Immigrant integration politics in the East-EU
- Contested national models or policy convergence?

Author: Erik Lejdemyr
Abstract

Immigrant integration politics in the East-EU
- Contested national models or policy convergence?

Author: Erik Lejdemyr

Some researchers argue that the immigrant integration approaches in liberal (and “Western-“) states are becoming more and more alike. Some claim that the previous philosophises of integration (i.e. multiculturalism, segregationism, universalism and assimilationism) no longer exists in liberal states. This study assesses the robustness of this “convergence claim” within an East-EU context. The purpose of the study is to analyse the policy trends of immigrant integration in the East-EU and assess the robustness of the convergence claim. The analysis and methodological approach is based on a theoretical framework of ideal-types (multiculturalism, segregationism, universalism and assimilationism). The study objects are Estonia and Poland, and the analysis is primarily based on national legislation and policy documents. The study describes the immigrant integration trends in Poland and Estonia in the “post-Soviet era”, looking at the policy trends between 1991-2008. During this period both countries have shown tendencies of segregationism and cultural monism. It is clear that Estonia and Poland (i.e. parts of East-EU) have not adopted a more “Western-style” approach regarding immigrant integration, i.e. there is no evidence of such convergence. In fact, the ethnic component of their immigrant integration approaches stands in contrast to the “convergence thesis”.

Keywords: Immigrant integration, citizenship, policy convergence, multiculturalism, segregationism, universalism, assimilationism, post-multiculturalism, Estonia, Poland, East-Central Europe, East-EU.
Contents

List of figures and tables ........................................................................................................... 4

1. Introduction .......................................................................................................................... 5
2. Purpose and research questions .......................................................................................... 7
3. Terminology and clarifications ............................................................................................ 8
4. The academic debate: Post-multiculturalism and policy convergence ............................. 11
5. Ideal-types of immigrant integration ................................................................................... 15
   5.1 Multiculturalism ............................................................................................................. 15
   5.2 Segregationism ............................................................................................................. 19
   5.3 Universalism ................................................................................................................ 21
   5.4 Assimilationism ............................................................................................................ 24
6. Methodology and analytical approach ................................................................................ 26
   6.1 Operationalisation ........................................................................................................ 28
   6.2 The Eastern perspective - the whats and the whys ......................................................... 34
7. Empirical discussion ............................................................................................................ 37
   7.1 Estonia: Citizenship Conception ................................................................................... 37
   7.2 Estonia: Politico-Cultural Recognition ....................................................................... 43
   7.3 Poland: Citizenship Conception ................................................................................... 49
   7.4 Poland: Politico-Cultural Recognition ....................................................................... 53
   7.5 Comparative discussion ............................................................................................... 58
8. Final remarks ....................................................................................................................... 62

References .............................................................................................................................. 64
List of figures and tables

Figure 1. Operationalisation scheme .................................................. 29
Figure 2. The two dimensions ................................................................. 32
Figure 3. Trends of Poland’s and Estonia’s immigrant integration approaches 59
Table 1. Estonia’s policy trends 1991-2008 (citizenship conception) ............. 42
Table 2. Estonia’s policy trends 1991-2008 (politico-cultural recognition) .... 48
Table 3. Poland’s policy trends 1991-2008 (citizenship recognition) ............. 52
Table 4. Poland’s policy trends 1991-2008 (politico-cultural recognition) .... 57
1. Introduction

Today’s liberal democracies are facing a (liberal-) paradox (or dilemma), that is, “international economies (and markets) push liberal states towards greater openness for efficiency (allocational) reasons; whereas domestic political and legal forces push the same states towards greater closure, to protect the social contract and to preserve the institutions of citizenship and sovereignty” (Hollifield 2008, p. 222). Also, globalisation (with increased long-distance immigration) has made today’s world increasingly multicultural and diverse.

The concept of immigrant integration, with its linkage to the sovereignty of the nation-state and the nation-building processes (e.g. border controls, excluding and including of people and cultures, welfare system, language, religion, national identity and so on), pushes this paradox to its core. Consequently, immigrant integration is a multidimensional concept, playing a central role within the field of political science.

Rogers Brubaker’s study from the early 90s about citizenship and nationhood in France and Germany has become a landmark in the contemporary academic debate regarding citizenship and immigrant integration. Brubaker argued that differences in countries’ understanding of nationhood determine their citizenship and immigrant integration approaches, e.g. France is more state-centred and assimilationist, and Germany more Volk-centred and segregationist (Brubaker 1992, p. 14).

However, prominent researchers (e.g. Christian Joppke [2010], Brubaker [2001], Vertovec & Wessendorf [2010], Jacobs & Rea [2007] and Weil [2001]) now argue that immigrant integration approaches amongst liberal states are becoming more and more alike, a trend towards civic integration (and assimilation) and a de-ethnicization of citizenship. This convergence is described as a shift from differentialist and result-oriented policies, towards a more individualist, opportunity-oriented approach (Brubaker 2003, p. 40).
Therefore, the previous theoretical framework of ideal-types (or “national models”), e.g. the multiculturalist, assimilationist, universalist and segregationist, may have lost its comparative purpose. Joppke and Morawska (2003, p. 8) claims that such underlying philosophises of integration no longer exist among liberal states.

It is the previous failures of states’ immigrant incorporation attempts (the ”multicultural backlash”), increased influence by multinational institutions, such as the EU and the UN, intense globalisation and liberalisation, together with a shared experience of immigration, that enables (or promotes\(^1\)) such convergence.

Still, it is puzzling (and almost ignorant) that this convergence claim empirically and theoretically neglects the situation in East-Central Europe (ECE). Many of the ECE-countries are members of the EU, and are also witnessing an increasing degree of Europeanisation, liberalisation, as well as immigration. So, according to the convergence thesis, these countries should also witness similar trends.

As such, it seems sensible and valuable to assess the robustness of the “convergence claim” by considering the trends and development of immigrant integration within a more “Eastern” context.

---

\(^1\) For further discussion about the potential independent variables for convergence, see, for example, Weil (2001, p. 32), Bosniak (2001, p. 238) and Joppke (2004, p. 244).
2. Purpose and research questions

The main purpose of the study is to assess the robustness of the convergence claim within a more “Eastern” context. The “Eastern” perspective on immigrant integration has, as yet, been largely silent in contemporary research (not least, in the current convergence discussion). This study intends to introduce such an “Eastern” perspective and, as such, will contribute in an original manner to the ongoing debate. The study will also re-examine the old typology of ideal-types (or “national models”) and find out whether or not it still, and within an “Eastern” context, serves as a relevant tool for cross-country comparisons.

Since the convergence “theory” often emphasises the role of the EU, this thesis will only consider East-Central European countries that are also EU members (East-EU). The time interval of analysis is the post-Soviet era (i.e. the period after the Soviet collapse in 1991).

The following questions will be investigated:

- What are the immigrant integration trends in Poland and Estonia (1991-2008)?
- Is convergence taking place?
- Are the four ideal-types (multiculturalism, segregationism, universalism and assimilationism) applicable and transferable in the East-EU?

The trends of Poland and Estonia will be discussed and compared within a theoretical framework of integration, using the ideal-types of multiculturalism, segregationism, universalism and assimilationism. Within an “Eastern” context, such a comparative research approach appears to be largely absent.
3. Terminology and clarifications

To avoid confusion, this thesis’ most central expressions will here be clarified, explained and defined (see *italics* for terms defined).

I’m aware that it might be confusing (or even politically-incorrect) to use the term “*Eastern*”, as an umbrella phrase referring to European post-communist countries. Even though these countries share some political and historical characteristics, they are in many aspects very different, thus such categorisation could be claimed unfortunate. For example, Poland is often categorised as a Central European country and not as an Eastern one, and Estonia is more often referred to as a Baltic country. Nevertheless, parts of the eastern border of both Poland and Estonia does de facto (at present date) outline the EU’s eastern borders, thus an “Eastern” terminology can therefore be claimed somewhat justified. However, I will mainly use the less controversial term *East-EU*.

*Citizenship* refers to a person’s membership of a nation-state. “Every modern state formally defines its citizenry, publically identifying a set of persons as its members and residually designating all others as noncitizens, or aliens” (Brubaker 1992, p. 21). This membership (citizenship) also involves specific rights, both active and passive in character, i.e. active capacities to influence politics and passive rights of existence under a legal system (Janoski & Gran 2002, p.14). These citizenship rights are universal for all members/citizens, and include a civil, political and social dimension (Marshall 1992, p. 8). In addition to its legal meaning, citizenship is also a matter of identity and “the shared understandings and practices that constitute a political community” (Joppke 1999, p. 632).

Moreover, citizenship is internally inclusive, yet externally exclusive, making a “conceptually clear, legally consequential, and ideologically charged” (Brubaker 1992, p. 21) distinction between citizens and foreigners. Also, “as a powerful instrument of social closure, citizenship occupies a central place in the administrative structure and political culture of the modern nation-state and state system” (Brubaker 1992, p. 23).
Normally people gain their citizenship by birth, founded on either the principles of *jus sanguinis*, i.e. acquisition by descent ("law of blood"), or *jus soli*, that is, acquisition by birth on the national territory ("law of soil"). If you are a citizen (and have been for many generations) and your child is born in the national territory, both principles will lead to citizenship acquisition. Yet, if you are immigrant, these two principles will matter greatly, thus *jus soli* will tolerate acquisition by birth in the territory whereas *jus sanguinis* will not. Consequently, the *jus sanguinis* principle is more excluding towards immigrants than the *jus soli*.

*Naturalization* refers to citizenship acquisition other than by birth, i.e. the procedures that an immigrant must go through in order to become a citizen. These procedures can take different forms depending on countries’ immigrant integration approaches, e.g. in order to gain citizenship the immigrant might need to pass a language test, be a permanent resident for a certain numbers of years or participate in a integration course.

An *immigrant* (or *alien*) refers to a person who has left his or her state of origin (for different reasons), and is residing in another state (the *host-country*). Immigrants (also referred to as foreign-born) may be either noncitizens or naturalized citizens (i.e. *foreign-born citizen*), constituting the first generation in the receiving state. The terms *second generation* and *third generation* refer to the children and grandchildren, respectively, of immigrants born in the receiving state. These children may also be either citizens or noncitizens depending on the host-countries’ citizenship policies (i.e. whether or not the country emphasises the *jus-soli* principle or the *jus sanguinis*).

The terms *immigrant politics* and *immigrant integration* (or *incorporation*) are used synonymously, describing nation-states’ measures to include and/or exclude immigrants (and their second- and third generation descendants). The key issue here is whether these persons should be incorporated in the society as individuals (without taking into account their cultural background or group belonging) or as communities (i.e. as ethnic groups, with recognition of their cultures) (Castles & Miller 2009, p. 246).
National and ethnic minorities refer to ethnic, national, religious, linguistic or cultural groups who are smaller in number than the rest of the population and who may wish to maintain and develop their identity (Minority Right Group International 2010). According to several international conventions, national and ethnic minorities are entitled certain rights. However, there is no international consensus on the exact definition of a national and/or ethnic minority. So, countries are allowed to make their own interpretations, e.g. whether or not the term should include “new minorities” (i.e. recently immigrated). Yet, a UN Commentary has clarified that ethnic minorities “who have been established for a long time on the territory may have stronger rights than those who have recently arrived” (UN Secretary-General 4 April 2005, art. 10). This allow states to dismiss group rights for its newly immigrated minorities.

National and ethnic minorities will in this paper also be referred to simply as minorities.

---

2 For example, the International Covenant on Civil and Political Rights (Article 27), the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, the Council of Europe’s Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages.
4. The academic debate: Post-multiculturalism and policy convergence

This chapter re-caps the current academic debate regarding immigrant integration politics (i.e. a review of previous research), focusing on the convergence discussion. This “frame of reference” is necessary for the forthcoming empirical discussion in chapter 7.

Some social scientists argue that we now are witnessing a new discourse (or shift) regarding immigrant integration, both at the level of theory and in practice/policy. A transformation from an early “assimilationist approach” in the 60s, followed by former trends of multiculturalism in 70-90s, to today’s post-multiculturalism (also described as an “return” to assimilation) (Brubaker 2001; Vertovec & Wessendorf 2010).

In the domain of immigration, too, there are signs that the differentialist tide may have begun to ebb. Instead of a definitive, unidirectional shift from assimilation to multiculturalism, we have begun to see a shift in the opposite direction (Brubaker 2001, p. 533).

In 2007, Christian Joppke published an article about the policy trends of immigrant integration in the Netherlands, France and Germany. These countries have often been used as examples to illustrate different integration approaches (or “national models”), i.e. the “multiculturalist” Netherlands, “assimilationist” (or “universalist”) France, and the “segregationist” Germany. The article much questions these (old) categorisations claiming that we now are witnessing a convergence of immigrant integration approaches among (European) liberal states’ (Joppke 2007).

“Europe” is burying the national models of old in two ways, through legal mandate and through cultural standardization (Joppke 2007, p 247).

This new “paradigm” refers both to the “transformation” of public discourse and a shift (or convergence) in actual state policies. The convergence of immigrant integration policies refers both to a liberalisation/de-ethnicization of citizenship laws (e.g. acceptance of dual citizenship and emphasis on the jus soli principles), and a trend towards more demanding (and restricted)
naturalization procedures (aiming at the incorporation of the immigrant as an individual, not as a member of a cultural group), i.e. a transformation of citizenship from ethnic to civic, where the nation-state is seen as a political unit (or a civic-territorial citizenship regime) rather than an ethnocultural unit (Joppke 1999, p. 644-647; Joppke 2010; Weil 2001, p. 17-34).

This “policy shift” (or convergence) in immigrant incorporation has two main features (or phases), namely civic integration and antidiscrimination. In the initial phase, that is, the civic integration, the migrant has to “earn” his/her citizenship, e.g. through passing a language test or participating in civic education. Thus, during this (assimilation) phase the burden falls completely on the migrant. This civic integration approach (initiated in the Netherlands) has, according to Joppke, now become the “model for Europe” (Joppke 2007, p. 248-51).

According to Joppke, language acquisition and procedural commitment to liberal democratic rules and values (civic-tests/education) should not be seen as cultural or ethnic assimilation, but rather as civic. Thus, these converging naturalization requirements can still be claimed to be de-ethnicized (and, thus, liberal/universal) (Joppke 2003, p. 440).

During the next “phase” (the antidiscrimination), the burden of adjustment falls on the receiving state. These antidiscrimination policies are much influenced by the “human-right discourse” and directives form the EU, thus addressing the “discrepancy between being ‘of’ society, that is, having graduated ‘from immigration to assimilation’, and still being excluded ‘by’ society” (Joppke 2007, p. 256), e.g. regarding employment, education, social protection and health care. This approach (to some extent) justifies group specific policies aimed at social inclusion. However, it is not a matter of moral principles (aimed at equality), but rather to reach the (economic) goal of fully utilising of society’s resources (Joppke 2007, p. 269). So, the policies are founded on liberal ideas rather than on multicultural ones.

Yet, this integration model appears to be caught up in a liberal paradox, i.e. whilst “the liberalism of civic integration, one could argue, is negatively group targeting; the liberalism of antidiscrimination is positively group producing” (Joppke 2007, p. 271).
Thus, it seems to be a conflict (struggle or compromise) between the “return” to assimilation (i.e. the post-multiculturalist discourse) and the emergence of a standardised human-right language. But according to Joppke, this is the reality for all liberal democracies, thus it is within these two (somewhat contradictory) features (*civic integration* and *antidiscrimination*) that immigrant integration now should be analysed, not within “old” theoretical frameworks of national models (or “ideal-types”).

Thus, the previous assumption that countries’ immigrant integration approaches are rooted in different conceptions/philosophies of nationhood is claimed to be no longer valid in liberal states. However, the “(...) nation-states, of course, continue to exist but national particularisms can no longer be enforced through their membership policies” since anti-discrimination and the human right norms have “put brakes on the particularistic nation-building possibilities of the state” (Joppke 2005, p. 44, p. 54).

Yet, the convergence claim is controversial, much due to the fact that a convergence, influenced by the EU, liberalism and human-right discourse, implicitly implies that nation-states are losing their sovereignty over immigrant politics. Some social scientists still oppose the convergence thesis, arguing that countries’ immigrant integration politics still differ (and are contested), e.g. Ruud Koopmans claims that there exist clear-cut differences in European countries’ citizenship configuration. Furthermore, these differences (e.g. referring to a country’s political opportunity structures) also shape the public national discourse, affecting people’s (e.g. immigrants’) collective actions and claim making (Koopmans, Statham, Giugni & Passy 2005, p. 236).

Dirk Jacobs and Andrea Rea (2007) agree that there appears to be a European (EU-) convergence, yet only within specific domains, e.g. what Joppke refers to as civic integration. However, this is only one aspect from many with regards to a country’s immigrant integration domains. Therefore, such trends should not be seen as a convergence of countries overall immigrant integration approach.
Integration policies of EU member states might be converging to a certain extent with regard to incorporation of newcomers, this does not mean that all policies towards ethnic minority groups and immigrants have become indistinctive (Jacobs & Rea 2007, p. 15).

Furthermore, Jacobs and Rea claim that recent convergence towards “civic integration” is not due to a loss of sovereignty (and increased transnational influence), but rather to increased political attention towards immigrant integration issues, together with cross-country interchange of “best practices” (Jacobs & Rea 2007, p. 15).

So, most of the researchers mentioned in this chapter agree that a policy convergence is taking place (at least in some aspects). Yet, these claims refer primarily to a “Western” European context. The validity for such convergence within a more “Eastern” context (e.g. East-EU) is, as yet, unexplored.

*Some key elements of liberal European states’ converging immigrant integration politics (according to the convergence theses):*

| Civic integration: | ● Emphasis on the jus soli principle.  
|                   | ● Language test for naturalization.  
|                   | ● Civic test and/or civic education for naturalization.  
|                   | ● Yes to dual citizenship.  
|                   | ● The state is a political unit, not an ethnic one.  
|                   | ● No acceptance of cultural expressions that oppose the liberal values.  
|                   | ● Emphasis on social inclusion (of individuals) rather on cultural recognition.  
| Anti-discrimination: | ● Anti-discrimination legislation regarding for example employment, education, social protection and health care. Yet, these anti-discriminatory policies have an individualist, opportunity-oriented approach rather than a differentialist and result-oriented one.  
|                   | ● Compliance with human-right norms, e.g. the right to education and health. |
5. Ideal-types of immigrant integration

This chapter aims to capture and summarise the essence of multiculturalism, segregationism, universalism and assimilationism, focusing on the two dimensions citizenship conception and politico-cultural recognition. These two dimensions, inspired by the work of Koopmans et al.’s (2005), correspond with the methodological framework presented in chapter 6. Moreover, the key elements of each ideal-type (or “national-model”) correspond with the indicators presented in this study’s operationalisation scheme (see chapter 6.1).

5.1 Multiculturalism

The multiculturalist approach stresses the importance of the political recognition of people’s culture, emphasising the need for greater political attention on cultural pluralism and group-differentiated rights (Kymlicka 2002, p.327; Castles & Miller 2009, p. 262).

The thesis is that our identity is partly shaped by recognition or its absence, often by the misrecognition of others, and so a person or group of people can suffer real damage, real distortion, if the people or society around them mirror back to them a confining or demeaning or contemptible picture of themselves (Taylor 1994, p. 25).

This misrecognition is seen as the majorities “tyranny” over its minorities, causing suppression of their freedom, self-determination and identity. If you are unrecognised, your identity, citizenship and existence appear to have less worth compared to that of others, thus you became a “second-class citizen”. Therefore, multiculturalists emphasise the politics for recognition (the so-called “politics for difference”), which recognise the uniqueness and distinctness of peoples’ identities and cultures, with an inclusive conception of citizenship that accommodates rather than excludes differences (Taylor 1994, p. 38). In order to erode such active and “equal” citizenship, group-specific rights and group-targeting policies might be necessary.
Liberals (and universalism) often consider such politics unjust, since it favours and “categorises” people based on their culture and group-belonging instead of treating all individuals with the same rights. However, some multiculturalists do not agree that the “politics for difference” necessarily conflicts with liberal principles, arguing that the multicultural approach can rather enhance liberal values, e.g. by promoting a more active democratic participation (Kymlicka 2002, p. 341). Moreover, multiculturalists often criticise the liberal ideal of “benign neglect”, since;

(...) there is no way to have a complete “separation of state and ethnicity”. In various ways, the ideal of “benign neglect” is a myth. Government decisions on languages, internal boundaries, public holidays, and state symbols unavoidably involve recognizing, accommodating, and supporting the needs and identities of particular ethnic and national groups. Nor is there any reason to regret this fact. There is no reason to regret the existence of official languages and public holidays, and no one gains by creating unnecessary conflicts between government regulations and religious beliefs. The only question is how to ensure that these unavoidable forms of support for particular ethnic and national groups are provided fairly - that is, how to ensure that they do not privilege some groups and disadvantage others (Kymlicka 1996, p. 115).

**Citizenship conception**

According to the multiculturalist approach citizenship should be inclusive and easily accessible to all of society’s newcomers. However, some (culturally) “neutral” qualifications for naturalization can be applied, e.g. that the immigrant has to have been a resident for a certain number of years. However, naturalization should not be associated with certain ethnic or cultural components (such as test in host society’s language, its history or “culture”). Consequently, the model favours *jus soli* (the territorial principle) over *jus sanguinis* (the heritage principle). The multiculturalist model also allows dual citizenship (i.e. double nationality). Double nationality might be an important part in people’s identities. Thus, by allowing dual citizenship the cultural costs of naturalization become less obvious (Dahlström 2007, p. 31).

Social and political rights should also be inclusive, both for foreign-born citizens but also (to a high extent) for foreign-born noncitizens living in the host country.
Politico-cultural recognition

One key feature in the multiculturalist approach is that people should not have to sacrifice their private life (and culture) in order to be included in society. Since cultural belonging is claimed to be a fundamental part of people’s identity (and life), culture should not be neglected or suppressed in the public sphere, rather the opposite, that is, the state should publicly recognise and endorse people’s different cultures (Castles & Miller 2009, p. 45, p. 247).

Since cultural belonging is a key feature of an individual’s identity, the state has an important role in enabling and facilitating for people’s cultural expressions. By being a part of a minority-group (e.g. being an immigrant) you should gain special rights and “benefits”. The state should enable minorities to participate in the public without having to scarify their culture or religion, e.g. by allowing people to wear religious or cultural symbols or attributes in public spaces. Moreover, the state should support minorities’ organisations and institutions (e.g. their media and churches).

Also, since language is a key component of people’s culture, the state should facilitate and support the teaching of minority languages. Furthermore, since immigrants (and other minorities) tend to be mistreated and discriminated by the majority, the multicultural state should take positive measures in order to compensate for such (unequal) social structures, e.g. through quotas for minorities in political assemblies or institutionalise specific consultation mechanisms (Dahlström 2007, p. 32).
Some key elements of the multiculturalist approach on immigrant integration:

<table>
<thead>
<tr>
<th>Citizenship conception:</th>
<th>Nationality acquisition:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- Low barriers for naturalization.</td>
</tr>
<tr>
<td></td>
<td>- Citizenship acquisition without specific ethnic or cultural components (<em>jus soli</em> over <em>jus sanguinis</em>), and no test in host society’s culture or language).</td>
</tr>
<tr>
<td></td>
<td>- Yes to dual citizenship.</td>
</tr>
</tbody>
</table>

**Citizenship rights for non-citizens (residing in host country):**

- Non-citizens are included in host society’s welfare system.
- Non-citizens are encouraged and facilitated to participate in the host country’s politics, e.g. through voting rights.

**The constitutional conception of the national culture:**

- Rather neutral (i.e. inclusive towards foreign cultures), emphasising the importance of cultural diversity.

<table>
<thead>
<tr>
<th>Politico-cultural recognition:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- Quota of minorities (e.g. immigrants) in political assemblies.</td>
</tr>
<tr>
<td></td>
<td>- Group rights for minorities, e.g. cultural autonomy or territorial self-government (i.e. allowance to form institutions that recognise and accommodate a community’s language and culture).</td>
</tr>
<tr>
<td></td>
<td>- Institutionalised political consultation mechanisms with the minority/immigrant community.</td>
</tr>
<tr>
<td></td>
<td>- Allowance to wear religious/cultural symbols or attributes in public spaces.</td>
</tr>
<tr>
<td></td>
<td>- Support towards immigrants’ civil society, e.g. the state gives financial support to immigrant- and minority organisations as well as supports their institutions (such as churches and media).</td>
</tr>
<tr>
<td></td>
<td>- Minorities/immigrants can establish their own educational institutions.</td>
</tr>
<tr>
<td></td>
<td>- State sponsored information and services provided in multiple languages.</td>
</tr>
<tr>
<td></td>
<td>- Teaching of mother tongue in school.</td>
</tr>
</tbody>
</table>
5.2 Segregationism

This model (also known as “guest worker” model) is based on the premise that the society is (or should be) an ethnic homogeneous union, with members having the same cultural background and speaking the same language.

The segregationist approach acknowledges the significance of people’s cultural belonging, claiming that a withdrawal from such belonging/loyalty (e.g. through emigration) is unlikely. Therefore, “newcomers” (i.e. immigrants), are considered more loyal towards their country of origin than towards the host-state. Immigrants should therefore be excluded or kept segregated from the society of the ethnic majority. Immigrants are mainly seen as temporary residents, (hopefully) soon to be repatriated (Dahlström 2007, p. 36).

Citizenship conception

Since society is described as an ethnic association, your ethnic or cultural belonging decides your right to citizenship, i.e. *jus sanguinis* (the heritage principle) over *jus soli* (the territorial principle). Thus, a person who is born in the country, but having foreign-born parents, has limited chances for citizenship acquisition.

The segregationist model does not provide the same rights for its immigrants (or non-citizens) as for its majority. However, the model still provides rather extensive political, cultural and social structures for its minorities/immigrants, yet the purpose is then not to integrate them into the majority society, rather the opposite, i.e. to keep them separated (or segregated), enabling and facilitating their repatriation (Dahlström 2007, p. 37; Castles & Miller 2009, p. 44-45, 247).

Politico-cultural recognition

So, the support of immigrants’ cultures aims at immigrants’ segregation and repatriation. However, such a cultural segregationist approach will often result in rather affirmative state policies towards immigrant communities, sometimes in a similar vein as the multiculturalist model.
**Some key elements of the segregationist approach on immigrant integration:**

<table>
<thead>
<tr>
<th>Citizenship conception:</th>
<th>Nationality acquisition:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Heritage and blood decide your right to citizenship, i.e. the <em>jus sanguinis</em> principle.</td>
</tr>
<tr>
<td>Citizenship rights for non-citizens (residing in host country):</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• No social or political rights for non-citizens.</td>
</tr>
<tr>
<td>The constitutional conception of the national culture:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Monistic approach, aiming at a conservation of the national culture (i.e. exclusive/excluding towards foreign cultures).</td>
</tr>
</tbody>
</table>

| Politico-cultural recognition: | |
|-------------------------------| |
|                               | • Separated political, cultural and social structures for immigrants/minorities, e.g. special immigrant schools (or classes), aiming at the repatriation and segregation of immigrants rather than incorporation. |
|                               | • Fairly extensive state policies towards aliens’ cultures, yet only aiming at the upholding of a clear distinction/separation between the culture of the majority and the cultures of the minorities. |
5.3 Universalism

Universalism defends a liberal (individualistic) stand on integration and justice, emphasising a (cultural) pluralism based on equal rights, tolerance and impartiality\(^3\). The primary value of citizenship is to maximize individual liberty.

Though a pluralistic ambition, the model also admits that no diverse society can fully please all of its demands/members, thus it will always be a matter of give and take. However, it is important that any restrictions on people’s liberty (e.g. laws) are reasonably fair and just, and not based on cultural belonging, but on individuals’ universal equality. By this, the universalist approach accepts unequal outcomes, as long as the input (i.e. the democratic procedure) is considered fair and equal (Schuck 2002, p. 135).

Even though universalism values everyone’s equal rights, the approach can (to some extent) accept “unequal” redistribution of recourses, e.g. aimed at people living in certain suburbs facing deprivation such as poor housing condition, insufficient infrastructure and a lack of employment opportunities. However such policies should be universal, i.e. not based on people’s cultural or religious belonging but on their individual needs (Schuck 2002, p. 114). Such “rights” should be available to all citizens, given that the individual falls under the position (or situation) for which the right were intended. By this, universal rights can be contingent without losing their universality.

**Citizenship conception**

The model has an inclusive and “colour-blind” approach towards citizenship, e.g. emphasising the jus soli principle, low barriers for naturalization and acceptance of dual nationality (Schuck 2002, p. 139). It is important that naturalization is equally accessible to all, with low preconditions. Rights should be enjoyed by the whole society (i.e. including residing non-citizens). Yet, these liberal rights are somewhat thin since the approach prefers the “watchman state” principle. Some rights can still be exclusive only for citizens, e.g. concerning the right to stay in the country without any fear of deportation.

---

\(^3\) For further discussion about the importance of impartiality, see, for example, Barry 2001 and Rothstein and Teorell ([regarding governance], 2008).
Immigrants must to a certain extent culturally assimilate to the customs associated with the majority society, e.g. learn host society’s language. However, such (“voluntary”) assimilation has more to do with practicalities, equality and democracy than with culture (Barry 2001, p. 107).

**Politico-cultural recognition**

Brian Barry stresses that “culture is not the problem, and culture is not the solution” (Barry 2001, p. 317). He claims that “politics of difference” (e.g. multiculturalism) reconstructs and maintains cultural patterns that are artificial, not worth saving.

People’s group belonging should not be associated with special rights, thus it is unfair to make cultural traditions or religious belief a recognised excuse for a certain group to act in ways that are illegal for the rest of society (Barry 2001, p. 144). Instead, everyone should have the same rights and liberty. When a person or group claims that a certain law precludes their right to express their culture or religion, the merit of these complaints should be evaluated. However, this “(…) does not follow, though, that the best approach is to keep the general rule unchanged and simply add an exemption for the members of some specific group. The alternative is to work out some less restrictive alternative from the of the law that would adequately meet the objectives of the original one while offering the members of the religious or cultural minority whatever is most important to them. This avoids the invidiousness of having different rules for different people in the same society” (Barry 2001, p. 39). This is the essence of universalism (or civic individualism), i.e. everyone is treated with equal rights, regardless of their cultural or religious heritage.

Yet, the universalist approach does value the freedom of association (and culture), however the most important thing is that the members of an association/culture have real exit options available to them (Barry 2001, p. 149). “The central point is that voluntary associations do not have to have internal rules satisfying the demands that liberal principles make on political bodies” (Barry 2001, p. 163), as long as the membership is voluntary with real exit options. Moreover, freedom of association should not be influenced by state politics, such as affirmative actions towards certain groups or religions.
In order to maintain cultural diversity and peace where everyone has equal rights, cultural and religious expression must be politically neutralized and should mainly be referred to in the private sphere (“privatisation of culture”). “What can be said about the liberal proposal for privatising religion, then, is that it is the only way in which religions can be given equal treatment, and equal treatment is what in this context is fair” (Barry 2001, p. 28).

Some key elements of the universalist approach on immigrant integration:

<table>
<thead>
<tr>
<th>Citizenship conception:</th>
<th>Nationality acquisition:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Low barriers for naturalization.</td>
</tr>
<tr>
<td></td>
<td>• Citizenship acquisition without specific ethnic or cultural components (<em>jus soli</em> over <em>jus sanguinis</em>, and no test in host society’s culture).</td>
</tr>
<tr>
<td></td>
<td>• Yes to dual citizenship.</td>
</tr>
</tbody>
</table>

Citizenship rights for non-citizens (residing in host country):

• Equal social and political rights to all of society’s members (regardless of citizenship status). Yet, it is preferential that all of society’s members also hold formal citizenship.

The constitutional conception of the national culture:

• Neutral/inclusive.

<table>
<thead>
<tr>
<th>Politico-cultural recognition:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• No special group rights for minorities.</td>
</tr>
<tr>
<td></td>
<td>• The state aims for political neutrality, i.e. non-affirmative actions towards cultures, e.g. no financial support to immigrants’ (“cultural”) organisations or institutions.</td>
</tr>
</tbody>
</table>
5.4 Assimilationism

In the assimilationist model there is a clear distinction between the private and the public. In the public sphere citizens should only be able to express loyalty towards the nation-state (and its civic virtue). The assimilationist approach presumes that if the state recognises and promotes other kinds of loyalties, e.g. by giving public recognition to (“alien”) cultures or religions, people’s loyalty towards the nation-state may be reduced (or even replaced). This model is only inclusive towards the individual, not towards the group/alien culture. All citizens are encouraged to take part in public life despite cultural differences (that is, as long as they keep their culture private). Here, the state is considered a juridical unit, not an ethnic one (Dahlström 2007, p. 34; Castles & Miller 2009, p. 45).

Citizenship conception

Participation in public life is seen as a defining feature of citizenship. Therefore, citizenship becomes the most fundamental element of the society. The assimilationist approach welcomes immigrants to become citizens, but requires them to first accommodate to the norms of the host society, e.g. by accepting that the society is a juridical or political unit, not an ethnic one. Thus, their cultural or religious belonging should remain on the sidelines, not publicly expressed.

Since the citizen (and citizenship) constitutes the fundamental of society, naturalization is desirable. Consequently, social and political rights should (preferentially) only refer to a society’s citizens. Since society is seen as (primarily) a political unit, it would lose its purpose if noncitizens were also granted political rights (Dagger 2002; Dahlström 2007, p. 34).

Politico-cultural recognition

The assimilationist approach does not allow any group rights for minority cultures/religions. Again, cultures, other than that of the majority, should be kept within the private sphere.
### Some key elements of the assimilationist approach on immigrant integration

<table>
<thead>
<tr>
<th>Citizenship conception:</th>
<th>Nationality acquisition:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The model favours <em>jus soli</em> (the territorial principle) over <em>jus sanguinis</em> (the heritage principle).</td>
</tr>
<tr>
<td></td>
<td>Citizenship requires individuals to accommodate to the norms of host society, e.g. through tests.</td>
</tr>
</tbody>
</table>

**Citizenship rights for non-citizens (residing in host country):**

- No political rights to noncitizens.
- No (or limited) social rights to noncitizens.

<table>
<thead>
<tr>
<th>Politico-cultural recognition:</th>
<th>Minorities’/immigrants’ cultures should be referred to the private sphere, i.e. limited politico-cultural recognition (e.g. no group rights for minorities, or state-support to their organisations and institutions).</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The constitutional conception of the national culture:</td>
</tr>
<tr>
<td></td>
<td>Monistic approach, aiming at a conservation of the national/political culture (i.e. rather exclusive/excluding towards foreign cultures).</td>
</tr>
</tbody>
</table>
6. Methodology and analytical approach

Ruud Koopmans is one of the most recognised researchers within the field of comparative immigrant integration politics. Koopmans is approaching the concept of immigrant integration in a broad sense, e.g. by empirically incorporate the cultural dimensions of citizenship into the analysis. My theoretical framework of ideal-types and my research design refers to similar two dimensions that Koopmans et al. (2005) is using. Yet, I will try to escape from Koopmans’ Muslim bias and his somewhat subjective classification method. I aspire to re-examine previous typologies striving for a more “up to date” classification and operationalisation scheme, yet based on the traditional ideal-types. As such, this study’s rather innovative research design hopes to contribute methodologically to the research field of comparative immigrant integration politics.

Koopmans’ first dimension refers to nation-states’ conception of citizenship, making a distinction between ethnic and civic. Such classification is much influenced by Rogers Brubaker’s famous work from the early 1990s, i.e. classification of *jus sanguinis* (acquisition by descent) versus *jus soli* (acquisition by birth in the national territory). Rogers Brubaker (1992) claims that these two distinctions, i.e. whether or not citizenship acquisition emphasises “blood” or “territory”, mirrors countries’ understandings of nationhood, national identity and immigrant integration.

The politics of citizenship today is first and foremost a politics of nationhood. As such, it is a politics of identity, not a politics of interest (in restricted, materialist sense). It pivots more on self-understanding than on self-interest. The “interests” informing the politics of citizenship are “ideal” rather than material. The central question is not “who gets what?” but rather “who is what?” (Brubaker 1992, p. 182).

Yet, the relevance of the ethnic vs. civic distinction has been criticised. Christian Joppke claims that it “no longer makes sense to distinguish neatly between *jus soli* and *jus sanguinis* states because most Western states now combine elements of both” (Joppke 2010, p. 44). To escape such criticism, Koopmans tries to broaden (and “update”) Brubaker’s distinction by including some additional indicators, e.g. number of years of residence before naturalization can be requested, allowance of dual citizenship and voting rights for non-citizens.

---

4Since Koopmans’ study refers to countries with a large migrant population from Muslim countries some of his indicators are rather Muslim-specific, e.g. allowance for religious slaughter and provisions for Muslim burials (Koopman et al. 2005, p. 55).
Similar modifications have been made for this study. Yet, after Koopmans’ modifications and broadening of Brubaker’s concept of citizenship, it might just be as appropriate to talk in terms of an excluding (or restrictive) conception of citizenship versus an inclusive (and liberal) one.

Koopmans’ second dimension concerns culture, and, more specifically, a state’s “position” (and policies) towards “foreign” cultural expressions. Here, Koopmans makes a distinction between cultural monism and cultural pluralism, i.e. whether state policies recognise immigrants as members of a cultural collective or not. I will use a similar distinction as Koopmans, yet use somewhat different terminology (speaking in terms of politico-cultural recognition as individuals versus as groups). Also, I will employ other (less “Muslim-biased”) indicators.

To summarise, the first dimension mainly concerns nation-states territorial boundaries towards the “alien”, whereas the second dimension rather refers to states internal nation-building procedures. This study is based on the premise that these two dimensions combine (i.e. *citizenship conception* and *politico-cultural recognition*) portray states’ ideals of nationhood and immigrant integration. These two dimensions combined allow us to make distinctions between the four ideal-types, i.e. the *multiculturalist, universalist, segregationist* and *assimilationist*.

<table>
<thead>
<tr>
<th></th>
<th>Inclusive conception of citizenship</th>
<th>Exclusive conception of citizenship</th>
</tr>
</thead>
<tbody>
<tr>
<td>Politico-cultural</td>
<td>Multiculturalism</td>
<td>Segregationism</td>
</tr>
<tr>
<td>recognition as group</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Universalism</td>
<td>Assimilationism</td>
</tr>
<tr>
<td>recognition as individuals</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
6.1 Operationalisation

Since the theoretical framework is constructed around ideal-types (i.e. an oversimplification of reality), some theoretical polarizations are more or less inevitable (and not necessarily a negative thing, serving a comparative purpose). The ideal-types are also embedded in normative (and ideological) conceptions, e.g. multiculturalism is often favoured over segregation and so on. In this study such normative distinctions will, as much as possible, be kept low-key. It is important to remember that the purpose of using ideal-types for this study is mainly methodological and empirical, not normative (or deductive). The ideal-types allow us to make well-structured cross-country comparisons, using recognised/traditional typologies of national models.

All of the following indicators comprise the institution of the citizenship as both a legal and identity building concept. They are also meant to incorporate the key elements of the four ideal-types, as well as the essence of T.H. Marshall’s three main elements of citizenship, namely the civil, political and social. Furthermore, the indicators also emphasise the cultural dimension of citizenship, a dimension that has gained much importance since the work of Marshall.

The last column (“Conv”) in the operationalisation scheme illustrates how the claimed policy convergence corresponds to the framework of ideal-types and this study’s indicators (based on the discussion from chapter 4). Here, one of my categorisations might deserve further clarification, namely, the outcome/answer of the indicator; “history and/or culture test for naturalization?”. Though the “convergence thesis” emphasise a de-ethnicization of citizenship thus should be against such naturalization tests, it still allow for civic-tests. These civic-tests are often based on the host-country’s constitution and on the liberal democratic rules and values, i.e. influenced and formed by a certain national and cultural bias. This explains why the “convergence thesis” answer to this question/indicator is “YES” (yet with “extra caveats”).
<table>
<thead>
<tr>
<th>Citizenship dimensions (corresponding with the theoretical framework of ideal-types, presented in chapter 5):</th>
<th>Mult</th>
<th>Uni</th>
<th>Ass</th>
<th>Seg</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Political recognition:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Does the constitutional conception of the national culture:</td>
<td>&amp; NO &amp; NO &amp; NO &amp; NO</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- ...through Volume Rights in a Multinational Level?</td>
<td>&amp; YES &amp; YES &amp; YES &amp; YES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Are non-citizens accorded and facilitated to participate in the host country’s politics, e.g.</td>
<td>&amp; YES &amp; YES &amp; YES &amp; YES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Are non-citizens included in host society’s welfare system (e.g. right to education and</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Citizenship rights for non-citizens (residing in host country):</td>
<td>&amp; YES &amp; YES &amp; YES &amp; YES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Dual citizenship?</td>
<td>&amp; YES &amp; YES &amp; YES &amp; YES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Dual citizenship?</td>
<td>&amp; YES &amp; YES &amp; YES &amp; YES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Dual citizenship?</td>
<td>&amp; YES &amp; YES &amp; YES &amp; YES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>* These indicators are of course with “extra caveats”, some might disagree with the categorisations I have made e.g. arguing that the yes/no classification is too polarizing. Yet, this is a comparative study, and to enable distinctive comparisons some polarization was rather necessary.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Mother tongue teaching in schools is available? | YES | YES | YES | YES |
| Allowance for private schools (e.g. minority or religious schools)? | YES | YES | YES | YES |
| - State sponsored information (and services) provided in multiple languages? | YES | YES | YES | YES |
| - Support to immigrants and ethnic minorities, civil society, through financially Funding their | YES | YES | YES | YES |
| - Official Public Building? | YES | YES | YES | YES |
| - Has the state institutionalised a political consultation mechanism with the immigrant community? | YES | YES | YES | YES |
| - Special Group Rights, such as cultural autonomy of regional self-government for ethnic minorities (e.g. the allowance to form institutions that recognise and accommodate their language and culture)? | YES | YES | YES | YES |
| - Quota of immigrant minorities in political assemblies? | YES | YES | YES | YES |
| - Does the constitution emphasise the exclusiveness of the national ethnic and cultural heritage, i.e., being cultural monistic rather than diverse or neutral? | YES | YES | YES | YES |
| - Are non-citizens encouraged (and facilitated) to participate in the host country’s politics, e.g. through the electoral system? | YES | YES | YES | YES |
| - Are non-citizens included in host society’s welfare system (e.g. right to education and | YES | YES | YES | YES |
| - Dual citizenship? | YES | YES | YES | YES |
| - Dual citizenship? | YES | YES | YES | YES |
| - Dual citizenship? | YES | YES | YES | YES |

* These indicators are of course with “extra caveats”, some might disagree with the categorisations I have made e.g. arguing that the yes/no classification is too polarizing. Yet, this is a comparative study, and to enable distinctive comparisons some polarization was rather necessary.
It was rather challenging to translate the ideal-types into measurable indicators. The indicators had to be feasible (easy accessible) as well as correspond coherently (and parallel\textsuperscript{5}) with the two dimensions (i.e. citizenship conception and politico-cultural recognition), as shown in figure 2, page 32. Some simplifications and theoretical polarizations were inevitable, e.g. the segregationist theory (as far as I know) does not explicitly emphasise an institutionalised consultation mechanism with the immigrant community (as one of the indicator stresses).

However, the segregationist approach does value the need for political and cultural separateness of the immigrant community, also, the approach sees the potentials of ethnic conflicts (“clash of civilizations”). Thus, in order to maintain ethnic separateness as well as silence any potential ethnic oppositions and riots, a consultation mechanism (albeit weak, with rather artificial political influence than real) is theoretically logical.

The indicator referring to the right to wear religious or cultural symbols or attributes in schools and official public buildings deserves further clarification. Here, the universalist tells “NO”. Yet, the universalist would probably be more liberal and accepting towards individuals choice of clothes (as long as it does not conflict with public safety and the freedoms of others). However, this indicator refers to the right to enjoy an extended degree of freedom based on one’s cultural and/or religious identity. Such cultural bias stand in opposite to the universalist ideal, this explains why the universalist answer to such a question is “NO”.

Two of the indicators in the operationalisation scheme do not correspond parallel with the ideal-types, namely the indicator regarding the citizenship acquisition by birth (jus sanguinis vs. jus soli), and the one regarding quotas of minorities in political assemblies. This causing both theoretical and empirical problems, and may endanger the validity of the study. I have tried to solve these methodological flaws as sensibly as possible.

Jus sanguinis is such a characteristic feature of the segregationist approach, thus I have decided that this indicator should still be incorporated in the methodological framework, despite its

\textsuperscript{5} “En egenskap hos den ena polen skall motsvaras av den motsatta egenskapen hos den andra polen”. English translation: the characteristic of one pole should be matched by the opposite nature of the other pole (Esaiasson 2007, p. 163).
incoherence with the assimilationist ideal⁶. I will in the descriptive presentation try to clarify and “compensate” for such methodological (and theoretical) errors. The indicator regarding quotas will however be excluded entirely. I argue that this exclusion is not detrimental, since other indicators consider immigrants’ possibilities for political influence and recognition.

I encourage researchers to critically evaluate these (somewhat crass) indicators. Their purpose was to enable a cross-country comparison over time within a theoretical framework of ideal-types. Also, I aspired to use indicators that could easily be applicable and tested with regards to other cases, e.g. by developing indicators that are less contextually embedded. For example, in contrast to Koopmans’, the indicators for this study do not target a specific religious community.

Also, to avoid Koopmans’ somewhat subjective “ranking-system” with relative correspondence⁷, the indicators for this study are “absolute”, e.g. dual citizenship (YES/NO?). This allows theoretical and empirical comparisons over time and thus can capture potential convergence or contention. Such “absolute” categorisations give the study a rather high reliability. On the downside, such an approach is insensitive towards the nuances or variations of each outcome. Also, there is a risk that a “narrow” YES/NO classification can sometimes force the author to make rather crass (sometimes subjective) interpretations of the reality. Therefore, all interpretations and considerations (i.e. line of thoughts) will transparently be presented in a complementing descriptive discussion. Some relevant indicators regarding immigrant integration were impossible to translate into absolute classifications of “YES/NO-type”, e.g. naturalization rate (i.e. naturalization as percentage of the foreign population), cost of naturalization, or number of years before naturalization can be requested. The exclusion of such indicators could of course violate this study’s validity. However, I argue that the chosen indicators for this study still capture the most central aspects of immigrant integration.

---

⁶ Assimilationism refers to the state as an political unit rather than an ethnic (favouring jus soli over jus sanguinis). However, this does not mean that the assimilationist approach is totally cultural neutral. For further theoretical discussion, see chapter 5.

⁷ Koopmans (see, for example, Koopmans et al. 2005, ch. 1) categorise the outcome of the indicators in relation to the study objects. For example, the country closest to one pole scores +1, whereas the country closest to the opposite pole scores -1, all countries between score 0. Such categorisation method (with relative correspondence) can only capture relative differences between the chosen study objects, yet unable a capturing of a certain policy convergence over time. Also, such approach rule out the possibility to include additional cases for retrospect analysis. Therefore, I claim this study’s research design has both higher validity and reliability compared to Koopmans et al.’s (2005).
The outcome (YES/NO) of the 14(7+7) indicators will be categorised (or “scored”) within the typologies of “inclusive” or “exclusive/excluding” (referring to citizenship conception dimension), and “group” vs. “individuals” (referring to the politico-cultural recognition dimension). For example, 7 “exclusive points”, plus 7 points of “as group” illustrates the optimal ideal (“full score”) of segregationism. The claimed “policy convergence” appears here, based on this study’s operationalisation scheme, rather universalistic.

Figure 2. The two dimensions: citizenship conception and politico-cultural recognition.
The analysis of this study is based on national legislation and policy documents, together with complemented secondary sources such as reviews and case studies. Since I do not master any of the countries’ languages, I had to depend on English translations. Fortunately, most information (such as legislation and policies) was available in English. Yet, Poland appeared less inclined to translate their policies than Estonia. Consequently, the Polish analysis relies more on secondary sources than the Estonian. However, the language barrier never became crucial for answering or operationalising this study’s questions and indicators. I claim that this study’s rather distinctive operationalisation and methodological approach makes its findings both reliable and valid.

I can not escape the fact that I am from a somewhat different (“non-Eastern”) context (with a certain bias). You could, for instant, argue that my study has a “West imperialistic” approach since I use ideal-types developed within a “Western” context that might not be applicable within the more “Eastern” context. This might be true, in fact it might just turn out to be the very conclusion of the study, i.e. that the “Western ideal-types” do not make sense within an “Eastern” context. Such a conclusion would in itself serve a purpose, thus the uses of these ideal-types seems yet much relevant.
6.2 The Eastern perspective - the whats and the whys

Some would probably argue that since the ECE-countries aren’t “New World countries”, i.e. countries in which immigration is part of the founding myth of the nation (like the USA and Australia), the whole concept of an “Eastern” perspective on immigrant integration is pointless. Others claim that it is meaningless to talk about an “Eastern” immigrant integration perspective since most of their immigrants are just “transit-migrants”, heading to “West” (or refugees from a neighbouring country wishing to soon return “home”) (Kymlicka & Opalski 2001, p. 70, p. 77-78).

However, I argue that such assumptions are “old fashion”. In today’s globalised world all countries face immigration. Also, since the ECE-countries are becoming more and more “wealthy” and stable, their attractiveness for immigrants is likely to increase correspondently. Thus, it is crucial (and about time) to bring in an “Eastern” perspective on immigrant integration research. This study will investigate the “integration-trends” in two East-Central European (or East-EU) countries, namely Estonia and Poland. Between 2002-2006 over 8,500 immigrants were granted Polish citizenship\(^8\) (Górny & Pudzianowska 2009, p. 12). During the same period over 26,000 non-Estonians were naturalised, many so-called “soviet-era settlers” (Järve & Polshchuk 2009, p. 6). These numbers illustrate that the issue of immigrant integration can no longer be neglected in either of the chosen samples.

The chosen period of analysis for this study is 1991 to 2008, i.e. the post-Soviet era (the starting point is the Soviet collapse in 1991). The chosen period allows us to evaluate Poland’s and Estonia’s immigrant integration approaches during a period of increasing liberalisation and democratisation.

Estonia and Poland both became EU members in 2004. The fact that they became members the same year makes a comparison even more interesting, thus it might be possible to draw conclusions regarding whether or not their EU accession has resulted in any change in their immigrant integration approaches.

---

\(^8\) Acquisitions by repatriation are not included in these numbers.
EU accession also (to some extent) shows that the two countries have passed a certain threshold of liberalisation, economic growth and political stability. Such similarities are also verified by international indexes, e.g. the UN Human Development Index (2009) placed Poland at 41 and Estonia at place 40, in the Economist’s (2010) Quality of life Index, Poland holds place 39 and Estonia place 43, and in The Heritage Index (2010) both countries scored 87.5 in “trade freedom”.

So, Estonia and Poland seem to be exposed to a comparable degree of globalisation, transnationalism (e.g. from OECD, EU and UN), liberalisation and socio-economic standard. Such similarities might (as some “convergence claimers” argue) correspond with their immigrant integration approaches. However, it is worth remembering that it is not within the frame of this research to test the different independent variables behind the convergence claim in more depth. Yet, these factors (or variables) still motivate why the chosen samples are relevant for testing the robustness of the convergence claim.

Estonia and Poland also display dissimilarities, e.g. regarding their experiences of cultural diversity. Poland lost over 6 million citizens during World War II, half of them Jews. There was also extensive forced migration of minority groups during both the Nazi-German and the Soviet occupation. As a result, Poland became rather cultural homogeneous. Estonia on the other hand has a “post-war” history of being multi-ethnic. In 1995, only 64.2 % of the total population where ethnic Estonians, the rest where so-called “non-Estonians” (mainly “Russian-speakers”) (Järve & Wellman 1999, p. 43).

More samples would have strengthened the “Eastern” focus, thus allowing further generalisations. It would also have been interesting to include a “Western-case” to the comparison. Yet, to increase the number of units (i.e. countries) was rather unfeasible, considering the time frame for this research. Instead, the “Western-case” will be represented by a general discussion about the present academic (“Western”) debate, focusing on the convergence discussion (see chapter 4).
This study is about the countries’ policies for citizenship and immigrant integration (mainly referring to their legislation). Thus, the study is not assessing the actual policy outcome or compliance. Yet, the thesis is based on the premise that a country’s policy discourse correlates with the factual practices (i.e. outcomes) and the general political discourse.

Moreover, this study will only focusing on so called “third country nationals” (i.e. their country of origin is not another EU-country). The reason why “immigrants” from other EU-states are excluded in the analysis is because they obtain a legal status different from so-called third country nationals.
7. Empirical discussion

The empirical data will be presented and discussed within the dimensions of “citizenship conception” and “politico-cultural recognition” and the theoretical framework of ideal-types, in accordance with this study’s operationalisation scheme (see chapter 6.1). The findings will also be discussed in relation to the “frame of reference” illustrated in chapter 4 (i.e. the policy convergence debate). The aim is to answer the following questions:

- What are the immigrant integration trends in Poland and Estonia (1991-2008)?
- Is convergence taking place?
- Are the four ideal-types (multiculturalism, segregationism, universalism and assimilationism) applicable and transferable in the East-EU?

7.1 Estonia: Citizenship Conception

Estonia was under Soviet occupation between 1944-1991. After the Soviet collapse (1991), Estonian regained independence. Estonia then reintroduces its previous Citizenship Act from 1938, only with slight changes. Thus, the “new” Citizenship Act of 1992 became a restitution of the pre-1940 nationality. Only pre-1940 nationals and their (“jus sanguinis”) descendants could acquire Estonian nationality by simple registration, i.e. the “Soviet-era settlers” lost their citizenship and had to take the path towards naturalization (Järve 2009, p. 46). As a result, reported eligible voters dropped from 1,144,309 in 1991 to 689,319 in 1992 (Semjonov 2000, see Järve 2009, p. 47). Many residents become “stateless”, thus entitled limited rights.

There was a strong political and public consensus regarding the restoration of the pre-1940 nationality (at least amongst the pre-1940 nationals and their descendants). A study by Klara Hallik concludes that all the Estonian political parties adopted a rather segregationist approach during the 1990s. She makes the following observations (Hallik 1998, p. 277, here cited from Semjonov 2003, p. 115):
1. There is a strong ethnic self-defence orientation among all Estonian parties, where Estonia’s Russians are still seen as the main existential threat to the Estonian people.

2. All Estonian-based parties are unanimous in believing there is a need to encourage non-Estonian re-emigration.

3. With only a few minor differences, all of the Estonian-based parties view the nation-state as an ethnically-based state. Therefore, none of their platforms has any plans to organise a political dialogue with the non-Estonians for the purpose of discussing state structure, participation in political power, or possible consociational agreements.

4. Finally, there is a continued high regard for the learning and acquisition of Estonian language among non-Estonians as the main channel for integration into Estonian society and the Estonian state.

Nationality Acquisition

In 1995 a new Citizenship Act was adopted, yet with only minor changes from the previous one (from 1992). However, since the previous Citizenship Act violated some of the country’s international human rights commitments, namely that all children have a right to nationality, including children of state-less parents, the new Citizenship Act also introduce a jus soli component. However, this jus soli principle was very restricted, only referring to the naturalization of stateless minors (Järve 2009, p. 49). Thus, jus sanguinis (law of blood) remains as the basic principle for citizenship acquisition, and is also protected by the Estonian constitution:

Every child of whose parents one is an Estonian citizen has the right to Estonian citizenship by birth (Constitution 1992, art. 8).

---

9 Example: “Every child has the right to acquire a nationality” (The United Nations International Covenant on Civil and Political Rights, art.24[3]), and “The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents” (in Convention on the Rights of the Child, art. 7[1]).
If you are a non-citizen (i.e. an immigrant or stateless) you must go through a naturalization process to become a citizen. Estonia’s naturalization requirements are quite high, e.g. you must “have lived in Estonia on the basis of a residence permit or the right of residence for at least eight years prior to the date on which he or she submits an application for Estonian citizenship and permanently for at least five years, have legally and permanently resided in Estonia on the basis on the so-called ‘residence permit of a long-term resident’ or the right of a permanent residence for six month from the day following the date of registration of the application for Estonian citizenship” (Järve & Poleshchuk 2009, p. 8). The applicant must also have knowledge of the Estonian language. The requirements for knowledge of the Estonian language are as follows (Citizenship Act 1995, art. 8):

- listening comprehension (official statements and announcements; danger and warning announcements, news, descriptions of events and explanations of phenomena);
- speech (conversation and narration, use of questions, explanations, assumptions and commands; expressing one’s opinion; expressing one’s wishes);
- reading comprehension (official statements and announcements; public notices, news, sample forms, journalistic articles, messages, catalogues, user manuals, traffic information, questionnaires, reports, minutes, rules);
- writing (writing applications, authorisation documents, letters of explanation, curriculum vitae; completion of forms, standard forms and tests).

The Citizenship Act of 1995 (and the Applicants for Citizenship to know Estonian Act of 1993) stipulates that these requirements will be assessed through examination. Additionally, the Citizenship Act of 1995 declares that the applicant also must pass a test regarding the knowledge of the Constitution and the Citizenship Act.

---

10 Exceptions can be made, e.g. naturalization based on achievement of special merit (see Citizenship Act 1995, art. 8(1)).
A person who wishes to acquire Estonian citizenship by naturalization shall have knowledge of (Citizenship Act 1995, art. 9[1-2]):

- the general principles of the Estonian public order which is provided for in Chapters I and III of the Constitution of the Republic of Estonia;
- the fundamental rights, freedoms and duties of every person which are provided for in Chapter II of the Constitution of the Republic of Estonia;
- the competence of the Riigikogu, the President of the Republic, the Government of the Republic and the courts in accordance with the Constitution of the Republic of Estonia;
- the conditions and procedure for acquisition, resumption and loss of Estonian citizenship in accordance with the Citizenship Act.

Immigrants are denied the possibility for dual citizenship, thus “an Estonian citizen shall not simultaneously hold the citizenship of another state” (Citizenship Act 1995, art. 1[2]). A person who wishes to acquire Estonian citizenship by naturalization must “submit a certificate which proves that he or she has been released from his or her previous citizenship or will be released there from in connection with the acquisition of Estonian citizenship or that he or she has been declared to be a stateless person” (Citizenship Act 1995, art. 19[3]). However, the regulation regarding dual citizenship of Estonian citizens by birth is not as clear (see discussion by Järve & Poleshchuk 2009, p. 10-11).

Estonia has made several amendments to the 1995 Citizenship Act, yet these have not resulted in any drastic reversion in course. Yet, in the late 1990s and early 2000s Estonia eased some of the naturalization requirements for certain groups, e.g. for disable, older and stateless children. Such liberalisation of requirements was normally due to pressures from international actors, such as OSCE and Council of Europe (Poleshchuk 2001, see Järve & Poleshchuk 2009, p. 13).

*Citizenship rights for non-citizens*

Non-citizens are entitled to both social- and political rights; “everyone has the right to the protection of health (…). Citizens of foreign states and stateless persons who are in Estonia have this right equally with Estonian citizens, unless otherwise provided by law” (Constitution 1992,
art. 28). Also, “everyone has the right to education. Education is compulsory for school-age children to the extent specified by law, and shall be free of charge in state and local government general education schools” (Constitution 1992, art. 37).

As for political rights, non-citizens can vote in local elections, i.e. for the representative body of a local government at municipal level (Constitution 1992, art 156). Non-citizens do also have the right to form non-profit associations. However only Estonian citizens may belong to political parties (Constitution 1992, art 48).

*The constitutional conception of the national culture*

In 2000 and 2008 only a third of the ethnic Estonians believed that ethnic minorities are loyal to the Estonian state (Kruusvall 2008, page 82, see Järve & Poleschuk 2009, p. 14). This mistrust towards the “alien” is also rather evident in many of the citizenship and integration policies, e.g. a person who wishes to acquire Estonian citizenship must take an oath of being loyal to the country.

> In applying for Estonian citizenship, I swear to be loyal to the constitutional order of Estonia (Citizenship Act 1995, art. 6[7]).

But, what does this loyalty refer to? What is the essence of the Estonian constitutional order? Based on the constitutional emphasis on the jus sanguinis principle and that the constitution “shall guarantee the preservation of the Estonian nation, language and culture through the ages” (Constitution 1992, preamble), the Estonian constitutional order appears to value a cultural (or ethnically) monistic approach, rather than an diverse or ethnically neutral one. However, the constitution is still rather neutral towards religion, and furthermore expresses the importance of universal freedoms and rights.
Table 1. Estonia’s policy trends 1991-2008 (according to the pre-defined indicators of “citizenship conception”):

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Language test for naturalization?</td>
<td>NO</td>
<td>YES</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>History and/or culture test for naturalization?</td>
<td>NO</td>
<td>YES</td>
<td></td>
<td>YES</td>
</tr>
<tr>
<td>Dual citizenship?</td>
<td>NO</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Citizenship acquisition by birth regardless of the parent’s citizenship status (i.e. emphasising the jus soli principle over the jus sanguinis)?</td>
<td>NO</td>
<td></td>
<td></td>
<td>NO</td>
</tr>
<tr>
<td>Are non-citizens included in host society’s welfare system (e.g. right to education and healthcare)?</td>
<td>YES</td>
<td></td>
<td></td>
<td>YES</td>
</tr>
<tr>
<td>Are non-citizens encouraged (and facilitated) to participate in the host country’s politics, e.g. through voting rights at a municipal/local level?</td>
<td>YES</td>
<td></td>
<td></td>
<td>YES</td>
</tr>
<tr>
<td>Does the constitution emphasise the exclusiveness of the national ethnic and cultural heritage, i.e. being cultural monistic rather than diverse or neutral?</td>
<td>YES</td>
<td></td>
<td></td>
<td>YES</td>
</tr>
</tbody>
</table>

The table illustrates the specific year of a policy shift.

Comment: Estonia gained their independence in 1991, with a constitution launched in 1992. Thus, I see no point in evaluating the policy trends prior 1992 (i.e. during the Soviet-era\(^{12}\)).

---

\(^{11}\) Though the “constitutional test” does not have an explicit cultural or historical component (as the indicator stresses), the test is nevertheless a test regarding the Estonian constitution, a constitution that is culturally pervaded, e.g. with a monistic cultural (or linguistic) approach.

\(^{12}\) Yet, it seems that the policy discourse during the occupation was influenced by a rather assimilationist approach.
7.2 Estonia: Politico-Cultural Recognition

Estonia is a multi-ethnic country, e.g. with a large Russian-speaking minority (many of them non-citizens). Thus, the issue of minorities’ (and immigrants’) political and cultural recognition is crucial, and the topic has been much discussed at both the national and international level.

In 1993 an advisory body was established (the President’s Round Table), aiming at a formalised dialogue between government and non-citizens and ethnic minorities (Järve & Wellmann 1999, p. 10). The policy paper “Estonian Civil Society Development Concept” of 2002 also stated that the public sector should “in devising the policies concerning minority groups, consider the opinions and viewpoints of the citizens’ associations representing such groups, and involve them in the drafting of legislation and in political debates” (Estonian Parliament 2002).

However, the actual legitimacy of these consulting mechanisms could be criticised, e.g. the Round Table has only a part-time presidential plenipotentiary, a part-time assistant and a small budget. Mikko Lagerspetz (2008, p. 114) stresses that the Round Table lacks a mandate, and has, as yet, not played any visible role in the public debate. Also, the project of “Estonian Civil Society Development Concept” was for many years languished due to lack of complementary financing (Pettai & Molder 2009, p. 201).

In the late 1990s, Estonia developed a national strategy for the integration of immigrants (“Integration in Estonian Society 2000-2007”). “The main emphasis of the state programme is on the promotion of linguistic communicative integration in society, while at the same time the achievement of legal-political and socio-economic aims is also considered important for the successful execution of integration” (Estonian Government 2000 [Integration in Estonian Society 2000-2007], p. 5). The strategy explicitly declared the superiority of the Estonian culture (and language), emphasising a “privatisation” (or separation) of immigrants’ culture.
In social dialogue all cultures functioning in Estonia are equal. In relations with the State, however, the status of Estonian culture is different to that of minority cultures, since one of the objectives of Estonian statehood is the preservation and development of the Estonian cultural domain. Estonian society is multicultural and the task of the Estonian State is the creation of cultural development opportunities for minorities also, although for everyone Estonia is and will remain Estonia-centred in the sense of a common cultural domain (Estonian Government 2000 [Integration in Estonian Society 2000-2007], p. 17).

The right for immigrants to wear their religious or cultural symbols or attributes in schools and official public buildings are not explicitly referred to in the Estonian legislation. In fact, Estonia’s anti-discrimination legislation can be claimed rather incomprehensive (or too general), something that also has been criticised by the UN (UN Committee on the Elimination of Racial Discrimination 2006, section 10).

Estonia’s constitution stipulates; “Everyone has freedom of conscience, religion and thought. Everyone may freely belong to churches and religious societies. There is no state church. Everyone has the freedom to exercise his or her religion, both alone and in community with others, in public or in private, unless this is detrimental to public order, health or morals”, and the “(…) beliefs shall not excuse a violation of the law” (Constitution 1992, art. 40-41).

The Churches and Congregations Act aims to specify how these freedoms (i.e. of conscience, religion and thought) should be ensured in practice. Yet, the act only implicit covers the issue of expression (or wearing) of religious and cultural symbols or attributes in schools and official public buildings.

Persons staying in medical institutions, educational institutions, social welfare institutions and custodial institutions and members of the Defence Forces have the right to perform religious rites according to their faith unless this violates public order, health, morals, the rules established in these institutions or the rights of others staying or serving in these institutions (Churches and Congregations Act 2002, art. 9).
In addition, the Republic of Estonia Education Act emphasises that “the fundamental principles of education are based on the recognition of universal and national values, of the individual and of freedom of religion and conscience”, and one of its objectives is to “create favourable conditions for the development of the individual, the family and the Estonian nation, including ethnic minorities, and economic, political and cultural life in Estonian society and also nature conservation, within the context of the global economy and global culture” (The Republic of Estonia Education Act 1992, art. 2).

So, even though the above mentioned legislation does not explicitly addresses the question of religious and/or cultural attributes and clothing (as the indicator indicates), the Estonian policy discourse appears to be fairly accepting. However, if you by cultural attributes also include the use of mother tongue language, the level of acceptance appears much lower.

Minorities can establish their own private schools, and parts of the instruction can be in a foreign language. Furthermore, The National Minorities Cultural Autonomy Act of 1993 allows minorities\textsuperscript{13} to establish cultural autonomy bodies (i.e. self-governing agencies), e.g. establishing “national cultural and educational institutions and religious communities” and organise education in the mother tongue language (The National Minorities Cultural Autonomy Act 1993, section 4).

Also, since 2004 all “schools are required to offer language and culture of origin lessons whenever there is demand from a minimum of ten pupils whose mother tongue is not the language of instruction” (European Commission 2009 [Eurydice], p. 25).

However, the right to other kinds of public information and services in mother tongue language is as yet much restricted. The Language Act of 1995 declares that Estonian is the only official and publicly recognised language. Only in municipalities, where the majority of the population belong to a national minority or within cultural autonomy bodies, are local administrations allowed to use the minority’s mother tongue language (see Language Act 1995, art. 10-15; Constitution 1992, art. 51).

\textsuperscript{13}“Persons belonging to the German, Russian, Swedish and Jewish national minority, and persons of national minorities with a population of over 3000 may establish cultural autonomy bodies” (The National Minorities Cultural Autonomy Act 1993, section 2[2]).
And if translation is added to an Estonian text of public information “(...) the text in the Estonian language shall have precedence and must not be less visible than the regional variety or translation into a foreign language” (Language Act 1995, art 23[2]).

The Language Act also restricts the use of foreign language in broadcasting, declaring (art. 25):

1) Upon broadcasting (including transmission by television stations or cable networks) of audiovisual works (including programs and advertisements), foreign language text shall be accompanied by an adequate translation into Estonian.

2) A translation into Estonian is not required for programs which are immediately retransmitted or language learning programs or in case of the newsreader’s text of originally produced foreign language news programs and of originally produced live foreign language programs.

3) A translation into Estonian is not required in case of radio programs which are aimed at a foreign language audience.

4) The volume of foreign language news programs and live foreign language programs without translations into Estonian specified in section (2) of this Article shall not exceed 10% of the volume of weekly original production.

So, the possibilities for immigrants to receive state information (and/or services) in multiple languages must be considered much limited.

The Estonian state does give financial support to minority organisations and their institutions, e.g. between 1996-2000, the Estonian Ministry of Culture distributed approximately 7,650,000 EEK in support of the cultural activities of minority organisations (Estonian Government 2000 [Integration in Estonian Society 2000-2007], p. 44). In 1998, the financial support to immigrant groups and ethnic minorities more than doubled. This indicates an adoption of a more active (and supportive) stance regarding policies towards immigrants’ (and minorities’) civil society. Therefore, 1998 can be seen as a policy shift (also mentioned by Lagerspetz & Margaret 2010, page 15). Minority organisations and institutions also receive funding directly from the state and through local governments.
The state also allocates funding to minority groups through the quasi-governmental organisation “Integration Foundation”. In 2000, the Integration Foundation allocated 8.5 million EEK to six different earmarked activities, one of these six activities explicitly referred to the support of minorities’ organisations and institutions, namely;

(…) support for the activities of national cultural societies and Sunday schools (the objective is the expansion of possibilities for the preservation of the linguistic and cultural distinctiveness of the ethnic minorities residing in Estonia, the increasing of Estonian society’s knowledge of cultural differences and the development of co-operation between the third sector and state institutions in the integration of non-Estonians) (Lagerspetz 2005, p. 30).

Yet, Estonia’s support to immigrants’ and minorities’ institutions and organisations refers primarily to funding on a project-level (for specific activities), i.e. limited financial support as “core-funding” aiming at a strengthening and sustainability of the “organisation” in itself. Such “activity-oriented” approach has been criticised by minority groups (Lagerspetz 2005, p. 43).
Table 2. Estonia’s policy trends 1991-2008 (according to the pre-defined indicators of “Politico-cultural recognition”):

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>- Special group rights, such as cultural autonomy or territorial self-government for minorities (i.e. allowance to form institutions that recognise and accommodate their language and culture)?</td>
<td>YES</td>
<td></td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>- Has the state institutionalised a political consultation mechanism with the immigrant community?</td>
<td>NO</td>
<td>YES</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>- Do immigrants have the right to wear religious or cultural symbols or attributes in schools and official public buildings?</td>
<td>YES</td>
<td></td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>- Support to immigrants’ and ethnic minorities’ civil society, through financially funding their organisations and institutions and/or through other kinds of supportive actions (e.g. state policies emphasising cultural pluralism)?</td>
<td>NO(^{14})</td>
<td>YES</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>- State sponsored information (and/or services) provided in multiple languages?</td>
<td>NO(^{15})</td>
<td></td>
<td>NO</td>
<td></td>
</tr>
<tr>
<td>- Allowance for private schools (e.g. minority or religious schools)?</td>
<td>YES</td>
<td></td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>- Mother tongue teaching in schools is available?</td>
<td>YES</td>
<td></td>
<td>YES</td>
<td></td>
</tr>
</tbody>
</table>

The table illustrates the specific year of a policy shift.

\(^{14}\) Or limited.
\(^{15}\) The possibilities to receive state information and services in a foreign language (or mother tongue) became even further restricted with the adoption of the Language Act of 1995.
7.3 Poland: Citizenship Conception

Until the end of 20th century, Poland has primarily been categorised as a country of emigration. However, the fall of communism, periods of economic growth, and Poland’s EU accession have made the country increasingly attractive for immigration. Thus, today Poland is developing into a destination country (Alscher 2008, p. 1). However, the policy accommodation to such a “transformation” seems to be lagging behind. Poland is still operating under the Citizenship Act of 1962, which has only been adjusted to the new social and political realities on an ad hoc basis, primarily aiming at the repatriation of “ethnic poles” and their descendants (Górny & Pudzianowska 2009, p. 1).

It is only recently that the issue of immigrant integration has started to gain political attention. Poland is currently processing a new Citizenship Act, and immigrant integration has become one of the seven priorities of the Polish strategy of social policy 2007-2013 (Kepińska 2005, p. 7).

Nationality Acquisition

Poland’s citizenship laws emphasise the jus sanguinis principle, i.e. the acquisition of Polish citizenship by birth occurs when “both parents are Polish citizens, or when only one of them is a Polish citizen and the other is unknown or his/her citizenship is undetermined or he/she has no citizenship” (Law on Polish Citizenship 1962, art. 4). Some exceptions can be made, e.g. if both parents are unknown or stateless.

The Law on Polish Citizenship of 1962 declares that “a person who is a Polish citizen under Polish law cannot be recognized at the same time as a citizen of another state” (art. 2). Poland’s constitution on the other hand stipulates that a “(…) Polish citizen shall not lose Polish citizenship except by renunciation” (Constitution 1997, art. 34 [2]). Thus, it appears to be incoherence and contradictory in the legal framing regarding the issue of a right to dual citizenship. However, since the Constitution of 1997 is a newer bill, the right to dual citizenship should be conceived as legally accepting16 (Górny & Pudzianowska 2009, p. 14-15).

---

16 Yet, Howard (2009, p. 215), concludes differently, i.e. that Poland does not accept dual citizenship. However, most experts on Polish legislation seem to agree on that dual citizenship is accepted.
Citizenship acquisition other than of birth can be obtained through naturalization (or by repatriation procedures if the applicant is a so-called “ethnic pole”). In order for a resident to become eligible for naturalization, he or she must have been a permanent resident in Poland for at least five years. Since a permanent resident permit may only be acquired after at least five years, the actual naturalization procedure usually takes around ten years (Górny, Grabowska-Lusińska, Lesińska & Okólski 2010, p. 83).

Though the state emphasises the importance of the Polish language, the naturalization procedures do not include a formalised language test (actually no test of any kind). However, the level of knowledge of the Polish language must be stated in the application (Górny & Pudzianowska 2010, p. 129).

Still, compared to other European states, the Polish naturalization requirements are judged rather restrictive and unfavourable (Górny, Grabowska-Lusińska, Lesińska & Okólski 2010, p. 84).

*Citizenship rights for non-citizens*

Non-citizens are entitled limited political rights. They do not have any voting rights (at any level) and are not allowed to join political parties. Furthermore, Poland has not signed the Council of Europe’s “Convention on the Participation of Foreigners in Public Life at Local Level” (Górny, Grabowska-Lusińska, Lesińska & Okólski 2010, p. 79).

As for social rights, non-citizens have access to Poland’s welfare system, e.g. entitled social rights such education, health care, social housing and social help (Górny, Grabowska-Lusińska, Lesińska & Okólski 2010, p. 85). These social rights are also protected by the constitution.

Everyone shall have the right to education. Education to 18 years of age shall be compulsory. The manner of fulfilment of schooling obligations shall be specified by statute. (…) Education in public schools shall be without payment (Constitution 1997, art. 70[1-2]).

Everyone shall have the right to have his health protected. (…) Equal access to health care services, financed from public funds, shall be ensured by public authorities to citizens, irrespective of their material situation (Constitution 1997, art. 68[1-2]).
The paragraph referring to the right to equal access to healthcare services does refer only to citizens, i.e. it is open for a discussion if non-citizens are not necessarily entitled equal access to health care as citizens.

Since 2004 the state provides asylum seekers with a one-year integration program, e.g. including financial assistance for living expenses and Polish language courses, free health insurance, consultants regarding legal issues, job search, contacts with authorities and institutions and so on (Kepiń ska 2004, p. 11-12). Such extended social benefits are, however, only available for asylum seekers, i.e. not for other kinds of non-citizens/immigrants.

The constitutional conception of the national culture

The constitution explicitly declares that Poland’s culture is “rooted in the Christian heritage” (Constitution 1997, preamble), where the Roman Catholic Church also obtains a somewhat privileged position (e.g. see Constitution 1997, art. 24[4]). Moreover, the state should “(…) safeguard the national heritage” as well as providing “(…) conditions for the people’s equal access to the products of culture which are the source of the Nation’s identity, continuity and development” (Constitution 1997, art. 5, art. 6). In other words, the national culture (that is, the Christian) should be preserved and protected.

According to the constitution all citizens are obligated to be loyal to this “national culture”, stating that “(…) loyalty to the Republic of Poland, as well as concern for the common good, shall be the duty of every Polish citizen” (Constitution 1997, art. 82). Moreover, in order to further preserve and protect the “Polish culture”, the state should “(…) provide assistance to Poles living abroad to maintain their links with the national cultural heritage” (Constitution 1997, art. 6).

Thus, Poland’s constitutional conception of the national culture must be considered rather monistic.
Table 3. Poland’s policy trends 1991-2008 (according to the pre-defined indicators of “citizenship conception”):

<table>
<thead>
<tr>
<th>Description</th>
<th>1991</th>
<th>1996</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Language test for naturalization?</td>
<td>NO</td>
<td>NO</td>
<td></td>
</tr>
<tr>
<td>History and/or culture test for naturalization?</td>
<td>NO</td>
<td>NO</td>
<td></td>
</tr>
<tr>
<td>Dual citizenship?</td>
<td>NO</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>Citizenship acquisition by birth regardless of the parent’s citizenship status (i.e. emphasising the jus soli principle over the jus sanguinis)?</td>
<td>NO</td>
<td>NO</td>
<td></td>
</tr>
<tr>
<td>Are non-citizens included in host society’s welfare system (e.g. right to education and healthcare)?</td>
<td>YES</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>Are non-citizens encouraged (and facilitated) to participate in the host country’s politics, e.g. through voting rights at a municipal/local level?</td>
<td>NO</td>
<td>NO</td>
<td></td>
</tr>
<tr>
<td>Does the constitution emphasise the exclusiveness of the national ethnic and cultural heritage, i.e. being cultural monistic rather than diverse or neutral?</td>
<td>YES</td>
<td>YES</td>
<td></td>
</tr>
</tbody>
</table>

The table illustrates the specific year of a policy shift.
7.4 Poland: Politico-Cultural Recognition

Increased immigration from countries with different “culture codes” (such as the large group of immigrated Vietnamese), and the fact that Poland is now a member of a larger (“multicultural”) European community, requires an intensifying political attention and understanding of immigrant issues, e.g. regarding cultural diversity and politico-cultural recognition. However, Poland’s political awareness (or acceptance) regarding these issues appears limited. So far the state policies regarding immigrant integration have exclusively targeted asylum seekers and repatriated ethnic poles.

Poland does not have any institutionalised consultation mechanism with the immigrant community. Moreover, immigrants are not represented in any labour unions or political parties. Immigrants’ associations are not considered an influential actor in the political system (Górny, Grabowska-Lusińska, Lesińska & Okólski 2010, p. 76).

Poland’s policy discourse appears to be influenced by the country’s self-conception as cultural homogeneous (and monistic), e.g. the protection of the national heritage is given top priority. A policy document from the Minister of Culture (Full-scale Patronage. Cultural Policy of the State in the Years 2005-2006), includes chapters on “the struggle against foreign invasions and protection of national values” (Ilczuk & Malgorzata 2009, p. 18). The national policies neglect aspects of cultural diversity and/or multiculturalism.

However, at a local level the situation can be considered more “favouring”. Poland’s decentralised administration, with high levels of executive power at the local level (responsible for around 80% of the public funds for culture), gives local governments freedom to formulate their own priorities, e.g. regarding culture and civil society. For example, in Sejny the promotion and emphasis on multiculturalism and intercultural dialogue as well as their support for ethnic minorities’ organisations appears to have a rather high priority (Ilczuk & Malgorzata 2009, p. 11, 13).
Minority organisations do receive targeted funding from the Ministry of Internal Affairs and Administration. However, such support only refers to the 13 minorities recognised by Polish law. Also, the funding is primarily on a project basis, i.e. there is no support to the organisation as such (so-called “core funding”) (Górny, Grabowska-Lusińska, Lesińska & Okólski 2010, p. 165).

According to the Constitution of 1997 (and international conventions/treaties), Poland is obligated to take affirmative actions towards their national and ethnic minorities. Today, Poland recognises 13 national and ethnic minorities by law. These groups are entitled to the following group rights and freedoms (Ministry of the Interior and Administration 2010):

- prohibition of any discrimination, and ban on any organisations whose program of activities envisages or allows any form of racial and national hatred;
- freedom to preserve and develop their mother tongues;
- freedom to cherish their customs and traditions and to develop their own culture;
- the right to learn their mother tongue and to be instructed in their mother tongue;
- the right to unrestricted religious practice;
- the right to establish their own educational and cultural organisations, or the ones that protect religious identity;
- election privileges granted to election committees of minority organisations.

The School Education Act of 1991 states that pupils belonging to a recognised minority should be able to retain their national, ethnic, linguistic and religious identity, with a particular emphasis on history and culture. The act also stipulates that these minorities have the right to mother tongue teaching in school (European Commission 2008/09 [Eurydice], p. 13).

However, these minority-rights do not refer to the recent immigrated minorities. According to The National and Ethnic Minorities and Regional Languages Act (2005, art. 2), a foreign community can only be recognised as a national and ethnic minority if its ancestors have lived in Poland for at least hundred years. So, immigrants are not receiving the same recognition (and rights) as the 13 legally recognised minorities.
Polish is the official language and must be used and protected by all official authorities and public institutions. The possibility to obtain state information and services in multiple languages is much restricted (that is, unless you belong to a legally recognised minority).

(…)

Polish culture constitutes a contribution to the development of a common, culturally diverse Europe and the preservation of this culture and its development is possible only through the protection of the Polish language (Law on Polish Language 1999, preamble).

So, according to the Law on Polish Language of 1999, the development of Polish culture (and European cultural diversity) is only possible through protection of the Polish language. Consequently, immigrants’ possibilities for mother tongue teaching are slim. Today such teaching is only organised in cooperation with consular units or cultural associations of the country of origin, e.g. there is one such bilateral agreement with Latvia (European Commission 2004 [Eurydice], p. 53). In 2007/08, 32,333 pupils were learning their mother tongue other than Polish, of these 1% were Lithuanian, the rest belonged to some of the recognised minority groups (European Commission 2008/09 [Eurydice], p. 13). Immigrants are subject to particular teachers’ attention, yet what that means in practise appears unclear.

Immigrants are allowed to establish private educational institutions (including religious ones). These private schools may acquire the status of public schools17, as well as receiving public funding.

Poland’s legislation does not explicitly refer to the issue of religious and/or cultural symbols or attributes in schools and official public buildings (as one of this study’s pre-defined indicators refers to). Since Poland has been a fairly cultural homogenous country, with immigration mainly from countries sharing a similar “cultural code” (i.e. Christian), this subject appears, as yet, to be a “non-issue”. However, if immigration from countries with different “cultural codes” continues to grow, these issues will probably soon give rise to an intense legal and policy debate. Thus, since Poland safeguards its national heritage, different (“alien”) forms of public cultural expression (e.g. a Muslims’ veil), is likely to cause tension.

17 “… If they implement curricula based on the core curriculum, adopt the principles of evaluation and assessment of pupils’ achievements as decided by the Ministry of Education, and employ qualified teachers” (European Commission 2008/09 [Eurydice], p. 59).
When Poland’s Ombudsman, in the early 90s, questioned the religious education of public schools and public schools’ having of crucifixes in classrooms, the Church was enraged, e.g. accusing the Ombudsman of acting “against the will of the nation”. The Constitutional Tribunal (April 1993) later declared that crucifixes could stay and prayers and religious teaching was allowed, as long as it was not compulsory (Millard 1999, p. 131). According to the Tribunal, this was not affecting the neutrality (or secularism) of the state. Even though this discussion did not refer to the wearing of religious and/or cultural symbols, it still exemplifies that some forms of religious and cultural expressions, symbols and attributes are tolerated within the public sphere (at least, if they are Christian). Peoples’ freedom to express their religion and conscience is protected by the Polish constitution.

Freedom of conscience and religion shall be ensured to everyone. (…) Freedom of religion shall include the freedom to profess or to accept a religion by personal choice as well as to manifest such religion, either individually or collectively, publicly or privately, by worshipping, praying, participating in ceremonies, performing of rites or teaching. (…) The freedom to publicly express religion may be limited only by means of statute and only where this is necessary for the defence of State security, public order, health, morals or the freedoms and rights of others. (…) No one may be compelled by organs of public authority to disclose his philosophy of life, religious convictions or belief (Constitution 1997, art. 53).

So, though the issue is not explicitly addressed, people still seem to have a right to wear religious and/or cultural symbols or attributes in schools and official public buildings. However, this is a “universal” right, i.e. there is no special consideration of immigrants position as a minority.
**Table 4. Poland’s policy trends 1991-2008 (according to the pre-defined indicators of “Politico-cultural recognition”):**

<table>
<thead>
<tr>
<th>Policy Indicator</th>
<th>1991</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Special group rights, such as cultural autonomy or territorial self-government for ethnic minorities (i.e. allowance to form institutions that recognise and accommodate their language and culture)?</td>
<td>YES¹⁸</td>
<td>YES</td>
</tr>
<tr>
<td>- Has the state institutionalised a political consultation mechanism with the immigrant community?</td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td>- Do immigrants have the right to wear religious or cultural symbols or attributes in schools and official public buildings?</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>- Support to immigrants’ and ethnic minorities’ civil society, through financially funding their organisations and institutions and/or through other kinds of supportive actions (e.g. state policies emphasising cultural pluralism)?</td>
<td>NO¹⁹</td>
<td>NO</td>
</tr>
<tr>
<td>- State sponsored information (and/or services) provided in multiple languages?</td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td>- Allowance for private schools (e.g. minority or religious schools)?</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>- Mother tongue teaching in schools is available?</td>
<td>NO²⁰</td>
<td>NO</td>
</tr>
</tbody>
</table>

The table illustrates the specific year of a policy shift.

Comment: It was sometimes hard to determine the exact year of adoption of some of the policies, but most took place in the early 90s. Since the early 90s, there have not been any radical policy shifts with reference to the above indicators.

---

¹⁸ Yes, but this does not refer to Poland’s new ethnic minorities that have recently immigrated.
¹⁹ Very limited financial support, primarily targeting the activities preformed by the legally recognised minorities (i.e. not immigrants).
²⁰ Or very limited.
7.5 Comparative discussion

So far, the two study objects have been treated separately. Thus, this section aims to compare the two countries. The findings will be discussed within the framework of ideal-types, and in relation to the convergence thesis.

There is particularly one similarity that is striking, that is, both Estonia’s and Poland’s (constitutional) conceptions of nationhood as cultural monistic. The idea of cultural monism seems to have much influenced both countries’ immigrant integration approach, e.g. explaining why both countries have rather restrictive citizenship policies and both emphasising the jus sanguinis principle, and an integration politics that reconstructs and reproduces a sense of ethnic distinctiveness/separation.

There are however differences between the core meaning of Estonia’s and Poland’s national culture. In Estonia the national culture is built around their language, whereas in Poland the national culture refers more to the Catholic Church. The different ideas of the national culture and nationhood can explain why the two countries’ priorities in terms of immigrant integration politics differ in some aspects.

These conclusions have much in common with the argumentation made by Rogers Brubaker (1992), i.e. that differences in countries’ understandings of nationhood determine their citizenship and immigrant integration approaches. This also opposes the claim made by Joppke and Morawska (2003, page 8), that is, that underlying philosophises of integration no longer exist among liberal states.

The variations in Poland’s and Estonia’s immigrant integration politics can probably also be explained through their different experiences of immigration. In Estonia, most immigrants are so-called soviet-era settlers (i.e. former “enemies”), whereas in Poland most immigrants are from neighbouring countries (with similar “cultural codes”). Thus, in order to protect Estonia’s national culture/language from a “Russian invasion” Estonia was required to take a more proactive stand on immigrant integration politics. The Estonian approach appears much inspired by the concept of segregation, aiming at a separation of foreign culture, and facilitating for
immigrants’ repatriation. In Poland on the other hand, a fairly homogenous country and with immigration mostly from countries with similar “cultural codes”, the issue of immigrant integration does not appear as crucial. This may explain why Poland operates under such theoretical “fuzziness”, and why its policies have remained rather stable (or inactive).

Figure 3. Trends of Poland’s and Estonia’s immigrant integration approaches.

Comment: The figure illustrates the trends according to the outcomes of the pre-defined indicators, based to this study’s empirical analysis. The “points” (●) show the specific year of a policy shift. The “convergence thesis” is based on the outcome of the operationalisation scheme in chapter 6.1.

One conclusion that can be drawn from this study is that Poland and Estonia have not lost their political sovereignty over immigrant politics. This supports the claim made by Ruud Koopmans who argues that national models still are contested (Koopman et al. 2005). This also shows that the theoretical framework of ideal-types still serves a comparative purpose. Thus, the ideal-types appears both applicable and transferable to the East-EU context.
However, the model of ideal-types might need to be re-examined/updated in order to better capture countries actual immigrant integration “philosophies”/approaches. For example, the reason behind Poland’s policy shift (1996) was their acceptance of dual citizenship. According to the theoretical/methodological framework and previous assumptions of national models (and immigrant integration approaches), such a “policy move” is often described in terms of increased liberalisation and inclusiveness. Yet, in countries such as Estonia and Poland (and maybe the rest of East-EU), with experience of emigration and a strong cultural/national monism, such a policy shift might just be an expression of the opposite, i.e. a tool to maintain a strong cultural/national community with the emigrated population and further safeguard the national heritage. So, when the EU now (with [probably] liberal intentions) tries to impose citizenship regulations regarding dual citizenship (e.g. as a new requirement for membership acquisition), it might just lead to the opposite, that is, re-ethnicization and nationalism. This is an aspect that the old typologies are unable to embrace in a coherent manner. One other problem in using these ideal-types is that they are much connected to and embedded in ideological assumptions.

The immigrant integration approach of Estonia and Poland appears to have been rather stable since the end of 1990s, i.e. after their EU accession. So, their immigrant integration politics have been fairly inactive for the last decade, that is, during a period of increased democratisation, transnationalism, liberalisation and economic growth. Such observations stand much in contrast to the thesis of convergence, which often mentions increased democratisation, liberalisation and transnationalism as independent variables that promote policy convergence. According to this study’s findings, such a correlation appears weak (at least in the context of the East-EU). However, the “convergence thesis” also often emphasises the impact of European countries’ shared experience of immigration (i.e. that all liberal states now face immigration, together with a shared realisation of the previous failures of immigrant integration). Such argumentation appears more valid. Thus it is obvious that the experience of immigrant integration still is different in the “East” compared to the “West”, e.g. the “West” has a longer tradition of immigration, also with larger immigrant groups of different religions (e.g. Muslims). Thus, the variable of immigrant experience could both explain the policy differences between Estonia and Poland, as well as Estonia’s and Poland’s unconformity with the “convergence thesis”.
The EU is currently sketching a mutual immigration agenda and the fact that the immigrant integration ideals of the East-EU appear different from those of West’s may cause tension. If the EU member-states do not share a common foundation of the ideals of immigrant integration, such a mutual agenda is unlikely to succeed. A recommendation would therefore be for EU to first support and guide the East-EU towards a more inclusive and culturally pluralistic immigrant integration approach, before imposing such a mutual agenda.
8. Final remarks

This study has described the immigrant integration trends in Poland and Estonia during the “post-Soviet era”, looking at the policy trends between 1991-2008. During this period both countries have shown tendencies of ethnicization (e.g. safeguarding the national culture with an emphasis on the jus sanguinis principle). It is clear that Poland and Estonia (i.e. parts of the East-EU) has not adopted a more “Western-style” approach regarding immigrant integration. There is no evidence for such convergence. In fact, the ethnic component in Poland’s and Estonia’s immigrant integration approach is in contrast to the “convergence claim” of de-ethnicization, civic integration, liberalism and universalism. Also, the integration politics of Poland and Estonia are contested. For example, the study shows that the Estonian immigrant integration approach appears more “calculated” and/or theoretically coherent than the Polish (that is, according to the ideal-types).

The theoretical framework has served its purpose, that is, to describe and compare countries’ immigrant integration politics. This study has shown that the framework of ideal-types is applicable and transferable in an East-EU context. Thus, Joppke’s statement that these national models are “dead” appears much exaggerated. National models of immigrant integration do exist in the East-EU, thus such comparisons and categorisations are still much valid. However, the models might need to be re-examined, e.g. it might be better to make comparisons in terms of ethnicization versus de-ethnicization.

The use of ideal-types structured around two dimensions (i.e. “citizenship conception” and “politico-cultural recognition”) and using indicators that required parallel correspondence may have aggravated the possibility to really capture the “full picture” of a country’s immigrant integration approach. Yet, for the purpose of this study (i.e. to analyse and compare the policy trends of immigrant integration and assess the robustness of the convergence claim), such research-design has shown to be rather suitable. In fact, I claim that the original research design of this study, e.g. with its less Muslim-biased indicators, the absolute categorisation method and the indicators parallel correspondence with reference to the ideal-types, can contribute methodologically to the field of comparative immigrant integration research.
Yet, even though this study demonstrates that it is possible to categorise countries according to the four ideals (multiculturalism, segregationism, universalism and assimilationism), it is not certain (or verified) that these countries also share the underlying philosophy behind such ideals. Maybe their policies and trends can be explained by other (less ideologically embedded) motives, such as the history of Soviet occupation, demographics and economic factors (“cost-benefit theory”), or differences in their welfare-system. Thus, the question regarding the underlying causes of the East-EU countries’ immigrant integration approaches has rather been left unanswered. Yet, I encourage researchers (including myself) to conduct such research. Also, it would be interesting to investigate how these countries approach other kinds of minorities, e.g. LGBT-people\(^{21}\) and disable. Is there a correlation between countries’ immigrant integration approach and how they approach other kinds of minorities?

This study has contributed both empirically, e.g. by considering countries that have, as yet, been largely neglected in immigrant integration research, and theoretically, by challenging the robustness of the convergence claim within an East-EU context. Furthermore, this study has also contributed methodologically through its rather innovative research design.

The paper intended to introduce an “Eastern” perspective on immigrant integration issues. That ambition has to some extent been meet. Yet, this study also indicates that the “Eastern” focus still deserves further attention. Therefore, I encourage researchers (including myself) to retain an “Eastern” perspective in immigrant integration research.

\(^{21}\) LGBT=Lesbian, Gay, Bisexual, Transgender.
References


Minority Right Group International (2010). Who are minorities?. Available online (last visit 2010-05-13): http://www.minorityrights.org


UN Secretary-General (4 April 2005). COMMENTARY OF THE WORKING GROUP ON MINORITIES TO THE UNITED NATIONS DECLARATION ON THE RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES. UN: Economic and Social Council.


Estonian legislation that has been referred to:

  Available online (last visit 2010-05-13):
  http://eudo-citizenship.eu/national-citizenship-laws/?search=1&country=Estonia

- *Citizenship Act (1992).*
  Available online (last visit 2010-05-13):
  http://eudo-citizenship.eu/national-citizenship-laws/?search=1&country=Estonia

- *The Republic of Estonia Education Act (1992).*
  Available online (last visit 2010-05-13):

  Available online (last visit 2010-05-13):

- *Applicants for Citizenship to know Estonian Act (1993).*

- *Citizenship Act (1995).*
  Available online (last visit 2010-05-13):
  http://eudo-citizenship.eu/national-citizenship-laws/?search=1&country=Estonia

- *Language Act (1995).*
  Available online (last visit 2010-05-13):
  http://eudo-citizenship.eu/national-citizenship-laws/?search=1&country=Estonia

- *Churches and Congregations Act (2002).*
  Available online (last visit 2010-05-13):
Polish legislation that has been referred to:

- **Law on Polish Citizenship (1962).**
  Available online (last visit 2010-05-13): [http://www.legislationline.org](http://www.legislationline.org)

- **The School Education Act of 1991.**

- **Constitution of Poland (1997).**
  Available online (last visit 2010-05-13): [http://eudo-citizenship.eu/national-citizenship-laws/?search=1&year=&country=Poland&name=&page=2](http://eudo-citizenship.eu/national-citizenship-laws/?search=1&year=&country=Poland&name=&page=2)

- **Law on Polish Language (1999).**
  Available online (last visit 2010-05-13):

- **The National and Ethnic Minorities and Regional Languages Act (2005).**

International conventions that has been referred to:

- **The United Nations International Covenant on Civil and Political Rights.**
  Available online (last visit 2010-05-13): [http://www2.ohchr.org/english/law/ccpr.htm](http://www2.ohchr.org/english/law/ccpr.htm)

- **The United Nations Convention on the Rights of the Child.**
  Available online (last visit 2010-05-13): [http://www2.ohchr.org/english/law/crc.htm](http://www2.ohchr.org/english/law/crc.htm)

- **The United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.**
  Available online (last visit 2010-05-13):
  [http://www2.ohchr.org/english/law/minorities.htm](http://www2.ohchr.org/english/law/minorities.htm)

- **Council of Europe Framework Convention for the Protection of National Minorities.**
  Available online (last visit 2010-05-13):

- **The European Charter for Regional or Minority Languages.**
  Available online (last visit 2010-05-13):