

Immigration, integration and Identity in the European Union: The possible construction of a new “Legal Other”.

The European Union has become involved in migration regulation in the last few years. Despite the calls by the European Commission and the Parliament to see integration as a two way process, it seems that some Member States have managed to uphold a restrictive vision of what integration means in the Council. This idea would consider that a secure legal status (or naturalization) is the crown to an already completed integration.

This vision seems to prevail in the recently adopted directives on immigration (Directive on long-term residence and on family reunification) as well as in the citizenship laws of the Member States. The amendments to these citizenship laws in the last years go in the direction of increasing the integration requirements (language and knowledge of the Country) in order to naturalise. At the same time, those foreigners with an ethnic or cultural affinity find it much easier to obtain citizenship in some Member States, sending a very powerful signal of who belongs and who does not.

The reasons for this restrictive position might have to do with the ideas about the ‘essence of the nation’ that continue to govern policy and legislation on migration regulation, aliens and their opportunities for naturalisation. These ideas were constructed in the last two centuries with the invention of the nation and the efforts to create a common language and history in each single European state. In this believe in a mythical national homogeneity might lie the answer to the increased interest in integration through language and culture. Moreover, this trend could be explained as a reaction to the increased erosion of power in the sovereignty of the State.

This restrictive trend has a parallel process occurring at the same time: European citizenship. European citizenship is acquiring more importance for European citizens in the last years, especially

through the action of the European Court of Justice. This has a tremendous importance for the construction of a European identity from a legal point of view. However, European citizenship also adds a further discrimination to those third country nationals that cannot acquire it. Hence, there is the risk of constructing a European Identity that is exclusive, in a clear contradiction with the principles that should govern the European Union.

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