno umetnino ali ob poslušanju sodobne glasbene umetnine pogosto skoraj tako močno zreduciran kot, denimo, ob poslušanju estetsko dognane poezije v jeziku, ki ga sicer ne razumemo, vendar pa lahko v njem zaznavamo določene zvočne, ritmične, onomatopoetične in druge univerzalno razpoznavne oblikovne značilnosti poezije, ki že same po sebi deloma komunicirajo vsebino, njihov estetski učinek pa sega tudi onkraj meja semantičnih zaznav.

K relativizaciji pomena posameznega jezika v narodni književnosti prispevata tudi globalizacija dominantnih jezikov (zlasti angleščine), ki vse bolj prevzemajo vlogo jezikov

skupne komunikacije, in pa sodobno prepletanje jezikov, ki pogosto odraža močnejšo pripadnost starostni, socialni ali interesni skupini kot pa narodu. Slovensko pesem, napisano v izrazito mednarodno orientiranem najstniškem slengu, ki lahko vsebuje več besed z angleško osnovo kot s slovensko, bo morda laže dojel najstniški pripadnik kakega drugega naroda kot pa Slovenec, ki tega slenga ne pozna. S takšnega vidika lahko gledamo na umetnostni jezik kot tak, kljub mnogoterosti njegovih variant (posameznih jezikov), stopenj in zvrsti, kot na vsaj deloma univerzalno gradivo umetniškega ustvarjanja – torej podobno kot na tista gradiva, ki jih oblikuje umetnik na področju kake druge umetnosti.

Ali je torej smiselna in dovolj utemeljena trditev, da določa obseg narodne književnosti neka specifična lastnost njenega osnovnega gradiva – jezika, obseg drugih narodnih umetnosti pa določajo povsem drugačni kriteriji? Pogojno. Z vidika vseh zgornjih ugotovitev je odgovor na vprašanje, kateri kriteriji določajo obseg drugih narodnih umetnosti, hkrati tudi odgovor na vprašanje, kateri so najustreznejši kriteriji za postavljanje meja narodne književnosti, seveda tiste v širšem pomenu besede.

Vprašanje obsega oziroma meja narodne književnosti, ki je eno od stičnih vprašanj literarne zgodovine in literarne teorije, pa je z vidika jezikovne prehodnosti mogoče obravnavati še drugače. V literarni teoriji je analogija priljubljen pripomoček. Avtorji in zagovorniki različnih teorij iščejo analogije v biologiji (umetnina kot organizem), geologiji (strukturalisti), kemiji (Paul Guillaume) in še marsikje, saj lahko takšna metoda učinkovito pripomore k nazornejši predstavitvi predlaganih konceptov in rešitev. Najnazornejše analogije razmerij se ponujajo v tem, kar nam je najbližje in v našem življenju najbolj prisotno: v vsakdanjosti. In ker je naše doživljanje sorazmerno velike družbene celice, kakršna je narod, in vsega, kar jo določa, abstraktnejše od našega doživljanja primarne družbene celice – družine, si bom za jasnejšo nadaljnjo osvetlitev zamisli o obsegu narodne književnosti tudi sama izposodila že ničkolikokrat uporabljeno analogijo družina – narod. Z bolj ali manj prepričljivo analogijo seveda ni mogoče ničesar dokazati, vsekakor pa ta metoda lahko pripomore k odkrivanju novih zornih kotov.

Če izhajam iz predpostavke, da narodno književnost prvenstveno določa jezik, to seveda za družino ne velja. Pri mešanih zakonih je lahko družina dvojezična. Primarno družino praviloma določa razmerje med starši (ali skrbniki) in njihovimi neposrednimi potomci (ali posvojenci). Imenujmo sklop značilnih vedenjskih vzorcev, navad, mentalitete in vrednot posameznika oziroma družine osebna oziroma družinska kultura.

Ko otroci odrastejo, se običajno odselijo od doma in si večinoma ustvarijo nove družine. Njihova primarna družina je tedaj sicer razpršena, vendar še vedno obstaja. V socialnem pogledu primarna družina obstaja, dokler obstaja občutek pripadnosti primarni družini. Vitalnost njenega nadaljnega obstoja pa je odvisna od vitalnosti njenih vezi v tem obdobju. V stavku »Ob nedeljah se zbere doma [pri starših] vsa naša družina,« označuje besedna zveza *naša družina* primarno družino, beseda *vs* pa najverjetneje pomeni, da se ji tedaj pridružijo tudi sekundarne družine odraslih otrok. Tudi stavek

»Samo za hipec skočim domov [k staršem] pogledat, če me *moji* kaj potrebujejo,« še ne pomeni, da se nekdo v svojem novem domu (oziroma v sekundarni družini) ne počuti doma. Dvojna družinska pripadnost je tudi v naši kulturi nekaj povsem vsakdanjega.

Vzemimo za primer, da se odrasli otrok izseli v tujino, stopi v mešan zakon in si ustvari družino. Zaradi nezadostnih možnosti za uporabo maternega jezika bo njegovo znanje materinščine morda začelo bledeti. Vzporedno s tem procesom pa se lahko odvija obratnosorazmerni proces: prav zaradi praktičnih ovir pri vzdrževanju rednih stikov s primarno družino se lahko v dojemanju njenega odseljenega člana pomen besede *dom* (*doma, domov, od doma*) intenzivira in dobiva nove dimenzije. Denimo, da je odseljeni član družine pisatelj iz prve izseljenske generacije ali starš pisatelja iz druge generacije izseljencev. Po nekaj desetletjih bivanja v novi domovini njegovo obvladovanje materinščine morda ni več na dovolj visoki ravni, da bi se v njej lahko suvereno izražal in v njej oblikoval umetniška besedila. Pri svojih pismih staršem si morda pomaga z lektoriranjem ali celo prevajanjem. Če je pisatelj, začne sčasoma pisati samo še v večinskem jeziku nove domovine. Svojega znanja materinščine mu ni uspelo ubraniti pred pritiski jezikovne asimilacije, uspelo pa mu je ohraniti večino drugih bistvenih kulturnih prvin svoje prvotne družine (in naroda). V obdobju njihove primarne socializacije te prvine uspešno posreduje tudi svojim otrokom.

Njegov otrok, ki je postal pisatelj, piše v večinskem jeziku svoje domovine, vendar njegovi ustvarjalni vzgibi – podobno kot pri staršu, le v drugačnem razmerju – izhajajo iz soočenja kulture, znotraj katere je bil primarno socializiran, s kulturo njegovega širšega okolja. Njegova besedila se še vedno bodisi izrazito ali pa komaj zaznavno navezujejo na kulturo očetove/materine primarne družine (in naroda). Če njuni starši oziroma stari starši, ki so ostali v domovini, vedo, da so upodobljeni ali da se (posredno) oglašajo v njunih besedilih, jih bo zanimalo, v kakšnih oblikah, kontekstih in obsegu živi in se uveljavlja njihova družinska (in narodna) kultura onkraj državnih in jezikovnih meja. Poskrbeli bodo, da bodo to tudi izvedeli in morda na ta ali oni način celo sodelovali pri nastajanju njunih novih literarnih del. Če jezika, v katerem so njuna dela napisana, ne razume vsa družina, bodo seveda najprej poiskali način, kako premagati jezikovno pregrado. Če tega ne storijo, bo njihova družinska kultura sčasoma izgubila del svojih pomembnih nosilcev. In če tega ne stori narod v matični domovini z vrednotenjem in prevajanjem svoje tujejezične zdomske književnosti v materinščino, bo njegova kultura sčasoma ravno tako izgubila del svojih pomembnih nosilcev. S prevajanjem in vrednotenjem tujejezične literature, ki izhaja iz določene narodne kulture, se krepi vitalna vez med nosilci te kulture ne glede na jezikovne meje. In če po obdobju ideološko-politično pogojene blokade zdomske književnosti v matičnem prostoru nekega naroda nastopijo pogoji za literarno povratništvo, sodi v okvir tega procesa tudi vrednotenje in prevajanje tujejezične zdomske književnosti v matični jezik.

Če gledamo na ta razmerja z obratne plati, kot večinski narod v deželi priseljevanja in avtohtonih etničnih manjšin, lahko nesporno ugotovimo, da je tudi prevajanje manjšinskih književnosti v večinski jezik prav tako bistven dejavnik pri uspešni integraciji manjšinskih jezikov in kultur v skupno kulturo mnogoetnične družbe. Z drugimi

besedami bi takšno integracijo lahko opredelili kot aktivno vlogo pri nastajanju kompaktne nove kulture na nivoju, ki ne ogroža ohranitve in suverena razvoja posameznih manjšinskih in večinske kulture. V kolikšni meri je ta aktivna vloga odvisna od posameznikovega obvladovanja večinskega jezika? Integracija manjšinskega jezika v skupno kulturo predstavlja nasprotje jezikovni asimilaciji. Jezikovna integracija pomeni pridobitev enakopravnega položaja posameznega jezika z drugimi sojeziki v neki kulturi. In da lahko o tej skupni kulturi sploh govorimo, mora biti zagotovljena neovirana komunikacija (prehodnost) med vsemi sojeziki v tej kulturi. Izpostavitve ilustrativne analogije ni nujna, lahko pa je v pomoč. Naj se torej vrnem k razmerjem v družini.

V starševski vlogi lahko biološkega starša nadomesti skrbnik (sorodnik, rejnik...). Vzemimo, da gre za mačeho ali očima kot drugega skrbnika. V takšnem primeru se novi skrbnik običajno priseli v družino. Med priseljene člane družine moramo šteti tudi otroke, ki jih starši posvojijo šele potem, ko je njihova primarna socializacija že zaključena. V obeh navedenih primerih, zlasti v prvem, ko gre za vključitev odrasle osebe v družino, priseljeni član vnaša v kulturo družine prvine svoje osebne kulture, hkrati pa tudi sam sprejema nekatere prvine družinske kulture. Če se pri tem niti njemu niti družini ni treba odrekati bistvenim prvinam svoje kulture, je to nedvomno najlažji način uspešne integracije novega člana v družino.

Če gre za tujejezičnega novega člana družine, zlasti odraslega, ki lahko morda zunaj družine še vedno pretežno komunicira (s sorodniki, prijatelji, sodelavci ali sosedi) v materinščini, se bo v vseh pogledih najhitreje integriral v svojo novo družino in njeno kulturo tako, da bo hkrati z njegovo integracijo na drugih področjih potekala tudi njegova jezikovna integracija, ki bo omogočila neovirano komunikacijo v družini. To lahko pomeni, da bo bodisi samo on postal dvojezičen ali pa vsa družina, lahko pa prej kot on sam postane dvojezičen kak drug član družine in prevzame vlogo posrednika (prevajalca). Analogija s priseljenstvom drugih narodov se kar sama ponuja. Tudi v tem primeru predstavlja zaželena čimhitrejša dvojezičnost priseljenca samo enega v široki paleti indikatorjev, ki razkrivajo dejansko stopnjo posameznikove intrgriranosti v novo okolje in v skupno kulturo mnogoetnične družbe. V Sloveniji živijo tujejezični književniki, scenaristi ipd., katerih delo je pomemben sestavni del slovenske kulture. Prevajanje njihovih del v slovenščino pa je žal še vedno bolj odvisno od njihovih osebnih stikov z vplivnimi slovenskimi kulturnimi delavci kot pa od literarne vrednosti njihovega dela ali njegovega pomena za slovensko kulturo.

## SKLEP

Kot sem pred kratkim opozorila ob neki drugi priložnosti, je kulturno povratništvo – tako kot fizično povratništvo – dvosmerni proces. Da bi se izseljenci v večjem številu fizično vračali v rojstno deželo, morajo biti za to v matičnem prostoru izpolnjeni določeni pogoji, npr. ustrezna pravna ureditev in ugodne ekonomske možnosti, ki ne le omogočajo vračanje izseljencev, ampak ga tudi spodbujajo. Podobno velja za literarno povratništvo

in druge oblike uveljavljanja kulturno-umetniške dejavnosti izseljencev v matičnem prostoru. Osebn prizadevanje izseljenskega umetnika, publicista ali kulturnega organizatorja, da bi si njegovo delo pridobilo enakovreden položaj v sodobni matični kulturi, navadno ne zadošča. Na uspeh takšnih prizadevanj seveda bistveno vplivajo interes, ideološka odprtost in kulturna dozorelost matičnega prostora. Kulturno in znotraj tega literarno povratništvo je eden od dejavnikov, ki zavirajo proces razpadanja slovenske kulture na posamezne med seboj ločene dele (tj. na matično, zamejsko in zdonsko kulturo). Ta proces, ki se je odvijal zlasti v prvih desetletjih po drugi svetovni vojni, je – z vidika celovitosti – vsekakor oslabil slovensko kulturo, čeprav je prav ta razpad vzpostavil antagonistični odnos med povojno emigrantsko in matično kulturo, odnos, iz katerega na drugi strani izhaja cela vrsta ustvarjalnih pobud v omenjenem obdobju.

V izrazito mnogoetničnih deželah se vse bolj uveljavljajo načela multikulturne politike. Na ta način želijo države zagotoviti svojim avtohtonim in priseljskim etničnim skupnostim med drugim večjo enakopravnost tudi na področju uporabe materinščine, publikacijskih možnosti in vitalnega integriranja manjšinskih kultur v kompleksno celovito kulturo posamezne mnogoetnične dežele. Večinska in manjšinske kulture naj druga druge ne ogrožajo, temveč naj se medsebojno dopolnjujejo, pri čemer morajo biti izpolnjeni tudi vsi pogoji za ohranitev njihove avtentičnosti. Glede na obseg priseljevanja sodi med tovrstne države tudi Slovenija. V prvem desetletju po drugi svetovni vojni je v tej deželi živel 3,5 % prebivalcev drugih narodnosti, leta 1991 pa že 12,2 %.<sup>20</sup>

Kultura obstaja v takšni deželi na več ravneh, v osnovi pa predvsem na dveh: na ravni posameznih avtentičnih etničnih kultur in na ravni kompleksne skupne kulture. Slednja ne more obstajati, če kulturna politika ne zagotavlja vsakovrstne – tudi jezikovne – prehodnosti med sokulturami, ki jo sestavljajo. Zato je organizacijska in finančna spodbuda države pri prevajanju literarnih del iz manjšinskih jezikov v jezik(e) skupne komunikacije (običajno torej v večinski jezik) bistven pogoj za obstoj celovite skupne kulture. Le na tak način lahko pripadniki mnogoetničnih družb v resnici spoznamo, s kom pravzaprav živimo, s kom si delimo skupno domovino, kakšni kreativni vzgibi, stiske in motivacije ustvarjajo našo že zdaj kar tesno prepletano skupno kulturo, v kateri pa je še vse preveč nepotrebnih miselnih, čustvenih, političnih in administrativnih pregrad in zaprek. Šele na ravni ustreznih medsebojnih odnosov v okviru skupne kulture se lahko vzpostavijo pogoji za enakopravno sožitje posameznih etničnih kultur v deželi. Če njena suverenost ni ogrožena, lahko posamezna kultura sprejema konstruktivne pobude iz svojih domačih sokultur in to sprejemanje doživlja kot lastno obogatitev, ne pa kot onesnaževanje s tujimi kulturnimi prvini.

Kolikor trdnješe so vezi med manjšinsko kulturo (vključno s književnim ustvarjanjem njenih pripadnikov ne glede na jezik) in njeno matično kulturo (ne glede

<sup>20</sup> Vesna Čopič in Gregor Tomc, *Nacionalno poročilo o kulturni politiki Slovenije*, (Ljubljana: Ministrstvo za kulturo Republike Slovenije, 1996), str. 188.



na njeno geografsko bližino ali oddaljenost), toliko laže bo manjšinska kultura ohranila svojo avtentičnost. Če je ravno tako uspešno integrirana v svojo matično kulturo kot v skupno kulturo mnogoetnične dežele, znotraj katere se razvija, je s tem priznana njena dvonacionalnost. Njena dvojna kulturna vpetost pa je pogoj za njeno ohranitev v multikulturnem prostoru. V tem smislu je lahko vsaka manjšinska kultura, tako priseljska kot avtohtona, dvonacionalna. V drugačnem položaju so manjšinske kulture zelo majhnih avtohtonih etničnih skupnosti, ki nimajo v zaledju svoje (močnejše) nacionalne matične kulture in ki ravno zaradi tega hitreje izumirajo kot tiste, ki jo imajo. Podobno kot za vse manjšinske velja tudi za manjše matične nacionalne kulture: kolikor trdnejše bodo njihove vezi z njihovimi izvenmatičnimi deli (zamejsko in izseljensko kulturo), toliko laže bodo s svojimi avtentičnimi prvinami preživele v procesu globalizacije dominantnih svetovnih kultur. V tem kontekstu pa igrajo pomembno vlogo sodobne razsežnosti spreminjajočega se pojmovanja tega, kar imenujemo narod oziroma narodno.

Večpomenskost oziroma v osnovi dvoznačnost pojmov narod in narodna (slovenska) kultura narekuje tudi dvojni pomen pojma narodna (slovenska) književnost, ki bi ga lahko opredelila takole:

1. književno delo naroda (Slovencev in v slovensko kulturo integriranih Neslovencev) ne glede na jezik;
2. književno delo (Slovencev) v matičnem oziroma (v slovensko kulturo integriranih Neslovencev) večinskem narodnem (slovenskem) jeziku.

Čeprav prva opredelitev pojma slovenska književnost načelno sovпада z definicijo drugih narodnih umetnosti (npr. slovenska glasbena umetnost, slovenska likovna umetnost),<sup>21</sup> je ta pomen mnogo manj uveljavljen v slovenski kulturni zavesti in še zlasti v slovenski literarni znanosti kot pa drugi, ožji pomen (književno delo v slovenskem jeziku). Pri tem je vprašljiva celo nujnost utemeljenosti literarnega dela v narodni (slovenski) kulturi, saj v primeru druge definicije ta kriterij sploh ni prisoten. Literarno delo samoumevno sodi v slovensko literaturo, če je napisano v slovenskem jeziku, četudi v njem ni mogoče zaslediti ničesar, kar bi se navezovalo na slovensko literarno oziroma kulturno tradicijo. V tem primeru gre seveda bodisi za izvirno ali »uvoženo« novost v slovenski književnosti, ki lahko sproži začetek nove literarne smeri v okviru narodne književnosti. Analogni procesi se odvijajo na področju drugih narodnih umetnosti, ki takšnim novostim ne morejo zapirati vstopa v narodno kulturo s podobnimi omejitvami, kot jih določa že citirana definicija obsega slovenske književnosti v *Enciklopediji Slovenije*.

Za zaključek želim izpostaviti še praktične implikacije prve od obeh zgoraj navedenih definicij narodne književnosti. Vprašanje integriranja tujejezične literarne dejavnosti avtohtonih in priseljskih manjšin v skupno narodno kulturo predstavlja le

<sup>21</sup> Pisci gesla Likovna umetnost (Špelca Čopič in Redakcija Enciklopedije Slovenije) v *Enciklopediji Slovenije* (6. zvezek, Ljubljana: Mladinska knjiga, 1992, str. 176-183) uporabljajo izraze likovna umetnost na Slovenskem (str. 178), slovenska arhitektura (str. 182), slovenski slikarji (str. 181 - sem štejejo tudi tiste, ki so razstavljali predvsem na tujem); definiciji obsega/meja likovne umetnosti posameznega naroda pa se izognejo.

drugo plat vprašanja integracije tujejezične izseljenske in zamejske literature v matično kulturo. Z vidika literarnega povratništva bi prva definicija narodne književnosti pomenila, da so prevajanje, vrednotenje in integracija tujejezične izseljenske (in zamejske) literature v matično kulturo (tudi v sintetične literarnozgodovinske preglede in leksikone) prav tako pomembni za sodobni kulturni razvoj in z njim povezano kulturno identiteto naroda kot vključevanje njegove izseljenske (in zamejske) literature v materinščini. Še posebej pomembni za slovensko kulturo in književnost pa so dvojezični in tujejezični slovenski pisatelji tudi zato, ker so v veliki večini hkrati tudi književni prevajalci. Bolj ko bodo integrirani v matično kulturo in hkrati v kulturo svoje nove domovine, večji bo njihov prispevek k mednarodnemu pretoku literarnih dosežkov in kulturnih vrednot. Slovenski nacionalni kulturni program navaja slovenski jezik kot bistveni element kulturne identitete in temelj nacionalne identitete, kar se seveda izrecno nanaša na narod, kulturno in nacionalno identiteto v ožjem pomenu besede. Takšna vloga slovenskega jezika se namreč ne nanaša niti na tiste državljane Republike Slovenije, katerih pripadnost drugim narodnostim, kulturam in jezikom nikakor ne izključuje njihove slovenske nacionalne identitete, niti na tiste Slovence, katerih tuja nacionalna in jezikovna identiteta ravno tako ne izključujeta njihove slovenske narodnostne in kulturne pripadnosti.

Menim, da svojega večinskega jezika ne moremo v nobenem pogledu ogroziti s tem, da – podobno kot mnogi drugi narodi – svoje pojmovanje slovenstva (in z njim pogojeno pojmovanje narodne kulture in književnosti) tudi mi ustrezno razširimo in ga uskladimo s polivalentnimi jezikovnimi in kulturnimi razmerji v sodobni slovenski družbi, ki so posledica odhajanja njenih pripadnikov v tujino in prihajanja novih pripadnikov iz tujine. Upiranje neizogibnim spremembam, nezaupanje v prihodnost in občutek kulturne ogroženosti so kontraproduktivni, saj kažejo na podcenjevanje vitalnosti lastne kulture, na pomanjkanje kulturne samozavesti. Ta pa nam je potrebna in nič drugega je ne more omajati kot neustreznost naše lastne kulturne samopodobe. Boljše izgleda za prihodnost slovenske kulture si bomo odpri, če si priznamo, da se z mobilnostjo in spreminjajočo se narodnostno in jezikovno strukturo svojih pripadnikov slovenska kultura ne siromaši, temveč se znotraj neprekinjenega preoblikovanja svetovne etnične in jezikovne sestave le posodablja in s tem v danem trenutku tudi krepi. Z uspešno integracijo v sočasne procese v okviru širše družbene realnosti so mnoge prvine starih kultur preživele svoja ljudstva in jezike in postale sestavni del stabilnega jedra svetovne kulture. In kot to velja za domala vsa področja njihovega kulturnega delovanja, od tradicionalnih ljudskih običajev do znanosti, tehnologije, ideologije in religije, velja to tudi za njihovo umetnost. Tako so nekdanje kulture preživele svoja ljudstva in jezike tudi s svojo besedno umetnostjo in z njenimi najprodnnejšimi dosežki zasedle trajno mesto v svetovni književnosti. Tega pa niso dosegle z zapiranjem, temveč z odpiranjem svojih kulturnih meja.

SUMMARY

LITERARY RETURNING AND THE LIMITS OF NATIONAL LITERATURE

Janja Žitnik

*The notion literary returning comprises the process of in the beginning gradual and later radically accelerated returning of the Slovene emigrant literature to its central space in the last a good two decades. In the first mid-thirties after World War II the cultural and political circumstances in Slovenia have been more preventing than encouraging the integration of emigrant literature into the central culture. In the seventies a few more opportunities were opened for the beginning of that process, which with the year 1990 overstepped the limits of individual scientific research interest, personal contacts with emigrant writers and occasional emigrant literary publications in certain homeland cultural magazines or at national book publishing houses, and becomes a general characteristic of the modern original cultural offer in Slovenia.*

*The results of a detailed analysis of the altering presence of emigrant literature in the source culture, literary science and in education (by individual decades from 1950) are resumed in three previous publications in the frame of the mentioned project. The purpose and the consequence of the actual process of Slovene literary returning is the integration of Slovene emigrant literature into the treasury of national literature and culture. Within the frame of dealing with this process, among other a question of the volume and the limits of national literature arises: which literary works of Slovene emigrants and their descendants belong into the frame of Slovene literature? We could say in a simplified definition that Slovene literature comprises literary works written in Slovene language. On the other hand the central surveys of Slovene literature include in their treating some literary works in other languages and even some writers who wrote exclusively in foreign language.*

*If we look upon national literature as of a uni-sense notion, that is as on literature of a nationality group with one central language, then its determination with national language is not questionable. As the notion nation is from the viewpoint of ethnic, cultural and language affiliation is not uni-sense, national culture, national literature or even national languages cannot be uni-sense notions. In the modern social reality a nation from its ethnic, language and cultural viewpoints exists on several levels. Thus a nation's culture also exists on several levels; and if we are ready to look upon national literature from a wider angle, that too exists on several levels. The question of integration of foreign language literary activity of the autochthon and immigrant minorities into the common national culture presents only the other side of the question of integration of foreign-language emigrant literature into the source culture. Translation, evaluation and integration of foreign-language emigrant and immigrant literature into the source culture (as well into synthetic literary-historical surveys and lexicons), as well as the inclusion of literary works of autochthon national minorities in Slovenia are significant for a contemporary cultural development and with it connected cultural identity of the nation, and inclusion of literary*

production of those groups in mother tongue. The Slovene national cultural programme states Slovene language as an essential element of cultural identity and a foundation of national identity, which of course explicitly refers to the nation, culture and national identity in a narrower meaning of the word. Such role of Slovene language namely does not refer to those citizens of the Republic of Slovenia who's allegiance to other nationalities, cultures and languages by no means excludes their Slovene national identity, neither to those Slovenes who's foreign national and language identity just as well do not exclude their Slovene ethnic and cultural appurtenance. The notion national (Slovene) literature can thus have two meanings: 1. the literary work of the nation (Of Slovenes and into Slovene culture integrated non-Slovenes) regardless of the language; 2. the literary work (of Slovenes and into Slovene culture integrated non-Slovenes) in the source or majority national (Slovene)language.

In no aspect will we jeopardise our majority language by - similarly as many other nations - broadening adequately our understanding of Slovene identity (and with it conditioned understanding of national culture and literature) and adjust it with the polyvalent language and cultural relations in contemporary Slovene society, which are a consequence of going abroad of its members, and of the coming of new members from abroad. With the mobility and the changing nationality and language structure of its members the Slovene culture is not impoverishing but is within the perpetual reformation of global ethnic and language composition modernising and in a certain moment strengthening.

# POVRATNIKI KOT DEL MIGRACIJSKEGA KROGA

Marina Lukšič-Hacin

COBISS 1.01

## 1. UVOD

Pregled raziskav in razprav o migracijah v Sloveniji pokaže, da so bili v znanstvenih in strokovnih krogih do danes trije intenzivnejši valovi tematiziranja povratništva: konec sedemdesetih let, v devetdesetih letih, po nastanku države Slovenije, in danes, ko se te razprave ponovno obujajo – med drugim tudi zaradi vračanj, do katerih prihaja zaradi gospodarskih in političnih razmer v Argentini. Vse razprave so pokazale, da v Sloveniji o povratništvu težko govorimo, saj niso bili izpolnjeni pogoji, ki definirajo migracijska gibanja kot migracijski krog, katerega del so povratniki. Od tega izstopajo izjemni primeri, ko gre za vračanje posameznikov ali skupin zaradi specifičnih razmer, ali pa gre celo za vračanje potomcev slovenskih izseljencev. V slednjem primeru lahko pogojno govorimo o dvo- ali večgeneracijskem procesu »povratništva« ali »vračanja«.

## 2. POVRATNIŠTVO/REMIGRACIJA KOT DEL MIGRACIJSKEGA KROGA

Opredelitev pojma povratništvo/remigracija je tesno povezana z razumevanjem pojma migracija/selitev. Le-ta se deli na izselitev/emigracijo in priselitev/imigracijo. Ta gibanja so lahko notranja ali mednarodna. Koncept povratništva se izrazito veže na mednarodne migracije in je kot možnost (do katere lahko pride, ni pa nujno) logično nadaljevanje koncepta migracijskega kroga: emigracija – imigracija – remigracija. Ta krog je vezan na gibanje posameznika in ni mišljen večgeneracijsko. Z razpravami o povratništvu se srečujemo ves čas, odkar sledimo pojav izseljevanja iz slovenskega etničnega prostora. Razprave o izseljevanju so se pogosto dotikale vprašanj o vzrokih za izseljevanje, smereh izseljevanja, številu izseljencev itd. Pogosto pa so se avtorji spraševali tudi o možnostih vračanja mednarodnih selivcev. Sam koncept povratništva kot kategorija v migracijski teoriji pa se pojavi v Evropi po drugi svetovni vojni, točneje v šestdesetih letih v povezavi z modelom gostujočih delavcev. Le-ta soupada z modelom začasnega dela v tujini ali zdomstva.

»Koncept gostov-delavcev je po svoji kulturološki konotaciji prav nacionalni koncept, ker se pod tem razume avtomatična vrnitev migrantov v državo, iz katere prihajajo, brž ko njihova delovna sila »gostitelju« ne bo več potrebna.« (Mesić, 1993, 672) Tako se v državah zahodne Evrope vzpostavi pravno-politične kontekste, ki na različne načine težijo h krožni migraciji ali migracijskemu krogu ali »rotirajoči migraciji«, kot pravi M. Mesić (1993, 672). Temu P. Klinar dodaja, da so države gostiteljice dominantne pri

vodenju takšne (krožne) migracijske politike. Z njo pa soglašajo tudi države izseljevanja, saj si prizadevajo za uveljavljanje alternativ izseljevanju, za različne načine sodelovanja s svojimi izseljenci oz. zdomci, za zaščito tistih kategorij, ki ohranjajo prvotno državljanstvo, za ohranjanje izvorne etnične identitete in nenazadnje tudi za njihovo vrnitev – za povratništvo (Klinar, 1990, 320). Pri povratnikih P. Klinar izpostavi, da so emigrantske države »zainteresirane za vračanje svojih emigrantov s kvalifikacijami, znanji, kapitalom,« medtem ko »imigrantske države vračajo predvsem negativno selekcionirane remigrante, neuspešne, neprilagojene. Nacionalni interesi razvitih imigrantskih držav prav tako prevladujejo pri iskanju razvojnih alternativ mednarodnim migracijam.« (Klinar, 1993, 664)

Za boljše razumevanje evropske situacije, predvsem pa problema (slovenskega) povratništva, si moramo v nadaljevanju pogledati že omenjene migracijske razmere in modele v Evropi in znotraj tega izpostaviti selitveno dinamiko in dogajanja v Sloveniji (Jugoslaviji) ter vprašanje povratništva.

### 3. EVROPSKE MIGRACIJE PO DRUGI SVETOVNI VOJNI

V nadaljevanju si najprej pogledamo značilnosti evropskih migracijskih gibanj, v katera je bila vpeta dinamika slovenskega prostora in so pomembno vplivala tako na izseljevanje/emigracijo iz slovenskega okolja oz. začasno delo v tujini kot ene od različic mednarodnih selitev kot na povratništvo/remigracijo. Glede na to, da se razprava veže predvsem na t. i. ekonomske selitve, moramo najprej omeniti leto 1957, ko je bila formirana EGS. Narejeni so bili prvi koraki v smeri nastajanja enotnega trga delovne sile, ki se izteče v sporazum konec šestdesetih let (Rimski dogovor).

Pospešena povojna akumulacija kapitala v državah zahodne Evrope, ki je bila v veliki meri rezultat dela gostujočih delavcev oz. priseljencev, je bila predpostavka za prestrukturiranje evropskega gospodarstva in delovnih procesov. Konec petdesetih let je pet od tedanjih šestih držav Skupnosti obnovilo svoje gospodarstvo. Izjema je bila Italija, ki je bila država izseljevanja in ne priseljevanja (Mesić, 1989, 9-10). Za migracijsko politiko držav zahodne Evrope se je uveljavila oznaka liberalistična, kar pomeni med drugim tudi politiko odprtih vrat za priseljevanje (Klinar, 1985, 6). Za čas neoliberalistične politike je značilen tudi razvoj migrantske zakonodaje (Mesić, 1993, 672). V tem času se je v evropskih državah uveljavil t. i. model gostujočih delavcev. Navidezno enoten model se je pomembno razlikoval vsaj v treh različicah, ki so jih v praksi v odnosu do priseljencev postavile različne evropske države: model tujih delavcev (*travailleurs étrangers* - Francija), model gostujočih delavcev (*Gastarbeiter* - Nemčija) in švedski model, kjer govorijo o priseljencih (*invandrare*). Poimenovanja politik že sama po sebi nakazujejo na različne državne strategije v odnosu do priseljencev oz. začasnih delavcev.

Do sedemdesetih let v Evropi sledimo množično preseljevanje z juga proti severu. Leta 1968 je bil znotraj Evropske skupnosti sprejet že omenjeni Rimski dogovor.

Skupnost je s tem vzpostavila skupni trg delovne sile, kar pomeni svobodno selitev in enakopravnost pri zaposlovanju državljanov članic EGS v drugih državah EGS. S sprejemom sporazuma o notranjih migrantih se je položaj zunanje migracije slabšal in zaostroval, za notranjo migracijo pa vprašanje o državljanstvu izgublja pomen (Mesić, 1989, 10-15).

V začetku sedemdesetih je bilo v zahodni Evropi zaposlenih okoli 6 milijonov tujih delavcev in z njimi je tam živelo prav gotovo še takšno število ostalih družinskih članov (Mesić, 1988, 317). Liberalna migracijska politika, po kateri so se ravnale države zahodne Evrope do prve naftne krize, ki je bila v letih 1973/74, je bila izraz in seštevek nacionalnih migracijskih politik (Mesić, 1993, 672). Z naftno krizo pride do preloma migracijske liberalistične kontinuitete in do »sistemsko izraženega radikalnega obrata v migracijski politiki imigrantskih držav« (Mesić, 1989, 11) v smeri zaustavljanja nadaljnega pritoka tuje delovne sile. V tem trenutku se je pokazalo, da model migracijskih tokov ni deloval samodejno. Pokazala se je neučinkovitost modela gostujočih delavcev.

Z naftno krizo so nastopile nove razmere, ko je postopno prenehal delovati model gostujočih delavcev, ki se je uveljavil v zahodnoevropskih državah v času neoliberalizma v šestdesetih letih. Vsa nadaljnja migracija je v celoti pogojena s potrebami imigrantskih držav. Aktualna migracijska situacija se izraža preko trga dela, pravnega statusa, vračanja in reintegracije ter socialnopravnega položaja prve in druge generacije migrantov. Po letu 1973/74 število priseljencev narašča le še zaradi združevanja družin, naravnega prirastka in ilegalne migracije. Nastopi čas t. i. družinske imigracije in politike integracije. »Iz nove perspektive verižnih migracij (ki olajšuje liberalno paradigmo, a je ne opušča) se na migracije gleda kot na svojevrsten proces, ki vključuje določena socialna razmerja, v katera se migrant vključuje, tako v družbi, iz katere prihaja, kot tudi v družbi, v kateri dela. Težišče vendar ostaja na posamezniku in na njegovi individualni odločitvi, ali se hoče vrniti ali trajno ostati v migracijah. Ta odločitev je motivirana predvsem z ekonomskimi pobudami. Toda poskusi nekaterih vlad v državah imigracije, da bi stimulirali povratek, so dali nepričakovano majhne rezultate, tako da je ta koncept opuščen.« (Mesić, 1993, 672-673)

Družinska imigracija je že del nove politike v odnosu do priseljencev, ki je usmerjena v njihovo integracijo v novo okolje. V ospredje pridejo prizadevanja, da bi se imigranti, ki so ostali, integrirali v novo družbo. To se poimenuje integracijska migracijska politika (Klinar, 1985, 14). Spremembe v migracijskih politikah zahodnoevropskih držav so povsem izničile model t. i. začasnega dela v tujini. Presekale so kroženje delavcev med imigrantsko in emigrantsko državo ter jih na nek način izenačile s pogoji izseljencev, kakršne poznamo iz preteklosti. Hkrati s tem se ustavijo pogoji za napajanje povratništva.

Za evropske migracije v osemdesetih letih se je uveljavil izraz »migracije v kriznih razmerah« (Klinar, 1985). Neoliberalistična migracijska politika iz šestdesetih in začetkov sedemdesetih let se je umaknila politiki integracije, vzporedno z njo pa so se pojavile tudi številne prisilne remigracije.<sup>1</sup> V kriznih razmerah se pokaže, da je

<sup>1</sup> Prisilna remigracija je lahko posredna ali neposredna. Povezana je z izdajanjem ali zavračanjem

priseljavanje v konfliktu z obstoječo ideologijo nacionalne države, ki je utemeljena na ideji o kulturni in politični homogenosti (Castles, Miller, 1993, 13-14). In če nadaljujemo, se izkaže, da je model začasnih delavcev – seveda model, ki bi deloval tako, kot je bil zamišljen – eden redkih načinov dotoka delovne sile iz drugih držav, ki ne bi prihajal v ostrejši konflikt z ideologijo nacionalne države in bi se v ekonomskem vidiku z njo dopolnjeval, saj zagotavlja delovno silo na podhranjenih področjih in predpostavlja, da bo ta tuja delovna sila nekoč tudi odšla.

Za devetdeseta leta in sedanost je značilno, da so »države članice Evropske zveze (...) bilateralne sporazume o kontingentih gostujočih delavcev iz 60-ih let (model kolarjenja delovne sile) zamenjale z različnimi politikami selektivnega zaposlovanja za določen čas (enoletne pogodbe z dvakratnim možnim podaljšanjem)« (Verlič Christensen, 2000, 1120). Pri tej novi praksi bi lahko rekli, da gre za različico vračanja k stari praksi iz šestdesetih let, ki na nek način bolj dosledno določi delavca kot gosta tudi z normativno pravnimi ukrepi. V času družinskih migraciji in integracijske politike do pozitivno selekcioniranih priseljencev iz osemdesetih let je politiko priseljavanja vodilo zapiranje možnosti novega dotoka. Predvsem pa restriktivna regulacija, ki je upoštevala potrebe države in so se skozi to določale kvote po »profesionalni logiki«, glede na kadrovske niše države gostiteljice. Zdaj se te »kadrovske niše« pravno regulira s pogodbami za določen čas. Ta koncept udejanja normativne standarde, ki dejansko povzročajo realizacijo migracijskega kroga, veliko večjo nujnost remigracije. Po izteku pogodbe delavcu ostane sicer še iskanje morebitnih alternativ, ki pa jih ni veliko. Ta politika se na specifičen način vrača v šestdeseta leta in se odmika od osemdesetih, ko zasledimo družinsko migracijo in politiko integracije. Nov model namesto socialne/kulturne integracije ponovno postavlja v ospredje predvsem t. i. akomodacijo oziroma predvsem delovno prilagoditev. Hkrati pa je veliko bolj selektiven in temeljiteje (na normativni ravni) »poskrbi« za vračanje delavcev v izvorna okolja.

#### 4. IZSELJEVANJE IN POVRATNIŠTVO – PRIMER SLOVENIJE

Svetovna gospodarska kriza, še bolj pa začetek druge svetovne vojne, sta močno

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začasnih delovnih dovoljenj, z zapleti pri pridobivanju pravic socialnega zavarovanja, omejevanjem pravic, diskriminacijo, brezposelnostjo in grožnjami (Klinar, 1985, 14). »Upoštevati moramo številne spremembe, ki so po 1973. letu nastopile v njihovem življenju. Prenehal je krožni tok njihovih migracij in ostala jim je samo izbira, ali se za trajno vrniti domov ali pa ostati v tujini za nedoločen, vendar daljši čas. Mnogim pa tudi ta izbira ni bila dana; iz različnih vzrokov so se morali vrniti domov, ker so izgubili svoja delovna mesta, v razmerah naraščajoče brezposelnosti pa niso imeli perspektiv za kakršnokoli zaposlitev. Zahodnoevropski kapital je brez milosti opravil selekcijo med tujimi delavci: dobre delavce je zadržal, slabe (nekvalificirane, bolne, itd.) pa poslal nazaj v države, iz katerih so prišli. Hkrati s tem, da ne dovoljuje prihajanja novih delavcev iz držav, ki niso članice EGS, pa je na razne načine omogočal združevanje družinskih članov tistih tujih delavcev, katere je zadržal - in s tem prihaja do nove rezervne armade tujih delavcev, predvsem pa do cenene ženske delovne sile...« (Pogačnik, 1984, 118)



posegla v selitve ljudi po Evropi. Divjanje vojne po celi Evropi, taborišča, beg ljudi najprej proti državam zahodne Evrope in potem naprej prek oceana so povzročili močno mešanje ljudi v evropskem prostoru. Temu so se ob koncu vojne in ob blokovski delitvi pridružile še selitve zaradi močne psihoze strahu pred novo politično oblastjo. Prevladuje ocena, da je naš prostor v tem času zapustilo okoli 20.000 ljudi.<sup>2</sup> Nove kolonije so nastale v Argentini, sledijo pa še ZDA, Kanada, Avstralija in države zahodne Evrope.

V petdesetih letih, predvsem pa po letu 1963, ko so se odprle jugoslovanske meje (pred tem letom je prihajalo do ilegalnih prehodov meja), se je glavina preusmerila v države zahodne Evrope. Po gospodarski reformi leta 1965 so se tokovi izseljevanja vse bolj usmerjali v ZRN, Francijo, na Švedsko, v Švico, Italijo... in ZRN je kaj kmalu postala glavni cilj priseljevanja naših ljudi (Stare, 1977, 8). Po ocenah iz leta 1968 je bilo takrat na začasnem delu v tujini približno 50.000 Slovencev. Starostna meja se je gibala od 20-40 let (80 %) (Šetinc, 1968, 33-34). Popis prebivalstva iz leta 1971 nam posreduje podatek, da je bilo takrat v državah zahodne Evrope 70.000 Slovencev (47.000 v ZR Nemčiji, 12.000 v Avstriji, v drugih državah pa po nekaj tisoč). Podatki popisa niso povsem natančni, saj so bile v nekaterih primerih v tujini cele družine, popisni materiali pa so zasledovali le osebe, ki so bile aktivno zaposlene in neaktivnih družinskih članov (otrok, gospodinj, vzdrževanih oseb) niso zajeli (Stare, 1976, 60).

Leta 1965-1975 so čas organiziranih selitev, ki jih je podpirala tudi jugoslovanska država. Jugoslavija je v šestdesetih letih s številnimi evropskimi državami podpisala meddržavne sporazume o zaposlovanju in konvencije o socialni varnosti. Prvi sporazum o socialni varnosti je bil sklenjen s Francijo 1950. leta, nanašal pa se je predvsem na izseljence, ki so se priselili v Francijo med obema vojnama (Svetek, 1971, 48). Do leta 1971 je imela sklenjen Meddržavni sporazum o zaposlovanju s Francijo, Avstrijo, Švedsko, Zvezno republiko Nemčijo, Nizozemsko, Belgijo, Luksemburgom in Avstralijo. Z vsemi je imela sklenjene tudi konvencije o socialni varnosti (Stare, 1970, 51). Do leta 1975 je imela sklenjen Meddržavni sporazum o zaposlovanju še z Novo Zelandijo (Stare, 1974, 84), do leta 1978 pa so bili podpisani sporazumi o socialni varnosti s šestnajstimi državami (Svetek, 1977, 108). Dvostranski sporazumi o socialni varnosti so delavcem zagotavljali »enako obravnavanje z delavci države sopodpisnice sporazuma, prosto izplačevanje dajatev iz ene države v drugo, varstvo družinskih članov, ki ostanejo v domovini, v breme države-sopodpisnice sporazuma, izplačevanje otroških dodatkov, tudi otrokom, ki živijo v domovini; skratka gre za pravno združitev teritorijev obeh držav na področju socialne varnosti, ki se za to področje smatra kot enotno.« (Svetek, 1977, 108)

Položaj naših ljudi je bil različen, odvisen od politike države, v katero so se priselili in hkrati od mednarodnih odnosov ter posameznih bilateralnih sporazumov, ki jih je v tem obdobju podpisovala Jugoslavija. Temu so v šestdesetih letih sledile še pogodbe z drugimi državami. Po konvencijah z nekaterimi državami so posredovanje delavcev prevzeli zavodi za zaposlovanje. Že 1968. leta (Stare, 1973, 214) pa so začeli ugotavljati,

<sup>2</sup> Podatek o številu ljudi, ki so po drugi svetovni vojni zapustili naš prostor, je v: Arhiv, fond Splošno..., M7, Informacija o slovenskem izseljenstvu.

da je potrebno omejiti odhajanje izobražencev in kvalificiranih delavcev iz Jugoslavije. Po njih je bilo v tujini seveda največje povpraševanje. Tako se je spremenila politika službe za zaposlovanje v smeri zavestnega zmanjševanja odhajanja omenjene delovne sile. »V okviru tega so se zavodi odločili, da sprejmejo le tiste ponudbe delodajalcev, ki se nanašajo na nepriučene in priučene delavce ter ponudbe, ki se nanašajo na izrazito suficitarne poklice ostalih strokovnih nivojev.« (Stare, 1971, 58). Zavodi so začeli postopno zavračati tudi povpraševanje po tistih profilih, ki so bili doma deficitarni. Kmalu so v tujino posredovali predvsem brezposelne nekvalificirane delavce in resnično suficitarne profile (Stare, 1974, 83).

Ljudi, ki so v tem času odhajali, so obravnavali kot ekonomske emigrante. Zanje se je uveljavil poseben (politični) termin »delavci na začasnem delu v tujini«. Sama oznaka je bila plod naporov, da bi prikazali, da so ljudje odšli na delo v tujino zgolj začasno in da se bodo po krajšem obdobju vrnili. Hkrati se je omenjena oznaka idealno vključevala v migracijske politike takratnih evropskih imigrant-skih držav.

Model začasnega dela v tujini ni bil zgolj politična utvara tedanje domače vladne strukture, ampak tudi praktični (potencialni) interes, da bi ljudje verjeli v svojo vrnitev in presežek denarja vlagali v domači napredek. Hkrati pa se je uradna politika pokrivala z željami posameznikov ob odhodu. Ti so bili v večini primerov prepričani, da odhajajo od doma le za nekaj let in da se bodo kmalu vrnili. V tujini naj bi le zaslužili denar, ki bi jim omogočil izboljšanje življenjskega standarda, potem pa bi se vrnili domov. In koliko se jih je res vrnilo?

### Povratništvo v šestdesetih in sedemdesetih

Že sredi sedemdesetih let se pojavijo ugovori in dokazovanja, da se predvidena začasnost spreminja v trajno izseljenost. Vsi nadaljnji dogodki in rezultati nekaterih raziskav pa so te ugovore le še potrjevali. P. Klinar ugotavlja, da se čas bivanja naših delavcev, začasno zaposlenih v tujini, podaljšuje in da ne ustreza načrtovani politiki. Opozarja, da lahko precejšen del naše občasne migracije postane trajen. Pravi, da nekateri rezultati raziskav postavljajo pod vprašaj upravičenost uporabe izraza »zdomci, na začasnem delu v tujini«. Odstotek povratnikov je neustrezno majhen. Po postavljenih kriterijih za občasno migracijo bi se npr. 1970. leta morale vrniti 65.000 jugoslovanskih migrantov, vrnilo pa se jih je le 20.000. Doba bivanja v tujini se je tako podaljševala in ni ustrezala planirani politiki.<sup>3</sup> (Klinar, 1975, 250-255)

<sup>3</sup> »V (...) gradivu se ugotavlja, da se doba naših delavcev, začasno zaposlenih v tujini, podaljšuje in da ne ustreza planirani politiki. Spričo tega opozarja gradivo na nevarnost, da precejšen del naše občasne migracije postane trajna ekonomska migracija. (...) Jugoslovansko ekonomsko migracijo, ki odhaja v velikem številu zadnja leta v zahodno Evropo, označujejo odgovorni politični dejavniki za občasno migracijo. Zanje je že uveljavljen izraz 'zdomci, na začasnem delu v tujini'. Vendar razpolagamo z nekaterimi indikatorji, ki ustvarjajo dvome, ali gre pri večini ekonomskih jugoslovanskih emigrantov zares za občasno migracijo. Odstotek remigrantov je glede na že omenjene

Navedeni podatki govorijo o tem, da načrtovani model začasnega dela v praksi ni deloval in to vse do naftne krize, ko pride do že omenjene radikalne spremembe politike držav gostiteljic in do negativne selekcije med priseljenci ter v določenih primerih do prisilnega povratništva. Hkrati s tem pa se lahko vprašamo, ali je bila Slovenija v tistem času sploh gospodarsko tako sposobna, da bi brez večjih težav sprejela močnejši val povratnikov in jih brez večjih pretresov vključila v vsakdnji življenjski ritem. Umanjkanje aktivne državne politike na področju povratništva v tem času nam ponuja domnevo, da Slovenija še ni bila pripravljena na povratnike. Vpogled v izobrazbeno-kvalifikacijsko strukturo ljudi, ki so se zaposlili v tujini, kaže na bolj suficitarna kot deficitarna področja. Probleme z deficitarnimi profili pa je v tem času Slovenija že začela reševati z dotokom (cenejše) delovne sile s področji drugih republik nekdanje SFRJ.

### **Povratništvo v obdobju 1981-1991**

Uradni podatki o selitvah za obdobje 1981-1991 govorijo le o razmerju med uradno registriranimi izselitvami in povratništvom. Podatki izvirajo iz popisa prebivalstva, kjer so povratniki opredeljeni kot vračanje stalnih prebivalcev Slovenije z začasnega dela v tujini, pri tem pa so izpuščeni delavci, ki so bili zaposleni v slovenskih ali drugih jugoslovanskih podjetjih v tujini. To bivanje ni bilo tretirano kot začasno delo v tujini, ne glede na dolžino bivanja. Prav tako v teh podatkih niso zajeti ljudje, ki so odjavili stalno bivališče v Sloveniji, čeprav so obdržali državljanstvo.

M. Bevc (1993, 689) ugotavlja, da je bilo 44 tisoč ljudi, ki so bili stalni prebivalci Slovenije, kdaj v svojem življenju na »začasnem« delu v tujini in so se enkrat pred popisom leta 1991 dokončno vrnili in seveda ves čas obdržali stalno bivališče ter niso bili zaposleni pri slovenskem (jugoslovanskem) podjetju v tujini. Pretežno so iz pomurske, osrednje slovenske in podravske regije. V tujini so bili v povprečju 6 let. Če podatke primerjamo s preteklostjo, se vidi, da je bilo v sedemdesetih letih večji del povratnikov iz pomurske regije, v osemdesetih pa iz osrednje slovenske.

Primerjava povratništva v osemdesetih letih s predhodnim obdobjem po popisu prebivalstva pokaže, da je bilo število povratnikov v osemdesetih precej manjše (10.000) kot v sedemdesetih (16.500), a vseeno veliko višje, kot je bilo zabeleženo pri Zavodu R Slovenije za zaposlovanje (10.000 : 3.600). V tem času je po podatkih iz popisa odšlo na delo v tujino 8.400 delavcev - manj kot je bilo povratnikov - kar je štirikrat več, kot so kazali podatki pri Zavodu RS za zaposlovanje. Povratniki iz osemdesetih so bili v tujini v povprečju dalj časa kot povratniki v sedemdesetih letih (Bevc, 1993, 689-691). Temu dodajmo še ugotovitve P. Klinarja, da je povratništvo v osemdesetih predvsem rezultat negativne selekcije v državah gostiteljicah (Klinar, 1985). V tem času je bilo prisilno povratništvo tudi izhod za podjetja, kjer so delali delavci pod težkimi delovnimi

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normative vračanja po določenem obdobju neustrezno majhen. Po teh normativih bi se moralo vrniti, če bi bila jugoslovanska migracija zares občasna, npr. 1970. 65.000 migrantov, vrnilo pa se jih je le 20.000. Doba bivanja v tujini se podaljšuje in ne ustreza planirani politiki.« (Klinar, 1976, 253)

pogoji. Le delavci na začasnem delu so zagotavljali, da se po določenem času podjetjem in državi gostiteljici ne bo treba ukvarjati z zdravstvenimi in socialnimi posledicami, ki jih je lahko povzročilo delo na rizičnih delovnih mestih. S tem so se seveda rešili predvsem finančne odgovornosti in bremena za tisti del, ki se ga vključuje v koncept »socialne države«. »Socialna država« z zdravstvenimi težavami teh delavcev pozneje ni obremenjena. Dokler so delavci aktivni, s svojim delom soustvarjajo profit in polnijo blagajno, potem pa so vrnjeni (npr. ne podaljša se pogodbe, da o ilegalnem delu ne govorimo) v izvorno okolje in z njimi in njihovimi težavami se ukvarja izvorna država.

### Povratništvo v devetdesetih letih

Rezultati raziskave Migracije v Sloveniji v luči vključitve v EU, ki jo je izdelal Inštitut za ekonomska raziskovanja v Ljubljani (Bevc, Prevolnik-Rupel, 2000), nam pregledno posreduje tudi informacije o povratništvu. Avtorici ob prezentaciji rezultatov opozarjata na spremembo statistične definicije pojma prebivalci Slovenije, do katere je prišlo leta 1994.<sup>4</sup> Iz tabel vidimo, da se je v obdobju 1992-1998 v Slovenijo priselilo<sup>5</sup> na leto v povprečju 2.469 državljanov Republike Slovenije<sup>6</sup> ali 1,2 %. Temu dodajmo še ljudi, ki so bili v popise zajeti kot zdomci oziroma delavci na začasnem delu v tujini. V obdobju od 1993-1998<sup>7</sup> se jih je v Slovenijo vrnilo v povprečju 451 na leto ali 0,2 %. Podatki kažejo, da je povprečno število priselitev višje na račun višjega priseljevanja v prvih letih, saj podatki za obdobje 1995-1998 kažejo na padec povprečnega števila na leto. Povprečno število priseljenih državljanov Republike Slovenije na leto v tem obdobju je 1.410 ali 0,7 %, povprečno število vrnitev z začasnega prebivanja pa je 422 ali 0,2 %. Pri slednji kategoriji vidimo, da je povprečna porazdelitev po letih veliko enakomernejša, če upoštevamo celotno obdobje od 1992-1998 (Bevc, Prevolnik-Rupel, 2000, 156-158).

Število povratnikov je bilo morda večje kot kažejo podatki, saj so lahko v vzporedni kategoriji popisa »priseljeni tuji državljani« tudi ljudje, ki so se izselili iz Slovenije, spremenili

<sup>4</sup> »Po definiciji, ki je veljala do konca leta 1994, so bili prebivalci Slovenije vse osebe, ki so imele v Sloveniji prijavljeno stalno prebivališče, tudi če so bile začasno (več kot 3 mesece) odsotne (v tujini). Nova definicija se od prejšnje razlikuje po dvojem:

- v številu prebivalstva niso več zajeti tisti državljani Republike Slovenije, ki imajo v njej stalno prebivališče, a začasno (več kot 3 mesece) prebivajo v tujini in
- v številu prebivalstva Slovenije so zdaj všeti tudi tuji s prijavljenim stalnim oziroma začasnim prebivališčem v Sloveniji ter begunci.« (Bevc, Prevolnik-Rupel, 2000, 148)

<sup>5</sup> V priselitvah pa žal ni narejene razlike med mednarodnimi in notranjimi priselitvami. Tako je priseljenec »prebivalec, ki se je v Slovenijo priselil iz tujine in je v Sloveniji prijavil prebivališče« ali pa se je »priselil v drugo naselje, občino v Sloveniji in tam prijavil prebivališče.« Poleg podatkov za priselitve imamo tudi podatke o izselitvah in migracijskem saldu, a v razpravi o povratništvu nas to ne zanima, zato bomo te podatke izpustili.

<sup>6</sup> »... državljan R Slovenije - oseba z državljanstvom RS in prijavljenim stalnim prebivališčem v Sloveniji.« (Bevc, Prevolnik-Rupel, 2000, 148)

<sup>7</sup> V tabeli v rubriki »začasno bivanje državljanov Republike Slovenije v tujini« za vrnitve ni podatkov za leto 1992.

državljanstvo in se ponovno vrnili v Slovenijo. Vendar pa ostale dostopne informacije o povratnikih kažejo, da takih primerov v devetdesetih ni veliko – je pa nekaj znanih primerov priselitve iz npr. Argentine. Tudi za ta čas lahko ugotovimo, da ni veliko povratništva. Prej bi lahko rekli, da se ponovno pojavijo razmere, v katerih posamezniki (glej Bevc, 1993; Mali, 1993) svarijo pred potencialnim begom možganov iz Slovenije.

Že sredi sedemdesetih let P. Klinar ugotavlja, da je v Sloveniji (Jugoslaviji) premalo povratnikov, da bi lahko govorili o funkcioniranju modela začasnega dela. Po podatkih M. Bevčeve v osemdesetih letih število povratnikov še upade in lahko torej isto ugotovitev ponovimo tudi za osemdeseta leta, pa tudi za devetdeseta. »Pri tem je treba poudariti, da ni utemeljeno razločevanje med klasičnimi izseljenci in zdomci (sodobnimi ekonomskimi emigranti v Evropi, za katere se je predvidevalo, da bodo pretežnočasni emigranti). Tako imenovani zdomci postopoma večinoma postajajo trajni emigranti, ki ohranjajo stike z izvorno emigrantsko družbo.« (Klinar, 1990, 320) Temu se pridružuje J. Malačič, ko pravi: »Politika je v preteklih desetletjih izhajala iz predpostavke o začasnosti te emigracije. Vendar je bila ta predpostavka napačna. Največji del »začasne« emigracije se pred našimi očmi že več let pretvarja v stalno emigracijo, mi pa niti politično niti organizacijsko ne dojamemo, kaj te spremembe pomenijo. Znanost je dolžna spremljati in opozarjati na procese zunanjih migracij Slovenije, politika pa mora najti načine, kako najustreznejše in najučinkoviteje povezati stare in nove slovenske skupnosti po svetu z domovino, njenim gospodarstvom, kulturo in družbo nasploh.« (Malačič, 1993, 150)

#### **4.1. BEG MOŽGANOV KOT ENA OD RAZLIČIC IZSELJEVANJA IN POVRATNIŠTVO**

Pojem beg možganov je opredeljen kot odhajanje izobraženega kadra na delo v tujino. Kateri nivo izobražencev zajame, je odvisno od izobrazbene strukture okolja izselitve. Pojem izobraženosti je namreč relativen in moramo ga razumeti v kontekstu časa, ki ga opazujemo. Še v sedemdesetih letih je bila visoka izobrazba v Sloveniji redkost. Srednja šola je že predstavljala izobraženost. Danes srednja šola predstavlja šele izhodišče. Podobno je na nek način statusna degradacija doletela višjo in visokošolsko izobrazbo. Meje kroga, ki ga pokriva pojem izobraženec, se postopno pomikajo proti stopnji magisterija in doktorata. Na kontekstualni pomen pojma izobrazba se navezuje tudi razumevanje bega možganov – torej moramo tudi beg možganov proučevati kontekstualno ob upoštevanju kontekstualnosti pomena pojma izobrazba. Tako podatki o begu možganov za šestdeseta in sedemdeseta leta pokrivajo drugačno izobrazbeno strukturo kot pa podatki za osemdeseta, sploh pa za devetdeseta leta. Vseeno pa so ljudje, ki so bili upoštevanji v sklopu proučevanja bega možganov, v svojem času predstavljali izobrazbeni (manjšinski) vrh različnih gospodarsko-družbenih sfer in pomemben razvojni potencial. Za tehnološko manj razvite države je ključno vprašanje, kako zamejiti njihovo odhajanje in zmanjšati obseg potencialnega bega

možganov, po drugi strani pa zagotoviti vračanje znanstvenikov in strokovnjakov, ki so odšli na delo v tujino.

»Ko je govor o možnih aktivnejših politikah preusmeritve negativnih procesov bega možganov v Sloveniji se je treba najprej zavedati, da so bili vzrok za naš beg v bolj ali manj oddaljeni preteklosti vsi klasični dejavniki, ki jih sodobne migracijske teorije označujejo kot »pull« in »push« faktorje. Četudi se ocene o naših izgubljenih intelektualnih potencialih kot posledice množičnega bega Slovencev v preteklosti še vedno gibljejo v približkih, učinkujejo nekateri podatki, ki govorijo o strukturnih deležih strokovnjakov, ki so v posameznih obdobjih množičnih emigracij zapustili našo domovino in večinoma ostali na tujem, presenetljivo (npr. ocena, da je od letnikov 1951-60 kar 36 % tehnično-inženirskega kadra odšlo v tujino /.../). Hkrati dokazujejo, da je pri nas beg možganov v polpreteklosti, vsaj v primerjavi z drugimi jugoslovanskim prostorom in najbrž tudi drugimi nerazvitimi regijami v svetu, označevala dodatna (negativna) lastnost. Že takrat se naš beg možganov ni nanašal samo na znanstveno elito, kar naj bi veljalo za nekdanje jugoslovanske republike (...), temveč tudi na strokovnjake iz t. i. raziskovalno-razvojnne baze.« (Mali, 1993, 657) Avtor še izpostavlja, da so, glede na značilnosti sodobnih migracijskih tokov, še toliko pomembnejša vsa prizadevanja za omejitev bega možganov in za vračanje znanstvenikov v matično državo. Ne glede na široko razprostranjenost strokovnih in političnih diskusij smo še daleč od tega, da bi se omenjena problematika reševala z globalno mednarodno migracijsko politiko. »Splahnela so tudi nerealistična pričakovanja o spontanah reemigracijah strokovnjakov. Že sama definicija bega možganov govori o enosmernosti pretoka intelektualnih zmožnosti. Zato so toliko pomembnejše vse pobude in praktični koraki, ki prihajajo iz že tradicionalnih emigrantskih okolji, in katerih namen je, da bi v tujini profesionalno delujoče znanstvenike in strokovnjake vključili v reševanje razvojnih vprašanj matične domovine.« (Mali, 1993, 656)

Pri begu možganov in povratništvu pa se za sedanost, predvsem pa za prihodnost nujno odpira predvsem perspektiva zamejevanja in zmanjševanja obsega potencialnega bega možganov. Rezultati raziskovanj, ki se nanašajo na možnosti potencialnega bega možganov, pri nas ne kažejo najugodnejše slike. Leta 1990 so v Centru za proučevanje znanosti opravili (F. Mali, 1990; F. Mali, S. Sorčan, 1990) opravili tovrstno raziskavo. Izidi empiričnega raziskovanja med študenti naravoslovnotehničnih fakultet ljubljanske univerze so pokazali, da je tudi v začetku devetdesetih let pri nas navzoča velika nevarnost potencialnega bega možganov. Na vprašanje, kaj nameravajo po diplomi, je 11,3 % vprašanih odgovorilo, da bodo odšli v tujino. Kar 62 % vprašanih je odgovorilo, da razmišljajo o svojem odhodu na delo v tujino in 4,2 %, da svoj odhod že trdno načrtujejo (Mali, 1993, 658). Problemov v zvezi s potencialnim begom možganov ni mogoče izločiti iz ukrepov, ki zadevajo vračanje znanstvenikov iz tujine. »Med dejavniki za pospešeno reemigracijo znanstvenikov v matično okolje se poudarja razvijanje ustreznih razmer, ki bodo spodbujale profesionalizacijo na vseh ravneh družbenega življenja (...). Ne gre torej zgolj za dvigovanje dohodkov znanstvenega in univerzitetnega osebja, saj bodo v postsocialističnih družbah, ki so nasploh v družbenoekonomskih

težavah, obstajale – vsaj na kratek rok – očitne razlike v dohodkih med državnim (univerzo) in zasebnim sektorjem. Zdi se, da bo tudi za Slovenijo kot postsocialistično družbo odločilnega pomena vzpostavitev ustreznih delovnih razmer na univerzi in v znanstvenih organizacijah. Pri tem moramo, na kar je bilo pred časom že opozorjeno (...), slediti elementom kozmopolitskega in nacionalnega modela reševanja bega možganov.« (Mali, 1993, 658)

## 5. SKLEP: RAZLIČICE STRATEGIJ V ODNOSU DO POV RATNIŠTVA

Predstavljene empirične študije kažejo, da je v povojnem času kar nekaj ljudi zapustilo slovensko okolje. Delež povratnikov pa je sorazmerno majhen in pod pričakovanji. Temu moramo dodati dejstvo, da vsa leta ni zaslediti aktivne državne politike, ki bi dejansko spodbujala povratništvo. To velja za vse različice izseljevanja in povratništva, vključno z begom možganov. Analize F. Malija in M. Bevčeve celo kažejo, da se soočamo z novim begom možganov, predvsem pa s potencialno maso za beg možganov, ne pa da bi se približevali razmeram za povratništvo. Za večino tistih, ki so se vrnili, velja, da so odšli mladi, vrnili pa so se kot upoko jenci. Izjema so predvsem povratniki, ki so prišli po konstituiranju Slovenije kot samostojne države – predvsem iz Argentine. V teh primerih pa velikokrat ne gre za klasično povratništvo, ampak povratništvo prek generacij. Prav te mesece pa se zaradi gospodarskih razmer v Argentini ponovno srečujemo z večjim številom povratnikov in humanitarno pomočjo Slovenije Slovcem in njihovim potomcem v Argentinu.

V odnosu do klasičnega povratništva se odpira več različic za strategijo, ki bi morala biti osnova za aktivno državno (povratniško) politiko. Prvi korak v tej smeri bi bilo že omenjeno preprečevanje bega možganov, pred katerim svarita M. Bevčeva in F. Mali. Nadgradnja tega pa je postaviti aktivno državno politiko do vračanja po vseh ciljnih skupinah in selitvenih različicah (ne le do bega možganov). »Četudi so v tem času bili tudi uspešni primeri sodelovanja, kar vse zadeve vendarle ne postavlja v tako slabo luč, pa se bo morala naša družba v celoti zavedati, kako pomembno je voditi aktivno politiko pri reemigraciji znanstvenikov. Ne pa samo čakati na njihovo morebitno vrnitev. Saj menda nihče ne pričakuje, da se bodo ljudje, ki so se z nadarjenostjo in trdim delom uveljavili v svetu neizprosne znanstvene konkurence in niso, kot je dejal eden izmed njih na že omenjenem posvetu o tretji univerzi, nikakršni zbeganci v tujem svetu, vračali domov samo zaradi hrepenenja po domačijskosti.« (Mali, 1993, 657)

Po drugi strani pa bi morali razmisliti tudi o dejstvu, da je morda star način razmisleka o povratnikih povozil čas. Danes se pogosto govori o svetu kot globalni vasi. Razvoj telekomunikacij je povzročil pomembne spremembe v pomenu prostora, oddaljenosti in časa.

Morda ne bi smeli več toliko razmišljati o povratku, ampak o tem, kako lahko Slovence po svetu uporabimo, vključimo v pomembnejše družboslovne, humanistične, naravoslovne ali gospodarske projekte, kljub fizični distanci – ob uporabi alternativ, ki

jih ponuja sodobna tehnologija, a ji žal domača zakonodaja le s težavo sledi. Naš način dela in mišljenja sta še vedno preveč rigidna in ne dopuščata alternativ, ki jih ponujajo deterritorializirani koncepti – pa naj omenim le nove komunikacijske možnosti v povezavi s konceptom t. i. »virtualnih etničnih skupnosti«.

Pravzaprav so se pred leti že razvijale pobude v tej smeri, a žal ni prišlo do njihove realizacije. Govorimo lahko predvsem o dveh zanimivih različicah.

1. Skupen slovenski kulturni prostor, mišljen kot »referenčna etnična tvorba« (Klinar, 1990, 321-322), ki jo sestavljajo Slovenci in njihovi potomci, živeči na teritorialno strnjениh področjih in tisti, ki bivajo razpršeno. Vezivo tako postavljene referenčne tvorbe bi bila etnična (samo)idenitifikacija posameznikov izseljencev ali njihovih potomcev. Takšna skupnost bi imela za Slovenijo kot neodvisno državo lahko velik pomen tudi za vpliv v mednarodnih odnosih.

2. Specifičen način organiziranja znanosti in izobraževanja bi omogočila način dela, ki ga je nekoč vsebovala ideja t. i. tretje univerze. »Pri nas je pred leti sproženi projekt tretje slovenske univerze kot akcija za vzpostavitev različnih oblik sodelovanja (znanstvenega, pedagoškega, informacijskega) z našimi uglednimi znanstveniki in profesorji, ki delujejo v razvitih znanstvenih centrih Zahoda, obetal, da bo postal eden izmed uspešnih zgledov za reševanje bega možganov. Pričakovanja se niso v celoti uresničila. Ne samo, da je sintagma 'tretja slovenska univerza' ki je bila še do nedavnega na različnih mestih in ob različnih priložnostih na široko (in konjunktorno) uporabljena, skorajda šla v pozabo in celo dobila nek drug pomen (ustanovitev nove univerze na Obali). Tudi odprto pismo petinšestdesetih slovenskih znanstvenikov, zvečine delujočih v tujini, ki so ga pred kratkim objavila javna glasila, in govori o nujnosti spremembe habilitacijskih postopkov na naši univerzi, dokazuje, da bo treba za uresničitev predlogov (na posvetu Univerza za devetdeseta leta in prenos znanja pred štirimi leti v Ljubljani so jih skupno pripravili strokovnjaki iz obeh slovenskih univerz in naši ugledni znanstveniki iz tujine) še veliko postoriti. Četudi so v tem času bili tudi uspešni primeri sodelovanja, kar vse zadeve vendarle ne postavlja v tako slabo luč...« (Mali, 1993, 657)

Danes, ko se v Sloveniji veliko govori o spremembah izobraževalnega sistema, na Univerzi pa predvsem o možnostih za uvedbo študija na daljavo, je čas, da se ponovno spomnimo na te ideje. Nov sistem bi lahko na sistemsko formalni ravni udeležil ugodne razmere tudi za morebitno sodelovanje uglednih slovenskih profesorjev in raziskovalcev, ki delujejo po svetu.

Tu pa naletimo na novo področje morebitnih pomislekov, saj bi morale priti do korenite redefinicije že kar stereotipnega odnosa Slovencev, ki živijo v Sloveniji, do Slovencev po svetu. Na načelni ravni se vsi zavzemamo za sodelovanje in »visokoleteče cilje«, v praksi pa se potem izkaže, da Slovencev v Sloveniji ostali, ki živijo po svetu, ne zanimajo kaj dosti. O tem nam pričajo tudi dogodki v lanskem letu, ko so predstavniki izseljencev in manjšincev na srečanju v Državnem zboru govorili le sebi – tisti, ki naj bi jih poslušali, pa se srečanja niso udeležili ali pa so kaj kmalu nujno morali oditi po »po službenih dolžnostih«. Prav tako so letna srečanja (v organizaciji SSS) slovenskih



strokovnjakov, ki živijo po svetu, bolj sama sebi namen in pritegnejo le majhen krog slovenskih poslušalcev.

Omenjeni dogodki so vsekakor dosežek in pomemben korak v smeri krepitev sodelovanja, a ne zadosten. Pomembno se je najprej srečati, spoznati in poslušati in potem narediti najpomembnejši korak k *upoštevati in dati prostor* - kar pa nekateri doma že prepoznajo kot nevarno konkurenčnost znotraj »domačijskega fevda«.

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## SUMMARY

### THE RETURNED EMIGRANTS AS PART OF THE MIGRATION CIRCLE

Marina Lukšič Hacin

*A review of researches and treatises on migrations in Slovenia shows that reveals that there were in scientific and expert circles - until today - three intensive waves of dealing with the returning of emigrants: the end of the seventies, in the nineties, and today. All treatises have shown that in Slovenia we can hardly speak of classical returning of emigrants, as the conditions that define migrations as a migration circle, of which part are returned emigrants, have not been fulfilled. The presented empirical studies show that quite a few people left Slovene environment in the after-war period. But the share of returned emigrants is proportionally small and under expectations. Added to this must be the fact that all through the years an active state policy that would actually encourage the returning can-*

not be traced. That is valid for all varieties of emigration and returning, including the brain drain.

In relation to classical returning of emigrants several varieties are opened for the strategy, which should be the basis for an active state ( regarding returning of emigrants) policy. The first step in that direction would be the prevention of brain drain and emigration as such, and the upgrade active state policy towards the returning of all target groups and migration varieties (not only towards brain drain). On the other hand we should consider the fact that the old manner of deliberation upon returned emigrants is maybe driven over by time. Today the world is frequently considered a global village. The development of telecommunications has caused significant changes in the meaning of space, distance and time. Maybe we should not so much think about the returning, but about how we could use Slovenes around the world, include them into important sociological, humanistic, naturalistic or economic projects, despite physical distance – using alternatives that modern technology offers, and which the Slovene legislation unfortunately follows with difficulty. Our manner of work and judgement are still too rigid and do not allow alternatives that de-territorialised concepts offer – just to mention the new communication possibilities in connection with the concept of the so-called »virtual ethnic communities«. Years ago there were initiatives in that direction but unfortunately it did not come to their realisation. We can speak above all of two interesting varieties:

1. A common Slovene cultural space as a »reference ethnic formation«

2. A specific manner of organising science and education, which would enable a style of work that once the idea of the so-called third university comprehended.

Today, when there is in Slovenia a lot of talking about changes in the educational system, and at University above all of possibilities of introducing studying by distance, it is time to recall to mind those ideas again. The new system could on the systematic formal level realise favourable circumstances for eventual cooperation of eminent Slovene professors and researchers who are active abroad.

Here we come across a new sphere of possible doubts, as a thorough redefinition of the stereotype attitude of Slovenes that live in Slovenia towards the Slovenes living abroad should happen. We are all striving for cooperation and for »high flying goals« on the principal level, but practice reveals that Slovenes who live in Slovenia are merely interested for those living abroad. Events from last year, when the representatives of emigrants and minorities spoke only to themselves at a meeting in the Parliament – those who were to listen to them *did not attend the meeting or they soon had to leave for »official duties«, witness on that. Just as well the annual meetings (in the organisation of the SSS) of Slovene experts that live abroad, are more or less self-intended, and attract a very small circle of auditors. The mentioned events are absolutely an achievement and an important step in the direction of strengthening cooperation, but not sufficient. It is important to first meet, to come to know and listen, and then make the most important step – PAY REGARD AND GIVE SPACE – which some in Slovenia already recognise as a dangerous competition within the »home feud«.*



## PORTRAITS

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# PORTRETI • PORTRAITS

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## PORTRETI



### Janja Žitnik

Ko v tujini omenim, da sem zaposlena na Inštitutu za slovensko izseljenstvo v Ljubljani, se sogovornikov komentar običajno glasi: »Torej delate na Stanonikovem inštitutu.« Takšna oznaka Inštituta je seveda docela umestna. Njegov ustanovitelj in prvi predstojnik, akademik prof. dr. Janez Stanonik, namreč še vedno – zdaj že enaindvajseto leto – aktivno sodeluje pri delu Inštituta kot član njegovega Znanstvenega sveta in uredniškega odbora njegove pričujoče znanstvene revije. Letos praznuje osemdeseto obletnico svojega rojstva, štiri-deseto obletnico svoje uvedbe predmeta ameriška književnost na Oddelku za germanske jezike in književnosti Filozofske fakultete v Ljubljani (iz katerega se je tamkaj do danes razvil vsestransko razvejani študij amerikanistike), trideseto obletnico svoje izvolitve za rednega profesorja na tem oddelku ter za dekana Filozofske fakultete, hkrati pa še zame in za moje sodelavce najpomembnejšo dvajseto obletnico ustanovitve Inštituta za izseljenstvo in svojega imenovanja za upravnika tega inštituta.



Rodil se je 2. januarja 1922 v Slovenj Gradcu. Osnovno šolo je obiskoval v Doliču pri Mislinji in v Celju, v letih 1932–40 pa je bil dijak celjske gimnazije. Kot ugotavlja profesor Mirko Jurak, so med najizrazitejšimi značilnostmi Korošcev in Štajercev optimizem, delavnost, odločnost ter ljubezen do narave in folklore. Tako sta tudi profesorju Stanoniku Koroška in Štajerska v mladosti vtisnili v značaj te za vselej razpoznavne osebnostne poteze. Po maturi se je vpisal na Filozofsko fakulteto v Ljubljani, vendar je njegov študij germanistike prekinila svetovna vojna – z dvaindvajsetimi leti je postal vojni dopisnik pri XIV. diviziji in v Bračičevi brigadi. Takoj po vojni je nadaljeval študij anglistike in nemcistike v Ljubljani, kjer je leta 1948 diplomiral iz angleškega, naslednje leto pa še iz nemškega jezika in književnosti. V letih 1950–51 je študiral na univerzi v Leedsu in leta 1953 v Ljubljani doktoriral iz literarnih znanosti. Od 1959–60 se je izpopolnjeval na univerzah v Berkeleyu in Harvardu.

Na Oddelku za germanistiko ljubljanske Filozofske fakultete (kar štiriindvajset let, od 1961–84, je bil njegov predstojnik) je od leta 1959 predaval kot docent, od 1965

kot izredni in od 1972 kot redni profesor za angleško in ameriško književnost. V letih 1970–72 je bil prodekan in v letih 1972–74 dekan ljubljanske Filozofske fakultete. Leta 1968 je ustanovil znanstveno revijo *Acta Neophilologica*, ki jo je urejal dvaintrideset let in ki je omogočila mednarodni prodor slovenske znanosti na področju raziskovanja modernih zahodnoevropskih jezikov in z njimi povezanih literatur in kultur. Široka odmevnost, nesporni uspeh in mednarodni ugled revije so prispevali k temu, da je bil profesor Stanonik leta 1981 izvoljen za dopisnega in leta 1987 za rednega člana SAZU. Bil je predsednik Odbora za znanstvene in kulturne stike s tujino pri rektoratu Univerze v Ljubljani, leta 1981 je bil predsednik odbora za pripravo mednarodnega simpozija ob 30-letnici smrti Louisa Adamiča in urednik zbornika prispevkov s tega simpozija, v letih 1983–89 je bil član sveta Slovenske izseljenske matice, naslednje leto pa član širšega odbora Slovenskega biografskega leksikona. Kot štipendist Fulbrightovega sklada je v letih 1984–85 delal na ameriških univerzah (Berkeley, Albuquerque, Harvard). Je član različnih mednarodnih germanističnih, anglističnih in amerikanističnih znanstvenih združenj, Društva za slovenske študije (SSS), Evropske akademije za srednji vek (od 1992) itd.

Tudi po upokojitvi leta 1991 je profesor Stanonik ostal aktiven tako na Oddelku za anglistiko in amerikanistiko ljubljanske Filozofske fakultete ter na Inštitutu za slovensko izseljenstvo kot v okviru strokovnih društev in združenj. Za svoje delo je prejel plaketi Slovenske izseljenske matice (1988) in Filozofske fakultete v Ljubljani (1989). Leta 1992 je prof. Mirko Jurak pripravil in uredil jubilejni zbornik *Literature, Culture and Ethnicity: Studies on Medieval, Renaissance and Modern Literatures*, ki ga je posvetil sedemdesetletnici akademika Stanonika. Pomen jubilarntove osebnosti v mednarodni javnosti se med drugim kaže tudi v širokem odzivu avtorjev omenjenega zbornika, saj v njem sodeluje kar 35 literarnih zgodovinarjev iz desetih držav.

Tematika njegovega raziskovalnega dela je pestra: od predvsem nemške medievalistike (tudi nemško-slovenskih in francosko-slovenskih kulturnih stikov v srednjem veku) prek anglo-ameriške literature, največ Melvilla, Ruskina, Longfellowa in Hawthorna, pa do zgodovine slovenskega izseljenstva in zgodnjega izseljenskega slovstva v ZDA ter ameriško-, kanadsko- in britansko-slovenskih kulturnih stikov. Njegove razprave so izrazito interdisciplinarne, saj zajemajo splošnozgodovinske, geografske, socialne, politične, ekonomske in kulturnozgodovinske okoliščine literarnega ustvarjanja, razen tega pa posegajo na področja narodopisja, etimologije, biografike, tekstualne analize in interpretacije ter še posebej literarne geneze. Profesor Stanonik je z drznimi novimi vidiki v svojih obravnavah (Melville, Ruskin) prevetрил nekatere dotedanje aspekte in spodbudil živahen odmev v mednarodnih literarnozgodovinskih krogih. Svojo iz leta v leto kompleksnejšo znanstveno metodologijo je dograjeval med večletnim študijskim izpopolnjevanjem v Avstriji, Nemčiji (Heidelberg), Veliki Britaniji (London in Oxford) in ZDA, svoje široko znanje pa je razen slovenskim študentom in raziskovalcem posredoval tudi tuji strokovni javnosti s pogostimi predavanji na jugoslovanskih, italijanskih, avstrijskih, nemških in ameriških univerzah in s sodelovanjem na številnih mednarodnih simpozijih v Sloveniji in tujini. Poleg samostojnih monografij in cele vrste



odmevnih znanstvenih člankov je pomemben tudi njegov kontinuirani prispevek gesel za *Slovenski biografski leksikon*, *Enciklopedijo Slovenije* in *Enciklopedijo Jugoslavije*.

Profesorja Stanonika sem spoznala oktobra 1975 kot brucka na Oddelku za germanistiko ljubljanske Filozofske fakultete. Že po prvih tednih so me pritegnila njegova predavanja, ki so se odlikovala tako po enciklopedični širini uporabljenega gradiva in poglobljeni problemsko zasnovani obravnavi kot po preglednosti podatkov ter sistematičnosti podajanja snovi in preverjanja znanja. Prav zaradi teh profesorjevih značilnosti se mi je sredi osemdesetih let, ko sem se odločila za podiplomski študij, zdela izbira mentorja povsem samoumevna. Najino sodelovanje v naslednjem obdobju je bilo vse do današnjega dne tesno, vsestransko in plodovito. Ko sem se leta 1985 zaposlila kot mlada raziskovalka na Inštitutu za izseljenstvo, se je bil pravkar vrnil s skoraj enoletnega študijskega bivanja v ZDA. Odtlej je redno vsak teden prihajal na Inštitut, mi izročil že pregledana rokopisna poglavja za moje magistrsko delo, mi pojasnil svoje pripombe in sprejel v pregled nova poglavja. S časom, ki ga je posvetil mojemu nastajajočemu magistrskemu delu in pozneje doktorski disertaciji, ni nikoli skoparil. Razen nešteti ur, ki jih je doma ali na svojem vikendu v Poljanski dolini žrtvoval za prebiranje mojih rokopisov, je namenil veliko časa tudi najinim pogovorom. Vsakotedensko posvetovanje mu je pogosto vzelo večji del dopoldneva, saj dodiplomska študijska snov na germanističnem oddelku tedaj še ni vključevala teoretičnih in metodoloških vidikov raziskovalnega dela. To pomanjkljivost je uspešno premostil z osebni konsultacijami in z zasnovo individualnega podiplomskega študijskega programa, ki ni bil usmerjen le v interdisciplinarne izseljenske študije, temveč tudi v literarno teorijo.

Ko sva po zaključku mojega doktorskega študija v devetdesetih letih sodelovala pri temeljnem raziskovalnem projektu Slovenska izseljenska književnost, smo se sodelavci v projektni skupini in soavtorji istoimenskega literarnozgodovinskega pregleda lahko zgledovali po mojem nekdanjem mentorju tako glede njegove mladostne delovne vneme, celovite in koherentne obravnave posameznega tematskega sklopa, dosledne natančnosti pri znanstvenem citiranju in rednega upoštevanja dogovorjenih rokov kot pri odpiranju novih gradivskih območij in teoretskih vidikov obravnave izseljenskega slovstva v materinščini in tujih jezikih. Njegova stališča o dvonacionalni kulturni in slovstveni vpetosti izseljenske književnosti ne glede na jezik literarnega ustvarjanja, ki jih je razvil v desetletjih svojega raziskovalnega dela in jih še zlasti prepričljivo formuliral v objavljenem rezultatu omenjene skupinske raziskave, predstavljajo zanesljivo izhodišče mojih sedanjih raziskovalnih usmeritev.

Akademik Janez Stanonik si je vse od ustanovitve Inštituta za slovensko izseljenstvo dalje uspešno prizadeval za vključitev čim širšega spektra znanstvenih disciplin, raziskovalnih virov in metod v obravnavo mednarodnih migracij in še posebej slovenskega izseljenstva. Zavzemal se je za razvoj teoretskih, terminoloških in primerjalnih študij na tem področju, spodbujal medinstitucionalno usklajevanje raziskovalnega dela in mednarodno sodelovanje, razvijal interdisciplinarno znanstveno metodologijo ter s svojimi razpravami in pobudami opozarjal na pomen medkulturnih razsežnosti izseljenske kreativne dejavnosti. Tako kot na področju slovenske anglistike in amerika-

nistike mu vsekakor pripada osrednje mesto tudi v okviru slovenskih izseljenskih študij. Inštitut, ki je v dvajsetih letih dosedanjega delovanja, opirajoč se na programske zamisli svojega daljnovidnega ustanovitelja, razširil svojo znanstvenoraziskovalno dejavnost na področje zgodovinopisja, literarnih ved, etnologije, sociologije, geografije in kulturne antropologije, vzpostavil široko mrežo mednarodnega znanstvenega sodelovanja, organiziral vrsto mednarodnih simpozijev in v tem času izdal – poleg petnajstih zvezkov svoje znanstvene revije in trinajstih števil informativnega *Biltena* – dvaindvajset monografij in znanstvenih zbornikov o problematiki slovenskega izseljenstva, ostaja v vseh pogledih tudi v prihodnje Stanonikov inštitut.

V imenu vseh sodelavcev čestitam našemu skupnemu mentorju za osemdeset izjemno uspešno izkoriščenih let. Zahvaljujem se mu za njegovo bogato strokovno znanje, nesebično iznajdljivost in ustvarjalno svežino, ki smo jih bili deležni v desetletjih skupnega dela, predvsem pa tudi za izrazito kolegialnost v medsebojnih odnosih. Želimo mu, da bi lahko tudi v svojem novem življenjskem obdobju tako polno živel, sprejemal in dajal kot doslej. Prepričana sem, da lahko od akademika Stanonika pričakujemo še veliko tehtnih raziskovalnih rezultatov in dragocenih spodbud za naše prihodnje delo.

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# POROČILA IN RAZMIŠLJANJA REPORTS AND REFLECTIONS



**IZSELJENEC**  
**ŽIVLJENJSKE ZGODBE SLOVENCEV PO SVETU**  
**Razstava Muzeja novejše zgodovine Slovenije**

**Nataša Strlič**

Cekinov grad, v katerem domuje Muzej novejše zgodovine Slovenije, je v večernih urah 24. oktobra 2001 gostil pisano paletu ljudi. Vzrok je bil odprtje razstave IZSELJENEC, Življenjske zgodbe Slovencev po svetu. Datum 24. oktober ni bil izbran naključno. Ravno na ta dan praznuje sv. Rafael, zavetnik izseljencev. Z odprtjem se je končalo dobro leto trajajoče sodelovanje skupine sodelavcev različnih inštitucij, ki so z različnih zornih kotov pripomogli h končni podobi razstave. »Idejni oče« projekta je bil dr. Marjan Drnovšek z Inštituta za slovensko izseljenstvo ZRC SAZU, predstavnice Muzeja za novejšo zgodovino so bile mag. Monika Kokalj Kočevar, mag. Marjeta Mikuž in avtorica tega prispevka, etnološki vidik pa je pokrivala mag. Daša Hribar iz Slovenskega etnografskega muzeja.

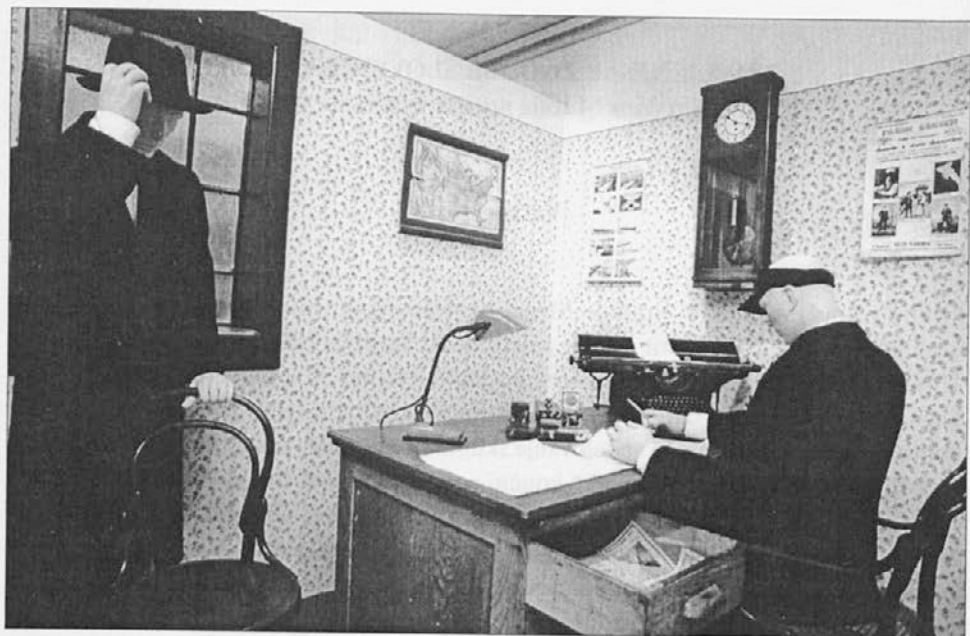
Ker so temelj naše razstave zgodbe slovenskih izseljenk in izseljencev, je bilo potrebno pridobiti še avtorje posameznih zgodb. Ti so se vabilu množično odzvali, tako da je nazadnje število zunanjih sodelavcev in hkrati piscev zgodb pristalo na številki devetnajst. Z njihovimi in zgodbami nekaterih od avtorjev razstave smo napolnili tudi obrazstavniki zbornik, ki je bil na voljo na dan otvoritve.

Njihova naloga je bila tudi priskrbeti razstavno gradivo, ki se je nanašalo na njihovo zgodbo. Pomemben del k razstavi so prispevale še številne druge inštitucije, od muzejev prek arhivov do knjižnic, ki pa jih je bilo preveč, da bi jih na tem mestu našteali.

Razstavo smo razdelili na dva dela. Prvi se nahaja v avli Muzeja novejše zgodovine Slovenije. Osrednji del predstavljata dve scenski postavitvi ladje in vlaka, ki sta bila najpogostejši prevoznimi sredstvom naših izseljencev v 19. in na začetku 20. stoletja. Lesen mostovž med njima obiskovalca popelje iz starega v novi svet. Za bolj realističen prikaz prevoza z vlakom pa smo pred muzej postavili še železniški vagon iz leta 1905.

Da na to dolgo in naporno pot obiskovalec ne bi bil povsem nepripravljen, si lahko na panojih v avli prebere osnovne podatke o slovenskem izseljevanju. S pomočjo slikovnega gradiva, številčnih razpredelnic in seveda teksta dr. Drnovška obiskovalec dobi odgovore na različna vprašanja. Od prvega, kdo je izseljenec, do zadnjega o arhivskem, knjižnem in muzejskem izseljenjskem gradivu, je nanizanih še kup podatkov o izseljevanju Slovenk in Slovencev.

Drugi del razstave, postavljen v pritlične prostore muzeja za občasne razstave, je sestavljen iz sedemindvajsetih življenjskih zgodb slovenskih izseljencev in izseljenk. Razdelili smo jih v šest skupin, na pet celin, kamor so se izseljevali, posebej pa smo predstavili še begunce in izgnance, ki so morali od doma po tuji volji.



*Rekonstrukcija izseljenske pisarne na Kolodvorski ulici v Ljubljani, okrog 1910*

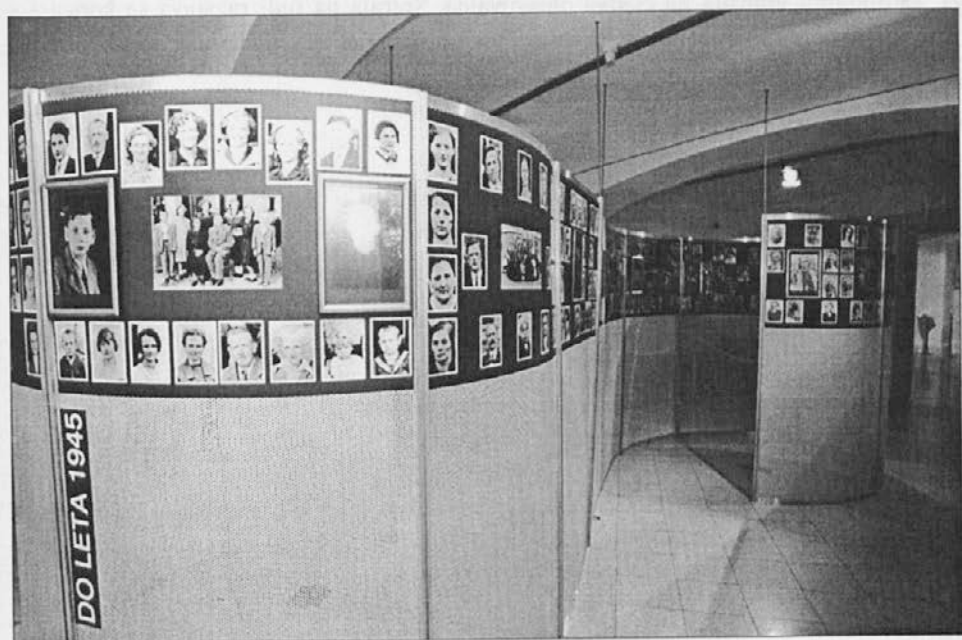
Vsaka zgodba je poglavje zase, predstavljena v svoji vitrini in s predmeti, povezanimi s posameznikovo življenjsko usodo. Gradivo, ki so nam ga posodili pisci zgodb in smo ga tudi sami nabrali po številnih slovenskih kulturnih inštitucijah, zajema predmete od kovancev do skrinj, s katerimi so se izseljenci, kot z znamenji uspeha, vrnili domov. Vse razstavljeno gradivo skriva v sebi močno osebno noto, ki na prvi pogled ni vidna. A ko si preberemo povzetek posameznikove zgodbe, takoj najdemo smiselno povezavo. Aparat za gašenje, posušene štiriperesne deteljice, star telefon, harmonika, knjižica z recepti bosanske hrane, klobuček, magnetofonski trak, naplavina z avstralske obale, denarnica; le nekaj od predmetov, ki takoj pritegnejo obiskovalčevo pozornost. Na prvi pogled povsem vsakdanji predmeti, ki pa se v povezavi z izseljenčevo zgodbo pokažejo v povsem novi luči. Aparat za gašenje je samo eden v nizu proizvodov, s katerimi je zgodbo o uspehu pisal brazilski industrialec slovenskega porekla Janez Hlebanja, štiriperesne deteljice za srečo je nabirala kuharica Liza v enem od newyorških parkov, s starim telefonom se je v otroštvu v daljni Argentini igrala današnja ravnateljica Pilonove galerije dr. Irene Mislej, harmonika je popestrila dogajanje na poroki Alojza in Julije Strajnar v Franciji in kasneje postala pomemben del družinske dediščine etnomuzikologa Julijana Strajnarja, magnetofonski trak je bil v petdesetih letih prejšnjega stoletja najbolj pristna povezava med slovenskimi Tržačani, izseljenimi v Avstralijo in njihovimi najbližjimi, ki so ostali doma, in še bi lahko naštevali.

Vsaka vitrina tako vsebuje predmete, fotografije – originalne in reprodukcije – ter majhen pano z izseljenčevo fotografijo in povzetkom njene ali njegove življenjske poti.

Pri izboru zgodb smo želeli prikazati raznolikost in pestrost usod Slovencev, ki so se podali v svet. Glede na to, da so možje in fantje orali ledino v tujih deželah, je predstavljenih največ njihovih življenjskih zgodb, kar štirinajst. Znanima zgodbama Friderika Barage in Ignacija Knobleharja se pridružijo do sedaj neznane življenjske usode Slovencev na vseh celinah sveta - rudarja, barvarja, pustolovca, industrialca, krošnjarja, znanstvenika, učitelja, bibliotekarja in mladega izgnanca.

Usode žensk so predstavljene z zgodbami kuharice, akademske slikarke, kostanjarke, režiserke in novinarke, umetnice in širši javnosti znane aleksandrinke.

Poleg individualnih zgodb se seznanimo tudi z zgodbami treh družin - Mislej, Strajnar in Brenčič. Nenazadnje so predstavljene še večje skupine Slovencev iz različnih slovenskih pokrajin, ki so se odpravili ali bili izgnani od doma. V vseh primerih gre za Primorce, prvi so se po odpravi suženjstva konec 19. stoletja množično odpravljali v Brazilijo, drugi pa po priključitvi Trsta Italiji leta 1954 v Avstralijo. Podobna usoda je doletela tudi domačine ob soški fronti, ki so se morali maja 1915 izseliti v notranjost Avstro-Ogrske in Italije.



*Simbolna spirala: selitve ljudi obstajajo, odkar obstaja človeštvo  
in se bodo dogajale tudi v bodoče ...*

Pomemben del razstave IZSELJENEC, Življenjske zgodbe Slovencev po svetu predstavlja tudi pet scenskih postavitvev in zvočne kulise. S tem zadostimo zahtevam sodobne muzeološke postavitve, da mora razstava na obiskovalca vplivati na čim več nivojih, v našem primeru s sluhom in vidom. Poleg že omenjenih postavitvev ladje in vlaka, opremljenih z zvočno kuliso živžava na železniški postaji in v pristanišču, smo

razstavo popestrili še s tremi postavitvami; s prikazom ene od izseljenskih pisarn na Kolodvorski ulici v Ljubljani z začetka 20. stoletja ter priseljenskim centrom na Ellis Islandu v ZDA. Avtentično pohištvo, obleke agenta v ljubljanski pisarni ter uradnika na Ellis Islandu in predmeti, značilni za tisti čas, obiskovalca vizualno predstavijo na začetek 20. stoletja. Dialog med uradnikom in bodočim izseljencem, reklamiranje te ali one izseljenske pisarne, ki ga obiskovalec zasliši iz ozadja, še dodatno popestri sceno. Scena meniha trapista, ki moli, pa je zadnja od postavitev, ki takoj pritegne pozornost obiskovalca.

Razstava se konča s t. i. življenjsko špiralo v zadnji sobi, dodatno napoljnjeni s kovčki in skrinjami odhajajočih. Sestavljena je iz šestindvajsetih panojev s štiristo petdesetimi fotografijami slovenskih izseljencev in izseljenk od srede 19. do začetka 21. stoletja. Portreti v okvirjih so glavni junaki sedemindvajsetih zgodb, ki smo si jih ogledali pred tem. Obkroženi so s fotografijami sodobnikov, ki so prav tako odšli v tujino. Glavni namen špirale je prikazati množičnost slovenskega izseljevanja in rušenje stereotipov o slovenskem »zapečkarstvu«. Slovenska govorica in petje, ki prihajata iz ozadja, še dodatno vplivata na čustva obiskovalca. Špirala pa tudi razstava se končata s silhuetami bodočih izseljencev, ob katerih se obiskovalec nevede vpraša: »Sem mogoče med njimi tudi jaz?«



## ABSTRACTS

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IZVLEČKI

IZVLEČKI • ABSTRACTS



**Peach, Ceri**, prof. dr. Oxford University, Department of Geography, Mansfield Road, Oxford OXI 3TB, Velika Britanija

**Etnična raznolikost in mestna središča**

**Dve domovini/Two Homelands:** Razprave o izseljenstvu, 15 (2002), str.

Prispevek raziskuje značilnosti povojnega priseljevanja v zahodnoevropskih mestih. Obravnava se dotika razlik in podobnosti med različnimi evropskimi državami ter se loteva primerjav in vprašanj o tem, ali so evropski modeli prilagajanja priseljencev različni od tistih, ki so značilni za Združene države Amerike. Prispevek C. Peacha podaja splošen pregled migracijskih gibanj in nekaterih pojavov v nekoliko daljši zgodovinski in komparativni perspektivi.

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**Lukšič-Hacin, Marina**, dr. sociologije, doc. socialne in politične antropologije, znanstvena sodelavka, predstojnica Inštituta za slovensko izseljenstvo ZRC SAZU, Znanstveno-raziskovalni center Slovenske akademije znanosti in umetnosti, Gosposka 13, 1000 Ljubljana, Slovenija

**Multikulturalizem, mednarodne migracije in podedovane skupinske identifikacije: etničnost, rasa, spol**

**Dve domovini/Two Homelands:** Razprave o izseljenstvu, 15 (2002), str.

Mednarodne migracije postajajo eden ključnih problemov sodobnih integracijskih procesov EU. Države članice EU imajo različne migracijske politike in različne odnose do priseljencev in njihovih potomcev. Te razlike so ukoreninjene že v času liberalne politike šestdesetih let, še bolj pa so se krepile v sedemdesetih in osemdesetih letih, v obdobju po naftni krizi. Pri tem najbolj izstopa Švedska s svojo multikulturalno politiko. Razlike so opazne predvsem v odnosu do podedovanih skupinskih identifikacij (etničnost, rasa, spol). Kažejo se na ravni vsakdanjega življenja, v politični kulturi in politiki v ožjem pomenu besede. Slednje je povezano tudi s pogoji naturalizacije. Spol, rasa in etničnost lahko 'delujejo' medsebojno ločeno, v številnih kontekstih pa prihaja do njihovega prekrivanja in s tem do potenciranja intenzivnosti diskriminacije večinskega okolja v odnosu do nosilca 'izbranih kulturno/družbeno-političnih' znakov za tovrstno ločevanje med ljudmi. Iz tega sledi, da so ženske - priseljenke, pripadnice nezaželenih ras, ki znotraj tega prihajajo iz najbolj nezaželenih etničnih okolji, izpostavljene najhujši diskriminaciji.

**Peach, Ceri**, Prof. Ph. D., Oxford University, Department of Geography, Mansfield Road, Oxford OX1 3TB, Great Britain

**Ethnic Diversity and the City**

**Dve domovini/Two Homelands:** Migration Studies, 15 (2002), pp.

The contribution researches the characteristics of the after-war immigration in West European towns. It deals with differences and similarities between various European states, and proceeds with comparisons and questions on whether European models of adaptation of immigrants are different from those that are characteristic for the United States of America. The contribution of Ceri Peach gives a general review of migrations and some phenomena in a somewhat longer historical and comparative perspective.



**Lukšič-Hacin, Marina**, Ph. D., The Institute for Slovenian Emigration Studies at ZRC SAZU, Gosposka 13, 1000, Ljubljana, Slovenia

**Multiculturalism, International Migrations and Inherited Group Identifications: Ethnicity, Race, Sex**

**Dve domovini/Two Homelands:** Migration Studies, 15 (2002), pp.

International migrations are becoming one of the key problems in contemporary integration processes of the European Union. Member States of the EU have different migration policies and different relations towards emigrants and their descendants. Those differences are rooted in the time of liberal policy of the sixties, and they strengthened in the seventies and eighties, in the period after the oil crisis. A good example is Sweden with its multicultural policy. Differences are noticeable above all in the relation towards the inherited group identifications (ethnicity, race, sex). They exhibit on the level of everyday life, in political culture, and in politics in a narrower meaning of the word. The latter is as well connected with the conditions of naturalisation. Sex, race and ethnicity can »operate« separately, but in numerous contexts they cover over each other, which results in intensification of discrimination of the majority environment in relation towards the carrier of »selected cultural/social-political« symbols for such distinguishing among people. Hence it follows, that women – immigrants, members of unwanted races who within that come from the most unwanted ethnic environments – are exposed to the worst discrimination.

Cohen, James, Department of Political Science, University of Paris-VIII (Saint-Denis), Francija

**Neenakosti in razlike: trenutni izzivi sociologije francoskemu »Republikanskemu modelu intergracije«**

**Dve domovini/Two Homelands:** Razprave o izseljenstvu, 15 (2002), str.

Avtor predstavlja razširjen in polemiziran francoski koncept socialne integracije priseljencev, ki ga imenuje »republikanski model integracije«. V modelu so vsebovane ideološke predpostavke družbene enakosti preko unitarnega pojmovanja univerzalističnega koncepta javne sfere življenja. Francija je ena od držav, ki ta model razvija in zagovarja, čeprav je polemika dokazovala njegove nekonzistentne značilnosti, predvsem v praksi. Avtor sledi dvema tokovoma sociološke diskusije v Franciji, ki težita spremeniti pojmovanja o državljanstvu in odnos do etnične raznolikosti. Cilj javnih in strokovnih diskusij na to temo je preseči nekatere republikanske vrednote, ki so ovira razvoju kulturnega pluralizma. Spremembe bi vladi omogočale, da bi lahko bolje stregla priznanju ali razlikovanju med državljanstvom ter etnično identifikacijo priseljencev glede na njihov izvor.

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Zulauf, Monika, South Bank University, London, Velika Britanija

**Delovne migracije Vzhod-Zahod in integracija: trendi in izgledi za zdravstvene delavce**

**Dve domovini/Two Homelands:** Razprave o izseljenstvu, 15 (2002), str.

Svoboda gibanja ljudi je bila predmet razprav med EU in novimi potencialnimi članicami. Začasne delovne pogodbe za delavce iz Srednje in Vzhodne Evrope (CEE) so bile na voljo že vse od kasnih osemdesetih let. Ta ponudba odpira legalno pot v trg delovne sile držav EU za priseljence iz držav CEE v obdobju tranzicije. To poglavje raziskuje različne faktorje in procese, ki vplivajo na profesionalno vključevanje zdravstvenih delavcev iz Češke, Poljske v Veliki Britaniji in Nemčiji. Njihov sedanji in potencialni zaposlitveni položaj je obravnavan v odnosu na povpraševanje ter ponudbo za takšnimi zaposlitvami, legalni okvir tega trga dela, uvajanje v samo delo in proces reguliranja takšnih procesov ter profesionalno vlogo in delovno organizacijo v njem. V poglavju se napoveduje, da bo povpraševanje po specialni kvalifikaciji in visoki izobrazbi pri delu v mnogih državah EU lahko vodila v širitev zaposlitvenih priložnosti za priseljence iz držav CEE v naslednjih letih. Zagovarja se stališče večje konvergence pri izdajanju dovoljenj začasnih zaposlitev med državami članicami EU, v prid pridobivanja višje stopnje zaščite zaposlenih in pravičnejše obravnave začasnih priseljencev s takšnimi delovnimi dovoljenji.

Cohen, James, Department of Political Science, University of Paris-VIII (Saint-Denis), France

**Inequality and Difference : Current Sociological Challenges to the French »Republican Model of Integration«**

**Dve domovini/Two Homelands:** Migration Studies, 15 (2002), pp.

The author presents a widened and controversial French concept of social integration of immigrants, which he names »the republican model of integration«. The model contains ideological presumptions of social equality through a unitarian comprehension of the universalistic concept of the public sphere of life. France is one of the countries that is developing and advocating that model, although polemics have been proving its inconsistent characteristics above all in practice. The author follows two currents of sociological discussion in France that tend to change the comprehension of citizenship and the relation towards ethnic diversity. The goal of public and expert discussions on the subject is to overcome some republican values, which are an obstacle for the development of cultural pluralism. The changes would enable the government to serve better the recognition or distinction between citizenship and ethnic identification of immigrants in regard of their origin.



Zulauf, Monika, South Bank University, London, Great Britain

**East-West Labour Migration and Integration : Trends and Prospects for Health Professionals**

**Dve domovini/Two Homelands:** Migration Studies, 15 (2002), pp.

Freedom of moving of people was the subject matter of discussions between the European Union and new potential members. Temporary work contracts for workers from Central and Eastern Europe (CEE) were available from the late eighties on. That offer is opening a legal path to the market of labour force of states of the EU for immigrants from the CEE states in the transition period. The present contribution researches different factors and processes, which influence professional inclusion of health workers from Bohemia and Poland in Great Britain and in Germany. Their present and potential employment status is dealt with in relation to request and offer for such employment, the legal frame of the work market, introduction to work itself and the process of regulating such processes, the professional role and the working organisation in it. It is foreseen in the contribution that demands for specialised qualifications and high education in many countries of the EU could lead in the following years to an expansion of employment opportunities for the immigrants from the CEE countries. Advocated is the standpoint of greater convergence in issuing permits for temporary employment among the states members of the EU for the benefit of acquiring a higher degree of protection of the employed, and more impartial treatment of immigrants with such work permits.

**Pécoud, Antoine**, University of Oxford, The Institute for Social and Cultural Anthropology, Velika Britanija

#### **Sodobni trendi v turški ekonomiji Berlina**

**Dve domovini/Two Homelands: Razprave o izseljenstvu**, 15 (2002), str.

V tekstu so analizirane povezave med multikulturalnostjo, brezposelnostjo in samozaposlenostjo na primeru Berlina in njegove turške etnične ekonomije. Pet značilnosti karakterizira turško delovno sfero: heterogenost, hibridnost, profesionalnost, internacionalizacija in interes države. Posledice teh značilnosti so I delno nasprotujoče. Na eni strani povdarjajo pomen koncepta ekonomije turške skupnosti. Na drugi strani pa se odkriva doslej nepoznano spoštovanje, cenjenost in popularnost turške etnične ekonomije. Omenjeno nasprotje je razumljeno kot nov dokaz pomena multikulturalnosti v Nemčiji in odnosa Nemcev do priseljencev. Priznanje njihove prisotnosti v družbi je vodilo k visoki rasti samozaposlovanja, kar je ena od rešitev iz brezposelnosti in pot v integracijo. Posledica je ekonomska dimenzija multikulturalizma, torej ideologija, ki vsebuje etnični pluralizem kot pozitiven element. V zaključku je podana kritična analiza te ideologije.

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**Backlund, Ann-Katrin**, University of Kobenhavn, The Institute of Geography, Danska

#### **Zakaj se povečujejo ovire pri vstopu na trg delovne sile? : Analiza procesa izključevanja priseljencev na švedskem trgu delovne sile**

**Dve domovini/Two Homelands: Razprave o izseljenstvu**, 15 (2002), str.

Razlike v stopnji brezposelnosti med domačim ter priseljenim delom prebivalcev so značilnost povsod v Evropi. Te razlike so posebno velike na Švedskem. Predstavljeni rezultati so plod dveh raziskav na delovnih mestih, ki so po tradiciji zaposlovala večje število manj kvalificiranih priseljencev in kjer se beleži upad. Predpostavlja se, da je vzroke za to izključevanje iz dela moč iskati v tehnoloških in organizacijskih spremembah teh dejavnosti. Te spremembe so na Švedskem izvedene hitreje in bolj korenito, kot v drugih državah Evropske skupnosti. Stališča in vrednote, ki so zaokrožene pod terminom »Švedski model delovnega življenja«, so postale strategija za sistemsko izključevanje delovnih potencialnov imigrantov.

**Pécoud, Antoine**, University of Oxford, The Institute for Social and Cultural Anthropology, Great Britain

**Contemporary Trends in Berlin's Turkish Economy**

*Dve domovini/Two Homelands: Migration Studies*, 15 (2002), pp.

The contribution analyses the connections between multiculturalism, unemployment and self-employment on the case of Berlin and its Turkish ethnic economy. Five attributes characterise the Turkish work sphere: heterogeneity, hybridity, professionalism, internationalisation, and interest of the state. The consequences of those attributes are partly contradictory. On the one hand they stress the significance of the concept of the Turkish economy. On the other hand, until recently not known respect, appreciation and popularity of the Turkish ethnic economy reveal. The mentioned contrast is being understood as a new proof of the significance of multiculturalism in Germany and the relation of Germans towards immigrants. The acknowledgement of their presence in the society lead to a high growth of self-employment, which is one of the solutions for non-employment, and a path to integration. The consequence is the economic dimension of multiculturalism, thus ideology, which contains ethnic pluralism as a positive element. A critical analysis of that ideology is given in the conclusion.



**Backlund, Ann-Katrin**, University of Kobenhavn, The Institute of Geography, Denmark

**Why are the Barriers into the Labour Market rising? An Analysis of the Exclusion process of Immigrants in the Swedish Labour Market**

*Dve domovini/Two Homelands: Migration Studies*, 15 (2002), pp.

Differences in the degree of unemployment among the native and the immigrated population are characteristic for the whole Europe. Particularly big are those differences in Sweden. The presented results are the product of two researches of posts that by tradition employed a large number of less qualified immigrants, and where decrease is noted. It is presumed that the causes for such exclusion from work can be sought in technological and organisational changes of those works. Those changes were in Sweden carried out faster and more thorough than in other states of the European Union. The standpoints and values, which are rounded up in the term »The Swedish model of a working life« became the strategy for systematic excluding of working potentials of the immigrants.



**Friedman, Bruce in Stumpf, Juliet**, Office of Special Counsel for Immigration Related Unfair Employment Practices, Civil Rights Division, U.S. Department of Justice, ZDA

**Govoriti nov jezik : imigracije in civilne pravice v globalni ekonomiji**

**Dve domovini/Two Homelands**: Razprave o izseljenstvu, 15 (2002), str.

Migracije delovnih tokov preko državnih meja soočajo nacije z konfliktnimi razmerji vprašanj o kulturnem in ekonomskem statusu prebivalcev ob vse večji potrebi po delu. V ZDA je ta odgovor ponudil zakon o imigracijah – osnovni instrument vlade za kontrolo meje svoje države. V obrambi pred nedokumentiranimi priseljevanji je vlada ZDA sprejela vrsto zakonov in uveljavila nove strategije, da bi nadzorovala učinke priseljevanja na domači trg delovne sile. Vendar, te strategije lahko povzročajo škodljive posledice na trgu dela, ki naj bi ga ščitile, če ne upoštevajo civilno pravnih pravic posameznikov znotraj istega trga delovne sile. Te strategije lahko prizadenejo tudi posameznika izven trga delovne sile na nepredvidljiv in negativen način. Tekst torej analizira medsebojne vplive imigracije in uzakonjenih civilnih pravic ljudi ter učinke tega odnosa na trgu dela, v dveh smereh. Prvo, odpiramo vprašanja vloge civilnih pravic posameznikov v reformi imigracijskega zakona (Act of 1986), ki je delodajalcem prepovedal zaposlovanje ljudi, ki jim država ne prizna pravice zaposlovanja. Druga pozornost je usmerjena na analizo položaja žrtev nedokumentiranega »transporta ljudi« ter Zakona Violence Protection Act of 2000 (Zakon o zaščiti ljudi pred nasiljem).

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**Szymanska, Katarzyna**, Institute of Sociology Nicolaus Copernicus University, Poljska

**Družbena politika do priseljencev na Poljskem po letu 1989: oris problema**

**Dve domovini/Two Homelands**: Razprave o izseljenstvu, 15 (2002), str.

Avtorica predstavi nekatera bistvena vprašanja raziskave o migracijskih tokovih v Poljski od leta 1989 naprej. Predvsem se odpira žgoči problem odnosa družbe, javnosti in vladnih reakcij na nove in masovne oblike migracij, na primer vietnamske etnične skupine in prebežnikov. Med migracijske tokove se prišteva tudi številne kratkoročne »obiske« tujcev iz sosednjih držav, ki na neformalnem trgu dela ponujajo storitve. Szymanska poskuša klasificirati oblike migracij ter jih statistično in normativno opredeliti. Analizirani so nekateri pogoji za priselitev različnih kategorij migrantov, ki jih vlada uveljavlja v svoji nastajajoči zakonodaji. Predstavljen je oris zanimivega primera etnične ekonomije stalno priseljenih Vietnamcev. Značilnost sedanje politike vlade je nekonzistentnost, plitkost ter pomanjkanje dolgoročne perspektive v regulaciji migracijskega fenomena. Tudi seznanjanje javnosti je odsotno ali nezadovoljivo. Raziskava je še v teku in avtorica se na tem mestu zadovolji z postavljanjem vprašanj, za katera upa najti odgovore ter izdelati priporočila vladi.

**Friedman, Bruce in Stumpf, Juliet**, Office of Special Counsel for Immigration Related Unfair Employment Practices, Civil Rights Division, U.S. Department of Justice, U.S.A.

**Speaking a New Language : Immigration and Civil Rights in a Global Economy**  
**Dve domovini/Two Homelands**: Migration Studies, 15 (2002), pp.

Migrations of worker's currents across state borders confront nations with conflict relations to questions on cultural and economic status of the population at growing demands for work. In the United States of America the law on immigration- the fundamental instrument of the government for the control of borders of its country offered the answer. In defence before non-documented immigrations the government of the USA adopted a series of laws and put into force new strategies to control the effects of immigration on domestic market of labour force. But those strategies, which are to the protect the labour market, can cause disadvantageous consequences on it when not considering the civil legal rights of individuals within the same labour market. Those strategies can as well affect the individual outside labour force market in an unpredictable and negative way. The text thus analyses the interacting influences of the immigration and legal civil rights, and the consequences of that relation on the labour market, in both ways. Firstly, we are opening the question of the role of civil rights of individuals in the reformation of the immigration law (Act of 1986), which interdicted the employers to employ people to whom the state does grant the right to employ themselves. Attention is also directed on analysing the situation of victims of non-documented »transport of people« and of the law Violence Protection Act of 2000.



**Szymanska, Katarzyna**, Institute of Sociology Nicolaus Copernicus University, Poland

**Social Policy Towards Foreigners in Poland after 1989 : An Outline of Issues**  
**Dve domovini/Two Homelands**: Migration Studies, 15 (2002), pp.

The author presents some essential issues of the research on migrations in Poland from the year 1989 on. The contribution presents the burning problem of the relation of the society, the public and the government reactions towards new and massive forms of migrations, for example the Vietnamese ethnic group and the runaways. Short-term »visits« of foreigners from the neighbouring states, who are offering services on the informal labour market, are as well considered migrations. Szymanska attempts to classify the forms of migrations, and statistically and normatively define them. Analysed are some conditions for the immigration of different categories of migrants, which the government is enforcing in the originating legislation. A description of an interesting case of ethnic economy of permanently immigrated Vietnamese is presented. The characteristic of the present policy of the government is inconsistency, superficiality and lack of a long-term perspective in regulating the migration phenomena. Also acquainting the public is either absent or unsatisfactory. The research is still in course, and at this point the author is content with setting questions for which she hopes to find answers to, and to elaborate references for the government.

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#### **Literarno povratništvo in meje narodne književnosti**

**Dve domovini/Two Homelands:** Razprave o izseljenstvu, 15, 2002, str.

Pojem literarno povratništvo zajema proces sprva postopnega in nato radikalno pospešenega vračanja slovenske zdomske književnosti v matični prostor v zadnjih dobrih dveh desetletjih. Prispevek obravnava vprašanje definicije obsega narodne književnosti, ki se vedno znova zastavlja v povezavi s problemom vključevanja tujejezične izseljenske književnosti v matično kulturo.

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#### **Povratniki kot del migracijskega kroga**

**Dve domovini/Two Homelands:** Razprave o izseljenstvu, 15, 2002, str.

V Sloveniji so bili do danes trije intenzivnejši valovi tematiziranja povratništva: konec sedemdesetih let, v devetdesetih letih in danes. Vse razprave so pokazale, da v Sloveniji o klasičnem povratništvu težko govorimo, saj niso bili izpolnjeni pogoji, ki definirajo migracijski krog, katerega del so povratniki (emigracija-imigracija-remigracija). Predstavljene empirične študije kažejo, da je v povojnem času kar nekaj ljudi zapustilo slovensko okolje. Delež povratnikov pa je sorazmerno majhen in pod pričakovanji. Temu moramo dodati dejstvo, da vsa leta ni zaslediti aktivne državne politike, ki bi spodbujala povratništvo. To velja za vse različice izseljevanja in povratništva, vključno z begom možganov.

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**Literary Returning and the Limits of National Literature**

**Dve domovini/Two Homelands:** Migration Studies, 15, 2002, pp.

The notion literary returning comprises the process of at first gradual and later radically accelerated returning of Slovene emigrant literature to the source space in the last good two decades. The contribution deals with the question of the definition of national literature, which arises again and again in connection with the problem of inclusion of foreign-language emigrant literature into the source culture.



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**Returned Emigrants as Part of the Migration Circle**

**Dve domovini/Two Homelands:** Migration Studies, 15, 2002, pp.

Until today there were in Slovenia three intensive waves of dealing with the returning of emigrants: at the end of the seventies, in the nineties, and at present. All discussions have shown that in Slovenia we can hardly speak of classical returning of emigrants, as the conditions that define the migration circle of which part are returned emigrants (emigration-immigration-remigration), were not fulfilled. The presented empirical studies indicate that quite many people left the Slovene environment during the after-war period. The share of returned emigrants is proportionally small and under expectations. We must add to this the fact that in all the years there is no trace of active state policy that would encourage the returning. That is valid for all varieties of emigration and returning, including the brain drain.





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Prispevki za to revijo morajo biti napisani v slovenskem ali angleškem jeziku. Uredništvo sprejema predlagane prispevke za objavo v tekočem letniku revije **na disketi** (Word 6.0) **in v dveh priloženih izvodih tipkopisa do 31. julija**. Prispevki, ki jih uredništvo prejme po tem datumu, bodo poslani v recenzijo za objavo v naslednjem letniku revije. Dolžina razprave naj ne presega ene in pol avtorske pole (25 strani), največji obseg poročila ali ocene pa je 8 strani. Razprave morajo biti opremljene z bibliografskimi navedbami, povzetkom (do 2 strani) in avtorskim izvlečkom, ki naj vsebuje podatke o avtorju (gl. rubriko Izvlečki) in kratek abstrakt v obsegu do 8 vrstic. V znanstvenem članku za rubriko *Viri in gradivo* naj citirano gradivo zavzema največ dve tretjini članka, avtorjev komentar pa vsaj eno tretjino celotnega besedila.

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Articles for this journal must be written in Slovene or English and submitted **on diskette** (Word 6.0) and in **two printed copies**. Only articles received by **31 July** will be accepted for publication in the current volume. Articles arriving after this date will be considered for publication in the following volume of the journal. Articles should not exceed 25 pages; reports and reviews should not exceed 8 pages. Scholarly articles must include a list of references, a summary (up to 2 pages) and an author's abstract containing information about the author (see the *Abstracts* section) and a short résumé up to 8 lines long. In scholarly articles for the *Documentation* section the cited material should account for not more than two thirds of the article, while the author's commentary should account for at least a third of the total text.

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