

Changing Integration Policy towards Third-Country Nationals in the European Union: Integration Conditions

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Abstract

The thesis has investigated the conditions that have recently been put in practice by the Member States of the European Union (EU) in the name of integration. For third-country nationals (TCNs), the acquisition of certain legal statuses has been made conditional upon the fulfilment of various language and/or knowledge of the society tests. The new European trend clearly demonstrates the transformation of the integration concept into a restrictive, unilateral understanding that seems to prevail among the Member States. It has been argued that in contemporary Europe, integration functions as a tool for practising an immigration policy aimed at limiting the legal channels of international human mobility and the inclusion and security of TCNs inside the EU. The restrictive categories are not the characteristics of the nation states only as the EU level has also started abandoning its original approach of equal rights and non-discrimination. The thesis has presented several points of criticism directed at the integration tests. The major concerns revolve around the issue that immigrants have to internalise the host society's values and ways of life and to develop a disposition, containing emotional, rational, and behavioural elements. It has been concluded by this analysis that EU Member States seem to be trapped in the paradox of liberalism by embracing illiberal policies that violate the same values they seek to protect.

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Introduction

You spill someone's pint of beer in the pub. What would you do next out of the following 3 options: (A) You would offer to buy the person another pint; B) You would offer to dry their wet shirt with your own; and C) You may need to prepare for a fight in the car park. The 'correct' answer is A. Where does Santa Claus come from? (A) South Pole, (B) North Pole, (C) Poland, (D) Iceland.¹ The answer is, obviously, B. What would you do when annoyed by seeing two men stroking and kissing each other? The expected answer states that you pretend not to mind the gay men.²

The first two questions may be faced at a test in the UK, the third one in the Netherlands and many similar ones in the majority of the Member States of the European Union (EU) shall be answered 'properly' by most non-nationals applying for a secure legal status in their host country. These questions are part of the so-called integration tests, which are exams that non-nationals applying for certain legal statuses have to pass in order to obtain the requested status. These assessments may take the form of language or knowledge of the host society exam or both, and their application is getting widespread within the (EU) in the new millennium.

Most Member States have applied a language or integration condition for naturalisation for already more than fifty years. The examination as to whether an application met this condition used to be conducted through a personal interview with a municipal civil servant or a local representative of the state. This used to be the dominant means for checking whether an immigrant with the required residence, income and clean criminal record had sufficiently integrated into society in order to acquire full legal membership as well. Since the beginning of the new century these tests have been formalised. They are now practiced at an earlier stage in the migratory process and the level of knowledge required has also been raised considerably.³ Finally, the tests are no longer administered by the state but through private

¹ "Life in the UK Test. Free Online Practice Questions," <http://www.hiren.info/life-in-the-uk-test/>.

² Guus Extra and Massimiliano Spotti, "Language, migration and citizenship. A case study on testing regimes in the Netherlands," in *Discourses on Language and Integration. Critical perspectives on language testing regimes in Europe*, ed. Gabrielle Hogan-Brun, Clare Mar-Molinero, and Patrick Stevenson (Amsterdam, Philadelphia: John Benjamins Publishing Company, 2009), 61-81. p. 75.

³ For a description of these emerging policies see inter alia, Han Entzinger, "The rise and fall of multiculturalism: The case of the Netherlands.," in *Towards Assimilation and Citizenship. Immigrants in Liberal Nation-States.*, ed. Christian Joppke and E. Morawska (Houndmills: Palgrave Macmillan, 2003), 59-85. Alfons Fermin and Sara Kjellstrand, *Study on immigration, integration and*

companies. This quick transformation reflects a change in the understanding of the notion of integration and its relationship to the respective legal status.⁴

The novelty of this new integration policy is its obligatory character, which has notably increased over time, and this notional ‘integration’ policy has even transmuted into a tool of migration control.⁵ Accordingly, the entire integration domain is potentially subordinated to the exigencies of migration control.⁶ Joppke consistently argues that the target population of civic integration is mostly Muslim.⁷ The same author elsewhere interprets the civic integration policy as an instance of ‘repressive liberalism’, in the sense that liberal goals are pursued with illiberal means.⁸ The most drastic expression of this characteristic is the Dutch innovation of “integration from abroad”: applicants for family reunification are required to take an integration test at a Dutch embassy abroad in order to be granted a temporary residence permit. Similarly, the Austrian,⁹ German,¹⁰ and British¹¹ tests have also been migrated abroad. It has also been argued that a key feature of the policy solutions that have been offered in response to the integration crisis is the weakening of national distinctiveness, and a convergence with respect to the general direction and content of integration policy.¹²

social *cohesion*, 2005,
http://ec.europa.eu/employment_social/social_situation/docs/vc04_171_immigration_report.pdf;
 Christian Joppke, “Transformation of Immigrant Integration. Civic Integration and Antidiscrimination in the Netherlands, France, and Germany,” *World Politics* 59, no. 2 (2007): 243-73.

⁴ Kees Groenendijk, “Legal Concepts of Integration in EU Migration Law,” *European Journal of Migration and Law*, no. 6 (2004): 111-26.

⁵ Christian Joppke, “Beyond National Models. Civic Integration Policies for Immigrants in Western Europe,” *West European Politics* 30, no. 1 (2007): 1 – 22.

⁶ Groenendijk, “Legal Concepts of Integration in EU Migration Law.”

⁷ Christian Joppke, *Veil. Mirror of identity* (Cambridge: Polity, 2009).

⁸ Joppke, “Transformation of Immigrant Integration. Civic Integration and Antidiscrimination in the Netherlands, France, and Germany.”

⁹ Bernhard Perchinig, “All You Need to Know to Become an Austrian: Naturalisation Policy and Citizenship Testing in Austria,” in *A Re-definition of Belonging? Language and Integration Tests in Europe* (van Oers, Ricky Eva Ersbøll Dora Kostakopoulou, 2010).

¹⁰ Ines Michalowski, “Integration Tests in Germany. A Communitarian Approach?,” in *A Re-definition of Belonging? Language and Integration Tests in Europe*, ed. Ricky van Oers, Eva Ersbøll, and Dora Kostakopoulou (Leiden, Boston: Martinus Nijhoff Publishers, 2010), 185-210.;

¹¹ Ricky van Oers, “Citizenship Tests in the Netherlands, Germany and the UK,” in *A Re-definition of Belonging? Language and Integration Tests in Europe*, ed. Ricky van Oers, Eva Ersbøll, and Dora Kostakopoulou (Leiden, Boston: Martinus Nijhoff Publishers, 2010), 51-106.

¹² Joppke, “Beyond National Models. Civic Integration Policies for Immigrants in Western Europe.”; Joppke, “Transformation of Immigrant Integration. Civic Integration and Antidiscrimination in the Netherlands, France, and Germany.”

The introduction of these civic integration tests has generated a variety of criticisms.¹³ Some argue that the alleged failure of integration is overstated and is based on the exaggeration of certain isolated incidents (female genital mutilation, honour killings, and forced marriages in order to generate a “moral panic” and thereby facilitate an anti-immigration and anti-Islam program.¹⁴ Others argue that such civic integration policies are more closely associated with no-immigration policies, aiming at a restriction of the flow of immigrants, rather than fostering the ideal of liberal autonomy or civic republican concerns about active citizenship.¹⁵ This thesis further elaborates on the question whether integration tests are liberal.

The EU’s policy on TCNs’ integration is also a target of heavy criticism because it deviated from its original approach based on equal rights and non-discrimination and absorbed national conceptions of integration (i.e. integration as a means of migration control).¹⁶ For example, some see the incorporation of integration conditions into the directives on long-term residence and on family reunification as legitimising the discriminative integration requirements of the Member States at the EU level,¹⁷ while others argue that references in EU law to national integration conditions eventually mean a strong basis to challenge them in relation to the general principles of EU law.¹⁸ In addition, as the best way in the hands of the EU to integrate migrants, a number of proposals have put forward the idea that citizenship of the Union should be extended automatically to third-country

¹³ See inter alia E. Guild, K. Groenendijk, and S. Carrera, eds., *Illiberal Liberal States. Immigration, Citizenship and Integration in the EU*. (Farnham: Ashgate, 2009). Ricky van Oers, Eva Ersbøll, and Dora Kostakopoulou, eds., *A Re-definition of Belonging? Language and Integration Tests in Europe* (Leiden, Boston: Martinus Nijhoff Publishers, 2010); Rainer Bauböck and Christian Joppke, “How liberal are citizenship tests?” (Florence), http://eudo-citizenship.eu/docs/RSCAS_2010_41.pdf.

¹⁴ Liav Orgad, “Illiberal Liberalism: Cultural Restrictions on Migration and Access to Citizenship in Europe,” *American Journal of Comparative Law* 58, no. 1 (2009): 53-105. p. 61.

¹⁵ Christian Joppke, “Beyond national models. Civic integration policies for immigrants in Western Europe,” *West European Politics* 30, no. 1 (2007): 1-22. p. 250; Dora Kostakopoulou, “What liberalism is committed to and why current citizenship policies fail this test,” *How liberal are citizenship tests?* 41 (2010): 15-8, http://eudo-citizenship.eu/docs/RSCAS_2010_41.pdf.

¹⁶ Inter alia, Elspeth Guild, Kees Groenendijk, and Sergio Carrera, “Understanding the Contest of Community: Illiberal Practices in the EU?,” in *Illiberal Liberal States. Immigration, Citizenship and Integration in the EU*, ed. Elspeth Guild, Kees Groenendijk, and Sergio Carrera (Farnham: Ashgate, 2009), 1-28; Sergio Kostakopoulou, Dora Carrera and Moritz Jesse, “Doing and Deserving. Competing Frames of Integration in the EU,” in *Illiberal Liberal States. Immigration, Citizenship and Integration in the EU*, ed. Elspeth Guild, Kees Groenendijk, and Sergio Carrera (Farnham: Ashgate, 2009), 167-186.

¹⁷ For instance, Dora Kostakopoulou, “Introduction,” in *A Re-definition of Belonging? Language and Integration Tests in Europe*, ed. Ricky van Oers, Eva Ersbøll, and Dora Kostakopoulou (Leiden, Boston: Martinus Nijhoff Publishers, 2010), 1-23.

¹⁸ Sergio Carrera and Anja Wiesbrock, “Civic Integration of Third-Country Nationals. Nationalism versus Europeanisation in the Common EU Immigration Policy”, 2009, <http://www.ceps.eu/ceps/download/2179>; and Guild, Groenendijk, and Carrera, “Understanding the Contest of Community: Illiberal Practices in the EU?”.

nationals after a reasonable period of residence – usually minimum five years – without any other condition.¹⁹

Since formalised integration tests appeared only in the new millennium, this research field is still quickly developing. As far as I know, only three books have been published so far dealing with the new integration policy of the EU.²⁰ These also contain valuable case studies on Member States' integration conditions, but the only large-scale comparative analysis has been carried out by the "The INTEC project: Integration and Naturalisation tests: the new way to European Citizenship".²¹ However, the scope of this project was also limited to the investigation of nine Member States. The findings of the recent literature thus seem to be very limited focusing almost exclusively on West European continental countries and the UK.²² Therefore, there is a lack of systematic analysis of at least two other major groups of European countries: the Nordic and the Eastern states.

However, this MA thesis is limited in its length and content to contribute to the literature by systematically analysing any of these countries. But it aims to set the grounds for such endeavours by comparing the most basic features of these conditions across the 27 Member States. In addition, even this preliminary research can give some insights about what extent West European trends in integration policies are identical in other parts of Europe. This broader analytical view permits a more valid generalization at the European level and makes visible the differences between the Member States.

What I propose is, therefore, that a new integration policy paradigm is emerging in the constant interactions of the EU and national levels. There are important common

¹⁹ Maria Miguel Sierra and Jyostna Patel, *For a real citizenship* (Brussels: ENAR, 2001); Dora Kostakopoulou, *Citizenship, identity and immigration in the European Union* (Manchester and New York: Manchester University Press, 2001); Gerard Delanty, "Beyond the nation-state. National identity and citizenship in a multicultural society - a response to rex," *Sociological Research Online* 1, no. 3 (1996); Gerard Delanty, *Citizenship in a global age. Society, culture, politics* (Philadelphia: Open University Press, 2000); Jürgen Habermas, "Citizenship and national identity. Reflections on the future of Europe," *Praxis International* 12, no. 1 (1992): 1-19; Maarten Vink, *Limits of European Citizenship. European integration and domestic immigration policies* (Basingstoke: Palgrave Macmillan, 2005).

²⁰ Guild, Groenendijk, and Carrera, *Illiberal Liberal States. Immigration, Citizenship and Integration in the EU*; van Oers, Ersbøll, and Kostakopoulou, *A Re-definition of Belonging? Language and Integration Tests in Europe*; Gabrielle Hogan-Brun, Clare Mar-Molinero, and Patrick Stevenson, eds., *Discourses on Language and Integration Critical perspectives on language testing regimes in Europe* (Amsterdam, Philadelphia: John Benjamins Publishing Company, 2009).

²¹ Tineke Strik et al., *The INTEC Project: Synthesis Report. Integration and Naturalisation tests: the new way to European Citizenship*, 2010, [http://www.google.hu/url?sa=t&source=web&cd=1&ved=0CBgQFjAA&url=http%3A%2F%2Fwww.ru.nl%2Fpublic%2Fpages%2F621216%2Fsynthesis_intec_finalmarch2011.pdf&rct=j&q=The national requirements differ with regard to the organisation and implication%2C the content and level of the test INTEC&ei=gonmTcvZD9DHtAal7JiHCA&usq=AFQjCNGad4zD0Yg5ydwXQ45awpGM72o4-Q&sig2=K0-eJrgfBT6EdeHr54VH7Q](http://www.google.hu/url?sa=t&source=web&cd=1&ved=0CBgQFjAA&url=http%3A%2F%2Fwww.ru.nl%2Fpublic%2Fpages%2F621216%2Fsynthesis_intec_finalmarch2011.pdf&rct=j&q=The+national+requirements+differ+with+regard+to+the+organisation+and+implication%2C+the+content+and+level+of+the+test+INTEC&ei=gonmTcvZD9DHtAal7JiHCA&usq=AFQjCNGad4zD0Yg5ydwXQ45awpGM72o4-Q&sig2=K0-eJrgfBT6EdeHr54VH7Q).

²² It should be noted, however, that Latvia and Hungary are included in the INTEC project.

characteristics of the integration conditions applied in the Member State, which might gradually facilitate the enhancement of a common EU integration policy. This policy, however, would be restrictive and discriminative against particular immigrants, which would stand in contradiction with the liberal heritage and the demographic-economic needs of the old continent. I argue that the European way of civic integration, in some of its parts, is illiberal.

To support its main argument, the thesis analyses both language and civic knowledge tests along several important dimensions. The required level of knowledge, the content of the exam questions, the governmental justifications for introducing integration requirements, the amount of the fee charged for test-taking, the availability and price of preparatory materials and courses, the list of those who are exempted from test-taking, and the sanctions applied if the applicant fails to fulfil the integration conditions are all going to be overviewed in the practices of the 27 Member States of the EU. This investigation will be conducted with the purpose of mapping the incidence and the nature of integration conditions applied across the EU.

Integration tests have been criticised on several grounds pointing out their contradictions with the general principles of law, fundamental rights or liberal premises. The questions and answers quoted in the first paragraph indicate some important issues of this debate that are of high importance for this research. The ‘right’ answer to the first question is A. Yet, one might choose B, and ask whether this is morally or legally wrong. But there is a more fundamental point about which concerns should be raised: why is the British government interested in private interaction in bars? Spilling pints in a bar is not generally illegal behaviour and, as long as the reaction to such an act is legal, one might ask what the government has to do with this issue. How does finding the ‘correct’ answer relate to the level of integration? This question can also be asked at the second question. The third question and most importantly the expected answer also bear striking aspects about the particular norms and values that permeate the tests. First, the question itself assumes that the candidate will be annoyed by gay men even though this may not be the case. Second, the ‘correct’ answer implies that that Dutch tolerance in this respect is not really heartfelt, but a pretence.²³

The research’s scope is limited in 4 important respects. Firstly, only those integration requirements are under investigation which have been set for the applications of family reunification, long-term residence permit, and citizenship acquisition by naturalisation and

²³ Extra and Spotti, “Language, migration and citizenship. A case study on testing regimes in the Netherlands.” p. 75.

those that are in force for other legal statuses (for example visas for study purposes which contain language requirements for a long time) are not examined in this thesis. These three legal categories have been selected because they might represent linear stages in immigrants' life (entry, long-term stay, and citizenship) and therefore my expectation was that integration requirements get gradually higher for each status as the non-national spend more time in the host society. In addition, the rights of family migrants and long-term residents are harmonised at the EU level by two directives, which provides a further point of justification for the analytical limitations of the thesis. Secondly, only integration conditions are examined, that is, requirements that must be fulfilled in order to be granted a respective legal status. Integration measures, such as integration programmes implemented by the states after the foreigner has been admitted, are not studied.²⁴ Thirdly, the thesis is dedicated to third-country nationals (TCNs), i.e. those without the citizenship of a Member State, and therefore EU nationals are beyond the analysis.²⁵ Limitations, fourthly, also come from the lack of data about the national integration conditions. Certain countries provide only minimal information on their requirements, which not only reduces the scope of this research, but, and more importantly, also makes the life of the applicants of respective statuses difficult. Therefore, the lack of data means low transparency and little help for TCNs to obtain the desired status, which is used as an aspect of analysis in this thesis.

The thesis adopts two distinct methods to investigate its goals. Firstly, it reviews the relevant literature extensively. Insights of the different research are contrasted and synthesised to get the paper closer to its outlined purposes. Secondly, a large amount of data is collected and processed in order to compare the basic features of integration conditions across all 27 Member States. In the first place, I used primary sources (most importantly, relevant authorities' websites and official handbooks) for data collection and, in addition, I also took advantage of available secondary sources (chiefly, case studies and country reports).

The thesis is structured around three major parts. The first chapter revolves around the notion and policy of integration and their recent transformation in the EU arena. It concludes that national features have been uploaded to the EU level resulting in 'assimilation-like' integration practices across the Member States. The second chapter, relying on the Tables in the Appendix, overviews the incidence of integration conditions applied during family reunification, long-term residence permit, and naturalisation applications. The shared

²⁴ The distinction between integration conditions and measures is further elaborated in the body of this thesis.

²⁵ The selection of the legal statuses for investigation also reflects this limitation since family reunification and long-term residence permit are not applicable to EU citizens. However, naturalisation conditions are mandatory for TCNs and EU citizens as well.

characteristics of national integration regimes are emphasised with a view to identify EU-wide trends. The third part of the thesis is a critical review of the content and the assumptions of national integration tests. This section identifies common deficits that prevent integration conditions from facilitating integration.

1 The Concept of Integration and Its Interpretation in the EU

This chapter aims to interpret the distinctiveness of the recent civic integration paradigm which is getting dominant within the EU. To this end, 4 main modes of migration incorporation are described with a view to understand the original idea of integration. Contemporary European integration policies are, however, gradually transforming into practices that are less welcoming towards immigrants and more demanding in terms of unilateral integration requirements. The analysis of the reflections of this on-going process at the EU level occupies the bulk of this chapter. Therefore, this part of the thesis also deals with the emerging EU integration agenda.

1.1 The Definition of Integration

The migration and citizenship literature identifies a number of modes of migration incorporation.²⁶ Relying on Dora Kostakopoulou's categorisation,²⁷ only 4 of them will be described here with the purpose of obtaining a better understanding of the policy of integration.²⁸ The first way of dealing with immigrants is separating them from the mainstream society, which is often justified as a set of inevitable protective measures for preserving national unity and social cohesion. This policy relies on a notion of community which is based on common ethnic origin and a homogenous culture. Immigrants are, by definition, not part of this community, which results in a restrictive policy towards them: for instance exclusion from formal membership, political participation, and respectful

²⁶ Bhikhu Parekh, "Integrating Minorities in a Multicultural Society," in *European Citizenship, Multiculturalism and the State*, ed. Ulrich Preuss and Ferran Requejo (Baden Baden: Nomos Verlagsgesellschaft, 1998), 67–85; Bhikhu Parekh, *Rethinking Multiculturalism: Cultural Diversity and Political Theory* (London: Palgrave, 2000); Dora Kostakopoulou, "Integrating Non-EU Migrants in the European Union: Ambivalent Legacies and Mutating Paradigms," *Columbia Journal of European Law* 8, no. 2 (2002): 1-21.

²⁷ Kostakopoulou, "Introduction," pp. 5-6.

²⁸ Evidently, these are typological models representing the extremes; in practice it is barely possible to observe them in their pure forms in the current nation state configuration.

settlement.²⁹ This is a policy of non-incorporation. The second approach relying on an idealised homogenous society requires immigrants to share the culture and the values of the host community and to abandon the distinctive aspects of their identity.³⁰ This is the policy of assimilation in which acculturation and the process of ‘becoming the same’ is necessary, on the side of immigrants only, for political belonging. The third distinct approach is multiculturalism which is based on the recognition of ‘difference’ and the promotion of a reciprocal learning process among minority and majority communities. It perceives the bonds that hold communities together political in nature and society as a forum of openness, equality, and of intercultural dialogue. It, therefore, protects and enhances diversity and does not make political belonging conditional upon conformity.

The fourth model is integration which requires active participation in the society, therefore isolation is not permitted. However, being a part of a cultural minority is allowed.³¹ Consequently, immigrants can acquire full rights and can fully participate in a society without being forced to assimilate into the mainstream culture.³² A policy of integration, therefore, requires immigrants to indentify with a culture of civic duties in the public arena, while maintaining their cultural differences in the private sphere. Integration is intransitive, in the sense that the migrant cannot be forced into it; integration can only be the result of the migrant’s own agency. Respecting the migrant’s agency implies that integration has to be a two-way process, in which not just the migrant but the receiving society, too, has to adapt. In other words, it is defined as a contractual agreement between the migrant and the host society, from which a number of obligations follow. Migrants must be loyal and respectful of the values, culture, and traditions of the host society. In turn, the host society will authorise their residence, endow them with protection against arbitrary expulsion, and facilitate their involvement in the socio-economic and cultural spheres.

The new civic integration paradigm has, however, largely departed from this original meaning. The emphasis has now shifted to the migrant, who has the responsibility to

²⁹ Ibid. p. 5.

³⁰ Gerard-René de Groot, Jan-Jaap Kuipers, and Franziska Weber, “Passing Citizenship Tests as a Requirement for Naturalisation: A Comparative Perspective,” in *Illiberal Liberal States. Immigration, Citizenship and Integration in the EU*, ed. Elspeth Guild, Kees Groenendijk, and Sergio Carrera (Farnham: Ashgate, 2009), 51-77. p.52; Marie-Claire Foblets and Zeynep Yanasmayan, “Language and Integration Requirements in Belgium: Discordances Between the Flemish Policy of ‘Inburgering’ and the Federal Legislators’ View(s) on the Integration of Newcomers and Migrants,” in *A Re-definition of Belonging? Language and Integration Tests in Europe*, ed. Ricky van Oers, Eva Ersbøll, and Dora Kostakopoulou (Leiden, Boston: Martinus Nijhoff Publishers, 2010), 271-305. p. 272.

³¹ de Groot, Kuipers, and Weber, “Passing Citizenship Tests as a Requirement for Naturalisation: A Comparative Perspective.” p. 52.

³² Ibid. p. 52.

integrate, or to assimilate, into the mainstream culture, and to prove his commitment to the host society. The other side of the process, i.e. host societies have to be supportive of settlement and adaptive to the presence of newcomers, has been forgotten, thereby rendering integration a unidirectional practice. The new approach presupposes the existence of deficits on the part of migrants, which must be overcome through learning the language, history, civic traditions, and culture of the host state.³³ As a result, contemporary liberal states lay out only in two requirements what they expect of their immigrants in terms of integration: that they adopt the official language of the receiving society, and that they respect liberal democratic values and procedures.³⁴

1.2 ‘Integration’ in EU Law

The traditional understanding of integration has experienced dynamic mutations in EU law during the development of a common legal framework.³⁵ A single and unified integration agenda does not exist, which entails that Member States have shaped and continue to shape the EU integration framework since 2003.³⁶ Integration remains in the area of competence of Member States and in this task the Union has to support them.³⁷ The evolving EU integration agenda reflects the briefly mentioned alterations in integration policies, which shall be outlined in the next paragraphs.

Issues concerning TCNs appeared within the Community’s formal structure by designing the separate intergovernmental pillar (the ‘third pillar’) of the Treaty on the European Union (1 November 1993). With the entry into force of the Amsterdam Treaty (1 May 1999) policies towards TCNs have been transferred into the EC Treaty (the ‘first pillar’),

³³ Kostakopoulou, “Introduction.” p.7.

³⁴ Christian Joppke, *Selecting by origin. Ethnic migration in the liberal state* (Cambridge, Mass. and London: Harvard University Press, 2005).

³⁵ Guild, Groenendijk, and Carrera, “Understanding the Contest of Community: Illiberal Practices in the EU?”. p. 4.

³⁶ On the EU framework of integration, see Kostakopoulou, Dora Carrera and Jesse, “Doing and Deserving. Competing Frames of Integration in the EU.”

³⁷ Sara Iglesias Sánchez, “Free Movement as a Precondition for Integration of Third-Country Nationals in the EU,” in *Illiberal Liberal States. Immigration, Citizenship and Integration in the EU*, ed. Elspeth Guild, Kees Groenendijk, and Sergio Carrera (Farnham: Ashgate, 2009), 205-219. p. 218.

This approach has been reaffirmed by the Lisbon Treaty: “The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, may establish measures to provide incentives and support for the action of Member States with a view to promoting the integration of third-country nationals residing legally in their territories, excluding any harmonisation of the laws and regulations of the Member States.” Article 79 (4) of the Treaty on the Functioning of the European Union

which led to the “rethinking of the position of TCNs in the Community legal order and the weakening of the hierarchical and security-based post-Maastricht paradigm. A new rights-based integration template was taking root,”³⁸ which was reflected at the Tampere special summit in October 1999 where the Heads of State and Government declared the fair treatment of TCNs as a priority area entailing a strong integration policy and the granting of rights and obligations comparable to those of EU citizens.³⁹ This landmark commitment urged the Commission to propose two directives, on family reunification (1999) and on the status of long-term resident TCNs (2001) respectively.⁴⁰ Both initiatives, as it will be elaborated in Chapter 3, viewed integration as a matter of equal treatment, but certain Member States’ objections have reduced the coherence of this approach. It was during the negotiation of these two measures inside the Council in 2001 and 2002 when the meaning of integration transformed significantly from the principles emphasised in the Tampere Programme towards a more restrictive trend.⁴¹

By the beginning of the new millennium, integration had become a prominent issue at the EU level. In 2002, the Justice and Home Affairs Council proposed the establishment of National Contact Points on Integration in order to enhance coordination and to achieve more policy coherence.⁴² They constitute a network for exchanging information and best practice in this area and to monitor progress.⁴³ The European Council meeting of 2003 in Thessaloniki also called for a common policy framework for migrant integration.⁴⁴ The Commission responded by issuing a Communication on “Immigration, Integration and Employment”⁴⁵. The liberal-multiculturalist paradigm of equality and the Tampere discourse on the fair treatment of TCNs have been reflected in the Communication.⁴⁶ The document called for the

³⁸ Kostakopoulou, “Introduction.” p. 12.

In addition, this was the first time that the issue of integration explicitly appeared on the EU agenda. Anja Wiesbrock, “Discrimination instead of integration? Integration requirements for immigrant in Denmark and Germany,” in *Illiberal Liberal States. Immigration, Citizenship and Integration in the EU*, ed. Elspeth Guild, Kees Groenendijk, and Sergio Carrera (Farnham: Ashgate, 2009), 299-314. p. 299.

³⁹ Tampere Presidency Conclusions, European Council, 15–16 October 1999, SN 200/99 Brussels.

⁴⁰ Kostakopoulou, “Introduction.” p. 12.

In addition, this was the first time that the issue of integration explicitly appeared on the EU agenda. Discrimination Instead of Integration? In Illiberal.p.299

⁴¹ Guild, Groenendijk, and Carrera, “Understanding the Contest of Community: Illiberal Practices in the EU?”. p. 4.

⁴² Comprising one or two officials from each Member State, including the UK, Ireland, and Denmark. Kostakopoulou, Dora Carrera and Jesse, “Doing and Deserving. Competing Frames of Integration in the EU.” p. 181.

⁴³ Kostakopoulou, “Introduction.” p. 13.

They have also participated in the elaboration of the most important policy tools in this area, such as the three Handbooks on Integration.

⁴⁴ Thessaloniki European Council, 19–20 June 2003. Presidency Conclusions 11638/03.

⁴⁵ COM (2003) 336 final, 3 June 2003.

⁴⁶ Ibid. p. 13.

development of comprehensive integration policy which, most importantly, tackles racism, strengthens anti-discrimination, and promotes family reunification.⁴⁷ In addition, the Commission highlighted the positive dimensions of migration and emphasised its future role in sustaining economic growth in Europe.⁴⁸ Similar concerns were reflected in the Commission's First Annual Report on "Immigration and Integration in Europe".⁴⁹ It, however, also emphasised among the migrants' responsibilities that they shall "understand and respect the fundamental norms and values of the host society" and to speak the language of the host state.⁵⁰ The Hague Programme, the successor to the Tampere Programme, also emphasised the need for greater coordination in national integration policies and EU initiatives and for the development of a clear framework on integration. To achieve its goals, it set common principles that were adopted as Common Basic Principles (CBPs) by the Justice and Home Affairs Council on 19 November 2004.⁵¹ The principles, on the one hand, define integration as "a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States" (CBP 1). They, on the other hand, reflect national conceptions by placing emphasis on migrants' responsibilities to respect the basic values of the EU (CBP 2), learn the language, history, and institutions of the host society (CBP 4), be active societal participants (CBP 5). The Commission's Communication on a "Common Agenda for an Integration Framework for the Integration of TCNs in the EU" (2005)⁵² aimed to support the CBPs by proposing concrete action at both national and EU levels. It referred to the strengthening of "the integration component of admissions procedures, through pre-departure measures, such as information packages and language and civic orientation courses in the countries of origin" with a view to promoting the implementation of CBP 4. The Commission's Second Annual Report, furthermore, noted the "new emphasis on obligatory integration courses, containing both language instruction and civic orientation",⁵³ whereas the Third Annual Report⁵⁴ called for "the added value of common European modules for migrant integration"⁵⁵. Finally, the European Pact on Immigration and Asylum (2008) also lends legitimacy to the unidirectional conception of integration and the restrictive migration agenda featured in national arenas by claiming that

⁴⁷ COM (2003) 336, p. 25.

⁴⁸ COM (2003) 336, p. 26.

⁴⁹ COM (2004) 508, p. 5.

⁵⁰ COM (2004) 508, p. 9.

⁵¹ Justice and Home Affairs Council Meeting 2618, 14615/04 of 19 November 2004.

⁵² COM (2005) 389 final, Brussels, 1 September 2005.

⁵³ SEC (2006) 892, 30 Jun 2006, p. 5.

⁵⁴ COM (2007) 512, 11 September 2007.

⁵⁵ COM (2007) 512, 11 September 2007, p. 10.

“legal immigration policy must be selective and concerted”⁵⁶; “family immigration must be more effectively organised . . . [,] must be in accordance with the *acceptance capabilities* of the Member State and the *integration capabilities* of migrants” (emphases in original).⁵⁷

The transformation of integration policies has also been noted by Kees Groenendijk in his analysis on the relationship of law and integration.⁵⁸ This link can be described along three distinct perspectives.

“The three perspectives can be summarised as follows:

1. a secure legal status will enhance the immigrant's integration in society; a strong residence status and equal treatment are instruments for integration;
2. naturalisation (or a permanent residence status) should be the remuneration for a completed integration; naturalisation is the crown on a successfully completed integration;
3. the lack of integration or the assumed unfitness to integrate are grounds for refusal of admission to the country.”⁵⁹

The first perspective is reflected in the Hague Programme, the Council Conclusions, and is also strongly supported by a lengthy legal tradition in EU law where it constitutes an important rationale for the free movement of workers principle. The second perspective is basically absent in EU law. The third restrictive perspective is a recent innovation, which has been transplanted by Member States into the directives on family reunification and long-term residence from their domestic laws or legislative proposals. Therefore, Groenendijk’s study also reveals a shift towards a more restrictive integration policy at the EU level and the inherent tension that the recent stage of transformation entails (i.e. the co-existence of two conflicting perspectives, namely the first and the third one).

As it was briefly mentioned, the essence of the recent transformation of EU integration policy is that it started applying national perspectives. This uploading of national discourses and categories took place during intergovernmental bargaining in the Council and through the increasing exchange of information and the dissemination of ‘best practices’ among the Member States. The basic tenet of the exchange of information is the EU Framework on Integration which has been developing since 2002, and is now comprised of a set of Common Basic Principles for Immigration Integration policy, three handbooks on integration for policy-makers and practitioners,⁶⁰ three Annual Reports on migration and integration, the setting up of the National Contact Points on Integration, and, most recently, the European

⁵⁶ Commitment 1.1

⁵⁷ Commitment 1.3

⁵⁸ Groenendijk, “Legal Concepts of Integration in EU Migration Law.”

⁵⁹ Ibid. p. 113,

⁶⁰ They are available at http://ec.europa.eu/home-affairs/doc_centre/immigration/immigration_integration_en.htm

integration forum, and the European Web Site on Integration.⁶¹ All these tools have been accompanied by the European Integration Fund, with 825 EUR million for the period 2007 – 2013.⁶²

All these elements constitute a unique multilevel method of governance in the field of integration of TCNs, which involves a package of non-binding regulatory tools and diversified supranational networks that have given birth to, in Carrera's terms, a quasi-Open Method of Coordination (OMC).⁶³ This might turn into a real OMC as after the entry into force of the Lisbon Treaty, Article 79 (4) of the Treaty on the Functioning of the Union provides, for the first time, an explicit legal basis to develop European cooperation in the field of integration of legally staying TCNs.⁶⁴ Furthermore, the Stockholm Programme,⁶⁵ the continuation of the Hague Programme, invites the Commission to support the Member States' efforts by developing a coordination mechanism based on a common reference framework which is intended to improve the exchange of knowledge at the European level.

This chapter has demonstrated that EU law has been characterised by a conception of integration as equal treatment and equal participation. But since 2003 a new understanding of integration has taken root emphasising the unilateral duties of immigrants and making the secure legal statuses conditional upon the fulfilment of integration conditions.⁶⁶ The following chapter investigates the basic features and the diffusion of these requirements across the Member States of the EU with the purpose of identifying common attributes.

⁶¹ Guild, Groenendijk, and Carrera, "Understanding the Contest of Community: Illiberal Practices in the EU?" p. 6.

⁶² The consolidation of the EU framework on integration. Report to the 2010 Ministerial Conference on Integration. Commission Staff Working Document SEC(2010) 357 final. p. 3.

⁶³ Sergio Carrera, *Benchmarking integration in the EU: Analyzing the debate on integration indicators and moving it forward* (Berlin, 2008), http://www.bertelsmann-stiftung.de/bst/de/media/xcms_bst_dms_25692_25693_2.pdf.

⁶⁴ The consolidation of the EU framework on integration. SEC(2010) 357. p. 2.

⁶⁵ (Presidency Conclusions, document EUCO 6/09. The Programme itself is in document 17024/09.)

⁶⁶ Kostakopoulou, Dora Carrera and Jesse, "Doing and Deserving. Competing Frames of Integration in the EU." p. 168.

2 Overview of the Integration Conditions in the Member States of the EU

This chapter aims to map the incidence and the most basic features of the various conditions that have been introduced by the Member States in the name of ‘integration’. The application of integration conditions is examined in the case of the following 3 specific legal categories, which provide TCNs with a secure status in their new home: family reunification, long-term residence permit, and citizenship acquisition by naturalisation. The chapter is divided into 3 parts. The first one describes the legal instruments briefly. The second subsection carries out the comparative analysis of the integration conditions. The final part identifies the emerging trends of the Member States’ practices. As this outline suggests, the analytical endeavour of this chapter of the thesis is necessarily descriptive and comparative, which serves the purposes of the evaluative investigation applied in Chapter 3.

2.1 Legal Background

The aim of this subsection is to identify the division of competences between the EU and the Member States in the case of family reunification, long-term residence permit, and citizenship acquisition by naturalisation where the application of integration conditions will be overviewed in the following subsection of this chapter. For this purpose, the following paragraphs will briefly describe these legal instruments with a focus on the scope of the legal possibilities for the national level to introduce integration requirements. The analysis will conclude that national laws rule over the three domains under investigation.

The Council Directives 2003/109 on the status of long-term residents who are third-country nationals (LTRD)⁶⁷ and 2003/86 on the right to family reunification⁶⁸ are among the most relevant EU acts so far adopted in the field of legal immigration.⁶⁹ Both draft Directives viewed integration as a matter of equal treatment and incorporated its promotion among their

⁶⁷ Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents, OJ L 16/44, 23.1.2004.

⁶⁸ Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification, OJ L 251/12, 3.10.2003.

⁶⁹ Guild, Groenendijk, and Carrera, “Understanding the Contest of Community: Illiberal Practices in the EU?”, p. 4.

goals.⁷⁰ These two Directives provide common standards and EU-wide rights within their respective scope.⁷¹ The family reunification directive sought to harmonise national legislations in this area by granting the right to family reunification to all third-country nationals.⁷² It establishes common standards and criteria for TCNs residing lawfully in a Member State to be reunited with their family members. The LTRD aimed to provide a uniform framework for the granting of long-term resident status in the EU and to grant long-term resident third-country nationals the right of residence and work in the other Member States.⁷³ This applies to all third-country nationals residing legally in the territory of a Member State for 5 years. The status shall be permanent, valid for at least five years, and automatically renewable on expiry. The conditions for acquiring the status are stable and sufficient resources, and health insurance.⁷⁴ However, member states ‘may’ also subject TCNs to compulsory integration requirements in accordance with national law.⁷⁵ In the family reunification Directive, third-country nationals’ rights to family reunification may be made conditional upon compliance with ‘integration measures’, which may be required for ordinary migrants before they have been granted family reunification.⁷⁶

The Commission’s original proposal did not contain any reference to such integration requirements. However, the strong objection of Austria, Netherlands, Germany, and Denmark and the unanimous decision-making rule resulted in the insertion of Article 7(2) and Article 5(2) into the family reunification directive and the LTRD respectively, allowing Member States to apply integration requirements in accordance with the national law. The long-term resident status shall also entail the “right to reside in the territory of member states other than the one which granted him/her the long-term residence status, for a period exceeding three

⁷⁰ Kostakopoulou, “Introduction.” p. 11.

⁷¹ The United Kingdom, Denmark, and Ireland abstained from participating in the adoption of the two directives and are not bound by them. Helen Oosterom-Staples, “The Family Reunification Directive: A Tool Preserving Member State Interest or Conducive to Family Unity?,” in *Whose Freedom, Security and Justice? EU Immigration and Asylum Law and Policy*, ed. Anneliese Baldaccini, Elspeth Guild, and Helen Toner (Oxford: Hart, 2007), 451-488. p. 452.

⁷² For an analysis on the family reunification directive, see *Ibid.*; and Kees Groenendijk, “Family Reunification as a Right under Community Law,” *European Journal of Migration and Law* 8, no. 2 (2006): 215-230.

⁷³ For an analysis on the LTRD, see Sonja Boelaert-Souminen, “Non-EU nationals and Council Directive 2003/109/ EC on the status of third-country nationals who are long-term residents: Five paces forward and possibly three paces back,” *Common Market Law Review* 42, no. 4 (2005): 1011-52; Louise Halleskov, “The long-term residents directive: A fulfilment of the Tampere objective of near-equality,” *European Journal of Migration and Law* 7, no. 2 (2005): 181-202; Kees Groenendijk, “Long-Term Residence Directive, Denizenship and Integration,” in *Whose Freedom, Security and Justice, EU Immigration and Asylum Law*, ed. A. Baldaccini, E. Guild, and H. Toner (Oxford: Hart, 2007), 429-450.

⁷⁴ Article 5(1) LTRD.

⁷⁵ Article 5 (2) LTRD.

⁷⁶ Article 7 (2) LTRD.

months”.⁷⁷ With the exception of language classes, the second member state may force TCNs “to comply with integration measures [,] in accordance with national law” only when the immigrant was not subjected to such integration measures in the first Member State.⁷⁸ Once the long-term resident is deemed to have been integrated in one member state, s/he cannot be required one more time to proof her/his integration in another Member State. That is to say, integration in one Member State is considered equivalent to integration in European Union considered as a whole.⁷⁹

It is to note that the previously mentioned provision refers to ‘integration measures’ while Article 5(2) of the same Directive refers to ‘integration conditions’. This differentiation of concepts used is not to be considered without legal meaning,⁸⁰ as long as it was expressly debated in the negotiations in the Council.⁸¹ An ‘integration condition’ means that the acquisition of the status or the enjoyment of a certain right can be conditioned upon the fulfilment of a specific integration test. On the other hand, an ‘integration measure’ can be considered as a means of integration which can be imposed to the individual, but whose fulfilment has to be considered as achieved as long as the individual has been subject to the application of this measure. A certain level of performance, for example in languages, cannot be required but only the attendance of some language courses.⁸² It should also be noted that the family reunification directive’s provision allows ‘integration measures’, which causes some legal concerns that are going to be elaborated in Chapter 3.

In the case of citizenship law, there is no EU regime in force that would harmonize the diverse national laws. The autonomy of Member States in regulating nationality was reinforced in the special 'Declaration (No. 2) on nationality of a Member State' which was attached to the Maastricht Treaty:⁸³ “The Conference declares that, wherever in the Treaty establishing the European Community reference is made to nationals of the Member States, the question whether an individual possesses the nationality of a Member State shall be settled solely by reference to the national law of the Member State concerned.”⁸⁴ There is, therefore, no legal act adopted by the EU in the field of nationality law.⁸⁵ Only some indirect influence

⁷⁷ Article 14(1) LTRD.

⁷⁸ Article 15 (3)(b) LTRD.

⁷⁹ Sánchez, “Free Movement as a Precondition for Integration of Third-Country Nationals in the EU.” p. 216.

⁸⁰ Groenendijk, “Legal Concepts of Integration in EU Migration Law.” p. 123.

⁸¹ Sánchez, “Free Movement as a Precondition for Integration of Third-Country Nationals in the EU.” p. 215.

⁸² Groenendijk, “Family Reunification as a Right under Community Law.” p. 224.

⁸³ Gerard-René de Groot, “Towards a European Nationality Law.” <http://www.ejcl.org/83/art83-4.html#h4>.

⁸⁴ European Union, “Selected Instruments taken from Treaties,” <http://europa.eu/abc/treaties/archives/en/entr10.htm>

⁸⁵ The only attempt to exert some influence on nationality matters was a resolution of the European Parliament of 18 September 1981, OJ 1981 C 260/100, where, on the occasion of a debate regarding the British Nationality Act

is expressed by the EU via general principles of EU law.⁸⁶ The only European attempt to regulate the general principles on nationality was a Council of Europe project culminating in the adoption of The European Convention on Nationality in 1997.⁸⁷ This can be still considered the most influential and advanced international instrument in the field of nationality. However, it has been ratified only by 11 and signed, but not ratified, by other 9 EU Member States.⁸⁸ Therefore, it does not have an EU-wide impact.

This short overview clearly demonstrated the absence of EU/international regulations on integration requirements. This legal situation provides Member States with a wide margin of appreciation when defining and interpreting the conditionality of integration at the national level within the scope of these Directives and nationality rules.⁸⁹ The next section will investigate to what extent governments use their discretionary powers over these domains and introduce integration conditions.

2.2 The Application of Integration Conditions in the Member States

This section describes one-by-one the commonness and the most fundamental dimensions of the integration conditions set by the Member States for the acquisition of the respective legal status. The analytical method of the section dealing with family reunification is comparison by countries, which helps to shed light on a benchmarking process taking place between and among the Member States. The integration conditions in relation to a long-term residence permit and citizenship acquisition by naturalisation are contrasted by selected key points, which helps to single out the extremities along each dimension. It shall be noted that the Tables included in the Appendix of the thesis constitute the core part of the following examination and since data are more widely provided there and to avoid the duplication of references, sources are primarily identified in the Appendix and not here.

1981, it was concluded that a certain degree of harmonisation of nationality law should be promoted so as to avoid that persons were born stateless within the territory of the Community.

⁸⁶ See Gerard-René de Groot, "Towards a European Nationality Law."

⁸⁷ Lisa Pilgram, *International law and European nationality laws*, 2011, <http://eudo-citizenship.eu/docs/Pilgram.pdf>. p. 6.

⁸⁸ Entered into force: Austria, Bulgaria, Czech Republic, Denmark, Germany, Hungary, Netherlands, Portugal, Romania, Slovakia, and Sweden.

Signed but not ratified: Finland, France, Greece, Italy, Latvia, Malta, Poland, Slovenia, and Spain. Council of Europe, "European Convention on Nationality" <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=166&CM=1&DF=7/5/2007&CL=ENG>

⁸⁹ Guild, Groenendijk, and Carrera, "Understanding the Contest of Community: Illiberal Practices in the EU?". p. 5.

2.2.1 Family Reunification

Recently, 6 out of the 27 Member States make the issue of the relevant legal document for the purpose of family reunification conditional upon the fulfilment of integration requirements. The example set by the Netherlands in 2006 has been followed by France since 2008, by Germany since 2008, by Denmark since 2010, by the United Kingdom since 2010, and lately by Austria since 2011.⁹⁰ These countries integration conditions are compared in Table 1 (found in the Appendix) and are going to be analyzed in the next paragraphs. Since references to the practices of other Member States were often made during the law-making procedures, the investigation follows the chronological order of the introduction of the integration tests and courses.

Since 2006, one of the criteria for being granted a provisional residence permit, which is required for most TCNs to travel into the Netherlands and to get a residence permit entitling them to settle in the country, under the scope of the Family Reunification Directive, is fulfilling integration conditions.⁹¹ The requirements contain both a society and language test whose level is, recently, A1 and only oral skills are assessed. The exam shall be taken at the Dutch consulate or embassy still in the country of origin or at the closest one in case such an office is not found in the respective state. In the case of a successful test, an examination pass is issued which is valid for one year only.⁹² If the applicant fails, no legal entry to the territory of the Netherlands is provided. The official justification of the introduction of the requirement was to put an end to the process of marginalisation of a growing number of immigrants. The Dutch government argued that a significant proportion of the marginalised and non-integrated immigrants come for the purpose of family reunification or family formation.⁹³ The Turkish and Moroccan nationals were pointed out as the two largest groups of family migrants, who

⁹⁰ Therefore, the following countries do not apply integration tests or courses in relation to applicants for family reunification: Belgium, Bulgaria, Cyprus, Czech Republic, Estonia, Finland, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, and Sweden. The sources are the individual fact sheets of each country provided by Migrant Service Centres (<http://www.migrant-servicecentres.org/index.php?page=1>)

⁹¹ Leonard Besselink, "Integration and immigration. The vicissitudes of Dutch 'Inburgering'," in *Illiberal Liberal States. Immigration, Citizenship and Integration in the EU*, ed. Elspeth Guild, Kees Groenendijk, and Sergio Carrera (Farnham: Ashgate, 2009), 241-58. p. 245.

⁹² "The Dutch Civic Integration Examination Abroad." Information Brochure. Available at <http://www.rijksoverheid.nl/bestanden/documenten-en-publicaties/brochures/2009/08/01/het-basisexamen-inburgering-in-het-buitenland-nederlands-en-english-the-dutch-civic-integration-examination-abroad/9098-20basisexamen-20inburgering-20n-en.pdf>, p.13

⁹³ For an analysis on the Parliamentary debate around the Act on Civic Integration, see Ibid. p. 254.

often possess a basic level of education and are often unemployed. The Dutch legislation claimed that the solution was to start the integration process earlier, namely prior to departure. Until 2007 there were no possibilities for TCNs to prepare for the examination as the Dutch state did not organise courses, make the exam questions or samples of them publicly available or issued any support materials.⁹⁴ This policy has been significantly changed (with the notable exception of the still undisclosed exam questions) and today potential family migrants can purchase a self-study pack, follow an integration course, and have access to sample tests on the Internet.⁹⁵ The self-study pack is available in several languages and contains materials for all three examination parts.⁹⁶ The central piece of the preparatory kit is a video aiming to show the way of life in the Netherlands.⁹⁷ Most importantly, certain Western and/or friendly countries' nationals and refugees' family members are exempted from taking the integration tests. The Netherlands charge 350 € as test-taking fee.

In 2007, the French Parliament also adopted a new regulation on introducing integration requirements which shall be satisfied by potential family migrants. Although, the legislative justification referred to the Dutch practice as a successful model, the French regime is not a complete imitation of the latter as, beside not less important similarities, significant differences can be identified. The French government used a similar justification by arguing that the number of TCNs admitted for family reunification was too high and, therefore, the introduction of integration conditions was necessary in order to manage the immigration flows. The French test should also be taken in the country of origin and assesses both language and societal knowledge. However, unlike the Dutch one, the French language exam not only requires oral, but also written skills. The French regime features further differences along several other dimensions as well: the required level of language knowledge (A1.1 is below A1), failing the test abroad does not prevent family reunification (only two-month delay at most), the scope of exemptions is wider, and the test-taking and the integration courses are free of charge. Passing the test is, therefore, not a condition for the exercise of the right to family reunification (unlike the Netherlands and Germany), but the consequent non-

⁹⁴ "The Dutch Civic Integration Examination Abroad." pp. 15-6; , p.82.

⁹⁵ Tineke Strik et al., *The INTEC Project: Synthesis Report. Integration and Naturalisation tests: the new way to European Citizenship*, 2010, http://www.ru.nl/publish/pages/621216/synthesis_intec_finalmarch2011.pdf, p.82.

⁹⁶ The available languages: Dutch, French, English, Spanish, Portuguese, Turkish, Kurdish, Standard Arabic, Moroccan Arabic, Tarifit/Rif Berber, Chinese, Russian, Standard Somali, Indonesian, Thai, Urdu, Pashto, Dari and Vietnamese. <http://www.naarnederland.nl/en>

⁹⁷ There is an uncensored version of the film and a censored one for Islamic countries, in which pictures of sunbathing women and gay people are replaced by other scenes. Guus Extra and Massimiliano Spotti, "Testing regimes for newcomers to the Netherlands," in *Language Testing, Migration and Citizenship Cross-National Perspectives on Integration Regimes*, ed. Guus Extra, Massimiliano Spotti, and Piet Van Avermaet (London, New York: Continuum, 2009), 125-147. p. 131.

attendance of the integration course held in France may result in eventual expulsion from the country. All these differences show that the French integration requirements are more lenient.

Like France, Germany also introduced integration condition in 2008 showing a mixed picture concerning the similarities and differences compared to the Dutch regime. The most important departure from the Dutch requirements is that Germany demands only a language test to pass which assesses not only oral, but also written capabilities.⁹⁸ The German government also referred to the experiences of the Netherlands with positive connotation during the drafting phase of the legislation. However, it defines three slightly different purposes for the integration test: (1) to promote integration, (2) to provide protection from forced marriages and violations of human rights, and (3) to protect the social welfare state. Preparation for the language exam seems easier due to the courses offered by the worldwide network of the Goethe Institute. The German test fee is also much lower which may even be reduced or exempted (together with course fee).⁹⁹ Similarities of the German and the Dutch integration testing occur along three dimensions. Firstly, the test needs to be taken in the country of origin of the potential family migrant. Secondly, and most importantly, Germany also denies entry to its territory if the applicant fails to fulfil the integration requirement.¹⁰⁰ Thirdly, there is a very similar list of exemption grounds: both benefit friendly, Western countries and disregard important conditions that may make passing the test very difficult or even impossible, e.g. illiteracy or pregnancy.¹⁰¹

Denmark also saw the Dutch model desirable, as it was explained during the drafting phase, and started applying integration conditions from 2010. Denmark also requires TCNs to pass both an oral language and a societal knowledge exam. Additionally, the method of testing is very similar in that they are both computer-based. However, the Dutch one is conducted with electronic speech-recognition, while during the Danish exam the answers are recorded, which is corrected by external examiners.¹⁰² Furthermore, the purposes of the introduction of the integration tests are similar to the Dutch ones as the Danish government also emphasized the need that foreigners should take responsibility for their own integration from the outset and they should demonstrate their willingness to become part of Danish society. In addition, the government argued that TCNs' familiarity with Danish norms and

⁹⁸ Strik et al., *The INTEC Project: Synthesis Report. Integration and Naturalisation tests: the new way to European Citizenship*. p. 16.

⁹⁹ Ibid. p. 13.

¹⁰⁰ However, spouses are allowed to enter Germany for a short period in order to attend courses or do a test. Ibid.

¹⁰¹ Ibid. p. 19.

¹⁰² Ibid. p. 15; Eva Ersbøll, "On Trial in Denmark," in *A Re-definition of Belonging? Language and Integration Tests in Europe*, ed. Ricky van Oers, Eva Ersbøll, and Dora Kostakopoulou (Leiden, Boston: Martinus Nijhoff Publishers, 2010), 107-152. pp. 130-2.

values are necessary. The fee of test-taking is also very similar to the Dutch one; in fact, the Danish one is higher. In all other respects the Danish regime has less restrictive regulations: lower expected level of language skill, the exams should be passed in Denmark within 2.5 months (or expulsion shall be enforced),¹⁰³ no time limit on the validity of the test outcome,¹⁰⁴ freely and easily available preparatory package,¹⁰⁵ the possibility to enrol language courses, and less discriminative exemption grounds.¹⁰⁶ The Danish examination result, furthermore, may be challenged, unlike the Dutch outcome.¹⁰⁷

From 2010, the United Kingdom (UK) also requires family immigrants from third-countries to pass an integration exam featuring important similarities to the Dutch regime. The British state applies only an oral language test at level A1, which shall be taken in the country of origin. Further similarities between the Dutch and the British requirements: the total absence of state-organized preparatory courses, the possibility of exemption for nationals coming from countries where the respective language is spoken by a large majority, and the very high test fee. However, important differences occur as well: the UK does not demand a successful exam on knowledge regarding societal issue, the UK defines the improvement of TCNs' employment prospects as a purpose of the integration condition, and the UK approves appropriate educational background (very narrowly understood, though)¹⁰⁸ and physical or mental conditions as test exemptions.¹⁰⁹

Most recently, Austria joined the club of those countries that apply integration requirements under the Family Reunification Directive. The government made an explicit reference to the Dutch rules, but the eventual Austrian regulation largely resembles that of Germany. This is very true in the case of, for example, the form of the test.

¹⁰³ The eligible family member is allowed to enter Denmark with a temporary visa after he/she has received a pre-recognition regarding the fulfilment of the other conditions for admission. The idea is that their stay in Denmark will offer them the opportunity to follow a language course and practise with their family. Strik et al., *The INTEC Project: Synthesis Report. Integration and Naturalisation tests: the new way to European Citizenship*. p.15; Ersbøll, "On Trial in Denmark." p.131.

¹⁰⁴ Strik et al., *The INTEC Project: Synthesis Report. Integration and Naturalisation tests: the new way to European Citizenship*. p. 15.

¹⁰⁵ However, the central part of the Danish preparatory package is also an education film ("Livet i Danmark"). The film communicates both facts and values. Ibid., p. 15.

¹⁰⁶ Foreigners coming from countries such as the USA, Australia, Japan or North Korea are also covered; unlike in the Netherlands and Germany.

¹⁰⁷ Ibid. p. 15; Ersbøll, "On Trial in Denmark." pp. 131-2.

¹⁰⁸ Master's degrees and PhD's will not be accepted as evidence that the applicant has a degree taught in English. Strik et al., *The INTEC Project: Synthesis Report. Integration and Naturalisation tests: the new way to European Citizenship*. p. 20.

¹⁰⁹ Ibid.; UK Border Agency, "New English language requirement for partners". <http://www.ukba.homeoffice.gov.uk/sitecontent/newsfragments/26-english-language-partners>.

2.2.2 Long-term Residence Permit

Recently, 14 (and the Flemish Regions) out of the 27 Member States set integration conditions for the issue of long-term residence permit.¹¹⁰ In addition, Greece has adopted legislation introducing both language and knowledge of society requirements, but the implementing act is still on the table of an advisory committee, which renders the application of the integration tests pending.¹¹¹ All 14 Member States require a language test, while only 6 (including Denmark which is scheduled to introduce such condition in mid-2011)¹¹² of them demand appropriate knowledge about the respective host society too. Civic test does not occur without language skills assessment. The Czech Republic, Estonia, Latvia, Lithuania, and Romania represent the lately-accessed countries by taking up one-third of all the Member States and the Flemish Regions who have integration conditions in force. None of these states demand knowledge of the society tested. Table 2 (found in the Appendix) compares the integration test regimes which are going to be contrasted in the following paragraphs along the following key dimensions: form of the integration conditions, justification used by the governments in favour of introducing the requirements, cost of fulfilling the conditions, and possible exemption grounds.

Language tests take various forms in the Member States. All tests concerned, the French one requires the lowest level of language skills (A1.1.) which is identical with the one set for family reunification. The highest criterion (B1) has been set in Denmark, Estonia, Germany, and the UK. With the sole exception of France, all the Member States that set integration requirements for family migrants compel a higher level of language knowledge in the case of a long-term resident permit. Austria and the Netherlands adopted one grade higher level of skills, while the UK and Denmark has a 2-grade higher language requirement (or, in Denmark, only one grade higher in the case of proved B1 English proficiency).

¹¹⁰ The following countries did not set any integration tests: Bulgaria, Cyprus, Finland, Hungary, Ireland, Malta, Poland, Slovenia, Spain, and Sweden.

¹¹¹ According to Act 3386/2005, the procedure for the certification of this knowledge should be provided in a joint ministerial decision, which has not yet been issued. The five-member Advisory (Consultative) Committee on Migration, which is detailed in Art. 13 of Act 3386/2005, has been endowed with ascertaining the existence of this knowledge. IOM, "Greece Destination Guide." http://www.migrantcentres.org/userfile/Destination%20Guide%20GREECE_en.pdf; IOM, "Comparative Study of the Laws in the 27 EU Member States for Legal Migration" (2008). http://www.iom.int/jahia/webdav/shared/shared/mainsite/law/legal_immigration_en.pdf. p. 267.

¹¹² An 'active citizenship' requirement is going to be applied, which can be fulfilled by passing a special 'active citizenship' test or through active participation in an organisation for at least 12 months. Strik et al., *The INTEC Project: Synthesis Report. Integration and Naturalisation tests: the new way to European Citizenship*. p. 48.

Mandatory integration programmes are in operation in the Flemish Regions and in 5 Member States as well. The Flemish Regions do not apply tests, only an integration programme. The free-of-charge courses cover language (targeted level is A1) and societal knowledge, and career guidance.¹¹³ The obligation is limited to attendance at the courses and there is no official examination to assess the end result.¹¹⁴ Repeated non-attendance might result in an administrative fine or the reduction of social benefits, but it influences neither the issue of permanent residence permit nor the renewal of temporary one. In Denmark, the municipalities offer language courses for TCNs based on their individual needs and skills. The conditions are specified in an individual contract that is signed by the TCN and the respective local council.¹¹⁵ The programme can last up to 3 years and it is free of charge. The French training and information sessions are state-financed and language courses shall be attended in case of necessity.¹¹⁶ Since 2005 Germany also operates mandatory language (if declared to be necessary) and/or civic orientation courses which cost 1 € per teaching hour, in total: 645 €¹¹⁷ This fee can be reimbursed in the case of passing the exam within 2 years or be exempted for recipients of welfare or unemployment benefits. The Dutch municipalities can oblige immigrants to attend an integration course in which knowledge of the language and of Dutch society are taught. In Austria, immigrants have to sign an integration contract which can be fulfilled by successfully completing a German language and integration course at a certified institute¹¹⁸ or by passing a language examination at level A2 at a certified language school without attending a course.¹¹⁹

¹¹³ Foblets and Yanasmayan, "Language and Integration Requirements in Belgium: Discordances Between the Flemish Policy of 'Inburgering' and the Federal Legislators' View(s) on the Integration of Newcomers and Migrants." p. 289.

¹¹⁴ Strik et al. p. 47; Piet Van Avermaet and Sara Gysen, "One nation, two policies: language requirements for citizenship and integration in Belgium," in *Language Testing, Migration and Citizenship Cross-National Perspectives on Integration Regimes*, ed. Guus Extra, Massimiliano Spotti, and Piet Van Avermaet (London, New York: Continuum, 2009), 107-124. p. 115.

¹¹⁵ Ersbøll, "On Trial in Denmark." p. 113.

¹¹⁶ Non-EU immigrants are required to sign and fulfil the 'welcome and integration contract' (CAI) which is based on reciprocal obligations between the immigrant and the state. Strik et al. p. 48.; Sergio Carrera, "Nationality, immigration and 'the Republican Integration' in France: Normativisation, expansionism and externalisation," in *Illiberal Liberal States. Immigration, Citizenship and Integration in the EU*, ed. Elspeth Guild, Kees Groenendijk, and Sergio Carrera (Farnham: Ashgate, 2009), 315-36. pp. 324-5.

¹¹⁷ The current integration course consists of a basic and an advanced language course (600 or 900 teaching hours) and an orientation course (45 teaching hours). The language course aims at imparting an intermediate level of German (B1) while the orientation course, with a special emphasis on democratic and constitutional values, aims at imparting a basic knowledge of the legal system, culture, and history. Both the language and the orientation course are completed by an examination. Strik et al. p. 49; Wiesbrock, "Discrimination instead of integration? Integration requirements for immigrant in Denmark and Germany." p. 306.

¹¹⁸ The course is completed by a written and oral language examination held by the teachers.

¹¹⁹ Strik et al. p. 49.

The governmental justifications for the introduction of integration conditions contain, in essence, four main lines of argumentation. One of the purposes was to combat the allegedly failed integration policies as this argument is the most salient in the cases of the Netherlands and France. Another frequently used justification was the wish to facilitate the participation of TCNs in the economic, cultural, and social life of the respective country. Governments in Austria, the Flemish Regions, Germany, the Netherlands, UK, and Denmark found this aspect important to mention in favour of the introduction of integration requirements. The third category of objectives, applied in the Flemish Regions, Denmark, France, Germany, was to guarantee that the fundamental values of the host society are shared by everyone. The Flemish Regions and France, fourthly, emphasized that their integration programme and test also served the aim of testing the willingness of immigrants to integrate. Germany used a special argument saying that the integration requirements especially help isolated women.¹²⁰ The UK also argued that integration of TCNs is desired in order to put as little burden on the state as possible. Here again the model role of the Netherlands is revealed, especially in Austria and Germany where explicit references were made to the positive Dutch experiences.

The costs of tests or mandatory courses show a great variety across the Member States. The one end of the spectrum is occupied by the Flemish Regions, Czech Republic, Denmark, France, and Latvia who do not charge any fee.¹²¹ The Netherlands occupies the other end where exam costs might climb up to 1200 €

The exemption grounds provided by the relevant regulations are also very diverse in the EU, but 4 points are regularly listed. Firstly, the possession of education experiences in the respective language, although different forms and length are required, usually exempt applicants from taking test or a part of it, for example, in the Flemish Regions, the Czech Republic, Estonia or the Netherlands. Secondly, the existence of physical or mental disabilities is also a common ground of exemption, for instance, in the Flemish Regions, the Czech Republic or Denmark. Thirdly, applicants over a certain high age may also be exempted from taking either certain parts of the test or the whole, for instance, in the Flemish Regions or the Czech Republic. Fourthly, the most common ground is applicable to refugees, for example, in Austria, the Flemish Regions, the Czech Republic, Latvia or the UK.

¹²⁰ Strik et al. p. 59.

¹²¹ In the Czech Republic only the first try is paid by the state.

Concerning the exemption grounds, the Netherlands applies its discriminative practice here as well by giving privileges to aliens coming from certain friendly and Western democracies.¹²²

2.2.3 Naturalisation

Integration requirements during the naturalization procedure are more widespread and have a longer history in the Member States of the EU. Therefore, 23 out of the 27 countries require non-nationals¹²³ wishing to acquire the respective citizenship via naturalisation to comply with integration conditions.¹²⁴ Table 3 (found in the Appendix) contains the most important features of the integration requirements. The following paragraphs aim to compare the national regimes along the following key dimensions in order to identify both common and divergent points: form of integration conditions, justification used by the governments in favour of introducing the requirements, and cost of fulfilling the conditions.

The most fundamental element of all integration requirements is language tests which are applied in (almost) every Member State under investigation. Hungary does not explicitly stipulate a language test in the relevant legal act,¹²⁵ although passing the constitutional examination held in Hungarian and consisting of both oral and written part is impossible without very high language proficiency. Among those countries where the language requirement is defined according to the Common European Framework of Reference for Languages,¹²⁶ Denmark requires the best language skills (B2), while A2 is the lowest level demanded by Austria and Portugal. Only Denmark and Latvia set higher language requirements (by one grade) for naturalisation than for the issuance of long-term residence permit. The other countries apply the same language level in both instances.

Knowledge of the society exam is applied by 13 Member States.¹²⁷ These tests aim to check the applicants' familiarity with basic historical, legal, political, and cultural

¹²² For an analysis on the inconsistency and underlying assumptions of the Dutch exemption categorisation is, see Besselink, "Integration and immigration. The vicissitudes of Dutch 'Inburgering'." pp. 249-52

¹²³ Not only TCNs, EU citizens as well.

¹²⁴ The following countries do not apply either language or knowledge of the society test: Belgium, Cyprus, Ireland, and Sweden. The most important source: EUDO's country profile, available at <http://eudo-citizenship.eu/country-profiles>

However, in Ireland, there have been talks about language and integration requirements. John Handoll, *Country Report: Ireland*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/Ireland.pdf>. p. 18.

¹²⁵ Act LV of 1993 on Hungarian Nationality (version of 1 January 2009)

¹²⁶ http://www.coe.int/t/dg4/linguistic/cadre_en.asp

¹²⁷ In spite of the possibility of introducing a test stipulated in the relevant legal act, Greece currently does not apply a test to evaluate applicants' "familiarity with Greek history and Greek civilization". The Greek authorities, however, check the professional and general economic activity, charitable activities, participation in

characteristics of the respective host country. France also investigates the acceptance of the ‘French way of life’, which basically requires respecting fundamental human rights and democratic values. Countries with a federal system (namely, Austria and Germany) also test the knowledge about the respective provincial state’s societal features.

Luxembourg is the only EU Member State that organizes mandatory citizenship course (without test at the end) in order get naturalization applicants acquainted with the country’s history, legal and political system, and culture. The naturalisation candidate must follow at least three citizenship courses. He or she must attend a course on Luxembourg institutions and a course on fundamental rights. A third course must be chosen among subjects dealing with history, the municipalities, the economy, labour law, social security or the media. The courses are held in Luxembourgish, French, German, English or Portuguese, according to necessity.¹²⁸

Member States justified the introduction of integration conditions for naturalization along very similar lines as for long-term residence permit. The purpose of reducing the number of applications (e.g. Austria or the Netherlands), facilitating the participation of immigrants in the society (e.g. Germany, Luxembourg, the UK or Finland), and making candidates to prove their willingness to integrate (e.g. Austria or the Netherlands) are already mentioned in the section about the long-term residence permit. The nature of integration conditions suggest that naturalisation is perceived as the end of the integration process, the crown rather than a means of integration. This is most explicitly stated during the debate on the requirements in Austria, Denmark, Germany, and the Netherlands. Latvia is again a special case as it justified integration conditions with the aim of defining a shared system of values.

The fees which are charged during the fulfilment of integration conditions and the opportunities of preparation for the tests also reveal great diversity across the Member States

social organizations members of which are Greek citizens, kin relation with a Greek citizen. Furthermore, recommendations provided by Greek citizens born in Greece have a particular importance for the evaluation of the degree of integration. Dimitris Christopoulos, *Update: Amendments in the Greek citizenship legislation*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/recentChanges/Greece.pdf>.

The relevant Czech Ministry proposed in the 2009 draft a further eligibility criterion for naturalisation, namely the integration requirement., Andrea Barsova, *Country Report: Czech Republic*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/Czech Republic.pdf>. p.18.

The topic of testing the knowledge about fundamental values of the society is recently discussed in Portugal as well., Nuno Picarra and Ana Rita Gil, *Country Report: Portugal*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/Portugal.pdf>. p. 36.

¹²⁸ Ministry of Justice of Luxembourg, “The Luxembourg Nationality Law of 23 October 2008.” http://www.mj.public.lu/nationalite/nat_lux_2009_EN.pdf. p. 19, 35.

Ministry of Justice of Luxembourg, “Information about the test in Luxembourgish and the civic courses.” http://www.mj.public.lu/nationalite/brochure_langue_civique.pdf. p. 40.

of the EU. In terms of test-taking costs, the one end of the spectrum is Austria with free-of-charge naturalisation test. This is true of Slovenia as well regarding the first try. The highest fees occur for those wishing to hold Dutch a passport, where the tests cost 104 € in the best-case scenario, while in certain instances more than 1100 € is charged. Two common ways can be identified regarding the preparation opportunities provided by the Member States: handbooks or courses. A handbook is published to help the preparation of naturalisation applicants for the societal knowledge test in Netherlands, Austria (accessible online),¹²⁹ the UK, Germany (online), Hungary,¹³⁰ Latvia, Denmark (online),¹³¹ and Estonia (online).¹³² When the support materials are not available on the internet, a fee is charged for the preparatory book. Latvia is the only country which provides a handbook for the linguistic knowledge test as well. Free language courses are available in Luxembourg, Portugal, Slovenia, Latvia, Denmark, and Estonia. Portugal, Austria, the UK, Germany, Hungary, and Latvia organize language courses charging a fee for attendants. Portugal also provides civic courses but they are not free of charge, unlike in Slovenia. From this analysis it appears that Slovenia is the only country where both the preparation and the eventual test-taking can be done without paying a Eurocent.

2.3 EU Trend: A Paradigm Shift?

Integration conditions have appeared, proliferated, and gradually become more restrictive within the EU in the new millennium. Immigrants are required to sit a language and/or civic knowledge test and/or attend language tuition and/or civic education courses in order to enter EU countries for the purpose of family reunification, obtain permanent

¹²⁹ The study material concerning the first two parts of the test is available at <http://www.bmi.gv.at/staatsbuergerschaftswesen/Default.asp>. With regard to the third part of test, each region has published materials that the applicant for naturalisation is required to study, equally available on the internet. Bernhard Perchinig, *Country Report Austria*, 2010, INTEC Project http://www.google.hu/url?sa=t&source=web&cd=2&ved=0CCAQFjAB&url=http%3A%2F%2Fbim.lbg.ac.at%2Ffiles%2Fsites%2Fbim%2FAustria%2520Intec%2520final_0.pdf&ei=bqbmTcmYO4j5sgai8bz_Bw&usg=AFQjCNFL28vjDtWLhn7BuQW-mh2hS-VkVA&sig2=jLEGkRawMF3gWXk79bTpUA. p. 48; de Groot, Kuipers, and Weber, "Passing Citizenship Tests as a Requirement for Naturalisation: A Comparative Perspective." p. 54.

¹³⁰ Constitutional Basics (Ugróczy, M., Alkotmányos alapismeretek. Segédanyag az alkotmányos alapismeretek vizsgára készülő nem magyar állampolgárok számára [Constitutional handbook. Textbook for non-national applicants for naturalisation], BM Duna Palota és Kiadó 2006.

¹³¹ Available at: <http://www.nyidanmark.dk/NR/rdonlyres/E7BE8949-EE9D-4F1E-9626-14AEA0687054/0/Medborgerengelsk.pdf>; http://www.nyidanmark.dk/en-us/Integration/online_danish/

¹³² http://www.ekk.edu.ee/index.aw/set_lang_id=2

residence, and acquire citizenship. Some governments have modified their integration requirements, although very short time has elapsed since their introduction. These amendments have always resulted in more demanding conditions: higher fees, higher language skills or shorter period of time to comply with the requirements. Most recently, integration tests started emerging abroad meaning that those spouses seeking reunification with their loved ones in the Netherlands, Germany, France, the UK, and Austria must take an integration test in their countries of origin. The consequence of failing a test or notoriously non-attending a mandatory course is the denial of the respective legal status. This might entail non-entry, expulsion, less social, economic, and political rights, insecurity, the feeling of subordination, and the continual existence of alienness. The outcome of the tests, therefore, has an enormous impact on TCNs' life, although appeals are usually not guaranteed. In addition, in many instances the basic principles of transparency, most saliently in relation to preparation, test assessment or the composition of the required material, are not followed.

One of the common characteristics of the emerging EU civic integration paradigm is the predominance of an approach based on law enforcement and sanctions.¹³³ Most EU countries apply integration conditions that are “mandatory, sanction-oriented (fines, no entry, no family reunification, non-renewal of residence permits, deportation, and unsuccessful naturalisation) and test-based.”¹³⁴ Hence, “the focus of integration policy is no longer on the equalisation of opportunity, but rather on the discouragement and penalisation of migrants who do not possess certain attributes”¹³⁵. This reveals the fact that most EU governments link integration to restrictive migration and citizenship policies.¹³⁶ Whereas, in the past, integration policy was aligned with a liberal policy and non-discrimination and governments insisted on the distinction between integration and migration, in the new millennium a deliberate alignment of migration and integration can be observed.¹³⁷ In other words, integration is set by governments to foster migration control, which is probably most clearly seen as integration in the host country shifts to integration in the country of origin. Member States rather rely on test-based disciplinary techniques than on a project-based approach to

¹³³ Kostakopoulou, “Introduction.” pp. 8-10; Judit Tóth, “Ethnic Citizenship – Can it be Obtained and Tested?,” in *A Re-definition of Belonging? Language and Integration Tests in Europe*, ed. Ricky van Oers, Eva Ersbøll, and Dora Kostakopoulou (Leiden, Boston: Martinus Nijhoff Publishers, 2010), 211-40. p. 234.

¹³⁴ Kostakopoulou, “Introduction.” p. 8.

¹³⁵ Bernard Ryan, “Integration Requirements: A New Model in Migration Law,” *Journal of Immigration, Asylum, and Nationality* 22, no. 4 (2008): 303–316. p. 312.

¹³⁶ This is also reflected in the move towards law-and-order ministries. Michalowski, “Integration Tests in Germany. A Communitarian Approach?”. p. 190.

¹³⁷ Kostakopoulou, “Introduction.” p. 1.

language learning and civic education.¹³⁸ All in all, integration functions as another regulatory technique in the hands of states to control the access of non-nationals to rights and security. Notwithstanding the official aim of facilitating migrants' integration into the host society, language and integration requirements prevent migrants from accessing a more secure status, and hence serve as a means of prolonging their exclusion.¹³⁹

A further point shared by most national integration regimes is the standardisation and formalisation of integration requirements. The assessment of the language abilities of applicants for naturalisation has a history in Europe. Traditionally, (only) the language skills were assessed by a local state representative during an informal interview.¹⁴⁰ This is still the case in many countries, but more and more states decide to formalise and standardise the evaluation process by requiring immigrants to sit a test.¹⁴¹ The formalisation of the tests also supports the main point of the previous paragraph since the introduction of the new requirements has resulted in reductions in the number of both applications for and acquisitions of the respective legal status.¹⁴² This is hardly surprising since the formalisation has coincided with a rise in the level of required knowledge of the language and of the host society or with the introduction of other obstacles, such as high fees or a waiting period after a candidate fails the test.¹⁴³ The introduction of formalised tests also brought about, as it was already mentioned, a change in the relationship between legal status and integration. Naturalisation used to be perceived as a means for integration, it nowadays is seen as the finalisation of a completed integration process. First one needs to prove that one is well integrated by the standards of the community of which one wishes to be part before formal status can be granted.¹⁴⁴ Standardisation took place not only in federal states but in most countries having introduced integration tests. Introduction of common rules not only served the explicit

¹³⁸ The question, which will be further elaborated in Chapter 3, that inevitably comes up is why it is presumed that 'shared belonging' is something that can be obtained by testing one's fluency in the host language and the memorisation of factual information about politics, history or life in the country, which may well be forgotten a few months after the test. Ibid. p. 8.

¹³⁹ Ricky van Oers, Eva Ersbøll, and Dora Kostakopoulou, "Mapping the redefinition of belonging in Europe," in *A Re-definition of Belonging? Language and Integration Tests in Europe*, ed. Ricky van Oers, Eva Ersbøll, and Dora Kostakopoulou (Leiden, Boston: Martinus Nijhoff Publishers, 2010), 307-32.

¹⁴⁰ van Oers, "Citizenship Tests in the Netherlands, Germany and the UK." p. 51.

¹⁴¹ "Preface," in *A Re-definition of Belonging? Language and Integration Tests in Europe*, ed. Ricky van Oers, Eva Ersbøll, and Dora Kostakopoulou (Leiden, Boston: Martinus Nijhoff Publishers, 2010), xvii-xviii. p. xvii.

¹⁴² van Oers, Ersbøll, and Kostakopoulou, "Mapping the redefinition of belonging in Europe." p. 322.

¹⁴³ Ibid.

¹⁴⁴ Besselink, "Integration and immigration. The vicissitudes of Dutch 'Inburgering'," p. 252.

purpose of stopping ‘test tourism’, but also that of tightening the requirements since the new national standard never found its reference point in the less demanding practice.¹⁴⁵

In conclusion, a new model of integration emerged which is getting wider and wider acceptance. This new approach, which overwrites multiculturalism and the politics of recognition, shifts the attention away from issues such as equal treatment, non-discrimination, and social inclusion towards conditional socio-political membership, the preservation of core national norms and values, and towards social cohesion. The underlying assumption is that social cohesion, national unity, and belonging can be supported by requiring migrants to learn to speak the language of the host state and by re-educating them so that they can embrace the host country’s history and institutions, its values, and the national way of life.¹⁴⁶ The notion of integration, therefore, does not seem to involve a process of social inclusion of immigrants, but has rather become a mechanism of control by which the state may better manage who enters and who is included inside its territory. ‘Integration’ then veils the actual conventional setting of assimilation, incorporation or, in its more radical expression, acculturation philosophy.¹⁴⁷ This policy tries to prevent social problems by excluding TCNs who have an insufficient performance at the integration tests.¹⁴⁸ The formation of common EU characteristics is facilitated by the several forums where Member States can learn from each other and copy measures developed elsewhere in the EU. All these issues touched upon in the concluding paragraphs lead us to the next chapter which will elaborate on them.

¹⁴⁵ See, for example, the German case: van Oers, “Citizenship Tests in the Netherlands, Germany and the UK.” p. 82.

¹⁴⁶ In a redefinition of belonging. Introduction. *Dora Kostakopoulou.PI.*

¹⁴⁷ Sergio Carrera (ed.), *The Nexus between Immigration, Integration and Citizenship in the EU*, 2006, http://se2.isn.ch/serviceengine/Files/ESDP/20641/ipublicationdocument_singledocument/D4D55B85-0BF1-4738-9096-420460BC2208/en/Nexus_Immigration_Integration.pdf.

¹⁴⁸ Besselink, “Integration and immigration. The vicissitudes of Dutch ‘Inburgering’”, p. 257.

3 Evaluation of the New Civic Integration Paradigm

The previous chapter has demonstrated that the majority of Member States apply integration tests which share some important common features across national variants. The present part of the thesis critically evaluates the introduction and operation of tests with a view to identify their collision with fundamental rights and general principles of law and to shed some light on their underlying assumptions. In addition, the most important liberal concerns about the tests and the debate on the criteria of the liberal/illiberal distinction are reviewed.

3.1 Multiple Forms of Criticism

The introduction and operation of the integration tests have generated a variety of criticisms. One segment of them emphasises the exclusionary nature of the civic integration paradigm and argues that the tests are an indication of the fundamental unwillingness of European countries to accept their reality as immigration countries,¹⁴⁹ while others argue more specifically that the tests represent a discriminatory selection mechanism intended to reduce the number of eligible individuals.¹⁵⁰ The exclusionary logic of integration policies is frequently criticised from a fundamental rights protection perspective highlighting deficiencies in the following respects: the availability of due judicial guarantees (especially in the context of integration abroad requirements),¹⁵¹ the proportionality of tests and sanctions,¹⁵² the observance of the non-discrimination principle,¹⁵³ the respect of the right to

¹⁴⁹ Sue Wright, "Citizenship Tests in Europe – Editorial Introduction," *International Journal on Multicultural Societies* 10, no. 1 (2008): 1-9.

¹⁵⁰ Amitai Etzioni, "Citizenship Tests: A Comparative, Communitarian Perspective," *The Political Quarterly* 78, no. 3 (2007): 353-363.; Tim McNamara and Elana Shohamy, "Viewpoint: Language tests and human rights," *International Journal of Applied Linguistics* 18, no. 1 (2008): 89-95.; Mark Rice-Oxley, "UK citizenship test: Too hard for most Britons," *Christian Science Monitor* 100, no. 46 (2008), <http://www.csmonitor.com/World/Europe/2008/0131/p01s05->.

¹⁵¹ Carrera and Wiesbrock, "Civic Integration of Third-Country Nationals. Nationalism versus Europeanisation in the Common EU Immigration Policy." in particular p. 32.

¹⁵² Ibid. pp. 33-4.

¹⁵³ The legal side of the question: Human Rights Watch, *The Netherlands: Discrimination in the Name of Integration. Migrants' Rights under the Integration Abroad Act*, 2008, <http://www.hrw.org/backgrounder/2008/netherlands0508/netherlands0508web.pdf>. pp. 24-31.

family life¹⁵⁴. Furthermore, the issue of fairness also arises in relation to migrants with little education and low income who have to invest more to pass the test.¹⁵⁵

The other major category of the criticisms challenges the assumptions which underlie the integration tests. Elana Shohamy gives a radical critic of the common beliefs about language, tests, and social coherence.¹⁵⁶ She challenges the approach of several EU Member States that not acquiring the hegemonic language would be the sign of the lack of willingness to belong to the state and that the knowledge of a specific language would be essential in an era of globalization, diversity, and multilingualism. She also refers to the construction of tests as widely accepted symbols of success, standards, and objectivity,¹⁵⁷ and how a large number of studies has demonstrated that tests are often used for a variety of undeclared and covert purposes, other than just ‘measuring knowledge’. Furthermore, the constant struggle for uniform social identity has also been challenged Shohamy. Furthermore, other authors have revealed that the discourse of multilingualism appear to be two-sided.¹⁵⁸ It is perceived as something positive at the EU level, outside the national arena while immigrants are accused of ‘language deficits’ and have to adapt to a monolingual policy inside the state. A third line of criticism focuses on the test questions themselves and points out their shortcomings in terms of content validity.¹⁵⁹ Usually four main points are raised: multiplicity of correct answers,¹⁶⁰ irrelevance of correct answers,¹⁶¹ detailed knowledge about correct answers,¹⁶² and social desirability of correct answers.¹⁶³

¹⁵⁴ Ibid. pp. 31-4.

¹⁵⁵ Elspeth Guild, Kees Groenendijk, and Sergio Carrera, “Understanding the Contest of Community. Illiberal Practices in the EU?,” in *Illiberal Liberal States. Immigration, Citizenship and Integration in the EU*, ed. Elspeth Guild, Kees Groenendijk, and Sergio Carrera (Farnham: Ashgate, 2009), 1-25. pp. 8-9.

¹⁵⁶ Elana Shohamy, “Language tests for immigrants Why language? Why tests? Why citizenship?,” in *Discourses on Language and Integration. Critical perspectives on language testing regimes in Europe*, ed. Gabrielle Hogan-Brun, Clare Mar-Molinero, and Patrick Stevenson (Amsterdam, Philadelphia: John Benjamins Publishing Company, 2009), 45-60.

¹⁵⁷ The use of computers for test-taking reinforces the myth of objectivity and standards. Guild, Groenendijk, and Carrera, “Understanding the Contest of Community. Illiberal Practices in the EU?”. pp. 8-9.

¹⁵⁸ Piet Van Avermaet, “Fortress Europe? Language policy regimes for immigration and citizenship,” in *Discourses on Language and Integration. Critical perspectives on language testing regimes in Europe*, ed. Gabrielle Hogan-Brun, Clare Mar-Molinero, and Patrick Stevenson (Amsterdam, Philadelphia: John Benjamins Publishing Company, 2009), 15-44. pp. 19-20.

¹⁵⁹ For such an analysis on the Dutch tests, see Extra and Spotti, “Language, migration and citizenship. A case study on testing regimes in the Netherlands.” pp. 74-6.

¹⁶⁰ Ibid. p. 74.

¹⁶¹ For example, the question on Santa Claus’ origin quoted at the beginning of this thesis. It is hard to grasp how this knowledge contributes to the better integration of immigrants.

¹⁶² What percentage of the UK population is Jewish? (A) 0.8% (B) 0.7% (C) 0.6% (D) 0.5%. “Life in the UK Test. Free Online Practice Questions,” <http://www.hiren.info/life-in-the-uk-test/>.

¹⁶³ See the Dutch one investigating one’s reactions to kissing gay men.

3.2 Liberal Concerns

The most intense debate revolves around the illiberal nature of the integration tests. According to Liav Orgad's categorisation,¹⁶⁴ integration tests raise five main concerns from a liberal perspective. The first one is the ideological nature of some of the tests. Certain test questions do not measure one's knowledge and understandings of the host society's way of life, but explore their moral perceptions. They investigate the applicant's reactions to ideas like homosexuality, nudism, and religious conversion. As long as these questions are included in the test, they may be a source of ideological exclusion. Furthermore, some questions do not have a moral right-or-wrong answer and, unlike questions such as what are the colours of the flag, do not have a right answer at all. If we recall the British question investigating your reaction after you spilled someone's beer at a pub, it is difficult to argue why offering a new beer is morally superior to drying the wet shirt. In addition, a more fundamental point can also be raised: why is the British government interested in private interaction in bars? Spilling beer in a bar is not generally illegal behaviour and, as long as the reaction to such an act is legal, one might ask what the Government has to do with this issue.

The second concern mentioned by Orgad's categorisation relates to the "paradox of liberal toleration". The justification of ideological exclusion is that some beliefs or behaviour patterns are considered "un-Dutch", "un-British", "un-German", etc. and, hence, should not be tolerated. Nevertheless, the question should be raised whether the very idea of ideological exclusion is not, in itself, "un-Dutch" in light of the centrality of free speech in the Netherlands and other liberal democracies. Consequently, to a certain extent, some EU states embrace illiberal policies that violate the same values they seek to protect.

"This creates a Paradox of Liberalism: liberal states, in order to preserve what they perceive as a liberal regime, are resorting to illiberal means to guarantee liberal values. Here lies the paradox: either the liberal must tolerate illiberal practices, or turn to illiberal means to "liberate" the illiberal. Either choice undermines liberalism."¹⁶⁵

The third concern deals with the distinction between immigration law and domestic law. Liberal democracies, especially multicultural societies, are characterised by ongoing social tensions which should be resolved through educational systems or social institutions. Immigration laws are not the appropriate means for resolving these tensions as they do not

¹⁶⁴ Liav Orgad, "Five Liberal Concerns about Citizenship Tests," in *How liberal are citizenship tests?*, ed. Rainer Bauböck and Christian Joppke, 2010, 21-3, http://eudo-citizenship.eu/docs/RSCAS_2010_41.pdf. pp. 21-2.

¹⁶⁵ Ibid. p. 21.

have appropriate means, for instance, to control one's religiosity. In the case of violation of the law on the side of an immigrant, civic and criminal sanctions exist.

The fourth concern derives from the discriminatory intent of integration tests. The prime example of discriminatory purposes is the long list of exemptions from test-taking in the Netherlands, Germany, and Austria. The process does not apply to EU citizens, nor to the citizens of Australia, Canada, Japan, Monaco, New Zealand, South Korea, Switzerland, the Vatican, and the United States. The West, then, is exempted. The relevant national authorities have not provided the very high level of evidence they would need to justify such clear difference in treatment of different nationalities. No evidence has been given to show that the level of a country's development is a reliable indicator of the skills, ability, or willingness of a potential individual migrant to integrate.¹⁶⁶ Thus, a test that serves a discriminatory mechanism for ethnic selection is illiberal.

The fifth concern of Orgad's selection revolves around fairness and the test justification. There may be good justifications for citizenship tests: orientation, education, democratic participation, promotion of social cohesion, etc. Yet the test purpose should be specified and the items and format should be narrowly tailored to achieve this purpose. A test without a clear purpose, or with no empirical relation between the purpose and the items may be arbitrary. Criticism is especially harsh when the justifications offered for the introduction of integration conditions abroad are examined since it is argued that integration is not possible without physical proximity and an interactive relationship between an individual and the group in question.¹⁶⁷ The most common justifying argumentation is that knowledge and understanding of fundamental history and civics is necessary to keep the state stable, and the test serves this purpose. If it is an important purpose, why not require knowledge and understanding of history and civics from any native-born citizen at the age of 18 before enrolment on the electoral votes? – Orgad asks. He argues that in fact, it may be more important to require a test from native-born people because, if the knowledge is essential to keep the state stable, constitutionally ignorant citizens may threaten the country's social cohesion. And, while it could be possible to exclude aliens, it is impossible to denaturalize a citizen because she does not recite constitutional essentials. Joppke firmly opposes this position pointing out that citizens acquire civic knowledge in school (which incidentally is

¹⁶⁶ Watch, *The Netherlands: Discrimination in the Name of Integration. Migrants' Rights under the Integration Abroad Act*. p. 2.

¹⁶⁷ Kostakopoulou, "Introduction." p. 9.

Human Rights Watch's research indicates that integration abroad does not contribute, and instead may alienate migrant communities in the Netherlands, making integration more difficult, as well as impeding integration in a practical sense. Human Rights Watch, *The Netherlands: Discrimination in the Name of Integration*. P. 37

mandatory), immigrants don't.¹⁶⁸ The tests are, therefore, "substitute for education". Joppke's argument appears to be acceptable only if the opportunities are provided to get familiar with the required knowledge.

How to distinguish illiberal tests from liberal ones then? To draw the line, Christian Joppke convincingly argues that the Kantian distinction between "morality" and "legality" shall be invoked.¹⁶⁹ It is a key precept of liberalism that public policy can regulate only the external behaviour of people, not their inner motivations. Therefore, when an integration test crosses the thin line that separates the regulation of behaviour from the control of beliefs, it is not regarded liberal anymore. A test that is inquisitorial about the "true" values or beliefs of an individual, even if they pertain to the rules of liberal democracy, is not desirable from a liberal point of view. An infamous example is the so-called Interview Guideline issued by the Land government of Baden-Württemberg which originally applied only to citizenship applicants from member states of the Islamic League, thus it was discriminating against Muslim applicants. Furthermore, the guideline consisted of 30 questions about applicants' views on parental authority, religion, homosexuality, gender equality, terrorism, and other issues, construed the "liberal democratic order primarily as one that is contrary to the presumed values of a specific group", Muslims.¹⁷⁰ Joppke, therefore, argues that tests that ask for factual knowledge about a country's history, culture, and institutions are unproblematic in this respect, because such matter is merely cognitive: it can be learned and mechanically reproduced. However, it goes beyond liberalism when tests investigate one's internal dispositions.

Along very similar lines to Joppke, Orgad states that every country possesses a constitutional uniqueness reflecting its history, development, traditions, and contextual background.¹⁷¹ "Asking the citizenship applicant for knowledge about its particular road to democracy realises the fact that she seeks entry not in *any* but in *this* political community." (emphasis in original)¹⁷² This is, next to language, the one particularism that the liberal state

¹⁶⁸ Christian Joppke, "How Liberal Are Citizenship Tests? A Rejoinder," in *How liberal are citizenship tests?*, ed. Rainer Bauböck and Christian Joppke, 2010, 39-41, http://eudo-citizenship.eu/docs/RSCAS_2010_41.pdf.p.40.

¹⁶⁹ Christian Joppke, "How liberal are citizenship tests?," in *How liberal are citizenship tests?*, ed. Rainer Bauböck and Christian Joppke, 2010, 1-4, http://eudo-citizenship.eu/docs/RSCAS_2010_41.pdf. p. 2.

Hansens subscribes to this distinction. Randall Hansen, "Citizenship tests: an unapologetic defense," in *How liberal are citizenship tests?*, ed. Rainer Bauböck and Christian Joppke, 2010, 25-8, http://eudo-citizenship.eu/docs/RSCAS_2010_41.pdf.

¹⁷⁰ Joppke, "How liberal are citizenship tests?," p. 2.

¹⁷¹ Orgad, "Five Liberal Concerns about Citizenship Tests."

¹⁷² Joppke, "How liberal are citizenship tests?," p. 3.

may legitimately impose on citizenship applicants. Michalowski,¹⁷³ however, emphasises that formulations matter and, therefore, integration tests are liberal in the Rawlsian sense if (1) questions concentrate on basic rights and freedoms and the political system that is supposed to guarantee them and (2) if questions only relate to facts and the knowledge of “what is right” but not to “what is good.”¹⁷⁴ A question is also illiberal when the state departs from a procedural definition of ‘an overlapping consensus’¹⁷⁵ and through politics and law tries to include questions about potentially contested moral and social norms.¹⁷⁶ In other words, Michalowski would identify a test question about social norms illiberal only if it is not generally accepted. Furthermore, Groenendijk and van Oers bring in an additional dimension by saying that not only tests’ content but also their effect do matter.¹⁷⁷ A citizenship test which puts up a barrier for lower-educated, less-well-off immigrants, and the elderly is hard to justify from a liberal point of view, regardless how liberal its content may be.¹⁷⁸ This is difficult to justify in respect of the principle of equal treatment of all citizens in a liberal democracy. Groenendijk and van Oers, therefore, supplements Orgad’s discussion by saying that integration regimes discriminate not only on the basis of nationality, but also of the social position of the immigrant. Carens also subscribes to this view by saying that “the more exclusionary the exam the more problematic it is from a democratic perspective.”¹⁷⁹

¹⁷³ Ines Michalowski, “Citizenship tests and traditions of state interference with cultural diversity,” in *How liberal are citizenship tests?*, ed. Rainer Bauböck and Christian Joppke, 2010, 5-8, http://eudo-citizenship.eu/docs/RSCAS_2010_41.pdf.

¹⁷⁴ Following this logic, she carried out a comparative analysis of five countries. Her results show that the Netherlands’ test regime is the least liberal with the most questions about “what is good” and the least significant proportion of the thematic category of politics, rights, and democracy. Ines Michalowski, “Citizenship Tests in Five Countries - An Expression of Political Liberalism?”, 2009, <http://bibliothek.wzb.eu/pdf/2009/iv09-702.pdf>.

¹⁷⁵ John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993). pp. 149-50, 158-68.

¹⁷⁶ For example, the behaviour towards kissing gay men expected by the test question does not reflect widely shared Dutch norm.

¹⁷⁷ Kees Groenendijk and Ricky van Oers, “How liberal tests are does not merely depend on their content, but also their effects,” in *How liberal are citizenship tests?*, ed. Rainer Bauböck and Christian Joppke (http://eudo-citizenship.eu/docs/RSCAS_2010_41.pdf, 2010), 9-10.

¹⁷⁸ Empirical research conducted in the Netherlands has indeed shown that the citizenship test puts up a barrier for naturalisation. After the introduction of the test in April 2003, naturalisations decreased by 50%. Ibid. p. 10.

¹⁷⁹ Joseph Carens, “The most liberal citizenship test is none at all,” in *How liberal are citizenship tests?*, ed. Rainer Bauböck and Christian Joppke, 2010, http://eudo-citizenship.eu/docs/RSCAS_2010_41.pdf. p. 20.

Conclusions

The basic tenet of the thesis' argumentation is that the original notion of integration, understood as a mutual and simultaneous accommodation process of immigrants and the host society, has been significantly transformed into a new civic integration paradigm in Europe. This new integration policy puts the emphasis on the immigrants' duties and makes the state's status-ensuring steps conditional upon the fulfilment of those imposed requirements. Thereby, the process of integration has been divided into chronologically separate stages resulting in two one-way phases.

Most EU Member States express the duties of TCNs in two requirements: passing language and knowledge of society tests. The thesis has highlighted that the Netherlands has the most restrictive integration tests regime, but the trend across the EU points towards tighter requirements as gradually more country introduces integration conditions, moves the place of test-taking abroad, and increases the level of the required knowledge or the fees of the existing tests. Failing the test means the refusal of the legal status for which the TCN applied. Consequently, quite often migrants are either left with an inferior legal status or are simply excluded from entry to the country altogether. All this happens in the name of integration.

It has been argued, therefore, that in contemporary Europe, integration functions as a tool for practising an immigration policy aimed at limiting the legal channels of international human mobility and the inclusion and security of TCNs inside the EU. This new approach, which overwrites multiculturalism and the politics of recognition, shifts the attention away from issues such as equal treatment, non-discrimination, and social inclusion towards conditional socio-political membership, the preservation of core national norms and values, and towards social cohesion. The notion of integration, therefore, does not seem to involve a process of social inclusion of immigrants, but has rather become a mechanism of control by which the state may better manage who enters and who is included inside its territory.

This study has described the process and the recent status of this fusion of immigration and integration policy at the EU level. The EU's original approach, based on equal rights and non-discrimination, has been transforming into the understanding of integration as a means of migration control. Therefore, it has been claimed that the restrictive national categories of integration have been uploaded to the EU arena through a "quasi-OMC" process which

provides both national and EU actors with several forums to exchange information. The appearance of the restrictive notion of integration in EU politics definitely has a legitimising impact on the national level. The thesis, referring to the explicit legal basis in the post-Lisbon establishment, has predicted the further strengthening and formalisation of the information exchange network.

The thesis has presented several points of criticism directed at the integration tests. The major concerns revolve around the issue that immigrants do not only have to learn the language of the host society and its history, but they also have to internalise its values and ways of life and to develop a disposition, containing emotional, rational, and behavioural elements. It has been concluded by this analysis that EU Member States seem to be trapped in the paradox of liberalism by embracing illiberal policies that violate the same values they seek to protect.

All things considered, the trends are worrisome that an emerging EU common integration policy towards TCNs bears discriminative, illiberal, and restrictive characteristics. This policy tries to prevent social problems by excluding TCNs who have an insufficient performance at the integration tests. The new integration paradigm does challenge not only the liberal foundations of the European project, but it also seems economically unsustainable in the aging Europe. In fact, 'integration' seems to veil the actual conventional setting of assimilation, which also wants to regulate individuals' course of action after they have spilled someone's beer in the bar.

Appendix

Three sets of tables are contained in this Appendix: Table 1 on family reunification, Table 2 on long-term residence, and Table 3 on naturalisation.

Table 1. Integration Conditions for Family Reunification

Country	Form of the test	Year of entry into force	Exemption	Preparation	Fee of test-taking
Austria	Language test (A1) in the country of origin	2011			
Denmark	language (A1-minus, oral) and societal knowledge exam in Denmark ¹⁸⁰	2010	1. Spouses of migrants with a residence permit granted for occupational or educational reasons. 2. previously stayed in Denmark for at least 5 years and fulfils the Danish language requirement for permanent residence. 3. the sponsor is a refugee. 4. serious illness or disability. ¹⁸¹	a free and downloadable preparatory package, language courses ¹⁸²	400 EUR. Re-take: the fee must be paid again ¹⁸³
France	language (A1.1, oral and written) and values of French society test in the country of origin. if knowledge is insufficient: signing integration contract and attendance course.	2008 ¹⁸⁴	1. at least three years of secondary studies in a French school abroad or at least one year of college in France 2. because of the general situation in their country (war or a natural or technical disaster) 3. because of personal circumstances, for instance professional obligations or physical or financial difficulties. ¹⁸⁵		The test and formation sessions are free of charge. ¹⁸⁶

¹⁸⁰ Strik et al., *The INTEC Project: Synthesis Report.*, p.17

¹⁸¹ Ibid. pp. 22-3.

¹⁸² Ibid. p. 17.

¹⁸³ Ibid.; Eva Ersbøll and Laura Katrine Gravesen, *Country Report Denmark*, 2010, INTEC Project, p. 19.

¹⁸⁴ Yves Pascouau, "Integration Measures in France: An Evolving Process between Integration and Migration Issues," in *A Re-definition of Belonging? Language and Integration Tests in Europe*, ed. Ricky van Oers, Eva Ersbøll, and Dora Kostakopoulou (Leiden, Boston: Martinus Nijhoff Publishers, 2010), 153-184. p. 177.

¹⁸⁵ Strik et al., *The INTEC Project: Synthesis Report.* p. 22; Pascouau, "Integration Measures in France: An Evolving Process between Integration and Migration Issues." p. 160.

Country	Form of the test	Year of entry into force	Exemption	Preparation	Fee of test-taking
Germany	language (listening, speaking, reading, and writing) test in the country of origin	2008 ¹⁸⁷	1. citizens of USA, Australia, Israel, Japan, Canada, the Republic of Korea, New Zealand, Andorra, Monaco, San Marino, Honduras, Brazil and El Salvador 2. spouses of the nationals who may enter Germany without a visa. 3. highly skilled migrants. 4. sponsor is refugee. 5. employees of an international company who are based in Germany for no longer than three years, and their spouses 5. physical or mental disability ¹⁸⁸	language courses of the Goethe Institute ¹⁸⁹	maybe: a reduced fee or exempted from the test fee. If no, Course fee: 490 EUR, test fee: 60 EUR. ¹⁹⁰
Netherlands	language (A1, oral) and society test in the country of origin	A1-minus: 2006; A1: 2011 ¹⁹¹	1. nationals EU/EEA or any other country who do not require a provisional residence permit 2. nationals of Suriname with completed primary education in Dutch 3. those who intend to stay in the Netherlands on a temporary basis 4. sponsor is a refugee. ¹⁹²	no courses. A self-study pack costing €10. ¹⁹³	350 EUR ¹⁹⁴
UK	language (A1, oral) test in the country of origin ¹⁹⁵	2010	1. from 16 countries with a majority English-speaking population 2. migrants who received a bachelor's degree taught in English 3. a physical or mental condition 4. exceptional compassionate circumstances. ¹⁹⁶	no course is offered	644 GBP. But it varies largely.

¹⁸⁶ Strik et al., *The INTEC Project: Synthesis Report*. p. 16.

¹⁸⁷¹⁸⁷ Ibid. p. 13.

¹⁸⁸ Ibid. pp. 21-2.

¹⁸⁹ Ibid, p.15

¹⁹⁰ Ibid,

¹⁹¹ Ibid.

¹⁹² “The Dutch Civic Integration Examination Abroad.” Information Brochure, p. 17.

¹⁹³ Ibid. pp.11-2,15-6; CEI Ministry of Foreign Affairs, “Civic integration examination abroad”.
http://www.minbuza.nl/en/Services/Consular_Services/Civic_integration_examination_abroad.

¹⁹⁴ Besselink, “Integration and immigration. The vicissitudes of Dutch ‘Inburgering’” p. 245; “The Dutch Civic Integration Examination Abroad.”, p. 9.

¹⁹⁵ Strik et al., *The INTEC Project: Synthesis Report*. p. 19.

¹⁹⁶ UK Border Agency, “New English language requirement for partners”

Country	Sanction for fail	Purpose
Austria	No entry	to reduce the number of spouses coming from outside the EU. reference to the practice of the Netherlands ¹⁹⁷
Denmark	If an applicant has not passed the test within the three-month time limit, family reunification will be refused and a date of departure fixed. ¹⁹⁸	to strengthen the individual foreigner's possibilities for successful and rapid integration. the test should help in securing that foreigners at the outset took responsibility for their own integration and proved their motivation and wish to become part of Danish society. immigrants must be familiar with Danish norms, values and fundamental rights, including democratic principles, individual freedom, personal integrity, gender equality, freedom of religion and freedom of speech. Furthermore, immigrants must be familiar with certain more practical facts such as the prohibition of female circumcision, forced marriages and the fact that parents are responsible for their children, education, health, work, etc. ¹⁹⁹
France	failing the test only delays the family reunification for two month at most. In those cases where the contractual conditions (signed in France) are not respected either by the TCN or her/his spouse, they may be penalised with a financial sanction consisting of the cessation of family social benefits granted by the French state, and eventually administrative sanctions consisting of a refusal to renew or to grant the residence permit, and hence to eventual expulsion from the country. ²⁰⁰	the number of TCNs admitted for family reunification was considered too high in comparison with the numbers of immigrants admitted for employment or study. Integration abroad was not dedicated to the enhancement of integration of TCNs but to better manage migration flows. reference to the Netherlands ²⁰¹

¹⁹⁷ Strik et al., *The INTEC Project: Synthesis Report*. p. 44.

¹⁹⁸ Ibid. p. 17.

¹⁹⁹ Ersbøll, "On Trial in Denmark." p. 128, 130; Strik et al., *The INTEC Project: Synthesis Report*, pp. 30-1.

²⁰⁰ Carrera, "Nationality, immigration and 'the Republican Integration' in France." p. 332.

²⁰¹ Ibid. p. 331; Strik et al., *The INTEC Project: Synthesis Report*. p. 29; Pascouau, "Integration Measures in France." p. 177 ; Carrera and Wiesbrock, "Civic Integration of Third-Country Nationals." p. 14.

Country	Sanction for fail	Purpose
Germany	no entry to the German Federation ²⁰²	reference to the Netherlands. 3 purposes: the need for promoting or demanding integration, the aim to provide protection from forced marriages and violations of human rights, and thirdly the need for protection of the social welfare state. ²⁰³
Netherlands	no entry to the Netherlands ²⁰⁴	to put an end to this 'process of marginalisation' by starting the integration process prior to departure. to render the integration process of newcomers in the Netherlands more efficient and effective. individual responsibility of the potential newcomers and their partners. to stimulate potential immigrants to carefully consider whether it is worth applying for admission to the Netherlands. to reduce the number of family migrants. ²⁰⁵
UK		to improve the integration of the spouses/partners into the community and their employment prospects. ²⁰⁶

²⁰² Strik et al., *The INTEC Project: Synthesis Report*. p. 15.

²⁰³ Ibid. pp. 27-8; Michalowski, "Integration Tests in Germany." p. 204.

²⁰⁴ Besselink, "Integration and immigration. The vicissitudes of Dutch 'Inburgering.'" p. 245; "The Dutch Civic Integration Examination Abroad." p. 5.

²⁰⁵ Carrera and Wiesbrock, "Civic Integration of Third-Country Nationals." pp. 12-3.

²⁰⁶ Strik et al., *The INTEC Project: Synthesis Report*. p. 30; UK Border Agency, "Information for applicants on the new English language requirement for partners." <http://www.ukba.homeoffice.gov.uk/sitecontent/documents/partners-other-family/guidance-for-applicants.pdf>

Table 2. Integration Conditions for Long-Term Residence Permit

Country	Is knowledge of the language tested (required level)?	Is knowledge of the society tested?	Are they (also) required to attend an integration programme or course?	Year of entry into force
Austria	Yes (A2, oral and written) ²⁰⁷	No	Formally, no	2003; 2005: the required language level was raised from A1 to A2. ²⁰⁸
Belgium	No	No	Yes, but only in the Flemish Regions (language, knowledge of society, career guidance) ²⁰⁹	2003
Czech Republic	Yes (A1, written and oral) ²¹⁰	No ²¹¹	No	2008 ²¹²
Denmark	Yes (B1, or A2 Danish + B1 English)	(Yes) 'active citizenship' test will be introduced in mid-2011	Yes (integration contract)	introduction programme: 1999; language test: 2002; 'integration contracts': 2007; 'declarations on integration and active citizenship': 2007. 'active citizenship' requirement: 2011 ²¹³
Estonia	Yes (B1) ²¹⁴	No	No	
France	Yes (A1.1, oral and written)	No	Yes (civic training, if necessary language course)	2007

²⁰⁷ Strik et al., *The INTEC Project Synthesis Report*. p. 51; Third Annual Report on Migration and Integration COM(2007) 512 final.

²⁰⁸ Ibid.

²⁰⁹ Strik et al., *The INTEC Project Synthesis Report*. p. 51.

²¹⁰ IOM, "Czech Republic Destination Guide." http://www.migrantservicecentres.org/userfile/Destination%20Guide%20CZECH%20REPUBLIC_en.pdf . p. 13; Czech for Foreigners, "Information on the Examination." http://check-your-czech.com/index.php?p=informace-o-zkousce&hl=en_US

²¹¹ IOM, "Czech Republic Destination Guide." p. 13.

²¹² Information Booklet for Foreign Nationals. Czech Republic (2009). http://www.en.domavcr.cz/downloads/pdf/informacni_publikace_anglicina.pdf, p.23.

²¹³ Ersbøll, "On Trial in Denmark." pp. 113-4; Strik et al., *The INTEC Project: Synthesis Report*. p. 52.

²¹⁴ Estonian Police, "Long-term Residence Permit." <http://www.politsei.ee/en/teenused/residence-permit/long-term-residence-permit/>

Country	Is knowledge of the language tested (required level)?	Is knowledge of the society tested?	Are they (also) required to attend an integration programme or course?	Year of entry into force
Germany	Yes (B1)	Yes ("basic knowledge of the legal and social order and the way of life in Germany") ²¹⁵	Yes (orientation course)	integration courses: 2005. the current language examination: 2009. The examination currently in use at the end of the orientation course: 2009. ²¹⁶
Greece	Yes ("adequate knowledge") ²¹⁷	Yes ('knowledge of elements of Greek history and Greek civilization')		pending
Italy	Yes ²¹⁸	No		2010 ²¹⁹
Latvia	Yes (A2, oral and written) ²²⁰	No	No	2006
Lithuania	Yes	Yes (Yes- basic examination on the Constitution)	No	

²¹⁵ IOM, "Germany Destination Guide." http://www.migrantcentre.org/userfile/Destination%20Guide%20GERMANY_en.pdf, p. 15

²¹⁶ Michalowski, "Integration Tests in Germany." p. 194; Strik et al., *The INTEC Project: Synthesis Report*. p. 53.

²¹⁷ IOM, "Greece Destination Guide." http://www.migrantcentre.org/userfile/Destination%20Guide%20GREECE_en.pdf ; IOM, "Comparative Study of the Laws in the 27 EU Member States for Legal Migration." p. 267.

²¹⁸ Ministero dell' Interno, "Test di lingua italiana per permessi di soggiorno di lungo periodo." <http://www.interno.it/mininterno/export/sites/default/it/temi/immigrazione/sottotema001.html>

²¹⁹ Ibid.

²²⁰ IOM, "Latvia Destination Guide." http://www.migrantcentre.org/userfile/Destination%20Guide%20LATVIA_en.pdf ;p. 6.

Netherlands	Yes (A2, oral and written)	Yes	Municipalities can oblige immigrants to attend a programme	test: 2007 (integration course: 1998)
Country	Is knowledge of the language tested (required level)?	Is knowledge of the society tested?	Are they (also) required to attend an integration programme or course?	Year of entry into force
Portugal	Yes.	no	no	2008
Romania	Yes	no	no	
UK	Yes (B1 or progress of at least one level) ²²¹	Yes ('Life in the UK' test)	No, but if their level of English is below B1, they may opt for attending a course	2007 ²²²

²²¹ IOM, "UK Destination Guide." http://www.migrantcentre.org/userfile/Destination%20Guide%20UK_en.pdf ; p. 15.

²²² Strik et al., *The INTEC Project: Synthesis Report*. p. 55.

Country	Purpose of the test	Preparation	Costs
Austria	Reference to the positive experiences in the Netherlands. to facilitate participation in the economic, cultural, and social life in Austria. ²²³		Literacy module: average 350 EUR, German language module: between 750 and 2,500 EUR. The possibility of reimbursement. Only the language exam: between 50 EUR and 100 EUR.
Belgium	to guarantee that the fundamental values of the host country are shared by everyone. to test the willingness to integrate. To give immigrants the opportunity to participate and function in society. ²²⁴		The language courses are free of charge for all participants (compulsory as well as voluntary participants) ²²⁵
Czech Republic		Sample tests available online	The first try is paid by the state. 1,500 CZK ²²⁶

²²³ Strik et al., *The INTEC Project Synthesis Report*. p. .62.

²²⁴ Van Avermaet and Gysen, "One nation, two policies." p. 119.

²²⁵ Strik et al., *The INTEC Project Synthesis Report*. p. 56.

²²⁶ http://www.en.domavcr.cz/downloads/pdf/informacni_publikace_anglicina.pdf, p.24; http://check-your-czech.com/index.php?p=povoleni-k-trvalemu-pobytu&hl=en_US

Denmark	Declaration: to render Danish values visible and signal that the society expects foreigners to make an effort to integrate as participating and contributing citizens, equal to other citizens. to urge migrants to seek and obtain employment. ²²⁷	The municipalities have to offer each newcomer an integration programme based on skills, background, and needs. The details must be laid down in an individual contract. The programme can last up to 3 years. ²²⁸	free language tuition for up to 3 years. Candidates who want to take a language exam without having attended a course maybe required to pay a fee of about 130 EUR. A cost-based fee will be charged for the 'active citizenship test'. ²²⁹
Estonia			

Country	Purpose of the test	Preparation	Costs
France	to remedy the alleged failure of immigrant integration. to reinforce the route towards 'intégration républicaine' and to better evaluate three main elements of an immigrant's integration: the personal commitment of foreigners to French republican principles, the effective respect for these principles and sufficient knowledge of the French language. ²³⁰	welcome and integration contract' with all the services = civic integration programme	All training and information sessions are financed by the OFII. ²³¹

²²⁷ on trial, p.114+Strik et al., The INTEC Project: Synthesis Report, p.62+ Denmark final, p.52

²²⁸ Strik et al., The INTEC Project: Synthesis Report, p.52;All adult foreigners and some Danish citizens with language difficulties have the right to participate in Danish language courses, whereas only newly arriving immigrants and refugees from non-EU member states are obliged to do so. In relation to immigrants who fall under the mandatory scheme of the Integration Act the costs of the language courses are born entirely by the local municipalities. IN ILLIBERAL LIBERAL STATES: DISCRIMINATION INSTEAD OF INTEGRATION,pp.301-

²²⁹ Strik et al., The INTEC Project: Synthesis Report, p.56

²³⁰ Ibid. pp. 64-5.; Carrera and Wiesbrock, "Civic Integration of Third-Country Nationals." p. 21.

²³¹ Strik et al., *The INTEC Project: Synthesis Report*. p. 56.

Germany	reference to the Netherlands and Sweden. to promote integration, special focus on isolated women. to acquaint foreigners with the way of life in Germany so that they can act independently in all areas of daily life. to develop a positive attitude towards and identification with the German state, knowledge of the rights and duties as residents and citizens; to develop the ability to acquire information independently; the ability to operate in a foreign cultural context ²³²	mandatory language and/or orientation course	The test fee (for those who take the exam without having attended a course) differs per federal state; in most states, it is between 95 EUR and 125 EUR. language and integration course: 1 EUR per teaching hour; in total: 645 EUR. Recipients of welfare or unemployment benefits can apply for an exemption. Immigrants who pass the integration exam within 2 years can claim half of their contribution back ²³³
Greece			
Country	Purpose of the test	Preparation	Costs
Italy		"Cantieri d'Italia - l'Italiano di base per costruire la cittadinanza" TV programme for language and civic education. Broadcasted at several TV channels and available online (www.cantieriditalia.rai.it) with practice tests and guides. ²³⁴	

²³² Ibid. pp. 62-3; Carrera and Wiesbrock, "Civic Integration of Third-Country Nationals." p. 23.

²³³ Strik et al., *The INTEC Project: Synthesis Report*. p. 57; Patrick Stevenson and Livia Schanze, "Language, migration and citizenship in Germany: discourses on integration and belonging," in *Language Testing, Migration and Citizenship Cross-National Perspectives on Integration Regimes*, ed. Guus Extra, Massimiliano Spotti, and Piet Van Avermaet (London, New York: Continuum, 2009), 87-106. p. 96.

²³⁴ Ministero dell' Interno, "Test di lingua italiana per permessi di soggiorno di lungo periodo."

Latvia	not to promote the integration of immigrants but the focus was on 'non-citizens'. the language requirement is perceived as a device for integration into Latvian society. ²³⁵	No state-organized course. General information and a sample examination are available on the internet, there is also a preparatory book. ²³⁶	the language test is free of charge. In case of unjustified non-appearance: 14 EUR. ²³⁷
Lithuania			
Netherlands	to combat the 'failed integration of large groups' of immigrants with a more compelling and result-oriented integration policy. - in order to 'fully participate in Dutch society', immigrants needed to have knowledge of the Dutch language and to know and accept Dutch norms and values..	integration course, in which knowledge of the language and of Dutch society are taught or practise the different parts in the examination on the Internet (For each part of the central part of the examination, one sample test has been published on the Internet). free preparation courses ²³⁸	a course offered by the municipality: maybe 270 EUR for the course and exams. For others: the costs are much higher. The fees for the three parts of the central exam are EUR 126 in total. The fee for the practical exam is EUR 104 (portfolio) or EUR 250 to EUR 1,200 (assessment). The fee for the short exemption test is EUR 81 and the fee for the NT2 state exam is EUR 90. ²³⁹
Country	Purpose of the test	Preparation	Costs
Portugal			
Romania			

²³⁵ Strik et al., The INTEC Project: Synthesis Report, p.64; 'non-citizens': former Soviet citizens who migrated to or were born in Latvia during Soviet occupation and who after 1991 did not qualify for Latvian citizenship.

²³⁶ Ibid. p. 54.

²³⁷ Ibid. p. 57.

²³⁸ Ibid. p. 86.

²³⁹ Ibid. p. 57.

UK	to increase economic activity; to put as little burden on the state as possible; and be as socially integrated as possible'. ²⁴⁰	no official courses. 'Life in the UK' handbook. ²⁴¹	The fee for the 'Life in the UK' test is 34 GBP. The official 'Life in the UK' handbook costs 9.99 GBP in hard copy. The costs of the ESOL courses vary depending on the provider and the kind of course. There are exemptions from fees for, e.g., persons in receipt of social benefits and persons in humanitarian categories, and reduced fees for the partners of settled persons who have been resident in the UK for one year.
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Collection

Country	Exemption	Sanctions (Consequences of failure to pass test or to attend course)
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²⁴⁰ Ibid., pp.63-4.

²⁴¹ Ibid.,p.56

		Consequences for entitlement to permanent residence permit	Consequences for renewal of temporary residence permit	Administrative fine	Consequences for social benefits
Austria	1. refugees 2. highly skilled labour migrants ("key personnel") who intend to stay in Austria for more than 24 months and their family members ²⁴²	Yes	(Yes) ²⁴³	Yes	No
Belgium	1. EU and EEA nationals and their family members. 2. persons with a serious illness or a mental or physical disability 3. those over the age of 65 4. certain certificates or diplomas 5. labour migrants and their families (with the exception of religious ministers). ²⁴⁴	No	No	Yes. 50 and 5000 EUR ²⁴⁵	Yes

Country	Exemption	Sanctions (Consequences of failure to pass test or to attend course)
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²⁴² Ibid. pp. 57-8.

²⁴³ Ibid. p. 60.

²⁴⁴ Ibid. p. 58; Foblets and Yanasmayan, "Language and Integration Requirements in Belgium." p. 288.

²⁴⁵ Ibid. p. 290.

		Consequences for entitlement to permanent residence permit	Consequences for renewal of temporary residence permit	Administrative fine	Consequences for social benefits
Denmark	1. disabilities or long-term illnesses that severely restrict the ability to speak or learn the language or to prepare for the integration test. 2. foreigners 'with strong ties to Denmark' ²⁴⁶	Yes	No	No	Yes
Estonia	those with basic, secondary or higher education in the Estonian language ²⁴⁷				
France	holders of a 'skills and talents' visa ²⁴⁸	(Yes) ²⁴⁹	(Yes) ²⁵⁰	No	No
Germany		(Yes.) ²⁵¹	(Yes). ²⁵²	Yes	Yes
Greece					
Italy					
Latvia	refugees ²⁵³	Yes	No	No	No

²⁴⁶ Strik et al., The INTEC Project: Synthesis Report, p.58; Strong ties to Denmark= Danish minority in South Schleswig, former Danish citizens, foreigners with Danish parents, and Argentinean citizens with Danish parents or grandparents. Ibid.

²⁴⁷ Estonian Police, "Long-term Residence Permit."

²⁴⁸ Strik et al., The INTEC Project: Synthesis Report, p.58

²⁴⁹ Ibid.

²⁵⁰ Ibid., p.60

²⁵¹ Ibid., p.60

²⁵² Wiesbrock, "Discrimination instead of integration?" pp. 306-7. However, not having passed the test will not automatically lead to the refusal of a permanent resident permit. It will depend on whether the immigrant in question has attended the course 'properly.' Strik et al., The INTEC Project: Synthesis Report, p.60

²⁵³ Ibid., p.57

Country	Exemption	Sanctions (Consequences of failure to pass test or to attend course)			
		Consequences for entitlement to permanent residence permit	Consequences for renewal of temporary residence permit	Administrative fine	Consequences for social benefits
Latvia	refugees ²⁵⁴	Yes	No	No	No
Lithuania					
Netherlands	Aliens with unilateral or bilateral privileges (e.g. Japanese, Canadian, Australian, Swiss, US) ²⁵⁵	Yes.	No. ²⁵⁶	Yes. ²⁵⁷	Yes. ²⁵⁸
Portugal					
Romania					
UK	1. The parent, grandparent or other dependent relative of a British citizen or settled person. 2. refugees 3. victims of domestic violence 4. foreign nationals discharged from the armed forces. ²⁵⁹	Yes	No	No	No

²⁵⁴ Ibid.,p.57

²⁵⁵ Besselink, "Integration and immigration." p. 250.

²⁵⁶ Strik et al., The INTEC Project: Synthesis Report, p. 60; The centre-right government that came into power in October 2010 intends to make it possible to withdraw the temporary residence permits of immigrants who don't pass the Dutch language and integration test. Ibid.

²⁵⁷ Besselink, "Integration and immigration.", p. 248; Strik et al., The INTEC Project: Synthesis Report, pp. 59-60.

²⁵⁸ Ibid., p. 59

²⁵⁹ Ibid.,p.57

Table 3. Integration Conditions for Naturalisation

Country	Is knowledge of the language tested (required level)?	Is knowledge of the society tested?	Year of entry into force	Purpose of the test
Austria	yes (A2) ²⁶⁰	Yes (basic knowledge of the democratic legal order and the history of Austria and the respective federal state) ²⁶¹	Language skill required since 1998. formalisation of language requirement in 2006. Knowledge of society since 2006 ²⁶²	to reduce the numbers of naturalisations. the need to prove ‘. . . the immigrant’s willingness to integrate’, reference to the success of the Dutch model. Naturalisation as the completion of the integration process. ²⁶³
Bulgaria	Yes (conversational) ²⁶⁴	No ²⁶⁵	1998 ²⁶⁶	
Czech Republic	Yes. ²⁶⁷	No. ²⁶⁸		

²⁶⁰ Dilek Cinar, *Country Report: Austria*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/Austria.pdf>. p. 12.

²⁶¹ IOM, “Austria Destination Guide.” http://www.migrantservicecentres.org/userfile/Destination%20Guide%20AUSTRALIA_en.pdf, p. 28.

²⁶² Strik et al., *The INTEC Project: Synthesis Report*, pp.82-3; Perchinig, “All You Need to Know to Become an Austrian.” p. 29.

²⁶³ Ibid., p. 31; Strik et al., *The INTEC Project: Synthesis Report*, p. 96; Perchinig, *Country Report Austria*, 2010. p. 16.

²⁶⁴ New Balkans Law Office, *Bulgarian Citizenship on the basis of Naturalisation*, 2007, <http://www.newbalkanslawoffice.com/english/downloads/NBLO - Bulgarian Citizenship - Naturalisation.pdf>.

²⁶⁵ Daniel Smilov and Elena Jileva, *Country Report: Bulgaria*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/Bulgaria.pdf>.

²⁶⁶ Ibid. p. 12.

²⁶⁷ Barsova, *Country Report: Czech Republic*. p. 10.

²⁶⁸ Ibid, p.18.

Country	Is knowledge of the language tested (required level)?	Is knowledge of the society tested?	Year of entry into force	Purpose of the test
Denmark	Yes (B2, oral and written) ²⁶⁹	Yes ²⁷⁰	Formalisation of the language requirement in 2002 (level B1), level B2 since 2005. Knowledge of society since May 2007.	to make it possible for immigrants to become active participants in society as a whole, self-supporting and to be acquainted with Danish fundamental values and norms. the acquisition of citizenship presumes that the applicant is already integrated in Danish society ²⁷¹
Estonia	Yes ²⁷²	Yes (Knowledge of the Constitution of the Republic of Estonia and the Citizenship Act) ²⁷³		
Finland	Yes (B1, oral and written, Finnish or Swedish or Finnish sign language) ²⁷⁴		2004 ²⁷⁵	to make immigrants be able to take care of themselves in Finnish society ²⁷⁶

²⁶⁹ Eva Ersbøll, *Country Report: Denmark*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/Denmark.pdf>, p.25

²⁷⁰ Third Annual Report on Migration and Integration COM(2007) 512 final.

²⁷¹ Ersbøll, "On Trial in Denmark," p. 12; Strik et al., The INTEC Project: Synthesis Report, p.95,97; Ersbøll, *Country Report: Denmark*; Eva Ersbøll and Laura Katrine Gravesen, "Country Report Denmark," in *The INTEC Project: Synthesis Report Integration and Naturalisation tests: the new way to European Citizenship*, ed. Tineke Strik et al. (Radboud University Nijmegen, 2010), <http://www.ft.dk/samling/20101/lovforslag/1168/bilag/7/992881.pdf>, p. 79.

²⁷² Priit Jarve and Vadim Poleshchuk, *Country Report: Estonia*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/Estonia.pdf>, p.9

²⁷³ Ibid.

²⁷⁴ Jessica Fagerlund and Sampo Brander, *Country Report: Finland*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/Finland.pdf>, pp.19-20.

²⁷⁵ Ibid.

²⁷⁶ Ibid.

Country	Is knowledge of the language tested (required level)?	Is knowledge of the society tested?	Year of entry into force	Purpose of the test
France	Yes (oral) ²⁷⁷	Yes (but the acceptance of the 'French way of life' is checked)		
Germany	Yes (B1, oral and written) ²⁷⁸	Yes (knowledge of the legal and social system and the way of life in the Federal territory)	Language skills since 2000, formalised language test since 2007, knowledge of society test since 2008.	to guarantee a more uniform interpretation and application of the language requirement. to guarantee the immigrants' participation in the political decision making process. Naturalisation is the culmination of successful integration. ²⁷⁹
Greece	Yes ("sufficient knowledge of the Greek language") ²⁸⁰	Yes ("familiarity with Greek history and Greek civilization") ²⁸¹		language will enable the applicant to "fulfil the duties emanating from Greek citizenship" and allow for "smooth integration into the country's economic and social life". ²⁸²
Hungary	No, not explicitly tested	Yes (oral and written constitutional examination in Hungarian at the level of a 14-year-old student. ²⁸³	1993	to demonstrate attachment to Hungary. to contribute to the moral relevance of Hungarian citizenship. ²⁸⁴

²⁷⁷ IOM, "France Destination Guide." http://www.migrantservicecentres.org/userfile/Destination%20Guide%20FRANCE_en.pdf , p.8; Patrick Weil, Alexis Spire, and Christopher Bertossi, *Country Report: France*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/France.pdf>. p.16

²⁷⁸ IOM, "Germany Destination Guide." http://www.migrantservicecentres.org/userfile/Destination%20Guide%20GERMANY_en.pdf , p. 30; van Oers, "Citizenship Tests in the Netherlands, Germany and the UK," p. 77.

²⁷⁹ Strik et al., The INTEC Project: Synthesis Report, pp.96-7; de Groot, Kuipers, and Weber, "Passing Citizenship Tests as a Requirement for Naturalisation." p. 61; van Oers, "Citizenship Tests in the Netherlands, Germany and the UK," p.78.

²⁸⁰ Dimitris Christopoulos, *Country Report: Greece*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/recentChanges/Greece.pdf>.

²⁸¹ Ibid.

²⁸² Ibid.

²⁸³ IOM, "Hungary Destination Guide." http://www.migrantservicecentres.org/userfile/Destination%20Guide%20HUNGARY_en.pdf, p. 15.

²⁸⁴ Strik et al., The INTEC Project: Synthesis Report, p.97;Tóth, "Ethnic Citizenship – Can it be Obtained and Tested?". p.216.

Country	Is knowledge of the language tested (required level)?	Is knowledge of the society tested?	Year of entry into force	Purpose of the test
Italy	Yes/Not explicitly among the requirements ²⁸⁵			
Latvia	Yes (B1, oral and written) ²⁸⁶	Yes (written or oral)	1994	to build a civil society and to define a shared system of values. ²⁸⁷
Lithuania	yes (A2, oral and written) ²⁸⁸	Yes (the basic provisions of the Constitution of the Republic of Lithuania) ²⁸⁹	1995	
Luxembourg	Luxembourgish language (B1 in terms of aural comprehension, A2 in terms of oral expression) ²⁹⁰	No (but mandatory citizenship courses) ²⁹¹	2001 ²⁹²	to promote integration and cohesion. to ensure that candidates are able to participate in the social and political life of Luxembourg ²⁹³
Malta	Yes ²⁹⁴	No		

²⁸⁵ IOM, "Italy Destination Guide." http://www.migrantservicecentres.org/userfile/Destination%20Guide%20ITALY_en.pdf p.17

²⁸⁶ Egidijus Kuris, *Country Report: Lithuania*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/Lithuania.pdf>, p.25,34.

²⁸⁷ Strik et al., *The INTEC Project Synthesis Report*, p.97

²⁸⁸ Van Avermaet, "Fortress Europe? Language policy regimes for immigration and citizenship." p. 30.

²⁸⁹ Kuris, "Country Report: Lithuania" p. 34; IOM, "Lithuania Destination Guide" http://www.migrantservicecentres.org/userfile/Destination%20Guide%20LITHUANIA_en.pdf , p. 9.

²⁹⁰ Denis Scuto, *Country Report: Luxembourg*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/Luxembourg.pdf>. p.11

²⁹¹ Ibid.

²⁹² Kristine Horner, "Regimenting language, mobility and citizenship in Luxembourg," in *Language Testing, Migration and Citizenship Cross-National Perspectives on Integration Regimes*, ed. Guus Extra, Massimiliano Spotti, and Piet Van Avermaet (London, New York: Continuum, 2009), 148-166. pp. 153-4.

²⁹³ Ministry of Justice of Luxembourg, "The Luxembourg Nationality Law of 23 October 2008." p.11, 16.

²⁹⁴ Eugene Buttigieg, *Country Report: Malta*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/Malta.pdf>. p.10

Country	Is knowledge of the language tested (required level)?	Is knowledge of the society tested?	Year of entry into force	Purpose of the test
Netherlands	Yes	Yes.	2000: introduction of language and knowledge of society test. 2003: the tests are formalised and standardized. 2007: Original 'naturalisation' replaced by 'integration examination' at same level. This means that the Netherlands requires newcomers to meet the same standards as future citizens. ²⁹⁵	to ensure that future Dutch nationals would be able to make use of the rights and obligations attached to Dutch citizenship. to be able to participate in the society. to reduce the numbers of naturalisations. to have a more uniform interpretation and application of the language requirement.
Poland	Yes. ²⁹⁶	No		
Portugal	Yes (A2) ²⁹⁷	No ²⁹⁸		
Romania	Yes. ('a good knowledge of the Romanian language') ²⁹⁹	Yes. ('elementary notions of Romanian culture and civilisation', of the Constitution) ³⁰⁰	1999: language and knowledge of society requirement; 2003: knowledge of the national anthem ³⁰¹	to be able to integrate into the society ³⁰²

²⁹⁵ Ricky van Oers, "Justifying Citizenship Tests in the Netherlands and the UK," in *Illiberal Liberal States. Immigration, Citizenship and Integration in the EU*, ed. Elspeth Guild, Kees Groenendijk, and Sergio Carrera (Farnham: Ashgate, 2009), 113-130. p. 124, 127; Ricky van Oers, Betty de Hart, and Kees Groenendijk, *Country Report: The Netherlands*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/Netherlands.pdf>. pp.23-4

²⁹⁶ Picarra and Gil, *Country Report: Portugal*. p.10

²⁹⁷ Ibid. p. 21.

²⁹⁸ Ruth Rubio Marin and Irene Sobrino, *Country Report: Spain*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/Spain.pdf>. p.17.

²⁹⁹ IOM, "Romania Destination Guide" http://www.migrantservicecentres.org/userfile/Destination%20Guide%20ROMANIA_en.pdf dest, p.11; Constantin Iodarchi, *Country Report: Romania*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/Romania.pdf>. p.8.

³⁰⁰ Ibid.

³⁰¹ Constantin Iordachi, "Politics of citizenship in post-communist Romania: Legal traditions, restitution of nationality and multiple memberships," in *Citizenship Policies in the New Europe*, ed. Rainer Baubock, Bernhard Perchinig, and Wiebke Sievers (Amsterdam: Amsterdam University Press, 2009), 177-210. p.186

³⁰² IOM, "Romania Destination Guide", p.11

Country	Is knowledge of the language tested (required level)?	Is knowledge of the society tested?	Year of entry into force	Purpose of the test
Slovakia	Yes (basic level, oral and written).	Yes (general knowledge about the Slovak Republic) ³⁰³		
Slovenia	Yes (elementary) ³⁰⁴	No	1994: obligatory examination ³⁰⁵	
Spain	Yes. ³⁰⁶	Yes (Spanish democratic institutions or history) ³⁰⁷		
UK	Yes (B1)	Yes ('Life in the UK' test)	2004: Formalised language requirement. 2005: language requirement merged with knowledge of society requirement.	to strengthen the ability of new citizens to participate in society and to engage actively in the democracy. to reinforce the sense of common identity. to prevent both the marginalisation of individuals and division between communities ³⁰⁸

³⁰³ Migration Information Center, "Condition for granting Slovak Citizenship." <http://mic.iom.sk/en/citizenship/granting-citizenship/31-podmienky-na-udelenie-obciansstva-slovenska.html>

³⁰⁴ Felicita Medved, *Country Report: Slovenia*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/Slovenia.pdf>, p.13

³⁰⁵ Ibid. ; Felicita Medved, "From a civic to ethnic community? The evolution of Slovenian citizenship," in *Citizenship Policies in the New Europe*, ed. Rainer Baubock, Bernhard Perchinig, and Wiebke Sievers (Amsterdam: Amsterdam University Press, 2009), 305-338. p.315.

³⁰⁶ Marin and Sobrino, *Country Report: Spain*, p.17

³⁰⁷ Ibid.

³⁰⁸ Strik et al., The INTEC Project: Synthesis Report, p.97; Bernard Ryan, "The integration agenda in British migration law," in *Illiberal Liberal States. Immigration, Citizenship and Integration in the EU*, ed. Elspeth Guild, Kees Groenendijk, and Sergio Carrera (Farnham: Ashgate, 2009), 277-98. p. 280. van Oers, "Justifying Citizenship Tests in the Netherlands and the UK." p. 116, 121-2.

Country	Preparation for the Tests and Costs	Fee	Exemptions
Austria	No state-regulated preparation courses for the knowledge of society test.society test: preparation material published by the federal and provincial governments, the published sample questions, or a training programme which can be bought at the website www.staatsbuergerschaft.com (12 and 18 EUR). language preparation course is organized. A training plan for the test costs EUR 12 (basic version) or EUR 18 (advanced version). Costs for the language course vary between EUR 1,500 to EUR 2,500. ³⁰⁹	The preparation script and the naturalisation test are free of charge. ³¹⁰	1. Native speakers 2. Those who fulfilled the language requirement at permanent residence stage are not required to fulfil the language requirement 3.TCNs with an Austrian school leaving certificate that includes the subject history and civics at least the level of grade four of secondary school—no citizenship test 4. Those who are in school having a positive grade in the subject German - no language test 5. Those who are in school having a positive grade in the subject of 'history and civics' at the level of the fourth year of compulsory secondary school – no citizenship test 6. Both language and knowledge of society: over a certain age ³¹¹
Bulgaria			
Czech Republic		CZK 10 000 ³¹²	

³⁰⁹ Strik et al., The INTEC Project: Synthesis Report, p. 87; de Groot, Kuipers, and Weber, "Passing Citizenship Tests as a Requirement for Naturalisation." p. 54; Perchinig, "All You Need to Know to Become an Austrian." p. 35; Perchinig, *Country Report Austria*. p. 48.

³¹⁰ Strik et al., The INTEC Project: Synthesis Report, p.87.

³¹¹ de Groot, Kuipers, and Weber, "Passing Citizenship Tests as a Requirement for Naturalisation." p. 57; Strik et al., The INTEC Project: Synthesis Report, p.82, 91, 93; Cinar, *Country Report: Austria*. p. 13.

1.1.1 ³¹² Czech Citizenship, <http://www.en.domavcr.cz/advices-for-living-in-the-czech-republic/citizenship/czech-citizenship>.

Country	Preparation for the Tests and Costs	Fee	Exemptions
Denmark	free three-year language courses. For the civic knowledge test, they can prepare by studying a textbook which can either be bought, viewed at the Ministry's of Integration website, or downloaded as an MP3 file. Questions are not published since 2008. ³¹³	The costs for the citizenship test are 89 EUR. Renewed applications are free of charge.	language exemption: those who have passed grade 9 or 10 of Danish public school with a mark of 6 or higher in each Danish discipline. All applicants for naturalisation will have to pass the knowledge of society test. Both: Limited possibilities on the grounds of mental or physical impediment. ³¹⁴
Estonia	Free consultations are available before taking the Estonian language exam and the civic one as well.. There are several support materials published on the homepage of the examination centre www.ekk.edu.ee for preparing for the examination: most importantly a handbook. The cost of the Estonian language training is fully reimbursed in certain circumstances. ³¹⁵	The examination on the knowledge of the Constitution and the Citizenship Act of the Republic of Estonia is free for everyone. + 12,78 EUR. ³¹⁶	1. completed basic, secondary or higher education in the Estonian language 2. Individuals born before 1 January 1930: no written part but do have to take a written test in the Constitution and the Citizenship Act. 3. if the basic, secondary or higher education have been acquired in the Estonian language. ³¹⁷
Finland		National Certificate of Language Proficiency test costs 77 EUR ³¹⁸	1. completed basic education in Finnish or Swedish 2. over 65 years of age 3. due to state of health, sensory handicap or a speech defect ³¹⁹
France			

³¹³ Strik et al., The INTEC Project, Synthesis Report, p.87,88

³¹⁴ Ibid. p.91,93; Ersbøll, "On Trial in Denmark." p. 144.

³¹⁵ The Website of the National Examinations and Qualifications Centre in Estonia

³¹⁶ Ibid.; Jarve and Poleschchuk, *Country Report: Estonia.*, p.10.

³¹⁷ Ibid. p.9.

³¹⁸ Fagerlund and Brander, *Country Report: Finland.* p. 32.

³¹⁹ Ibid., pp. 20-1.

Country	Preparation for the Tests and Costs	Fee	Exemptions
Germany	No state-regulated preparation courses for the knowledge of society test. Instead: all questions and answers are published in the internet. Furthermore, booklets have been published. language test: integration courses. Costs for the course are normally 645 EUR, but reduced fees may apply. ³²⁰	Language test costs EUR 100 or higher, except Berling where the costs are EUR 23. The Einbürgerungstest costs EUR 25. ³²¹	language: 1. native speakers of German. 2. Immigrants who have obtained a German secondary school diploma or higher or who have 'successfully' attended a German-speaking school at least for 4 years. Einbürgerungstest: certificates of 'general' education Both: persons who have reached the age of 60 and who have been living in GER for a period of 12 years. ³²²
Greece			
Hungary	Preparatory courses are set up by the administrative offices. The costs of these courses vary between 5-10 EUR. Candidates can however also choose to follow courses set up by NGOs or private agencies, or study from a textbook (available since 2006). It costs €6 and has 120 pages. ³²³	20 EUR ³²⁴	1. attended a Hungarian language primary or secondary school or university. 2. students studying for a certificate in Hungary. 3. immigrants with a Hungarian ascendant or whose origin from Hungary is probable if proof of knowledge of Hungarian. 4. Persons aged 65 or over 5. health reasons ³²⁵
Italy			

³²⁰ Strik et al., The INTEC Project: Synthesis Report, p.87

³²¹ Ibid., p.89

³²² Ibid., p.90,92-3; Kay Hailbronner, *Country Report: Germany*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/Germany.pdf>, pp.10-1

³²³ Strik et al., The INTEC Project: Synthesis Report, pp.86-7; Tóth, "Ethnic Citizenship – Can it be Obtained and Tested?" pp. 218-9.

³²⁴ Ibid. p. 218.

³²⁵ Maria M Kovacs and Judit Tóth, *Country Report: Hungary*, 2010, <http://eudo-citizenship.eu/docs/CountryReports/Hungary.pdf>, p.6; Strik et al., The INTEC Project: Synthesis Report, pp. 92-3; "Ethnic Citizenship – Can it be Obtained and Tested?" p. 220.

Country	Preparation for the Tests and Costs	Fee	Exemptions
Latvia	A handbook for both linguistic and societal knowledge test, available in English as well. No state-regulated preparation courses for the knowledge of society test. Applicants can prepare by studying a book on the Latvian language examination (2.60 EUR), a book on basic questions on Latvian history and Constitution (4.80 EUR) and a book with recommendations on the methods of preparation for the examination on Satversme, the national anthem and history (2 EUR). Courses are offered for EUR 35. Free courses are also offered by the State Language Agency. Sample language and knowledge exams are available on the internet. ³²⁶		Language: 1. Persons who graduated from elementary, secondary or higher education where the instruction language was not Latvian, and who have passed a centralised examination in Latvian, are exempted from the language test if they apply within 2 years following this examination. 2. Applicants who have been educated in Latvian are not bound by such a time limit. Applicants beyond the age of 65 have to take the oral part of Latvian language skills test only. Exemptions from both: the very severely disabled, severely disabled persons with progressive mental illness and disabled persons who are deaf or deaf and dumb ³²⁷
Lithuania		Included in the whole test fee: 6 EUR ³²⁸	both: 1. persons over 65 years of age 2. persons with 0 to 55% capacity for work 3. persons who have reached pensionable age 4. persons with grave chronic mental diseases. ³²⁹

³²⁶ Gabrielle Hogan-Brun, "The politics of language and citizenship in the Baltic context," in *Language Testing, Migration and Citizenship Cross-National Perspectives on Integration Regimes*, ed. Guus Extra, Massimiliano Spotti, and Piet Van Avermaet (London, New York: Continuum, 2009), 35-56. p.44; Strik et al., The INTEC Project: Synthesis Report, pp.87-8; Kristine Kruma, "Latvian Integration Policy: Lost in Translation," in *A Re-definition of Belonging? Language and Integration Tests in Europe*, ed. Ricky van Oers, Eva Ersbøll, and Dora Kostakopoulou (Leiden, Boston: Martinus Nijhoff Publishers, 2010), 241-270. p.253

³²⁷ Strik et al., The INTEC Project: Synthesis Report, p. 91, 93. Kruma, "Latvian Integration Policy: Lost in Translation," p. 252.

³²⁸ Migracijos Departamentas, "Lietuvos Respublikos pilietybe," <http://www.migracija.lt/index.php?-75931725>

³²⁹ Kuris, *Country Report: Lithuania*.

Country	Preparation for the Tests and Costs	Fee	Exemptions
Lithuania		Included in the whole test fee: 6 EUR ³³⁰	both: 1. persons over 65 years of age 2. persons with 0 to 55% capacity for work 3. persons who have reached pensionable age 4. persons with grave chronic mental diseases. ³³¹
Luxembourg	Free Luxembourgish language courses: www.elearning.lu. online mock exam: www.insl.lu. ³³²	civic classes are free. language test: 75 EUR. Full reimbursement of fees for language courses and examination is available.	both: 1. at least 7 years in a Luxembourgish school 2. those who lived on Luxembourgish territory prior to 31 December 1984. ³³³
Malta			
Netherlands	undisclosed the content of the test. no preparatory courses. ³³⁴	The central costs 126 EUR in total (3 sections: 52 + 37 + 37). The 'practice' part by using a portfolio costs 104 EUR. In total, the practice part costs 230 EUR by using the portfolio route. In cases where someone chooses to follow the assesment route to pass the practice part of the integration exam, the costs are higher, and may amount to more than 1100 EUR ³³⁵	1. Native speakers: immigrants from Belgium (Flanders) or Surinam if they can submit a high school diploma proving that a pass mark was obtained for the subject 'Dutch'. 2. possession of secondary school diploma or higher. 3. those who have followed education in the Netherlands for a period of eight years during the obligatory schooling age (5-16). 4. over the age of 65 provided that a period of residence of 15 years is proved. 5. illiterates 6. disabled ³³⁶
Poland			

³³⁰ Migracijos Departamentas, "Lietuvos Respublikos pilietybe," <http://www.migracija.lt/index.php?-75931725>

³³¹ Ibid.

³³² The Luxembourg Nationality Law, p. 19.

³³³ Scuto, *Country Report: Luxembourg*. p.11.

³³⁴ van Oers, "Justifying Citizenship Tests in the Netherlands and the UK." p. 125, 127.

³³⁵ Ibid. p. 127; van Oers, de Hart, and Groenendijk, *Country Report: The Netherlands*. p.30

³³⁶ van Oers, "Justifying Citizenship Tests in the Netherlands and the UK." p. 125; Strik et al., *The INTEC Project: Synthesis Report*, p. 90-91, 93-4.

Country	Preparation for the Tests and Costs	Fee	Exemptions
Portugal	the 'Portugal Welcomes You' programme provides language and introductory citizenship courses for newly-arrived third-country nationals. The High Commissioner for Immigration and Intercultural Dialogue provides free Portuguese language courses. ³³⁷		Only oral exam: 1. over the age of 65 2. serious health conditions ³³⁸
Romania			
Slovakia			1. minor applicants younger than 14 years of age 2. a person representing a significant benefit for the Slovak Republic. ³³⁹
Slovenia	Free-of-charge Slovenian language course and programme for getting acquainted with Slovenian history, culture and constitutional system ³⁴⁰	the first one is free of charge ³⁴¹	1. the applicant went to school or acquired education at a higher or at a university level in Slovenia 2. over 60 years of age and has actually lived in the country for 15 years or has acquired an elementary or secondary education in the Slovenian language in a neighbouring country where there are autochthonous Slovene minorities. 3. illiterates 5.health reasons. ³⁴²
Spain			

³³⁷ Picarra and Gil, *Country Report: Portugal*.

³³⁸ Ibid. pp. 21-2.

³³⁹ Ibid.

³⁴⁰ Slovenian Ministry of Interior, "Integration of foreigners" http://www.mnz.gov.si/en/services/slovenia_your_new_country/integration_of_foreigners/

³⁴¹ Ibid.

³⁴² Medved, *Country Report: Slovenia*. pp.13-4

Country	Preparation for the Tests and Costs	Fee	Exemptions
UK	official study guide: 'Life in the United Kingdom: Official Citizenship Test Study Guide'. No state-regulated preparation courses for the knowledge of society test. The official 'Life in the UK' handbook costs GBP 9.99 in hard copy. ³⁴³	The fee for the 'Life in the UK' test is GBP 34. The costs of the ESOL courses (for immigrants whose level of English is below B1) vary depending on the provider and the kind of course. There are exemptions from fees for, e.g., persons in receipt of social benefits and persons in humanitarian categories, and reduced fees for persons protected by EU free movement law and the partners of settled persons who have been resident in the UK for one year. ³⁴⁴	knowledge of the life in the UK: 1. over the age of 65 2. serious physical or mental condition. + no exemption based on qualification ³⁴⁵

³⁴³ UK Border Agency, "The Life in the UK Test". <http://www.ukba.homeoffice.gov.uk/britishcitizenship/applying/applicationtypes/naturalisation/kol/life-in-uk-test/> ; Strik et al., The INTEC Project: Synthesis Report, p.87. van Oers, "Citizenship Tests in the Netherlands, Germany and the UK." p. 88.; Adrian Blackledge, "Inventing English as convenient fiction: language testing regimes in the United Kingdom," in *Language Testing, Migration and Citizenship Cross-National Perspectives on Integration Regimes*, ed. Guus Extra, Massimiliano Spotti, and Piet Van Avermaet (London, New York: Continuum, 2009), 66-86. p. 75.

³⁴⁴ Strik et al., The INTEC Project: Synthesis Report, p.100; UK Border Agency, <http://www.ukba.homeoffice.gov.uk/sitecontent/documents/britishcitizenship/nationality-fees.pdf>

³⁴⁵ UK Border Agency, <http://www.ukba.homeoffice.gov.uk/britishcitizenship/applying/applicationtypes/naturalisation/kol/>; Strik et al., The INTEC Project: Synthesis Report, p.90, 93-4.

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