



MIGRACIJE — GLOBALIZACIJA — EVROPSKA UNIJA

Z B I R H A : E U M O N I T O R

NASLOV KNJIGE: MIGRACIJE — GLOBALIZACIJA — EVROPSKA UNIJA

AVTORJI: ROMANA BEŠTER, ALEŠ DROLC, BOGOMIR KOVAČ,

SILVA MEŽNARIČ IN SIMONA ZAVRATNIK ZIMIC

PREDGOVOR: MOJCA PAJNIK IN SIMONA ZAVRATNIK ZIMIC

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AUTHORS: ROMANA BEŠTER, ALEŠ DROLC, BOGOMIR KOVAČ,

SILVA MEŽNARIČ, AND SIMONA ZAVRATNIK ZIMIC

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1. Bešter, Romana

H A Z A L O

- 5** PREGOVOR: MED GLOBALNIM IN LOKALNIM V SODOBNIH MIGRACIJAH
MOJCA PAJNIK IN SIMONA ZAVRATNIK ZIMIC
- 15** TRDNJAVA EVROPA ALI ODPRTA EVROPA?
IZZIVI ZA DRŽAVE »SCHENGENSKE PERIFERIJE«
SIMONA ZAVRATNIK ZIMIC
- 43** GLOBALIZACIJA, MIGRACIJSKI TOKOVI IN EKONOMSKI RAZVOJ
NA OBROBJU SLOVENSКИH MIGRACIJSKIH DILEM
BOGOMIR KOVAČ
- 83** POLITIKE VKLJUČEVANJA PRISELJENCEV V VEČINSKO DRUŽBO
ROMANA BEŠTER
- 125** PRISILNE MIGRACIJE V LETU 2002: ZAPUŠČINA DEVETDESETIH
SILVA MEŽNARIČ
- 147** IMIGRANTI MED EVROPSKO MIGRACIJSKO POLITIKO
IN POSEBNOSTMI PROSTORA
ALEŠ DROLČ

C O N T E N T S

- 171** FOREWORD: CONTEMPORARY MIGRATION BETWEEN THE GLOBAL
AND THE LOCAL
MOJCA PAJNIK AND SIMONA ZAVRATNIK ZIMIC
- 181** FORTRESS EUROPE OR OPEN EUROPE?
CHALLENGES FACING THE COUNTRIES ON THE “SCHENGEN PERIPHERY”
SIMONA ZAVRATNIK ZIMIC
- 213** GLOBALIZATION, MIGRATION AND ECONOMIC DEVELOPMENT
ON THE MARGINS OF SLOVENIA’S MIGRATION POLICY DILEMMA
BOGOMIR KOVAČ
- 257** IMMIGRANT INTEGRATION POLICIES
ROMANA BEŠTER
- 301** FORCED MIGRATION IN 2002: A LEGACY FROM THE NINETIES
SILVA MEŽNARIČ
- 323** IMMIGRANTS BETWEEN THE COMMON EUROPEAN MIGRATION POLICY
AND LOCAL PECULIARITIES
ALEŠ DROLČ

M O J C A P A J N I H I N
S I M O N A Z A V R A T N I H Z I M I C

P R E D G O V O R

MED GLOBALNIM IN LOHALNIM V SODOBNIH MIGRACIJAH

Migracije povezujemo z mejami, identitetami, človekovimi pravicami. Tudi z vprašanji nacije, države, etnije, kulture. Pa tudi z naraščajočim omejevanjem, restriktivnimi in izključevalskimi politikami, rasizmom in ksenofobijo. Politični procesi, ki so usmerjeni v ustvarjanje idealizirane globalne vasi blagostanja, nimajo ustreznih odgovorov na ravni migracijskih politik. Globalizirane in vse bolj diferencirane migracije, ki povzročajo vse večjo diferenciacijo tudi oziroma predvsem na lokalnih ravneh, vse bolj potrebujejo tudi lokalne in lokalizirane odgovore. Prebivalci se v globalni in lokalni perspektivi vse bolj razločno delijo na državljane in nedržavljanke, na avtohtone in priselke, na domače in tuje, na zahodne in južne. Ko EU globalizira restriktivno migracijsko politiko, katere osrednji element je elektronsko nadzorovanje (schen genski režim), takrat se učinki njene globalizirane vizije prenesejo tudi na lokalne nivoje. Takrat se, na primer, migracijske politike EU, usmerjene v »zajezitev priseljevanja« in v »učinkoviti nadzor meje«, začnejo udeleževati v svoji nečloveški, tehnicirani podobi tudi v mikrookoljih.

Še posebno v povezavi z razvojem v EU, se danes srečujemo z novim razmejevanjem, s pomikanjem meja proti vzhodu in jugu, ki delujejo po načelu razločevanja, ločevanja zahodnih oziroma južnih sosedov. Pod pritiski globalizacije, pod katerimi se »evropska identiteta«, nadnacionalnost in ustavnost EU začnejo utrjevati po načelu razločevanja »od« drugih, vzhodnjakov, južnjakov, Balkancev ipd., se politike izključevanja z udejanjanja na globalni ravni prenašajo na lokalno raven. Kot odgovor na pritiske globalizacije, na primer na direktive EU o omejevanju migracij, se po načelu vstaje vaških straž formirajo tudi restriktivni lokalizirani odgovori; s tem smo se, na primer, v Sloveniji srečevali leta 2001 in 2002.

Različni odgovori imajo več skupnega: prvič gre za to, da se načelo zavračanja imigrantov vzpostavlja na fantazmi o obstoju zunanjega sovražnika. Imigranti se pogosto znajdejo v tej vlogi. Lokalizirana zavračanja se generirajo iz nekakšnih paranoidnih slik, ki prikazujejo imigrante kot sovražnike, kot tiste, ki razdirajo tako ali drugače definirano samobitnost nekega naroda ali nacije. Drugič, izključevanje in marginaliziranje imigrantov se danes pogosto utemeljuje s sintagmo »na svoji zemlji«. Na lokalnih ravneh čedalje pogosteje nastajajo razne družbene pobude, ki stavijo na lastno avtohtonost. Tisti, ki pride drugi, ni več dobrodošel. To se je dogajalo že, ko so v Slovenijo v sedemdesetih in osemdesetih letih prihajali delavci in delavke iz držav nekdanje Jugoslavije. Zgodba se je nadaljevala v letih 1992 in 1993, ko so v Slovenijo bežali pred vojno begunci iz BiH, in se stopnjevala leta 2001, v času t. i. »prebežniške krize«.

V omenjenih primerih se je aktivirala logika zaščite interesov naroda, ki je bila logika izključevanja. Povečala se je potreba obrambe pred fantomsko nevarnostjo, ki prihaja in ki postane navidezno vseobsegajoča in nevarna. V takšnih primerih se vzpo-

stavi »metageografska koncepcija domovine« (Puhovski 2002), ki ima motivacijski učinek in ki implicira delovanje »za pravo stvar«, za zaščito neke superiorne, moralne, celo metafizične ideje. Pogosto opravičilo »mi nismo dežela imigracije«, ki ga danes sporočajo nekatere nacionalne politike v EU, je manifestacija »sprevržene mentalitete«, po kateri se naturalizacija utemeljuje s prvotno »dediščino«. Vseobsegajoči *Volksgenossen* ali etnično »pajdaštvo«, ki se legitimizira na zgodovinski usidranosti jezika in kulture, ne pušča prostora za imigrante (Habermas 1994, 145). Ščitenje etnične, narodne ali nacionalne prvobitnosti se torej danes pojavlja predvsem kot delovanje za obrambo pred motečimi elementi od zunaj. Imigranti postanejo moteči element. V najboljšem primeru se jih tolerira, pa še to le takrat, kadar ostaja zgodovinsko in kulturno utrjena tvorba nedotaknjena. Sklicevanje na potrebo po zaščiti zgodovinske, kulturne, etnične ali nacionalne prvobitnosti, nadnacionalne identitete deluje danes kot opravičilo, utemeljeno z logiko sile, vpliva, s katerim postaja tako rekoč kakršenkoli odnos do imigrantov sprejemljiv, pravilen, tudi nujno potreben.

Obe načeli, ki smo ju omenili, torej vzpostavljane lastne identitete z omejevanjem »od« drugega in sklicevanje na zaščito prvobitnosti kot neke vrste motiviranje za delovanje, utrjujeta prevladujočo identiteto v nekem prostoru. Nacionalne ali nadnacionalne identitete postajajo danes merilo, ki ga je treba vzdrževati in ščititi – politike, ki gredo v smeri takšne zaščite, marginalizirajo imigrante kot tiste, ki prevladujočih meril ne dosega in jih niti ne morejo doseči. Gre za načela, ki v času globalizacije, paradoksalno, zakoličijo prostor, ga privatizirajo. To onemogoča, da bi se vzpostavili prostori novega pojavljanja, ki bi bili odprti za oblikovanje novih identitetnih politik. Habermas bi rekel, da se pri tem postavljajo v ospredje perspektive avtohtonih prebivalcev,

medtem ko so perspektive novih, ki so prišli, marginalizirane. Takšne politike zanemarjajo »intersubjektivnost« kot pozicijo pripravljenosti za sprejemanje druge perspektive (Habermas 1994, 141, 142). Zanemarjajo aktivno interakcijo, ki jo Parekh razčlenjuje kot »interkulturni dialog« (Parekh 2000, 268–273).

Drugi element, na katerem se legitimizirajo politike izključevanja, je kultura v njenem prevladujočem apolitičnem smislu. Imigrante danes čedalje bolj očitno izključujejo zaradi njihove drugačne kulture. Ker so drugačni, se jih izključuje iz normaliziranih in nacionaliziranih družbenih okolij. Njihova kultura je zavrtnjena, ker ni skladna z normami prevladujoče kulture. Utrjuje se prepričanje, da se imigranti ne obnašajo sprejemljivo, ker njihova kultura ni »omikana«. Argument kulturne avtohtonosti je nevaren, ker superiornim utrjuje njihovo superiornost in ker jim daje moč pri uveljavljanju njihove lastne resnice. Soočamo se s položajem, v katerem je resnica imigranta izključena kot nepomembna. Današnje globalizirane in lokalizirane politike, na katere bi se bilo treba odgovorno odzivati, so politike izbire: če izberemo enega, avtohtonega, potem moramo drugega, neavtohtonega, zavrniti. Neoliberalne ideje, po katerih so pomembne vse vrednote in vsi ljudje, ostajajo na ravni idealov in nič več. Ravno takšni ideali pa veliko prispevajo k ustvarjanju delovanja, ki se organizira proti imigrantom.

Tako globalni kakor tudi lokalni odgovori na migracije torej delujejo po načelu klasifikacij na zelene in nezaželene imigrante, pri čemer se večina znajde med zadnjimi. Novodobne politike klasificirajo imigrante glede na »motiv« migracije v različne kategorije, da si v formalnopravnem pogledu olajšajo delo. Problem je, ker postaja danes sklicevanje na kategorije argument, ki imigrante še dodatno marginalizira: da so na primer tisti, ki državo zapustijo zaradi revščine, in ne, na primer, zaradi represije ali vojne, označeni celo za izkoriščevalce pravice do azila. Zdi se, da se danes

podeljujejo pravice zaradi zaščite vzpostavljenih in mitsko legitimiziranih nacionalnih ali nadnacionalnih interesov. Pravice se spreminjajo v manipulativni element – imigrantom se očita, da si jemljejo »preveč« pravic oziroma celo, da pravice zlorabljujejo.

Multikulturalni in integracijski modeli migracijskih politik, ki so pogosto prepleteni, so danes pomemben izziv prevladujočim restriktivnim potezam, še posebej v državah Srednje in Vzhodne Evrope. Kljub temu da so ti modeli v različnih oblikah, denimo v nekaterih državah članicah EU, že stalnica v poskusih oblikovanja odgovorov na prevladujoče težnje, so danes še vedno ena redkih alternativ. Ti modeli se torej vpeljujejo, hkrati pa znova in znova zahtevajo premislek: v zadnjih letih je vse več avtorjev, ki opozarjajo tudi na njihove pomanjkljivosti.

Eden od pomislekov, ki zadevajo multikulturalizem, kakor je bil zamišljen, se nanaša na prej omenjeno kulturo. Fraser opozarja, da multikulturalizem sicer poudarja različnost, da pa se ta poudarek ustavi pri kulturi in da pogosto izpušča vprašanja neenakosti (Fraser 1996, 206). Ali, kakor bi rekel Puhovski, multikulturalizem, razumljen zgolj z vidika kulturnih razlik, implicira sintagmo neenakosti: »sme se jih videti, ne sme se jih slišati« (2002). Naj torej obstajajo, vendar zgolj kot kulturna bitja, od katerih se pričakuje, da bodo tiho. Priča smo nekakšni folklorizaciji imigrantov, kjer se poudarjajo njihove kulinarične sposobnosti, ples in glasbo, ne priznava pa se njihovo delovanje v političnem prostoru. V svoji kritiki integracije Young opozarja, da se od posameznikov iz izključenih skupin pričakuje, da bodo izpolnili pričakovanja dominantnih skupin, da torej lahko še vedno obstaja nevarnost enosmerne politike. Avtorica opozarja tudi na to, da za morebitne neuspehe integracijskih ukrepov običajno krivijo manjšinske skupine, ki da se nočejo prilagoditi oziroma integrirati pod določenimi pogoji (Young 2000, 216, 217).

Alternativa izključevalnim postavitvam je to, kar Puhovski poimenuje »premik s kulturne na politično raven« (2002), v to, kar Parekh (2000, 193) poimenuje »iskanje novih političnih formacij« ali kar je za Habermasa »politična integracija« (1994, 139) – v pomenu intersubjektivnosti, tudi aktivnega multikulturnega učenja, kakor ga razume Jaggar (2002), tj. učenja, ki vključuje izpraševanje tudi lastnega pozicioniranja. To učenje zahteva odprtost in senzibilnost, ki presega pasivni liberalni ideal o medsebojnem spoštovanju. To učenje je interaktivno in zahteva tudi pripravljenost spoznavati učinke dominantnih mehanizmov. Parekh pravi, da to vključuje tudi pripravljenost preseči liberalne ideale in, na primer, priznavati skupinam, ki so v manjšini, tudi nekatere dodatne pravice, ki šele vzpostavijo možnosti za politike enakosti (Parekh 2000, 262).

Prispevke, ki jih objavljamo v tem zborniku, se da razumeti iz nakazanih perspektiv, ki na eni strani ponujajo kritični premislek dominantnih migracijskih politik in na drugi strani odpirajo prostor za nove ideje, tudi drugačne, zastrte ali alternativne poglede. Besedilo Simone Zavratnik Zimic »Trdnjava Evropa ali odprta Evropa? Izzivi za države 'schengenske periferije'« prinaša refleksijo sodobnih migracijskih razprav, ki jih je avtorica najprej umečila v kontekst evropskih integracijskih procesov in nato obravnavala na primeru Slovenije. Eden temeljnih poudarkov besedila je avtoričina kritika migracijskih politik, ki nastajajo predvsem kot mejne politike, omejevanje prostorske mobilnosti na zunanji varovalni črti nacionalnih držav in EU. To je del in predvsem nezadosten odgovor na čedalje bolj dinamične in diverzificirane sodobne migracijske procese. Avtorica pravi, da se pri širitvi EU na vzhod srečujemo z nastajanjem novega tipa zunanjih meja – nekdanjo železno zaveso in betonsko pregrado so nadomestile bolj prefinjene elektronske in papirnate meje, torej birokratske.

Birokratski zid okoli EU je za imigrante težko prehoden in povzroča naraščanje t. i. ilegalnih prehodov meje, ki naj bi jih migracijska politika EU še posebno preprečevala.

Bogomir Kovač v besedilu »Globalizacija, migracijski tokovi in ekonomski razvoj na obrobju slovenskih migracijskih dilem« ugotavlja, da bodo EU in ZDA, kjer število prebivalcev pada in kjer se zmanjšuje delež delovno aktivnega prebivalstva, v prihodnjih nekaj desetletjih potrebovale dodatno delovno silo in da bodo ekonomske migracije edini način za zapolnjevanje potreb na trgu dela. Ko avtor govori o ekonomskih učinkih migracij, razbija stereotipne predstave o vseobsegajočih težnjah migrantov – razčlenjuje t. i. »bogastvo ekonomskega obnašanja migrantov«. Dalje kritično reflektira politike EU na področju migracij: pokaže, da EU ne ponuja skupnih migracijskih rešitev in da migracijsko strategijo gradi samo na politiki omejevanja in nadzorovanja zunanjih mej. Avtor zagovarja tezo, da mora Slovenija oblikovati migracijsko politiko kot pomembno ekonomsko politiko, in pri tem navaja predloge, ki bi jih Slovenija kratkoročno morala upoštevati.

V besedilu Romane Bešter »Politike vključevanja priseljencev v večinsko družbo« so pregledno predstavljeni trije modeli integracije: t. i. model diferenciranega izključevanja, asimilacijski model ali model diferenciranega vključevanja in pluralistični ali multikulturni model. Avtorica predstavi konkretne integracijske politike treh držav članic EU – Nemčije, Francije in Švedske –, ki se bolj ali manj približujejo omenjenim modelom. Besedilo podaja tudi aktualno refleksijo integracijske politike v Sloveniji, vključno z nekaterimi smernicami oziroma priporočili za pripravo konkretnih integracijskih programov.

Silva Mežnarič v članku »Prisilne migracije v letu 2002: zapuščina devetdesetih« ugotavlja, kako se je v devetdesetih letih, v času vojn v nekdanji Jugoslaviji, govorilo o prisilnih, neprostovoljnih

migrantih in zakaj je to pomembno za razumevanje današnjih migracijskih politik. Opozarja na pomanjkljive, pogosto netočne statistične podatke, čustveno obarvana mnenja in posplošena poročila, ki so izoblikovala pojmovni okvir, zaradi katerega mnogi podatki še danes niso razjasnjeni. Avtorica ugotavlja vpliv vpletanja parcialnih interesov pri podajanju podatkov na današnje razmere, ko se, na primer, še vedno govori, koliko »čigavih« be-guncev in razseljenih oseb se še vedno ni nikjer ustalilo. Sprašuje se tudi o pomenu prisilnih migracij, opredeljuje etnično čiščenje in ugotavlja, zakaj je bilo čiščenje prebivalstva v nekdanji Jugoslaviji in državah, ki so jo nasledile, čiščenje na podlagi etnične in/ali verske pripadnosti. Avtorica načenna tudi zanimiva vprašanja, povezana z migracijami, ki jih sproži narava: ugotavlja povezave med okoljsko in prisilno migracijo ter razmišlja o političnih posledicah sodobnih migracijskih gibanj.

Besedilo »Imigranti med evropsko migracijsko politiko in posebnostmi prostora« Aleša Drolca ugotavlja, da lahko pri migracijah različni vzroki povzročajo enake učinke. Zanikanje avtonomije imigranta kot posameznika v Sloveniji tako ne temelji nujno na enaki podlagi kot zanikanje takšne avtonomije, denimo, v kateri drugi državi EU. V tem okviru poskuša pokazati, kaj se v Sloveniji skriva za formaliziranimi pristopi k migracijam, ki se usklajujejo s politikami EU na tem področju oziroma kakšne so značilnosti izključevanja imigrantov v Sloveniji. Besedilo prinaša ponovni premislek dogodkov iz časa t. i. »prebežniške krize« leta 2001. Avtor med drugim ugotavlja, da se mnenja na temo migracij oblikujejo v zvezi za-proti, kar učinkuje tudi v prostoru kot apriorno zavračanje. Pokaže, da se EU, predvsem s svojo formalno pojavnostjo, uporablja kot referenčna točka za izključevanje, kot maska, ki briše vse, kar je pod formaliziranim površjem in kar bi lahko poimenovali za posebnost nekega prostora. Avtor opozarja

na razsežnosti zavračanja imigrantov oziroma na načela izključevanja, ki so se v Sloveniji oblikovala in pridobila širšo legitimnost v zadnjih petnajstih letih.

Knjiga združuje pomembne premisleke sodobnih migracijskih trendov z različnih perspektiv. Besedila s potrebno kritično noto opozarjajo na pomanjkljivosti sodobnih, v večji meri restriktivnih odgovorov na migracije na širših, globalnih ravneh, na ravni EU in na nacionalnih in lokalnih ravneh. Kaj prinaša globalizacija migracij, kakšne so globalne razvojne težnje, ki vplivajo na migracijske politike, kaj pomenijo vse bolj trdno grajene zunanje meje EU? O kakšnih migracijah danes govorimo, po čem se razlikujejo in zakaj, kaj prinašajo razlikovanja imigrantom, kako se odzivajo prebivalci v okoljih, kamor imigranti pridejo? Kakšne so nacionalne, kakšne lokalne migracijske politike, kako jih je treba premisliti oziroma zakaj se s takšnimi, kakršne so zdaj, ne smemo sprijazniti? Odgovori na ta in druga vprašanja, kakor so jih zapisali avtorji v tej knjigi, odpirajo prostor za nove premisleke migracijskih politik, ki bi jih moralo biti še veliko. Upajmo, da jih bo ta knjiga spodbudila.

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TRDNJAVA EVROPA ALI ODPRTA EVROPA? IZZIVI ZA DRŽAVE »SCHENGENSKE PERIFERIJE«

ARHITEKTURA MIGRACIJSKE DEBATE

V besedilu¹ obravnavamo meje in mobilnost v kontekstu razširjene Evropske unije, pri čemer izhajamo iz dveh vidikov hkrati: evropskega nastajanja skupne migracijske politike in oblikovanja slovenskega pristopa k upravljanju migracij. Ključna značilnost nastajanja slovenske migracijske politike je vpetost v evropske integracijske procese, kar povezujemo s perspektivo in možnostmi post-socialističnih držav, ki so se znašle na zunanjih mejah Evropske unije, to je v fizičnem in socialno-političnem prostoru, ki ga imenujemo »schengenska periferija«.²

Oba modela ta čas na veliko konstruirajo in rekonstruirajo. Nastajanje in odprtost pa ne ponujata jasnega odgovora o naravnosti skupne migracijske politike v razširjeni Evropski uniji. Takšne torej, ki bo zavezujoča tako za stare konsolidirane demokracije kakor za nove države pristopnice prvega kroga »schengenske periferije«. In dalje takšne, ki že nakazuje zavezanost držav novega, drugega kroga »schengenske periferije«, segajoče od balkanskih držav do ruskih sosed Belorusije in Ukrajine. Ko govorimo o arhitekturi migracijske debate, merimo predvsem na izzive skupnega upravljanja migracij, dorečenega

na ravni EU. Popolnoma jasno pa je, da bodo implikacije pomembne za veliko število držav in da danes nastajajoča arhitektura riše migracijske politike v njih veliko širše, kot je njihov teritorialni obseg. V primarno institucionalnem pristopu k migracijam je praviloma prezrto, da bodo bruseljske migracijske direktive zarisale mnogotere življenjske usode posameznic in posameznikov zunaj EU ter njihove možnosti in priložnosti, da bi postali član kakšne evropske družbe, in prav tako usode in priložnosti tistih, ki so že del EU. Ne spreglejmo torej druge plati zgodbe: z istimi pravili EU se rišeta tudi skrb za demografsko ostarele zahodne družbe in pomanjkanje delovne sile v specifičnih ekonomijah. Nično priseljevanje (*zero immigration*) pa kljub željam tistih, ki zagovarjajo za priseljevanje zaprto trdnjavo Evropo, ni mogoče niti realno, saj so dejavniki privlačenja med EU oziroma zahodom ter vzhodom in jugom, ki te prostore oskrbujejo s potrebnimi delovnimi resursi, obojestranski. Dolgoročno gledano pa brez njih te družbe verjetno ne bi preživele.

Na ravni etičnega, onkraj dejanskih ali skonstruiranih meja in izključevanj, pa so sodobne migracije eden najresnejših izzivov družbeni solidarnosti ter razumevanju pravičnosti in potreb specifičnih skupin ter posameznic in posameznikov. Na tej točki se je zgodil bistveni premik: migracije niso več zgolj zadeva trga in ekonomije, temveč so predvsem vprašanje človekovih pravic in politike. Po določitvi kvot, kontingentov ljudi, ki jih bo posamezna država sprejela medse, se bo resno delo šele začelo. S tem mislimo na doseganje družbene kohezije,³ vključevanje imigrantov v nove družbe, njihovo participacijo in obenem medkulturno komunikacijo med številnimi skupinami, ki so na splošno poimenovane imigranti, na eni ter večinsko družbo na drugi strani. Strategije multikulturalizma,⁴ kolikor že je pojem obtežen s kontroverznostjo svoje rabe, se zdijo edini politični odgovor, ki ponuja sprejem-

ljiv model za različna področja, od antidiskriminacijskih pa vse do izobraževalnih programov. Prav pri vprašanju priseljevanja v Evropo so strategije multikulturalizma najbolj na preizkušnji, pri čemer gre tako za problematičnost ksenofobne politične desnice kakor za omahljivost in neartikuliranost levice, medtem ko je (neo)liberalni odgovor izoblikoval današnji svet revščine, razdeljenosti in neenakosti. Zadnjo vzdržuje omejevanje mobilnosti na področjih, kjer to ni zaželeno – torej pri gibanju prebivalstva –, medtem ko so že zdavnaj padle vse meje pri vzpostavljanju globalnega trga. V takem svetu razdeljenosti je sovražnost do priseljencev, tuje kulture, neevropskega in nekrščanskega še vedno visoko ocenjena na trgu politične retorike.⁵ Morala pa bi to biti zgodba s hitrim koncem. Evropski migracijski projekt navsezadnje ima možnost zamajati »trdnjavo Evropo« in se odločiti za odprto Evropo, ki ne sponzorira ksenofobije, nacionalizmov in rasizmov.

Sodobne migracijske politike so danes v primežu evropske in nacionalnih realpolitik nadzorovanja in omejevanja migracij na eni strani (npr. Brochmann in Hammar 1999) ter zahtev po doslednem spoštovanju človekovih pravic in uveljavljanja načel humanitarne in pravne države na drugi strani, kar imenujemo »javna politika nevladnih organizacij«. Na osi birokratske in nevladne organizacije opažamo pri migracijskih razpravah številna razhajanja, zlasti pri specifičnem razumevanju človekovih pravic, od konzervativnih pravnih tolmačenj do zagovornišva globalne družbe in s tem univerzalnega državljanstva in pravice seliti se. Že zdavnaj se je ugnezdila v naše misli prispodoba sveta kot globalne vasi, v kateri pa je globalna vas vse prevečkrat razumljena kot vas po naši meri. V vasi »po moji podobi« pa je eden ključnih in hkrati najbolj problematičnih likov tujec.⁶

MEJE IN MOBILNOST V RAZŠIRJENI EVROPSKI UNIJI

Meje imajo največkrat funkcijo razločevanja in torej sporočanja identitetne razlike, torej primarno vzpostavljajo dihotomno opozicijo »mi-oni«. ⁷ V socialnem svetu je treba upoštevati veliko različnost meja in njihovih pojavnih oblik, na primer zunanje in notranje, selektivne in prehodne, nacionalne, nadnacionalne, regijske, lokalne itn. Poleg administrativno-političnih meja, ki so praviloma varovane zunanje ločnice nacionalnih držav, imajo velik pomen notranje meje, ki kažejo na razdeljene družbe; najsi bo po etničnosti, religiji, med manjšine, kulturne identitete, življenjske stile itd. Teh mej je več vrst: od vidnih fizičnih črt med teritoriji, pa vse do bolj prikritih meja vključevanja in izključevanja, ki označujejo družbene in kulturne meje.

Kadar govorimo o vprašanju sodobnih meja in mobilnosti v kontekstu procesov evropske integracije, s poudarkom na razširitvi od EU-15 na EU-25, takoj opazimo, da nastajajo migracijske politike predvsem kot mejne politike, ki opisujejo EU kot »trdnjavo Evropo« (npr. Geddens 2000), tako iz perspektive EU kakor držav schengenske periferije. Omejevanje vstopov imigrantov na zunanji varovalni črti nacionalnih držav oziroma Evropske unije pa je le delen in predvsem nezadosten odgovor na sodobne migracijske procese, za katere Castles in Miller (1998) ugotavljata, da so čedalje bolj dinamični in diverzificirani. Pri širjenju EU na vzhod imamo opravka z nastajanjem novega tipa zunanjih meja, z ostrim zunanjim robom EU (Grabbe 2000), saj so nekdanjo železno ali betonsko mejo nadomestili bolj prefinjeni materiali: nove meje so predvsem elektronske in papirnate, skratka birokratske. Zdi se, da je edino, kar se ni dosti spremenilo, majhna prepustnost obojih.

Zagovarjanje mehčanja trdih državnih mej in meje EU ter njihove prehodnosti je vsekakor smiselno tudi z vidika migracij. Gre za problem strukturne kriminalizacije migracij, ki je posledica trdih in neprehodnih meja. Torej vzpostavljanje stanja, v katerem je lahko precejšen del migracij potisnjen »v ilegalno«. Od tu naprej teče debata o preprečevanju t. i. ilegalnih migracij, vendar brez spraševanja po pravih vzrokih za tako stanje. Zgolj označitev migracij za ilegalne pa bolj kot pozitivne rešitve migracijskih politik nakazuje povezovanje migracij in kriminalitete.

MEJE HOT HISTORIČNI IN SODOBNI ZIDovi

Zgodovinsko gledano se meje pojavljajo v vlogi varovalnih mehanizmov, se pravi zlasti fizičnih zidov. Pri vzpostavljanju sodobnih meja v obdobju globalizacije pa je tak varovalni zid dobil še druge pomene; predvsem nakazuje izključevanje in ustvarja neenakosti ter na tej podlagi identitetno razliko (prim. Andreas in Snyder 2000; Anderson 1996; Eskelinen, Liikanen in Oksa 1999). Meje, kot osrednjo referenčno točko, konceptualiziramo kot historične in sodobne zidove in jih kot take umeščamo v sociološko analizo. Izhajamo iz dvojega: znanj, ki jih prinaša sociologija vsakdanjega življenja, temelječa na mikropristopu spoznavanja socialne realnosti na podlagi individualnih percepcij oziroma njihovih pomenov, ki jih dajejo življenjskemu svetu (prim. Berger in Luckmann 1988), hkrati pa je treba tematiko sodobnih meja in obmejnih prostorov umestiti v širši kontekst institucionalnega dogajanja, na raziskovalno polje politične sociologije.

Andreas (2000) je pokazal, da ima konstruiranje zidov (kot meja) prominentno mesto v človeški zgodovini. Spomnimo se na Kitajski zid, ki je varoval civilizacijo pred nomadskimi ljudstvi in so ga gradili več stoletij, pa na manjši gradbeni podvig cesarja Hadrijana v severni Angliji. Srednji vek je vse družbeno življenje

»zavaroval« z mestnimi in samostanskimi zidovi. Ta obzidja so varovala skupnosti pred vojaškimi vdori in hkrati preprečevala, da bi ljudje uhajali. Težke zidove pozna tudi XX. stoletje, med njimi Berlinski zid.

Zidovi pa niso zgodovina. Nasprotno, njihova persistentnost je očitna. Zidovi še vedno niso izginili, se je pa radikalno spremenila narava mejnih zidov. Tako je postmoderna čas, ki ga z vidika konstruiranja meja definiramo kot premik od betonskih zidov k elektronskim. Ti dokazujejo, da meje kot varovalni mehanizmi temeljijo na visokih informacijskih tehnologijah, ki imajo predvsem vlogo nadzorovati gibanje prebivalstva. Seveda z opombo, da gre za dediščino moderne, ki je ustvarila nujen tehnološki instrumentarij za take elektronske meje. Vsekakor pa so stare materiale, težko železo in beton, zamenjali bolj prefinjeni materiali, to pa so predvsem papirnata dovoljenja (vizumi) in elektronske baze podatkov. Skratka, birokratske meje.

Vprašanje je, kaj je spremenilo naravo meje, ki je postala elektronski zid. Odgovor ni enoplasten, v splošnem pa gre za radikalno spremenjene družbene okoliščine; procesi globalizacije, segajoči na različna področja družbenega življenja, sodobni načini povezanosti, kar je Castells (2001) označil za vzpon »omrežene družbe«, pojavnost številnih virtualnih resničnosti, večja mobilnost, spremenjene vloge nacionalne države in deteritorializacija so nekateri najpomembnejši elementi. Zaradi teh družbenih dejavnikov so se spremenili tudi razlogi, ki vplivajo na naravo sodobnih meja. Tako je Andreas (2000, 1) zapisal tole ključno ugotovitev: Novi zidovi niso nastali zato, da bi zadrževali ljudi znotraj ali vojske zunaj, temveč zato, da bi odvrnili zaznavajočo invazijo nezaželenih – pri tem so prvi nezaželeni na državnem seznamu prav imigranti. Nikjer ni to tako enoznačno razvidno kakor ob geografskih prelomnicah, ki razdeljujejo bogate in revne regije: na primer

južna meja ZDA in vzhodna in južna meja EU. To sta najnovejša zidova okoli Zahoda (Andreas 2000, 1). Pravzaprav sta to dva različna zahoda, saj je v evropskem projektu najpomembnejša prav možnost širitve, vendar pa sta si zahoda zelo podobna glede definiranja globalizacije in definiranja izolacije. Za oba je ključno vprašanje: koliko tujcev sme vstopiti? Ameriško-mehiška meja je eno ekonomsko in demografsko najbolj aktivnih območij, zasnovano s sporazumom o prosti trgovini (NAFTA). Enako kot pri evropskem oziroma primeru EU pa se glavno vprašanje vrti okoli delovne sile, ki je ekonomsko ključnega pomena, kulturno in politično pa nekakšen »element ogrožanja«. Sodobne meje so tako predvsem zidovi, s katerimi se obdaja Zahod. Kljub procesom deteritorializacije države, ki so nastali z globalizacijo, meje ostajajo pomembne, mejne politike pa niso izginile iz instrumentarija nacionalnih držav, česar tudi ne gre pričakovati.

POLICIJSKE MEJE

Osrednja ugotovitev o naravi sodobnih meja – namreč, da so skrajna neprepustni ali pa vsaj izjemno selektivni zidovi okoli najrazvitejših »svetovnih zahodov«, ki so predvsem policijske meje – bi morala skrbeti ne le družboslovce, temveč tudi politične stratege. Močne izolacionistične meje torej niso preteklost, ki so jo povzili globalizacija in njeni procesi deteritorializacije nacionalnih držav. Prav v kontekstu globalizacije lahko najbolj nazorno pokažemo na ambivalentnost sodobnih meja: na eni strani gre za razširjanje prostorov, brisanje trdih mejnih črt med lokalnimi/nacionalnimi prostori, na drugi strani pa za hkratno uvajanje novega tipa trdih meja, ki izključujejo na podlagi identitetne razlike. Temeljni nesporazum glede sodobnih meja se kaže na osi: elektronski zidovi okoli zahoda vs. koncept globalizacije in evropskih integracij. Globalizacija pomeni, da ideje in dobrine lahko prosto po-

tujejo čez mejo, ne pomeni pa, da ljudje lahko prosto prečkajo meje. Mobilnost ljudi je močno okrnjena, to pa je tudi ena redkih izjem, ko mobilnost ni podprta z vidika liberalistične ideologije, ki sicer favorizira princip svobodnega pretoka.

Mejne politike postajajo čedalje pomembnejše kot eden ključnih instrumentov za varnostno politiko nacionalnih držav ali zvez držav. V evropskem primeru je izginulo vojaško ločnico med Vzhodom in Zahodom nadomestila policijska meja, ki postaja čedalje pomembnejša ograda. Najbolj zgovoren je prav primer EU in schengenske meje, utemeljene na dveh glavnih elementih: skupnem evropskem trgu in varovanju zunanjih meja. Zdi se, da je odpravljanje notranjih meja v zahodnih družbah obenem povzročilo nastajanje močne zunanje meje in »sofisticiranega« sistema prehajanja zunanje meje (pri čemer mislimo na SIS – schengenski informacijski sistem). Kot ugotavlja Snyder (2000, 222) sta družbeni realnosti svobodnega pretoka blaga, storitev in idej na eni strani ter pretoka ljudi na drugi strani zelo različni. Avtor navaja dva vzroka. Prvi je sovpadanje političnega projekta z javnim mnenjem: čeprav se je schengenski projekt (enako kot drugi evropski integracijski projekti) začel kot projekt političnih elit, predstavlja eno redkih iniciativ EU, ki jo je javno mnenje podprlo. Tako sta oba dejavnika – notranja svoboda gibanja in neprepustne, trde zunanje meje – postala nedotakljiva na ravni notranjih politik držav pristopnic. Drugi razlog je ta, da se je mejna politika EU oblikovala po modelu nacionalne države. Bolj kot pri drugih projektih integracij EU je vzpostavljanje zunanje meje neposredno zahtevalo, da se EU obnaša kot nacionalna država, po vzorcu: »*state-like*«, pri čemer je prav nadzor meje odigral ključno vlogo. Tako ni mogoče spregledati, da je vzpostavljanje EU kot državne entitete proces, ki se je rodil na njenih schengenskih mejah (prim. Snyder 2000).

Ena najtrdnjših politik EU usklajuje nadzor zunanjih meja in čezmejnega gibanja prebivalstva. V odnosu »država–migracije« se zdi najpomembnejše, da ima država monopol nad legitimnim nadzorom gibanja ljudi čez meje, kar pa je izjemno gospodovalen projekt v vsej zgodovini nadzora migracijskih gibanj (prim. Torpey 2000). Za člane je svoboda gibanja ena največjih dobrin evropskega projekta. Kritika Schengna je usmerjena v izključevanje iz Evrope oziroma EU, pri čemer je fizično izključevanje – biti na drugi strani Schengna – pravzaprav identitetno izključevanje. Slednje je pokazano s čedalje večkrat slišanim pojmom »schengeniziranosti« (Torpey 2000). Vizija prihodnje Evrope, njenih meja in končne teritorialne podobe zajema tudi vprašanja vključenosti in odnosov z bližnjimi državami jugovzhodne Evrope in Balkana, vključno z občutljivima točkama, kot sta združeni Ciper in vključitev Turčije, pa dalje vse do odnosov do zunajevropskih prostorov, denimo do Rusije in mediteranskega bazena, vključno s severnoafriškimi državami (prim. Emerson 2002; Hill 2002; Maier 2002; Mungiu-Pippidi 2002). Projekt vključevanja držav »schengenske periferije« je povezan z dokazovanjem, da te države pripadajo EU oziroma »skupnemu evropskemu prostoru«, karkoli naj bi ta že pomenil. Tako stališče je mogoče najti v opisovanju vzhodne poljske meje (npr. Jesien 2000) s simptomatičnim videnjem: država mora Evropski uniji »dokazati« svojo pripadnost, s čimer je spet povezano prikazovanje razlike med vzhodnimi državami, v tem primeru Belorusijo in Ukrajino, ki po taki logiki dokazovanja ne pripadajo EU. Podobna argumentacija »razmejevanja od Balkana« in s tem prikazovanja kulturne razlike nasproti jugu je vidna tudi pri konstituiranju nove slovensko-hrvaške meje, ki naj bi bila hkrati ločnica in stik »Evrope in Balkana« (Zavratnik Zimic 2001). Vpliv schengenske ureditve na balkanske države pokaže Kovács (2002) predvsem iz zornega kota razdeljenosti držav v dve skupi-

ni, tiste na seznamu držav, ki potrebujejo vstopni vizum za schengensko območje, in tiste, ki tega dovoljenja ne potrebujejo. V prvi so Slovenija, Hrvaška in Bolgarija. Njihovi državljani lahko ostanejo v schengenskih državah tri mesece brez vizuma. Slabše so obravnavani državljani druge skupine, v katero so uvrščene Srbija in Črna gora, Makedonija, Bosna in Hercegovina, Romunija in Albanija, saj je njihov vstop odvisen od vizumskega dovoljenja.

Z vidika evropskih integracijskih procesov oziroma širitve EU proti vzhodu in jugu se zdi najpomembnejše, kaj se bo dogajalo na schengenski periferiji. Če bodo države skušale prikazovati zgolj različnost ob prihodnji schengenski meji, bomo dobili nove rigidne policijske meje in hitro bodo lahko mnoge od njih začele zahtevati vizume od državljanov na zunanjih robovih EU. Nastaja vprašanje o prihodnjih mejah EU: kakšne bodo in kje bodo, zlasti z vidika širitve EU na vzhod in jug pa tudi zaradi oblikovanja drugega kroga držav »schengenske periferije« po letu 2007. Družboslovci odgovarjajo nanj z dvema kontrastnima modeloma, od katerih je eden centralizirana država, torej westfalski tip superdržave, drugi pa ohlapnejša povezava držav, ki spominja na prilagojeni model neosrednjeveškega imperija.⁸ Prihodnost EU je pogosto videti kot nova oblika westfalske federativne države, z enim centrom oblasti, jasno hierarhijo upravljanja, evropsko vojsko, policijo itd., ter ostro – celo neprehodno distinkcijo – med člani in nečlani. Zlasti ima tak tip westfalske države trde in nespremenljive meje, kar je tvegano prav pri širitvi EU na vzhod. Kaj je torej narobe z westfalskimi mejami in zakaj bi morale priti do mehčanja zunanjih meja v procesu širjenja EU na nekdanji socialistični vzhod? Zielonka (2001) navaja tri vsebine. Prva je temeljni konflikt med duhom in namenom nameravane širitve EU, torej med integracijo in vključevanjem, ter Schengnom, ki je

simbol neenakosti in izključevanja. Rečemo lahko, da bo morala v tej točki sama EU jasno definirati evropski projekt in skladno z njim tudi mejne politike. Drugi problem trdih meja je po avtorjevem mnenju povezan z manjšinami: odprte meje so pomembne zaradi številnih manjšin, ki živijo na »napačni strani meje«, kar lahko vpliva celo na politično stabilnost. Tretji problem trdih meja pa je zaustavljanje procesov čezmejnega sodelovanja in regionalnega povezovanja, kar naj bi bila ena pomembnih prioritet EU. Iz te perspektive pa je trdno določena zunanja črta Schengna predvsem izrazita ovira pri vzpostavljanju čezmejnih stikov, zlasti za ljudi, ki živijo ob sami schengenski meji. Zagotovo pa ne samo njih, temveč vseh tistih, ki nameravamo kadarkoli prečkati ta najnovejši birokratski zid trdnjave Evrope. Vsekakor gre večja naklonjenost neosrednjeveškemu modelu EU, ki temelji na različnosti, pluralnosti in splošnem principu *Europe unbound* (Zielonka 2002), torej preseganju klasične vezanosti na prostor, vključno z odprtimi mejami in gibljivimi obmejnimi prostori. Nasprotno pa se zdi westfalski model razdelitve sveta v teritorialno ekskluzivne enklave z jasnimi in ostrimi mejami precej manj optimistična perspektiva, v kateri dominirajo parcialni mejni režimi, na eni strani popolna prehodnost meja za kapital in dobrine, na drugi pa omejena in selektivna prehodnost za ljudi.

Razmišljanje o mejah in mobilnosti v razširjeni EU sklenimo z vprašanjem, ki povezuje migracije, meje, posameznike, imigrante in večinsko družbo: ali je prehod od trdnjave Evrope k odprti Evropi mogoč? Trdnjava je predvsem utrdila meje, se obdala še z elektronskimi mejami in skonstruirala schengensko periferijo. Za odprto Evropo bodo potrebna pogumna prizadevanja za bolj humane meje, za mehčanje meja na zunanjih robovih in za mehčanje notranjih meja med večinsko družbo in imigranti.

SLOVENIJA: MIGRACIJSKA POLITIKA V DRAVAI NA »SCHENGENSHI PERIFERII«

IDENTIFICIRANJE VSEBIN

IN IZZIVI POLITIHAM

Migracijska politika je izjemno obsežna in po naravi heterogena, zato je polna nesporazumov glede upravljanja migracij. Nesporazumi se kažejo predvsem v spregledanih širših in dolgoročnih družbenih spremembah, ki jih migracije od nekdaj povzročajo v tradicionalnih družbah priseljevanja in tudi družbah odseljevanja. Tolikšno razsežnost problema pa vladne politike največkrat ne zmorejo zaobjeti. Opozoriti velja na tri take, zdaj še prikrite izzive sodobnim migracijskim politikam, s katerimi se bomo po našem mnenju morali spopasti v prihodnosti. Prvi izziv bodo migracije in doseganje družbene kohezije, kar je nujni, dolgoročni, a zdaj še skorajda nevidni družbeni projekt. Drugi izziv bo vzpostavljanje celostne migracijske politike, takšne torej, ki ne temelji na delitvi imigrantov na razne podkategorije, takšne pač, ki jo zahteva zakonodaja. Tretji izziv je povezan s prvima dvema; to je izbira ustreznih ukrepov za vključevanje imigrantov v »nove družbe«, z izhodiščem v dvosmerni medkulturni komunikaciji. Vsi trije pa so namenjeni posamezniku – osrednji figuri, ki ne sme izginiti iz javne politike. Ti prezrti vidiki migracijskih politik se kažejo predvsem kot sociološka dejstva. Ta pa zahtevajo še vse kaj drugega kot le tradicionalni pristop, ki se vse prerad konča pri zadostnosti pravne integracije. Ta pomeni dano možnost, ki pa brez resničnega socialnega, političnega in kulturnega vključevanja ostaja na papirju.

Poglejmo najprej družbeno kohezijo, ki se jo da razumeti precej različno. To je navsezadnje povezano z jasnostjo pojma. Vertovec (1999) meni, da smo v družboslovju bolj, kot kaj družbena kohezija je, poučeni o tem, da je ni. Po Vertovcu je minimum skupne defi-

nicije družbene kohezije podan z elementoma kooperativnih družbenih interakcij in skupnega vrednostnega sistema, pri čemer pa hkrati pokaže na ključno vprašanje: kaj v resnici tvori procese sodelovanja in sistem vrednot, ter kako jih vzdržujemo. Pomemben se zdi avtorjev pogled, namreč da je vprašanje formulacije in doseganja skupnih vrednot, ki lahko povezujejo ljudi, predvsem politično vprašanje, ki ga je potrebno utemeljevati v političnih konceptih kot so nacionalna država, etnična/nacionalna identiteta, nacionalizem, država blaginje, civilna družba, kulturni kapital ipd. Pokaže pa tudi, da so glavni izzivi, ki jih predstavljajo sodobne migracije, izzivi liberalni nacionalni državi (Vertovec 1999). Vprašanje je torej, kako se bo liberalizem soočil s problemi državljanstva, vključno s socialnim državljanstvom imigrantov, participacijo in dostopom do informacij, dalje s strpnostjo, manjšinskimi pravicami, multikulturalizmom, ksenofobijo, sovražnim govorom ipd. Vprašanje pa je tudi, kako bodo nastajali okviri integracijskih politik in iz kakšnih temeljev bodo te črpale svoje strategije.

Opozoriti je treba na določeno nerazumevanje pri doseganju družbene kohezije, ki v sodobnem postmodernem okolju nujno pripelje vsaj do upoštevanja elementov transnacionalne mobilnosti, multikulturalnosti, različnih identitetnih izbir in medkulturne komunikacije. Morda je največja »pomanjkljivost« tega družbenega projekta prav njegova zahtevnost: dejansko gre za dinamične, fluidne družbene lastnosti, ki izhajajo iz globaliziranega postmodernega okolja. Teh družbenih značilnosti tudi ni mogoče preprosto določiti in nato zanje preprosto napisati politični program. Zdi se, da se javne politike pre pogosto izgovarjajo na visoke stroške, ki jih zahteva spodbujanje takih daljnosežnih družbenih projektov. Tako z vidika finančnega, kadrovskega in nenazadnje političnega kapitala. Stroški pa so zlasti za evropske etabrirane desnice, pa tudi za tiste v vzponu, še kako dvomljivi oziroma nespre-

jemljivi. Jasno pa postaja, da danes ni več mogoče zares razpravljati o družbeni koheziji, če v to razpravo ne vključimo migracij, in to kot eno ključnih, ne zgolj obrobnih točk.

Drugi problem, ki se v migracijskih politikah pojavlja kot samoumeven, je avtomatsko pristajanje na delitev populacij imigrantov na podkategorije in skladno s pripadajočo skupino podeljevanje ali odtegotovanje pravic.⁹ Pri tem naj opozorim zlasti na mednarodne ekonomske imigrante, ki jih ne varuje noben poseben mednarodnopravni režim, saj se selijo zaradi revščine in ne zaradi, na primer, političnega preganjanja, čeprav gre velikokrat za povezovanje obojega. Dikcijo človekovih pravic s to številno skupino, ki potuje iz ekonomske nuje, komajda povezujemo ali pa sploh ne in posledično tudi skrbi zanje ne. Takšna logika služi predvsem za izgovor tistim globalnim politikam, ki so »zaslužne« za takšno radikalno razdeljenost med revnimi množicami in maloštevilnimi privilegiranimi. Globalne okoliščine so se že toliko spremenile, da je postalo nesprejemanje migracij iz ekonomske nuje nesprejemljivo. Tega ne zagovarjajo več »zgolj antiglobalisti«, temveč priznavajo tudi že nekateri akterji globalnega oblikovanja migracijskih politik. Vendarle pa je opaziti, da integracijskih programov v postsocialističnih državah za ekonomske imigrante tako rekoč ni ali pa so bolj šibkega zdravja. Dobra novica je, da se v nekaterih okoljih vendarle zavedajo tega pomanjkanja v javni politiki. Zdi se, da to velja tudi za Slovenijo.

Zagovarjamo pristop, ki ne razvršča in tudi ne hierarhizira skrbi za sočloveka po različnih pravnih statusih. Sociološka analiza migracijskih dogajanj izhaja iz procesov globalnega mešanja prebivalstva in hkratnega srečevanja ter sobivanja različnih kulturnih kodov. V današnjem svetu je ta proces determiniran zlasti z logiko zapiranja nacionalnih prostorov, na evropskem kontinentu sta najznačilnejša mehanizma prostorskega in kulturnega izključevanja

schengenska meja in omejevanje dostopa do državljanstva. Tak pristop ne pušča v ospredje univerzalnosti človekovih pravic, še manj humanističnega svetovnega nazora. Razvrščanje migrantov po kategorijah kot so begunci z začasnim zatočiščem, konvencijski begunci, ekonomski imigranti pa celo »ilegalni prebežniki« itd., je le logična posledica takega pristopa. Legitimiteto ima v globalnem »konsenzu«, ki ponuja približno takšno splošno (to je stereotipno) videnje migracij: prisilnim migrantom, žrtvam vojnih konfliktov, je treba zagotoviti humanitarno pomoč, a jih obenem razglasiti za začasne begunce in jih zadržati čim bliže izvornih držav ali jih vsaj čim prej vrniti domov. Konvencijski begunci so z mednarodno-pravnimi standardi zavarovani pred vračanjem v izvorne države, kjer bi postali žrtve nedemokratskih politik, vendar je treba tudi povedati, da je azilna zakonodaja čedalje restriktivnejša. Nasprotno pa so ekonomski priseljenci prikazani kot nekakšni lovci na srečo, katerih cilj je doseči blagostanje zahodnih držav, pri čemer naj bi revni priseljenci tako rekoč izkoriščali bogate zahodne države. Namesto argumenta, da je ekonomska nuja še kako racionalen dejavnik selitve, je prevladal argument domnevnega izkoriščanja zahoda. To pa vodi v prevladujočo politiko uravnavanja migracij, ki jo zahod najbolj izvaja: v nadzor, trde in neprehodne meje, selektivno mobilnost. Jasno pa je, da tako stališče ne more biti zadosten niti ustrezen odgovor na globalno politiko mobilnosti. Poudarili smo že, da so mejne politike postale najtrdnjši del migracijskih politik, v marsičem celo njihovo nadomestilo. Zato je še toliko pomembnejše graditi na območjih, kjer migracijska politika nastaja zunaj polja tradicionalnega (neuspešnega) nadzora nad mejami, pri čemer mislimo zlasti na vključevanje imigrantov in medkulturno komunikacijo.

Kot je bilo že povedano, je tretji izziv, ki ga prinašajo sodobne migracije, povezan s prvima dvema oziroma iz njiju izhaja: to je

izbira ustreznih ukrepov za vključevanje imigrantov v »nove družbe« z izhodiščem v dvosmerni medkulturni komunikaciji. Integracijske politike¹⁰ se od države do države še vedno precej razlikujejo. Castles (1995, 4) konceptualno izrazi to razliko z definiranjem štirih načinov, s katerimi se države priseljevanja odzivajo na imigrante. To so totalno izključevanje, diferencirano izključevanje, asimilacija in pluralizem. Totalno izključevanje pomeni preprečevanje vstopa imigrantom in čeprav so nekatere države to strategijo poskusile uveljaviti, se v povojnem obdobju množičnih migracij nikjer ni zares obdržala. V resnici govorimo o treh modelih migracijskih politik, vključno z integracijskimi: modelu diferenciranega izključevanja (Nemčija, Japonska), asimilacijskem modelu (Francija, Velika Britanija) in multikulturnem modelu (Švedska, Kanada, ZDA, Avstralija). Slovenski model, ki šele nastaja, pa bo lahko črpal iz različnih praks držav z daljšo tradicijo, pri čemer bi se morali zgledovati predvsem po evropskih multikulturnih modelih.

ODZIVI MIGRACIJSKIH POLITIK

ZAČASNI BEGUNCI, 1992: ODTRGANI IZ IZVORNEGA

OHOLJA, IZLOČENI IZ »GOSTUJOČE DRUŽBE«

Pravna definicija opisuje begunca¹¹ kot posameznika, ki zaradi utemeljenega strahu pred preganjanjem (zaradi rase, vere, narodne pripadnosti, pripadnosti neki družbeni skupini ali političnemu prepričanju) beži iz neke države. Z Ženevsko konvencijo se države zavezujejo, da bodo varovale življenja ljudi na begu pred nedemokratičnimi politikami in da bodo dosledno spoštovale načelo nevračanja (*non-refoulement*). V Sloveniji je begunstvo neločljivo povezano z množičnimi prisilnimi migracijami kot posledicami

vojnih konfliktov na območju bivše Jugoslavije (Zavratnik 1996). Iz nje so bežali številni posamezniki in posameznice, ki so morali hipoma zapustiti do takrat varno okolje, pretrgati zanesljive družinske in druge mikrosocialne mreže vsakdanjega življenja, ki so določale posameznikov socialno-kulturni prostor. Niso pa bežali samo posamezniki in posameznice, ampak tudi večje skupine, predvsem na etnični podlagi. Balkansko krizno žarišče je povzročilo enega največjih eksodusov, ki se je neposredno dotaknil zahodne Evrope. Odgovor UNHCR je bil institut začasne zaščite, kar je delna oziroma – ime je kar pravo – začasna rešitev, ki določa temeljna pravila zagotavljanja zatočišča skupinam na begu. Medtem ko se konvencijski begunci obravnavajo individualno, je institut začasnega zatočišča pravni instrument varovanja skupin. Skupinski pristopi so praviloma osredotočeni na številke, medtem ko je pomanjkljivo prav upoštevanje posameznika, kar se je pokazalo tudi v tem primeru. Sociološki argument govori v prid izraziti heterogenosti skupin, zato je premik od številke k posamezniku dolgoročno edini smiseln in tudi nujen. Zagotovo so začasni begunci zelo ranljivi posamezniki in posameznice, ki so bili zaradi nasilja iztrgani iz izvirnega okolja in ki množično bežijo zaradi najbolj grobega napada na nedotakljivost človekovega življenja. Sociološko povedna definicija začasnih beguncev bi morala poudariti najprej posameznika in posameznico, šele nato iztrgane skupine, ki neprostoovoljno bežijo v negotovost. Negotovost pa je že zgodba novih družb in njihovih odzivov. To smo konceptualno označili s socialno kohezijo, v jeziku javnih politik pa z integracijskimi modeli.

Status začasnih beguncev je bil reguliran leta 1997 z Zakonom o začasnem zatočišču (ZZZat),¹² ki je bil v Sloveniji sprejet po več kot petletnem bivanju začasnih beguncev v državi. Julija 2002 je bil zakon dopolnjen (ZZZat-A).¹³ Zakon daje podlago za dodelitev

začasnega zatočišča, upošteva osnovne humanitarne norme (na primer združevanje družin), določa pravice in obveznosti ter repatriacijo. Glavni problem tovrstne zakonodaje je njena izhodiščna usmerjenost k vračanju beguncev. Repatriacija je seveda integralni element begunskih politik, vendar ne more biti njihov temelj, niti edina alternativa. Vprašanje »Zakaj begunci ne gredo domov?« je bilo v različnih javnih kontekstih v Sloveniji večkrat postavljeno. Žal pa odgovor državne politike nanj ni bil enopomenski, da repatriacija v velikih primerih ni mogoča, in kar je še pomembnejše, da programi vračanja ne morejo biti izhodiščni temelj begunske politike. Za slovenske razmere je to veliko preskromno. Korektno bi bilo, če bi posameznike in posameznice, ki so preživeli pri nas deset let svojega življenja kot začasni begunci v novih družbah, vsaj vprašali, katero okolje občutijo za domače in svoje. Preteklo je veliko časa, vmes so bile vojne, v njihovem nekdanjem izvirnem okolju je nastala nova, miselno drugačna generacija. Ti begunci ne morejo več primerjati razmer, v katerih žive, z razmerami pred desetimi leti. Zato se številni nikoli več ne bodo mogli vrniti, bodisi zaradi objektivnih dejavnikov (etnično očiščena okolja, izbrisane vasi in soseske) bodisi zaradi subjektivnih okoliščin (nekateri so se sami odločili ostati v gostujoči družbi in upajo, da bodo lahko postali njen del).

Premik od repatriacije k integraciji so vseskozi podpirale NVO in posamezniki ter posameznice iz različnih civilnih iniciativ. Dopolnila k Zakonu o začasnem zatočišču nakazujejo spremembo, bolj poudarjajo integracijske politike, saj je zdaj integracijski člen prvič sploh definiran. Država se pri tem zavezuje pomagati pri vključevanju v kulturno, gospodarsko in družbeno življenje, pri čemer je dolžna zagotavljati informacije o pravicah in obveznostih, pa tudi pomoč pri njihovem uveljavljanju. Integracijski člen zagotavlja organiziranje tečajev iz slovenskega jezika, seznanjanje s

slovensko zgodovino, kulturo in ustavno ureditvijo, zagotavlja sredstva za opravljanje izpitov iz slovenskega jezika, prav tako navaja organizacijo tečajev in drugih oblik strokovnega usposabljanja (2. člen, ZZZat-A). Pomembno je, da je namen integracije jasno zakonsko podprt. Ker pa je to poseben zakon, bi lahko pričakovali, da se bo celo podrobneje ukvarjal s političnimi, socialnimi, kulturnimi in ekonomskimi razsežnostmi statusa »začasnega begunca«. Vsekakor pa je v njem optimistična določba, ki pravi, da lahko državne institucije deloma ali v celoti prepustijo izvajanje integracijskih ukrepov človekoljubnim organizacijam (2. člen, ZZZat-A).

Opozorimo naj tudi na redkeje omenjena gledanja na identiteta na vprašanja beguncev, njihovo izražanje, pa tudi zakrivanje. Predvsem je treba pokazati na problem zadnjega, to je strategijo »nevidnosti«. Z njo označujem naslednje stališče: ne se izpostavlja ti, temveč prikriti identiteto, ker (lahko) to rodi predsodke, nasprotovanje, prezir, nestrpnost, skratka ustvarja diskriminacijo. Gre za osebno tveganje, da se nekdo znajde v neprijetnem položaju ali celo konfliktu, če izpostavi svojo identiteto. Zakaj bi posameznik izbral tako strategijo? Odgovor je mogoče razbrati iz odziva družbe: zaradi nestrpnosti do drugačnega razliko raje prikrijmo. Tu integracijo zamenja anonimnost. Poglejmo primer. Begunski mladostnik, ki je obiskoval slovensko šolo, se je naučil že toliko jezika, da se po jezikovnih sposobnostih ne razlikuje več od drugih govorcev svoje generacije, katerih materni jezik je slovensčina. Razlika je prikrita, posamezniku pa vendarle omogoča nekakšno varnost pred vsakdanjimi konflikti, ki bi jih lahko povzročila njegova identitetna razlika. Njegovi vrstniki pa so tudi že pozabili, da je begunec. Le drobne razlike tu in tam izdajo anonimnost začasnega begunstva, denimo, ko nekdo ne more z vrstniki na koncert čez mejo, ker kot začasni begunec nima potnega

lista. »Drobne razlike« tu in tam opozorijo, da nimamo opravka z integracijo, ampak z asimilacijo. Celo to, da je asimilacija nemalokrat lažja pot, manj naporna za družbo, ki se neuspešno sooča s sprejemanjem drugačnosti, celo manj boleča za begunca, ki tako neviden ni neprestano izpostavljen takšnim ali drugačnim pritiskom. Manj tvegano za vse? Nasprotno, veliko bolj tvegano za vse nas.

PREBEŽNIKI, 2001: DRUGA HRIZA IN MNOGOSTEROST OBRAZOV MIGRACIJ

Na resnične zagate slovenske migracijske politike je najbolj opozorilo leto 2001, ki ga povezujemo z večjim številom prebežnikov iz neevropskih okolij in nastalo t. i. prebežniško krizo (Jalušič 2001; Kuzmanić 2001; Kuhar 2001; Pajnik, Lesjak-Tušek in Gregorčič 2001). Na javne izbruhe neprikrite ksenofobije država ni našla ustreznega, še manj hitrega in učinkovitega odgovora. V ozračju izrazite nenaklonjenosti do prebežnikov so se spomladi 2001 na eni strani izkristalizirala zanikanje ksenofobije in argument viktimizacije (Jalušič 2001), ki govori: »Mi, Slovenci, smo žrtve, Oni, prišleki, nas ogrožajo,« in na drugi strani podpora NVO, posameznikov in posameznic, različnih iniciativ, profesionalnih društev ipd., ki so se zavzeli za dosledno spoštovanje človekovih pravic in se solidarizirali s prebežniki. Še pomembnejše, prevzeli so zagovornišvo teh šibkih, tihih, ranljivih posameznikov in jim dali možnost javnega glasu. Zlasti NVO so se aktivno vključile v proces zagovornišva preslišanih skupin prebežnikov, o katerih so mediji poročali, podprti s številkami (to naj bi bil odsev objektivnosti, torej naj bi šlo za navajanje dejstev) in v kombinaciji z omejenjem (nacionalne) ogroženosti, preplavljanjem avtohtonega prebivalstva in podobnimi manipulativnimi argumenti.

Različne nevladne organizacije, civilne iniciative in posamezniki ter posameznice so se aktivno vključili v proces zagovornišva

imigrantov, med njimi tudi Mirovni inštitut. V »modelu delovanja« Mirovnega inštituta (slika 1) so skicirane različne dejavnosti, od raziskovanja, sooblikovanja in vplivanja na javne politike in aktivizma, torej hkratnega delovanja, segajočega od alternativnega akademskega pretresa do akcij na ulici.

ZAGOVORNIŠTVO PREBEŽNIKOV		
RAZISKOVANJE	POLICY	AKTIVIZEM
<p>publikacije/ konference:</p> <ul style="list-style-type: none"> • migracije • človekove pravice • ksenofobija • sovražni govor • skrb, solidarnost • integracija vs. izključenost • medijski diskurzi • meje, okrnjena mobilnost • globalizacija 	<p>vplivanje na javne politike:</p> <ul style="list-style-type: none"> • zakonodaja (azilna in tujska) • ukrepi družbene integracije • javno zagovorništvo 	<ul style="list-style-type: none"> • zbiranje igrač za prebežniške otroke • izdelava TV-spotov • soudeležba na javni manifestaciji v podporo prebežnikom • javno zagovorništvo
VPLIVI: ALI SE KAJ SPREMEMI?		
<ul style="list-style-type: none"> • oblikovanje javne diskusije • vplivanje civilne družbe na javne politike • povezovanje NVO (migracije in človekove pravice) • senzibilizacija javnosti za človekove pravice • senzibilizacija medijev (poročanje o prebežnikih) • izboljšanje življenjskih razmer (nastanitev prebežnikov) 		

SLIKA 1: MODEL ZAGOVORNIŠTVA PRAVIC PREBEŽNIKOV

Najpomembnejše je temeljno stališče zagovorništva, ki je opozorilo vsaj na dva vidika slovenske migracijske politike: predvsem na njeno odsotnost ali vsaj nedoločenost in nebogljenost ter na razno-terost civilne družbe, saj smo bili pri tem primeru priča kristalizaciji civilnih družb, ki jo je spremljalo zelo raznoliko dogajanje, od podporništva pa vse do sovražnosti (prim. *Poročilo* 2001).

V času, ki je sledil t. i. »prebežniški krizi«, je prišlo do sprejemanja in spreminjanja najpomembnejših zakonov, to je tujskega in azilnega zakona,¹⁴ ki sta dva pomembna elementa reguliranja migracij. Temeljni dokument, ki kaže državno politiko priseljevanja, je Resolucija o imigracijski politiki republike Slovenije iz leta 1999 (ResIPRS),¹⁵ ki v grobem definira politiko priseljevanja s tremi sklopi: 1. regulacijo priselitvene politike, 2. azilno politiko kot integralnim delom begunske politike in 3. integracijsko politiko, ki se nanaša na ukrepe države in družbe, ki zagotavljajo ugodne razmere za kakovostno življenje priseljenih ter omogočajo njihovo integracijo. Resolucija določa temeljne vrednote integracijske politike, ki so: enakopravnost (socialnih, ekonomskih in civilnih pravic), svoboda (izražanja kulturne identitete na temelju integritete in dostojanstva posameznika) in vzajemno sodelovanje (kot pravica do udejstvovanja in odgovornosti vseh). Glavno napotilo, ki izhaja iz tega dokumenta, bi torej bilo: integracija je družbeni projekt, ki ne more niti ne sme biti stvar posamičnih skupin, nasprotno, mogoče ga je izpeljati le z odgovornostjo in sodelovanjem vseh.

TRG DELA VS. »TRG« ČLOVEKOVIH PRAVIC

Tako izzivi kakor perspektive, ki jih prinašajo sodobne migracije, so številni in raznoteri. Med tistimi, ki so politično najpomembnejši, moramo seveda omeniti institucionalne rešitve, ki obravnavajo

migracije predvsem z vidika meja: torej konstruiranja birokratskih zidov, kakršen je elektronski schengenski zid okoli EU, pa tudi nacionalnih držav. Trdnjava Evropa pa je nezadosten, po-manjkljiv in nestvaren odgovor na globalna migracijska gibanja. Jasno je namreč, da »nično priseljevanje« ni zaželeno niti ni dobro za »trdnjavo«, ki imigrante potrebuje, kakor tudi ne za imigrante, ki jih take migracijsko-mejne politike postavljajo blizu ali celo na sam rob med legalnim in nelegalnim. Politike trdega nadzora in zapiranja meja v mnogočem izzovejo strukturno kriminalizacijo migracij, kar pa vpliva na slab imidž, ki pojem migracij že nekaj časa spremlja v javnosti. S tega vidika je treba razumeti omenjene sodobne izzive – integracijo, vzpostavljanje družbene kohezije in medkulturno komunikacijo – predvsem kot preseganje takšne negativne konotacije.

Naša sklepna misel je, da pri migracijah niso pomembne le institucije. Navsezadnje pri migracijah tudi ne gre samo za določanje skupin imigrantov, torej za ekonomijo in trg dela, temveč za človekove pravice in politiko.

D P O M B E

¹ Besedilo je nastalo v okviru dveh projektov: mednarodnega projekta »Blue Bird. Agenda for Civil Society in South East Europe«, nosilca dr. Ivana Krasteva, in je bilo predstavljeno na konferenci »Nation-building Versus State-building in the Balkans. Lessons Learned« v Budimpešti, CEU, 30. november–1. december 2002. Analiza migracijske tematike v Sloveniji je nastajala v okviru ciljno-raziskovalnega projekta »Slovenski model migracijske politike: perspektive in možnosti države na 'schengenski periferiji'«, ki je potekal na Mirovnem inštitutu v obdobju 2001–2002.

² Vprašanja politik upravljanja z migracijami so bila obravnavana v okviru mednarodnega seminarja »Migracijske in azilne politike v državah 'schengenske periferije' in na Balkanu«, Ljubljana, 30. november–1. december 2001, v organizaciji Mirovnega inštituta in v sodelovanju s Fundacijo Gea2000, Ljubljana ter ECRE, London.

³ Podrobneje o odnosu družbena kohezija in migracije gl. Vertovec (1999).

⁴ Podrobneje o multikulturalizmu gl. Parekh (2000).

⁵ O tem gl. npr. Hintjens (1992).

⁶ Analizi koncepta in njegovim sodobnim pomenom je namenjena pozornost v več delih Zygmunta Baumana.

⁷ Podrobneje o tem gl. Barth (1969).

⁸ Podrobneje o tem gl. Caporaso (1996) in Zielonka (2001).

⁹ Na problem so opozorile že avtorice raziskave *Migranti, kdo ste?* (Pajnik, Lesjak-Tušek in Gregorčič 2001).

¹⁰ Tematiko integracijskih politik v tej knjigi podrobneje obravnava Romana Bešter.

¹¹ Ženevska konvencija o statusu begunca, 1951, in Protokol iz New Yorka, 1967.

¹² Zakon o začasnem zatočišču (ZZZat). <http://www2.gov.si/zak/Zak_vel.nsf> (9. september 2002).

¹³ Zakon o dopolnitvah zakona o začasnem zatočišču (ZZZat-A). <http://www2.gov.si/zak/Zak_vel.nsf/> (9. september 2002).

¹⁴ Proces sprejemanja azilnega zakona predstavlja Neža Kogovšek (2001). Piše o pogledih, pripombah, dosežkih in navsezadnje kompromisih, ki so rezultat novega azilnega zakona, pri oblikovanju katerega so aktivno sodelovale NVO (skupina sedmih NVO, ki se v Sloveniji ukvarjajo s področjema migracij in človekovih pravic).

¹⁵ Resolucija o imigracijski politiki Republike Slovenije (ReIPRS). <http://www2.gov.si/zak/Akt_vel.nsf> (9. september 2002).

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B O G O M I R H O V A Č

GLOBALIZACIJA, MIGRACIJSKI TOHOVI IN EKONOMSKI RAZVOJ NA OBRABJU SLOVENSkih MIGRACIJSkih DILEM

N A M E S T O U V O D A

Selitveni tokovi imajo dolgo in razburljivo zgodovino, od razseljevanja afriškega človeka pred nekaj milijoni let pa vse do sodobnih migracij kot globalizacijske središčnice družbe XXI. stoletja. Za naše dokazovanje bodo pomembne tri hipoteze: Migracijski procesi bodo postali v tem stoletju izjemno dramatični, ker jih poganja kolo neenakega demografskega razvoja, velikih ekonomskih neenakosti in različnih potreb na trgu dela. Na svetovni ravni ni prave globalne politike migracijskih tokov in pri tem tudi EU, ki sicer velja za vzorni primer mogoče institucionalizacije nove mednarodne ureditve, ne ponuja nobenih pravih rešitev. Slovenska migracijska politika in še posebej kaotične migracijske razmere v zadnjih desetih letih razkrivajo strokovno nemoč, menedžersko nesposobnost vladne administracije in visoko stopnjo ksenofobičnosti domačega prebivalstva.

Če vse troje povežemo med seboj, pridemo do presenetljivega sklepa. Migracijski tokovi bodo jutri neprimerljivo večji, obsežnejši in bolj globalni kot v preteklosti. Toda tega objektivnega dejstva vlade in ljudje preprosto ne razumejo in ne sprejemajo in v

tem tudi tiči usodna napaka sodobne politično ekonomske globalizacije. Evropska unija je v vseh dosedanjih krogih širitve vedno znova načejala problem integracije trga dela. Pretirane napovedi migracijskega potenciala so poskušale dokazovati, kako bosta liberalizacija trga dela in pritok migrantov vplivala na plače, brezposelnost manj izobraženih delavcev in gospodarsko rast. Slovenija sodi v vmesno migracijsko območje, ki bi naj po vključitvi v EU prevzela vlogo ciljne države priseljevanja in izvorne države izseljevanja predvsem visokokvalificirane delovne sile v druge države članice EU. Tako se bo morala spoprijeti s problemom migracijske politike, ki jo opredeljujeta predvsem neugodni demografski položaj države in morebitna strukturna pomanjkanja na trgu dela. Hkrati pa bo morala z ustrezno politiko regulirati tudi »beg možganov«, ki ga bodo pospeševale razlike v dohodkih, zaposlitvenih možnostih in drugih stilih življenja, ki ga omogoča globalna evropska družba.

V preteklosti se je strah pred nenadzorovanimi migracijskimi tokovi pri širitvi EU izkazal za neutemeljenega. Tudi širitev EU leta 2004–2005 bo glede na številne študije in zgodovinske izkušnje dokazala, da se migranti kljub visokim dohodkovnim razlikam med ciljnimi in izvornimi državami priseljujejo še v daljšem časovnem obdobju. Največje migracijske tokove v razširjeni EU lahko zato pričakujemo v prvih letih po sprostitvi omejitev pretoka delovne sile. V vmesnem obdobju lahko pričakujemo realno konvergenco med novimi in starimi državami. Analize pa, ne glede na različne institucionalne modele trga dela in nezanesljivost napovedi v državah EU, dokazujejo, kako ciljne države z novimi migranti praviloma povečujejo skupno blaginjo, premoženje lastnikov kapitala in pozitivno vplivajo na dinamično naravo trga dela. Toda migracijski tokovi kljub temu zbujejo negativna občutja ljudi, budijo politične strasti in opozarjajo na ekonomske posledice migracij.

Slovenija je z 0,35 tisočinke svetovnega prebivalstva, 0,73 tisočinke bruto domačega proizvoda in eno tisočinko svetovne trgovine neznaten otok v svetovnem morju globalnih ekonomskih tokov. Slovenija dosega leta 2001 z 11.026 ameriškimi dolarji BDP na prebivalca 70 odstotkov evropskega povprečja, kar je več od Grčije in nekaj manj od Portugalske. Slovenija je v novi EU uvrščena med majhne države in ima v vseh njenih scenarijih (od »Evrope metropol« do »Evrope regij«) razmeroma ugoden geostrateški položaj, saj leži v enem najbolj propulzivnih gravitacijskih središč nove Evrope (Frankfurt–Benetke–Dunaj–Praga–Berlin). Kazalci gospodarske razvitosti dokazujejo, da Slovenija zaostaja za EU približno 16 razvojnih let, konec tega desetletja (2008) pa naj bi dosegla stanje EU-15 iz leta 2000 (Sicherl 2001). Vendar celovitejša analiza dokazuje, da so razvojne razlike pri drugih socialno ekonomskih kazalcih precej nižje (DRP 2001). Prebivalstvo v Sloveniji v zadnjih desetletjih ne narašča in se hitro stara, demografsko pa sta zato prizadeti dve tretjini slovenskega ozemlja. Vse skupaj dokazuje, da je z demografskega, ekonomskega in socialnega vidika Slovenija pred pomembnimi izzivi, ki z razvojnega gledišča stopnjujejo politično ekonomski problem migracijskih tokov. Migracije so lahko za Slovenijo pomembna razvojna priložnost, čeprav so v velikem nasprotju z njenim dosedanjim razvojem.

Naj že v uvodu poudarimo, da prispevek ne želi z navajanjem migracijskih in demografskih številok sejati negotovosti in moralne panike. Nasprotno, z njimi želimo podpreti kulturo dialoga, most politično ekonomske racionalnosti, socialne strpnosti in libertarne odprtosti.

GLOBALIZACIJSKI PARADOXS **IN MIGRACIJSKI TOKOVI**

Globalizacijo lahko danes razumemo kot obliko internacionalizacije, liberalizacije, univerzalizacije, zahodnjaštva in deteritori-

alizacije (Scholte 2000). Z zgodovinskega vidika ne gre za nov fenomen. Samo v zadnjih sto letih smo doživeli tri globalne valove, le da smo prvega v začetku XX. stoletja imenovali »internacionalizacija«, drugega v šestdesetih letih »multinacionalizacija« in tretjega v zadnjem desetletju in pol »globalizacija« (Oman 1994; Lawrence 1996; OECD 2000). Toda v svetu, kjer se globalizirajo proizvodnja in podjetja, trgi in finance, komunikacije in kultura, ostajajo ljudje s svojim »življenjskim svetom« in »načinom življenja« vpeti v omejene prostore svojih lokalnih etnij, regij, držav. Še pred tremi desetletji sta dve tretjini svetovnega prebivalstva živel v državah, ki so bile bolj ali manj zunaj svetovnih tokov gospodarskih procesov (WDR 2000). Nerazvite države so se dokazovale v boju proti »internacionalizaciji« svetovne trgovine, socialistični svet pa je stal daleč za svojimi ideološkimi barikadami »antiimperialističnega boja« pri menjavi blaga in še bolj kapitala ter ljudi. Toda na prelomu stoletja so se po vrsti podirali politično ekonomski bloki, ki so do zdaj kljubovali globalnim trgov in univerzalni logiki kapitala (gibanje neuvrščenenih, socialistični blok). Teza o »enopetinski globalni družbi«, ki v središču zagotavlja razvoj svetovnega gospodarstva, se je dopolnjevala s štirimi petinami svetovnega prebivalstva, ki mu grozijo gospodarsko, socialno in kulturno nazadovanje in svojevrsten »razvoj nerazvitosti«. Zato omejevanje globalnega kapitalizma z vidika temeljnih socialnih in ekonomskih pravic svetovnega prebivalstva zgodovinsko pomeni povsem racionalen poskus premagovanja sebičnih interesov na račun skupne blaginje.

V teoriji javne izbire sta pripornikova dilema in tragedija skupnega dober primer za analizo posledic, kako pomanjkanje sodelovanja in zanikanje skupnih interesov na dolgi rok ne koristi nikomur (Mueller 1989). Nemški sociolog Beck je vse skupaj opisal kot globalizacijo civilizacijskih tveganj, ki so immanentna indu-

strijski in postindustrijski družbi in ki v svetu različnosti ustvarjajo svojevrstno izenačenje (Beck 2001). Demografska, socialna, ekonomska in ekološka tveganja s svojim širjenjem dokazujejo, da enako zadevajo tako bogate in močne kakor tudi revne in šibke, da se torej v globalnem svetu sprememb na dolgi rok vzpostavi enakost med storilci in žrtvami. Če se torej globalizirajo predvsem tveganja, moramo pri tem hkrati opozoriti tudi na njihovo individualizacijo. Sociološke analize (Beck 2001; Kean 1998; Amoruso 1998; Held et al. 1999) skoraj vsa devetdeseta leta opozarjajo na konec tradicionalne družbe velikih skupin, na svojevrstno razpustitev držav, družbenih razredov, slojev, ki vedno bolj razstavljajo državo blaginje in tudi socialno ekonomsko manj razvite družbe na vsoto individualnih procesov.

Individualizacija je druga stran sodobne globalizacije in pomeni razvoj vedno večje družbene neenakosti, množične brezposelnosti v državah blaginje in revščine v ekonomsko manj razvitih državah. Množična brezposelnost in revščina sta s pogojem individualizacije dejansko naprteni ljudem kot osebna usoda. Ne prizadene jih kot nekakšna družbena in kolektivna identiteta, temveč kot specifičen, individualiziran življenjski položaj. Referenčna točka sodobne brezposelnosti in revščine ni velika družbena skupina, država, razred, sloj, temveč tržni ali socialni posameznik, ki razume preoblikovanje zunanjih družbenih vzrokov kot spremembo lastnega načina življenja in doživlja oblikovanje sistemskih problemov kot lastno osebno krivdo in poraz. »Globalna civilna družba«, ne glede na težavnost svojega teoretiziranja, dokazuje, kako globalizacijski procesi na koncu nastajajo zunaj običajnih paradigem tržnega gospodarstva in politične entitete države, kot proces individualne avtonomije, redefiniranja sodobnih identitet, odgovornosti in partnerstva (Anheier, Glasius in Kaldor 2001).

Globalizacija v devetdesetih letih je tako zapolnila vse pore svetovnega sistema in predstavlja temeljni okvir za »način življenja«

ljudi, kakor ga je v preteklosti najbolje definirala francoska šola »inteligentne zgodovine« (Braudel, Febvre, Vilar, Bloch). Ta teoretski termin se v zgodovinarstvu uporablja za opise popolnoma konkretnih okoliščin, čeprav se paradoksalno veže na temeljni princip zgodovinske totalitete. Namesto zapiranja v svet ekonomskih, političnih ali drugih sociokulturnih dejstev vztraja tako pri njihovi povezanosti in soodvisnosti kakor tudi partikularnosti, merljivosti, konkretnosti. Zato na tem mestu uporabljamo za opredelitev globalizacije široko Wallersteinovo opredelitev (Wallerstein 1993), ki hkrati širše in bolj konkretno združuje različne družbene procese, kamor bi lahko uvrstili: komunikacije (telekomunikacije, elektronski mediji in globalne publikacije, letalski prevoz), trge (globalni proizvajalci in prodajalci, svetovna trgovina in konkurenca, liberalizacija trgovanja), proizvodnje (globalizacija proizvodnih verig, globalne integracije podjetij, surovinska povezanost), organizacije (globalne državne agencije, transnacionalna podjetja, globalna civilna združenja), denar in finance (dolar kot globalni denar, kreditne kartice, devizni trgi, bančništvo, borze) ter kulture in zavesti (svetovne blagovne znamke, svet kot globalna vas, solidarnost in zaupanje).

Med vsemi značilnostmi globalizacije je v resnici edina prava novost vzpon lokalnih faktorjev, svojevrsten proces izključenosti, individualizacije, ki je notranja lastnost globalizacijskih procesov. Pri tem nekateri ljudje, kot sta se slikovito izrazila Kidron in Segal, razumejo svet kot globalno vas, toda večina misli, da je »svet njihova vas« (Kidron in Segal 1995). Ljudje preprosto mislijo, da postajata lokalni prostor in njegova lokalna identiteta pomembnejša kot svetovni procesi, čeprav globalizacija na svetovni ravni odpravlja omejitve pri gibanju blaga, storitev in kapitala. Eden izmed globalnih paradoksov sodobnega sveta, ugotavlja P. Naisbitt, je prav pomembnost posameznih enot in njihovih mrežnih pove-

zav. Večja in pomembnejša ko postaja svetovna ekonomija, močnejši in številčnejši so njeni najmanjši igralci (Naisbitt 1994). Omrežje (*network*) je temeljno sredstvo »glokalizacije«, procesa, ki hkrati poraja ekonomsko, socialno in kulturno globalizacijo in njeno lokalizacijo. To sta preprosto dva Janusova obraza istih zgodovinskih procesov in prav v tem tiči skrivnost svojevrstne dialektike sodobnega sveta. Globalizacija je transnacionalna, globalne ekonomske in tehnološke spremembe so kot centrifugalni proces. Hkrati pa ne zanikajo teritorialne geografije, lokalnosti in regionalizama kot njihovih centripetalnih procesov, ki na koncu popolnoma protislovno spreminjajo socialno geografijo sodobnega sveta (Oman 1997).

V precepu takšne »glokalizacije« se je znašla tudi razprava o pomembnosti migracijskih tokov. Omenimo zgolj nekatera njena nasprotujoča si stališča: Nekateri so prepričani, da političnoekonomska globalizacija ne pomeni tudi povečanja demografskih pritiskov in da lahko pričakujemo celo zmanjšanje globalnih migracijskih tokov (Tapinos in Delaunay 2000). Drugi trdijo nasprotno in v sodobnih demografskih gibanjih, veliki liberalizaciji gibanja blaga, kapitala in dela ter komunikacijski (še posebej transportni) revoluciji vidijo temeljni vzvod velikih migracijskih valov v prihodnosti (Meadows, Meadows in Randers 1995). Tretji dokazujejo pravilnost vmesne poti, da je mednarodna trgovina blaga in storitev, predvsem pa liberalizacija kapitala in mednarodnih financ, dober nadomestek za čedalje manjšo mobilnost delovne sile in postopno nadomeščanje pomena migracijskih tokov (Abowd in Freeman 1991).

Vsi trije pristopi imajo določene teoretske in empirične temelje, toda zgodovina prihodnosti in z njo migracijski procesi so nepredvidljivi in popolnoma negotov proces. Globalizacija vselej povečuje migracijski potencial, manj jasno pa je, ali s tem povečuje ali pa

celo zmanjšuje prihodnje migracijske tokove. Naša hipoteza je, da lahko z veliko verjetnostjo sklepamo, da bodo v prihodnosti demografska gibanja (struktura prebivalstva), ekonomski faktorji (razlike v dohodkih in zaposlenosti), socialne razmere (razlike v socialni varnosti) in politične možnosti (razvojne možnosti potrjevanja lastne identitete) močno vplivali na povečanje, in ne zmanjšanje, migracijskih gibanj.

Številne spremenljivke vplivajo na nagnjenost k migriranju in določajo migracijski potencial (gl. na primer OECD 2000): realne razlike v dohodkih (razlike v BDP, plačah, premoženju), zaposlitvene možnosti (stopnje brezposelnosti, rasti prebivalstva), različni nesimetrični šoki (vojne, politične in gospodarske krize), tehnične in informacijske možnosti (transport, informacijski splet), lokalne razlike (stopnja urbanizacije), ekonomski položaj posameznika (življenjski stroški, oportunitetni stroški selitve), starost in kvalifikacijska struktura (življenjske priložnosti, socialni sistemi) in nenaklonjenost tveganju (socialna varnost, zaposlitvene možnosti).

Ekonomske razlike (zaposlenost, plače, socialna varnost), sodobne vojne in način vojskovanja, nove možnosti poceni transporta in komunikacij povečujejo migracijske možnosti in pospešujejo dejanske svetovne selitvene procese. Svet prihodnosti bo torej svet potujočih množic. Bolj srečni bodo potovali kot turisti, saj naj bi njihovo število od sedanjih 700 milijonov (leta 2001) naraslo na milijardo v letu 2010 (od sedanjih 9 na 15 odstotkov svetovnega prebivalstva) (gl. *Strategija* 2002). Drugi bodo skupina številnih ekonomskih in političnih migrantov. Globalizacijski tokovi so vedno spodbujali tudi migracijske tokove in obratno. Samo v XX. stoletju je internacionalizacija migracijskih tokov med Evropo ter Severno in Južno Ameriko odigrala pomembno vlogo pri ekonomskem, političnem in kulturnem povezovanju in razvoju držav na obeh

straneh Atlantika. Političnoekonomske analize nam dokazujejo, da je migracijska politika veliko prispevala k novi ekonomski, politični in socialni globalizaciji sodobnega sveta in hkrati stabilizaciji nove Evrope po II. svetovni vojni (Hobsbawm 2000).

DEMOGRAFSHE SPREMEMBE **IN MIGRACIJSKI TOHOVI**

Demografska eksplozija je v XX. stoletju objektivno dejstvo in igra številke je nenavadno dramatična. Leta 1650 je bilo na svetu okoli pol milijarde ljudi, z 0,3 odstotnim povprečnim letnim prirastkom pa se je število svetovnega prebivalstva v naslednjih 250 letih podvojilo. Še leta 1900 je na svetu živel 1,9 milijarde ljudi. Prebivalstvo je raslo s povprečno 0,5 odstotno letno stopnjo in matematično bi lahko pričakovali, da se bo prebivalstvo podvojilo v naslednjih 140 letih. Toda že na polovici tega obdobja, leta 1970, je svetovno prebivalstvo doseglo številko 3,6 milijarde pri povprečni 2,1 odstotni letni rasti. Danes je svetovnega prebivalstva 6,1 milijarde in vsakih dvajset let naraste njegovo število za več kot milijardo, njegova rast pa je gotovo visoko eksponentialna. Če upoštevamo scenarije razvoja, ki temeljijo na različnih ocenah fertilitnosti, bi imeli do leta 2020 med 7,2 in 8,5 milijarde svetovnega prebivalstva. Z drugega zornega kota se svetovno prebivalstvo poveča na leto za okoli 81 milijonov (okoli 133 milijonov rojstev in 52 milijonov smrti), kar pomeni, da se vsako uro rodi 150.000 otrok. Do srede XXI. stoletja pa naj bi se po ocenah Združenih narodov število svetovnega prebivalstva ustavilo pri 10 do 11 milijardah (UN 1998). Pri tem naj bi bil najboljši faktor demografske stabilizacije prav gospodarski razvoj, ki naj bi okoli leta 2050 začel umirjati rast prebivalcev, ko naj bi demografsko najbolj obremenjene države na svetu dosegle prag gospodarske razvitosti (Indija, Kitajska).

Toda v okviru modela World 3, ki so ga v sodelovanju Rimskega kluba in Massachusetts Institute razvili že v sedemdesetih letih in ga pozneje neprestano izpolnjevali, so prav linearne projekcije demografskih trendov in nekatere druge omejitve rasti pripeljale do razmeroma pesimističnega pogleda na prihodnost človeške civilizacije (Meadows, Meadows in Randers 1995). Za obdobje čez sto let (leta 2100) so znanstveniki – futurologi napovedovali globalno katastrofo, če se seveda ne bodo spremenile predpostavke in temeljne negativne razvojne težnje: v gospodarskem razvoju in enakomernejši delitvi družbenega bogastva med razvitimi in nerazvitimi državami, pri socialnih izdatkih za povečane stroške razvijanja ali vzdrževanja države blaginje (pokojninskega in zdravstvenega sistema, izobraževalnega sistema) ter pri povečanih izdatkih za vzdrževanje ekoloških omejitev rasti in drugih ukrepov, ki so povezani z uravnoteženim razvojem.

Največji globalni problem je s tega gledišča neenakomerna rast svetovnega prebivalstva glede na ekonomske sposobnosti in možnosti gospodarske rasti. Eno zadnjih razvojnih poročil Svetovne banke (WDR 2000) dokazuje, da skoraj polovica svetovnega prebivalstva (2,8 milijarde) živi z manj kot dvema dolarjema na dan in da jih petina (1,2 milijarde) živi z manj kot enim na dan. Povprečni narodni dohodek 20 najbogatejših držav je 37-krat večji kot povprečni dohodek 20 najbolj siromašnih držav in ta razlika se je podvojila v zadnjih štiridesetih letih. Sklep je tudi tu jasen in usodno razumljiv. Demografska zgoščenost je sorazmerna s svetovno revščino, demografsko umiranje pa z ekonomskim bogastvom. Mlado in siromašno prebivalstvo »svetovnega juga« tako stoji nasproti bogatim državam s hitro starajočim se prebivalstvom. Zato lahko na teh predpostavkah razvijemo štiri pomembne sklepe: svet se demografsko še vedno širi po eksponentialni rasti, večina manj razvitih držav še ni doživela demografske tranzicije, demo-

grafska struktura je v nasprotju z ekonomsko razvitostjo (mlado in siromašno prebivalstvo, bogate države s starim prebivalstvom) in ekonomsko bogastvo je vedno bolj neenakomerno, čeprav se absolutna raven siromaštva zmanjšuje.

Toda strukturne spremembe so pri tem pomembnejše od absolutnih in relativnih številki rasti prebivalstva. Teorija demografske tranzicije (Chesnais 1992), ki sicer temelji na evropskih izkušnjah, povezuje biološko reprodukcijo, strukturo prebivalstva in gospodarski razvoj. Čeprav demografska tranzicija pomeni hitre spremembe v strukturi prebivalstva (staranje prebivalstva, višja izobrazba in blaginja) zaradi razvoja industrializacije in družbe blaginje, pa lahko tudi v manj razvitih državah povezanost med gospodarsko rastjo in strukturnimi spremembami prebivalstva deluje še hitreje. V EU je leta 2000 število rojstev preseгло število smrti za 343.000, enako številko je Indija dosegla istega leta v enem tednu. Manj razvite države imajo mlado in številno prebivalstvo z visokim letnim prirastkom (80 milijonov ljudi), razvite države imajo, nasprotno, staro prebivalstvo, kjer je njihova dejanska rodnost nižja od nadomestne (1,7 otroka na žensko). Zato se bo najverjetneje absolutno število prebivalstva v EU do leta 2040 zmanjšalo za okoli 45 milijonov, medtem ko se bo prebivalstvo v jugovzhodni Aziji v tem obdobju podvojilo. Če je na primer Belgija potrebovala 100 let, da je podvojila delež prebivalstva, starega nad šestdeset let (od 9 na 18 odstotkov) pa bo Venezuela za to potrebovala samo 22 let (WB 1994). Na splošno se v razvitem svetu prebivalstvo hitro stara, tako da bo po letu 2010 okoli petina in do leta 2020 že četrtina prebivalstva stara nad 60 let. Teorija demografske tranzicije razlaga spremembe prebivalstva kot posledico notranjih faktorjev razvoja in zato izključuje vpliv in pomen mednarodnih migracij. V resnici pa prav migracijski procesi zagotavljajo mehanizme za zmanjšanje hitrih in dramatičnih sprememb strukture prebi-

valstva. Zato so večji migracijski procesi pomemben dejavnik znižanja nevarnosti demografske tranzicije, kar je pogosto spregledana razvojna alternativa.

Naša hipoteza je, da bo demografsko praznino, ki nastaja med razvitimi državami na »svetovnem severu«, in demografski presežek, ki nastaja na nerazvitem »svetovnem jugu«, v prihodnjih desetletjih uravnotežilo obsežno migracijsko gibanje, ki bo primerljivo s preseljevanjem ljudi v XIX. stoletju. Nova svetovna populacijska ureditev bo v prihodnjih desetletjih pripeljala do globalizacije in povečanja migracijskih tokov. V XXI. stoletju se bo približno desetina svetovnega prebivalstva (od 500 milijonov do milijarde ljudi) preseljevala, predvsem iz držav v razvoju v bogate države. Že danes so v EU čiste migracije edini vir ohranjanja prebivalstva in so dvakrat večje od njegovega naravnega prirastka.

Konec XIX. stoletja se je preseljevalo v druge dele sveta 30 milijonov Azijcev, na začetku XX. stoletja se je iz širšega evroazijskega prostora, vključno z Rusijo, v Zahodno Evropo in Severno Ameriko selilo okoli 60 milijonov ljudi. Samo v stari Evropi sta industrializacija in agrarni eksodus v obdobju 1815–1914 povzročila, da se je število vseh evropskih prebivalcev povečalo (spremenilo) za petino, če bi ga merili s sredinskim letom 1850 (Chesnais 1992, 153). Toda vsi ti podatki so neprimerljivi z demografskimi razmerami, ki so vladale konec XX. stoletja in če bi upoštevali zgolj relativna razmerja, bi lahko za današnjo rabo ta razmerja množili s faktorjem tri. To pomeni, da bi bil relativni delež migracijskega prebivalstva v širšem evroazijskem prostoru danes okoli 180 milijonov ljudi. Toda empirična dejstva so seveda drugačna in temeljni razlogi tiče predvsem v natančnejši mednarodni statistiki, v jasnejši določitvi, kaj so mednarodni migranti, kako jih spremljamo, merimo in kaj so temeljni vzroki za sodobne migracije.

Mednarodni migranti so opredeljeni kot osebe, ki prehajajo meje nacionalne države, spreminjajo sedež svojega stalnega prebivališča in imajo tuje državljanstvo, ko stopijo v državo gostiteljico. Na tem mestu ne bomo posegali v probleme, ki zajemajo statistično in metodološko obravnavo ljudi v okviru teh kriterijev, saj nas zanimajo predvsem vsebinske determinante migracijskih tokov. Med letoma 1965 in 1990 je število migrantov naraslo v manj razvitih državah od 47 milijonov na 57 milijonov in od 30,2 milijona na 54 milijonov v razvitih državah (UN 1998). To pomeni, da je dejanska migracija (110 milijonov) konec XX. stoletja bistveno manjša od pričakovane (180 milijonov). Podobno velja za proporcionalne deleže migrantov v celotni populaciji, ki se v primerljivem obdobju 1965–1990 gibljejo med 1,5 in 1,7 odstotka v razvijajočih državah in med 3,94 in 5,89 odstotka v razvitih državah. V ZDA je bilo med letoma 1901 in 1910 v celotni populaciji 9,7 odstotka imigrantov, med letoma 1971 in 1981 je bil ta delež samo še 2-odstoten. Ali nekoliko drugače: v letu 1910 je bilo v ZDA 14,6 odstotka ameriških prebivalcev rojenih »zunaj meja« države, v letu 1980 pa jih je bilo samo še 6 odstotkov (Simon 1999).

Taka empirična dejstva dokazujejo, da se v XX. stoletju dejansko zmanjšuje globalizacija migracijskih tokov, kar je v nasprotju z našo hipotezo in analitičnimi pričakovanji. Navedemo lahko tri razloge, ki delno pojasnjujejo ta obrat v globalizaciji sodobnih migracijskih tokov: natančnejše merjenje migracijskih tokov po II. svetovni vojni in formaliziranje vstopa v tujo državo po I. svetovni vojni (potne listine); države so v zadnjih petdesetih letih sproščale predvsem ekonomske tokove blaga in kapitala, uvajale pa so politiko omejevanja pretoka ljudi (predvsem delovne sile); migracijski tokovi so zelo neenakomerni in ciklični, v zadnjih desetletjih pa narašča delež ekonomske migracije z višjo kvalifikacijsko strukturo (predvsem v ZDA in EU).

Če zdaj upoštevamo demografske, ekonomske, tehnološke, socialne, politične, sociokulturne in na koncu tudi čisto administrativne in statistično bolj obvladljive vzorce sodobnih migracij, lahko vidimo: da migracije v XX. stoletju niso sledile demografskim gibanjem, da pa hkrati vse mednarodne statistike navajajo precej stabilno povečanje migracijskih tokov v zadnjih dveh desetletjih (UN 1998); da so migracijski tokovi v XX. stoletju omogočili razvoj ekonomske internacionalizacije (posebno v razmerju med Evropo in ZDA, med Turčijo in balkanskimi državami ter Zahodno Evropo, med Srednjo Ameriko in ZDA); da so v okvirih sodobne globalizacije migracijske spremembe (pretok ljudi) zaostale za nekaterimi drugimi pojavnimi oblikami (pretok blaga in kapitala) in da sodobne migracije omejuje predvsem monopolizacija trga dela v razvitih državah blaginje, ki nevtralizira velika strukturna nesorazmerja med demografskimi trendi in ekonomsko razvitostjo na svetovni ravni.

Pri tem je še posebej pomembna vedno večja restriktivnost razvitih držav. Onemogočajo migracijske tokove, kar je v čedalje večjem nasprotju z njihovimi demografskimi in ekonomskimi potrebami. Na drugi strani pa takšna politika povzroča nova strukturna nesorazmerja med velikimi demografskimi presežki in ekonomskimi možnostmi v nerazvitih državah. Globalizacija migracijskih tokov je torej predvsem vprašanje političnih interesov in etičnega nacionalizma, ne pa toliko spontanega demografskega razvoja in svobodnega zapolnjevanja priložnosti, ki jih zahtevajo potrebe trga dela na svetovni ravni. Zato so manjši globalni migracijski tokovi predvsem rezultat političnih in ne ekonomskih faktorjev, prevladujočega ekonomskega in etičnega nacionalizma (glokalizacije) in ne moralnih načel globalnega zadovoljevanja človekovih pravic.

EHONOMSHI FAKTORJI MIGRACIJSKIH TOKOV

Klasična ekonomska teorija mednarodne menjave govori, da država uporablja tiste proizvodne dejavnike, ki jih je na pretek in so zato sorazmerno cenejši glede na svojo produktivnost. Pri tem teoretskem pristopu se migracije in mednarodna trgovina medsebojno substituirajo, kar pomeni, da država z veliko količino delovne sile proizvaja in izvažata predvsem proizvode z visokim deležem delovne sile. Empirične študije pa vendarle dokazujejo, da je svobodna trgovina čedalje pogostejše komplementarna spremljevalka migracijskih tokov. To pomeni, da z naraščanjem ekonomske globalizacije prihaja tudi do izvoza presežne delovne sile, hkrati pa se povečujejo ekonomske potrebe po tuji delovni sili. Oba procesa povečujeta migracijske tokove, zato je povečanje mednarodne menjave (internacionalizacija, multinacionalizacija, globalizacija) povezano z večjo mobilnostjo in preseljevanjem ljudi (Cogneau, Dumont in Izzo 1998).

Ekonomska teorija je migracijske tokove povezovala: s trgovino dela in dohodkovno (plačno) politiko ter s širšo politiko socialne države (Waltz in Wellisch 1998). Ekonomska stopnja migracij je predvsem odvisna od razlik v plačah med razvitimi in nerazvitimi državami, čeprav je pogosto individualna odločitev o ekonomski migraciji rezultat kolektivnih odločitev v družini ali gospodinjstvu. Teorija portfeljskih investicij v takšnih družinskih skupnostih dokazuje, da bo družina zmanjšala tveganje, če bo razpršila svoje nosilce po različnih trgih dela z različnimi dohodki. Toda intenzivnost migracijskih tokov je v tem primeru odvisna od velike razlike med dohodki, ki morajo pokriti tudi začetne sorazmerno visoke stroške preselitve. Nizka notranja migracija v EU (2 odstotka delavcev na trgu dela je tujcev) dokazuje, da razmeroma majhne razlike v plačah ne spodbujajo migracij. Zato pa v EU postaja

jajo bolj pomembne razlike v razumevanju socialnega kapitala kot mrežne celote institucij, norm in zaupanja, ki spodbujajo socialno sodelovanje in varnost med različnimi družbenimi subjekti (Schiff 1996). Večja vloga socialnega kapitala v razvitih evropskih skupnostih (državah, regijah, etnijah) očitno preprečuje večjo dinamiko delovne sile.

Ljudje se tako kljub nizkim trgovinskim omejitvam, relativno različnim plačam in poslovnim priložnostim znotraj EU ne želijo preseljevati. To preprosto pomeni, da za sodobne migracijske tokove v razvitih državah EU niso odločujoči faktorji ponudbe delovne sile (emigrantske države), temveč povpraševanje po delovni sili (imigrantske države).

S teoretskega vidika na tem mestu ločujemo med t. i. »*pull* migracijo«, ki izhaja iz naraščajočega povpraševanja po delu v izvorni državi, ki povečuje proizvodnjo, cene in plače, ter »*push* migracijo«, ki temelji na spremenjeni ponudbi dela in je običajno povezana z veliko ponudbo delovne sile ali izrednimi političnimi razmerami (begunci, iskalci azila). O »*push* migracijah« govorno tudi pri ponudbenih šokih, na primer strukturnem pomanjkanju domače delovne sile, ki ga lahko nadomesti pritek migrantov. Ker v okviru EU v devetdesetih letih prevladuje restriktivna migracijska politika, so za migracijske tokove relevantni predvsem *pull* migracijski faktorji (Zimmermann 1995).

Tu postane še posebno pomembna država blaginje, ki se je razvila po II. svetovni vojni v Zahodni Evropi in ZDA. Država blaginje pomeni, da na trgu država skrbi s transferi za socialni položaj večine prebivalcev in s tem zmanjšuje njihovo življenjsko tveganje (pokojninski sistem in zdravstveni javni sistem sta najboljša dokaza takšne medgeneracijske solidarnosti). V našem primeru je socialna država s svojo skrbjo za nemočne in socialno šibke postala metafora za iskanje »obljubljene dežele«, ki jo iščejo migranti iz

nerazvitega sveta. Na drugi strani pa je prav država blaginje sprožila notranjo diferenciacijo trga dela, ko domači delavci niso več želeli opravljati nekvalificiranih in slabše plačanih del. Temu se je pridružilo v zadnjih desetih letih tudi povpraševanje po visokokvalificiranih delih, ki jih je zahtevala nova informacijska tehnologija. Domači trg dela, še posebej v EU, ni omogočal dovolj hitre prekvalifikacije in dovolj učinkovitega izobraževanja delovne sile. Tako nastaja v državi blaginje svojevrsten strukturni primanjkljaj delovne sile, ki ga lahko odpravijo predvsem migracijski tokovi.

Empirično preučevanje trga dela v EU ponuja nekatere presenetljive sklepe. Sredi devetdesetih let je delovna sila v EU štela 169 milijonov ljudi (1995). Če bi se sedanja demografska gibanja v EU nadaljevala, bi skupna delovna sila leta 2010 narasla na 183 milijonov, pozneje pa naj bi se trg dela začel krčiti in bi leta 2050 padel na raven 153 milijonov ljudi, kar je primerljivo z letom 1985. Vse te spremembe so skupni rezultat demografskih in strukturnih sprememb v aktivni starosti prebivalstva in različni sestavi delovne sile, saj naj bi po letu 2010 delovno aktivno prebivalstvo v EU začinjalo upadati. Največji padec naj bi v obdobju 2010–2025 doživele Italija (–7,5 odstotka) pa Nemčija in Španija (–6,6 odstotka), ki predstavljajo večji del trga dela v EU, njihov primanjkljaj pa naj bi zapolnili prav migracijski tokovi (Punch in Pearce 2000a).

Pri tem moramo opozoriti tudi na strukturna razmerja med neaktivnim in aktivnim prebivalstvom, ki se bodo v prihodnjem obdobju tudi močno spremenila. V devetdesetih letih bi lahko pritisk delovno neaktivnega prebivalstva na evropski trg dela razdelili na tri vrste pritiska: »zeleni pritisk« predstavljajo mladi (do 19 let), ki prvič iščejo zaposlitev (t. i. frikcijska brezposelnost), »beli pritisk« predstavljajo aktivni prebivalci (od 20 do 59 let), ki so zaradi različnih razlogov brezposelni (t. i. strukturna in ciklična brezpo-

selnost), in »sivi pritisk« predstavljajo prebivalci, ki so še lahko aktivni (nad 60 let), čeprav so že v socialnem pokojninskem sistemu (del t. i. naravne brezposelnosti).

V preteklosti je skoraj polovico pritiska delovno neaktivnega prebivalstva predstavljal prihod mladih na trg dela, vendar pa zaradi upadanja rodnosti in drugih strukturnih sprememb v prihodnjih desetletjih pričakujemo naraščanje števila ljudi v tretji skupini, ker se evropsko prebivalstvo stara. Tudi te strukturne spremembe bodo vplivale na to, da se bo trg dela v EU moral pomladiti v srednji skupini delovno aktivnega prebivalstva in to predvsem z migracijskimi tokovi.

Dejansko pa je z ekonomskega vidika vedno več povpraševanja po kvalificirani delovni sili. Samo nemški delodajalci zahtevajo od vlade 1,5 milijona novih kvalificiranih delavcev iz tujine, da bi zapolnili lastne potrebe po delovni sili. Očitno državne (javno) izražene potrebe po delovni sili bolj sledijo političnim željam kot stvarnim potrebam trga dela, ki ga polni povpraševanje po delu iz podjetniškega sektorja. Če poleg državnih (javnih) statistik in želja upoštevamo podjetniške ocene in potrebe po dodatni delovni sili, bodo v prihodnjih treh desetletjih ZDA in EU potrebovale okoli 70 milijonov dodatne delovne sile iz migracijskih virov, da bi ohranile raven prebivalstva, zapolnile trg dela in povečale blaginjo in konkurenčno moč domačega gospodarstva. Tako je na primer vrsta študij (Biffi 1997) napovedala, da bo migracijski potencial iz držav vzhodne in srednje Evrope, ki se priključujejo EU v letu 2004, glede na variantne izračune med 590.000 in 1,2 milijona migrantov (delne razlike smo pri tem zanemarili), kar naj bi pomenilo od 100.000 do 150.000 ljudi na leto.

Faini in Venturini sta ugotavljala, pri kateri višini BDP na prebivalca razlika v razvitosti (BDP) ne predstavlja več migracijskega potenciala (na primer 4000 dolarjev za Portugalsko, 4100 dolar-

jev za Grčijo in podobno). Ugotovila sta, da se migracijski potencial v razvitih državah znižuje, če se med državami zmanjšujejo razlike v BDP (Faini in Venturini 1994). Toda nekatere druge študije so dokazovale za manj razvite države prav nasprotno rezultate (Rotte in Vogler 1998). Tako naj bi z naraščanjem BDP v manj razvitih državah Afrike dejansko naraščal njihov migracijski potencial, ker se z razvitostjo sprožijo finančne in kvalifikacijske možnosti za migracije. Tudi ekonomske študije srednjeevropskih in vzhodnoevropskih držav dokazujejo, da bodo demografske spremembe sicer sorazmerno stabilne, da pa bosta zaradi strukturnih ekonomskih nesorazmerij naraščala njihov migracijski potencial in obseg migracij (Biffi 1997).

Celotna svetovna ekonomska migracija je v obdobju 1965–1990 zajela okoli 110 milijonov ljudi. Toda ena zadnjih študij ZN dokazuje, da bo samo EU potrebovala do leta 2025 okoli 40 milijonov imigrantov, enako število prebivalcev pa bo izgubila do leta 2050 (UN 1998). V zadnjih desetih letih je EU vsako leto prevzela okoli 500.000 tujcev in ZDA od 700.000 do 900.000 ljudi, da bi zadostile potrebam domačega trga dela. Toda ekonomske migracije so politično občutljive predvsem v obdobju velike domače brezposelnosti in to je značilnost Evrope v osemdesetih in devetdesetih letih. Zato vlade običajno načrtujejo in objavljajo zelo skromne potrebe po delovni sili, ker vidijo v tem predvsem politično zaostritev odnosov s sindikati in domačo strukturno brezposelnostjo. Avstrija, na primer, načrtuje v prihodnjih dveh desetletjih na leto samo 20.000 novih priseljencev, Nizozemska 10.000, Velika Britanija računa na 77.000 tisoč priseljencev in Francija na 40.000 (Punch in Pearce 2000b).

Demografski trendi v razvitih državah (ZDA, EU) potemtakem dokazujejo, da se bo z veliko verjetnostjo nadaljevalo: upadanje števila prebivalstva, zmanjšanje delovno aktivnega prebivalstva

(zlasti na območju sedanje EU) in povečanje potreb po dodatni delovni sili, ki jo zahtevajo gospodarske razmere. Zato bodo ekonomske migracije edine prave za polnjenje »črne luknje« na trgu dela, ki so jo povzročili demografski razvoj in druge strukturne spremembe na trgu dela. V prihodnjih desetletjih lahko pričakujemo, da bodo predvsem razvite države (analitične ocene veljajo predvsem za ZDA in sedanjo EU) potrebovale na leto povprečno okoli 1,6 do 2 milijona dodatne delovne sile, ki jo bodo morale izpopolnjevati s pomočjo migracijskih tokov iz drugih delov sveta. To bi v XXI. stoletju pomenilo od 150 do 200 milijonov migrantov, kar ustreza oceni, ki smo jo razvili v drugem razdelku.

EHONOMSHI UČINHI MIGRACIJSKIH TOKOV

Teorija človeškega kapitala dokazuje, da je človek v daljšem časovnem obdobju pripravljen menjati ekonomski prostor zaradi določenih stroškov in pričakovanih dohodkov (Becker, Murphy in Tamura 1990). Če so trenutne koristi zaradi mobilnosti delovne sile večje od materialnih in nematerialnih stroškov, potem lahko pričakujemo, da bodo ljudje zamenjali službo, odšli drugam, celo čez mejo nacionalne države, kjer bodo po definiciji postali ekonomski migranti. Če, nasprotno, diskontiran tok koristi ni večji od stroškov, potem se po načelu ekonomske racionalnosti ljudje ne odločajo za spremembo bivališča in delovnega mesta. Preprostejši modeli človeškega kapitala dokazujejo, da se migranti z ekonomskega vidika odločajo predvsem glede na zaposlitvene možnosti in razlike v plačah, bolj zapleteni pa vključujejo tudi druge dejavnike, ki običajno vplivajo na širše procese odločanja ljudi. Toda večina neoklasičnih ekonomskih modelov migracijskih tokov temelji na nerealističnih predpostavkah, kako migranti pri svojem odločanju in

vrednotenju prednosti (koristi) ter slabosti (stroškov) upoštevajo vse razpoložljive informacije.

Prva skupina ekonomskih učinkov migracij dokazuje, kako migracijski tokovi vplivajo na najpomembnejše makroekonomske procese. Večina mednarodnih organizacij (Svetovne banke, OECD) pri tem podpira svetovni uravnoteženi razvoj, ki naj bi zmanjšal razlike v ekonomski razvitosti in z večjim pretokom blaga in kapitala zmanjšal tudi migracijske pritiske (pretok delovne sile). Ko se bodo z gospodarskim razvojem in realno konvergenco ekonomskih sistemov postopoma izenačevali delovni, plačni in socialni pogoji življenja ljudi v državah, ki so tradicionalno veljale za nosilke migracijske ponudbe delovne sile, se bodo tudi svetovni migracijski tokovi umirili. V izjemnih primerih se lahko migracijski tokovi celo obrnejo. Tako je na primer Portugalska po vključitvi v EU iz izvoznice delovne sile postala država uvoznica delovne sile. Behavioristične značilnosti ameriških migrantov dokazujejo (Simon 1999): da migracije pozitivno vplivajo na gospodarsko rast in podjetniško iniciativnost, da povzročajo večjo konkurenčnost na trgu dela in povečujejo motivacijo za delo, da so migranti nadpovprečno nagnjeni k varčevanju in investiranju ter da nekatera pomembna poslovna področja sčasoma pokrivajo samo tuji delavci.

S političnoekonomskega vidika je še posebej pomembno, da migracijski tokovi ne vplivajo negativno na brezposelnost (Friedberg in Hunt 1995). Empirični podatki dokazujejo, da se v recesijah migracijski tokovi umirjajo in ne povečujejo, zato so imigracijski učinki na trgu dela manjši, kakor jih običajno prikazujemo zaradi političnih, ideoloških in drugih ksenofobičnih razlogov. To je popolnoma v nasprotju s prevladujočo predstavo, da migracijski tokovi povečujejo ponudbo delovne sile, znižujejo povprečno raven plač, povečujejo brezposelnost in tako škodujejo domačim delavcem na trgu dela. Ni pravih dokazov, da bi povečani migracij-

ski tokovi zmanjšali zaposlenost domačega prebivalstva. Številne ekonomske študije pri tem dokazujejo, da migracijski tokovi nastajajo tudi zaradi daljšega obdobja brezposelnosti. Vendar pa so individualne odločitve za migracijo, ki prevladuje pri sodobnih migracijskih procesih, pogosto veliko bolj kompleksne in povezane z relativnim vrednotenjem izgube domačega okolja, družinskih vezi in podobno. V vsakem primeru migracije sicer vplivajo na domačo brezposelnost in trg dela, vendar ekonomske analize ne morejo ugotoviti prevladujočega negativnega učinka na brezposelnost domačinov (Bauer in Zimmermann 1999).

Prav tako migracijski tokovi ne vplivajo veliko na raven plač domačih delavcev, ker običajno zapolnjujejo probleme strukturne brezposelnosti in tržnih niš na trgu dela.

Večina ameriških in evropskih študij dokazuje, da so migranti dopolnilni del trga dela, ki namesto na plače »belih« in »modrih ovratnikov« domačinov še najbolj negativno vpliva na njihovo višino plač. Poleg tega lahko še posebej v EU pojasnimo večji del plačnih razlik z nepopolnostjo in neprilagodljivostjo na trgu dela. Tako je Simon za ZDA dokazal, da tudi več kot 10-odstotno povečanje migrantov na regionalnem trgu dela povzroča komaj 1-odstotni padec plač in še to samo tam, kjer so imigranti resnično pravi substitut domače delovne sile (Simon 1999).

Druga skupina pomembnih učinkov migracij zadeva regionalne ekonomske različnosti v ciljnih državah. Empirične analize dokazujejo (na primer avstralski primer, Foster in Baker 1991), da migracijski tokovi v resnici povečujejo regionalne razlike, ker povzroči pritek migrantov prerazdelitev dohodkov med produkcijskimi faktorji (od lastnikov dela k lastnikom kapitala). Ti procesi so še posebej izraziti, če so migranti povezani s podjetniškim kapitalom, kar povzroča poleg prerazdelitve dohodkov v nekaterih regijah predvsem dodatno prerazdelitev blaginje. To je v očitnem

nasprotju z logičnim sklepom, da bi se z migracijskimi tokovi regionalne razlike pravzaprav morale zmanjševati. Migracija sposobne delovne sile (»beg možganov«) povzroča, da tako na svetovni kakor na lokalni ravni pridobivajo razviti zaradi dodatne, poceni in izobražene delovne sile (dober primer za to so ZDA).

V tretjo skupino ekonomskih učinkov uvrščamo vpliv migracijskih gibanj na javni sektor in proračunsko ravnotežje. Ekonomske študije v nasprotju s prepričanjem domačega prebivalstva dokazujejo, da migranti niso večji uporabniki javnih storitev in dejansko ne sprejemajo več transfernih plačil kot domače prebivalstvo (Cutts 1992). Simon je na ameriškem primeru pokazal, da so migranti (na primer Mehičani) celo neto dajalci v sistemu socialnega varstva, saj okoli 76 odstotkov mehiških imigrantov plačuje davek za socialno varstvo, medtem ko različne oblike socialne pomoči dobiva samo okoli 4 do 5 odstotkov vseh Mehičanov na primerljivem območju (brezplačno zdravstveno zavarovanje, socialno pomoč, pomoč pri šolanju otrok). Ker migranti običajno niso posebna skupina prejemnikov socialnih nadomestil (na primer za brezposelne), sta v povprečju njihova višina in struktura približno enaki kot pri domačinih (Simon 1999). Tako sta na primer Weber in Straubhaar pokazala, da dobi v Švici tuje gospodinjstvo v obliki različnih javnih proračunskih transferov na leto povprečno okoli 1700 dolarjev (Weber in Straubhaar 1994). Podobno je Borjas za sredino devetdesetih let pokazal, da je socialnih programov deležna petina ameriških migracijskih gospodinjstev in le 14 odstotkov ameriških družin (Borjas 1994).

Čeprav so ekonomske analize o proračunskih posledicah migracijskih tokov v posameznih državah pogosto popolnoma različne, jih večina dokazuje, kako migracijski procesi sprožajo več pozitivnih kot negativnih učinkov v javnem sektorju. Vzroki so preprosti. Migracijski procesi v državi prejemnici pomlajujejo struk-

turo prebivalstva, kar običajno zvišuje produktivnost, gospodarsko rast in proračunske prihodke države, hkrati pa se z migracijami relativno znižujejo socialni stroški njene reprodukcije in s tem tudi proračunski izdatki. To pomeni, da migracijski procesi na dolgi rok sorazmerno znižujejo delež javnih izdatkov v BDP. Če pa posamezni neto proračunski izdatki naraščajo sorazmerno s širino socialnih programov v posameznih državah, je to povezano predvsem z značajem socialne države.

V četrto skupino ekonomskih učinkov migracij lahko uvrstimo tisto bogastvo ekonomskega obnašanja migrantov, ki je pogosto predmet številnih napačnih stereotipnih razlag. Tako nam ekonomske analize dokazujejo (Simon 1999; Borjas in Freeman 1992): da rodnost migrantov ni nič večja kot pri domačem prebivalstvu, čeprav prihajajo iz območij z drugačnimi demografskimi značilnostmi; da migranti niso večji porabniki zdravstvenih storitev, saj so načelno bolj zdravi od domačinov; da so migranti neprimerno bolj mobilni, da so pripravljeni delati več, v slabših delovnih razmerah in za nižje plače kot domači delavci ter da stopnja kriminalitete pri migrantih ni nič večja od stopnje zagrešenih kaznivih dejanj pri domačinih, pogosto pa je celo manjša (na primer v EU) in podobno.

Predvsem ameriške analize, ki smo jih povzeli v zgornjem opisu, kažejo, da so vedenjske značilnosti migrantov v prvem obdobju različne, da pa se posebno ekonomski migranti hitro prilagodijo trgu dela in življenju v novi državi. Po desetih letih se njihovo obnašanje skoraj v ničemer več ne razlikujejo od domače delovne sile in načina življenja domačega prebivalstva, če seveda odštejemo kulturne (etične, verske) posebnosti, ki so lahko sociološko gledano celo obogatitev civilne družbe. Migranti imajo v primerjavi z domačini enake starosti in spola večjo nagnjenost do trdega dela, večjo produktivnost, več varčujejo, se hitreje odločajo za last-

ne posle in so bolj iznajdljivi in kreativni. Zato lahko ugotovimo, da so na narodnogospodarski, regionalni in lokalni ravni pozitivni ekonomski učinki migracijskih tokov večji od njihovih stroškov (negativnih učinkov). To pa je tudi temeljno sporočilo, ki ga morajo doumeti predvsem politično ekonomski nosilci migracijske politike.

EKONOMSKA POLITIKA URAVNAVANJA MIGRACIJSKIH TOKOV V EVROPI

Do XX. stoletja so migracije omejevali bolj ekonomske potrebe trga dela, socialne možnosti za preživetje in doseganje višje blaginje ljudi. Če je svobodni trg dela obstajal v XIX. stoletju, pa je v naslednjem obdobju postajal vedno bolj zaprt in reguliran. To še posebej velja po letu 1914, ko so države postopoma uvedle administrativni nadzor svojih meja (potne liste). Na splošno lahko ugotovimo, da so zahodnoevropske države v obdobju 1945–1975 pospeševale ekonomske migracije zaradi pozitivnega vpliva na gospodarski razvoj, v obdobju 1976–2000 pa so jih zavirale zaradi lastne visoke brezposelnosti.

Razlika med evropsko in ameriško migracijsko politiko je velika. V ZDA je migracijska politika zgodaj postala del ameriške razvojne ekonomske strategije. Izhodišče ameriške migracijske politike po letu 1921 je predvsem razmeroma jasna ločitev legalnih in nelegalnih migracij. Ekonomske migrante določajo s pomočjo letnih kvot delovnih dovoljenj, ki jih prilagajajo potrebam na trgu dela, ilegalne migracije pa omejujejo s policijskim nadzorom in drugimi mehkejšimi oblikami preprečevanja priseljevanja. Toda vsa desetletja so bile ZDA uspešne predvsem pri vključevanju ekonomskih migrantov in neuspešne pri preprečevanju ilegalnih migracij, posebno na mehiški meji.

Ukrepe, ki naj bi vplivali na uravnavanje migracijskih tokov, lahko delimo na ekonomske, politične in kulturne. Pri tem lahko uporabljamo tržne (trg dela) in čisto administrativne pristope (kvote) ali pa razvijamo kompleksnejše programe posrednih ukrepov, ki so se izkazali kot najbolj učinkoviti. Tako je Mehika z ameriško pomočjo na primer v osemdesetih letih razvila program »maquiladora«, kjer v obmejnem pasu s posebnim carinskim režimom ameriška podjetja zaposlujejo domačo delovno silo. ZDA in Kanada so namesto kvot razvile poseben sistem prodaje migracijskih pravic. Model so razširile tudi na ilegalne pribežnike, ki lahko kupujejo pravico do prehoda ali azila in tako postanejo legalni migranti. Posebna migracijska politika je namenjena družinam in študentom in omogoča bolj nadzorovano in učinkovitejše vključevanje tujcev v ameriško družbo in podobno.

EU v primerjavi z ZDA nima nobene usklajene migracijske politike, trg dela in politika njegovega uravnavanja pa sta njen najšibkejši institucionalni člen. Maastrichtska pogodba (1992) je definirala enotni trg kot »prostor brez notranjih meja« s tremi temeljnimi pretoki blaga, kapitala in delovne sile. Poznejša Amsterdamska pogodba (1997) pa je dokončno utrdila EU kot »območje svobode, varnosti in pravic«, ki se lahko širi tudi proti vzhodu. Te splošne določbe so še posebej občutljive, če jih prestavimo v migracijsko politiko, ki zajema predvsem tri področja: splošna določila ekonomskih migracij, jurisdikcijo na področju beguncev in azilno pravo. EU nima urejene niti skupne statistike niti skupnih meril, kaj so ekonomski in politični, legalni in ilegalni priseljenci. Večina evropskih demografskih projekcij ne predvideva, kako z migranti zapolnjevati družbe, v katerih se rojeva premalo dojenčkov ali pri katerih imajo države težave s socialnimi stroški vzdrževanja brezposelnih. Schengenski mejni režim in sedemletne omejitve pri svobodnem pritoku delovne sile, ki jih je EU zahtevala v pristop-

nih pogajanjih z novimi članicami, jasno dokazujejo omejen do-
met evropske migracijske politike.

Nemčija kot največja država EU sprejema na leto okoli 700.000
tujcev, toda priseljevanje je stihijsko, saj država nima niti strategi-
je niti zakona o priseljevanju. Španija je, nasprotno, leta 1999 spre-
jela nov migracijski zakon, ki naj bi nadzoroval število prišlekov,
zaposlovanje na črno, urejal izgon protizakonitih migrantov in
podobno. Težava je v tem, da protizakonitih beguncev ni mogoče
vračati brez sporazuma z državo, iz katere prihajajo, in takih
držav je samo zunaj EU več kot 45. EU pa ima danes po splošnih
ocenah okoli pol milijona ilegalnih beguncev, hkrati pa nima sis-
temskih načrtov in ukrepov glede priseljevanja, ki bi urejali dotok
tujcev iz posameznih držav. Prav tako EU nima enotnega sistema
pridobivanja delovnih dovoljenj in načina za postopno vključeva-
nje migrantov v skupno »evropsko hišo«. Pomanjkanje prave mi-
gracijske politike na drugi strani nadomešča nestrpnost do tujcev,
skupaj z vrsto dramatičnih obračunov, kakršna sta bila na pri-
mer v nemškem Dresdnu in Rostocku.

EU preprosto nima niti pravih niti skupnih migracijskih rešitev,
čeprav potrebuje dodatno delovno silo, da bi lahko zapolnila svoje
demografske vrzeli in strukturno pomanjkanje na trgu dela. V
njeni dosedanji migracijski politiki se v veliki meri zrcali podoba
idejnega in političnega konstituiranja skupne evropske ideje,
evropskih institucij in pripadnosti novi transnacionalni Evropi.
Hkrati pa se pri tem kaže tudi njen ksenofobični obraz, ki je zgo-
dovinsko oblikoval evropsko identiteto v razmerju do vzhodnja-
ške, muslimanske in drugih azijskih nekrščanskih civilizacij.

Prva tri desetletja po II. svetovni vojni je Zahodna Evropa preži-
vela v sproščeni migracijski regulaciji (povečane potrebe po de-
lovni sili), ki je na splošno upoštevala mednarodni režim o begun-
skih pravicah (Ženevska konvencija iz leta 1951, protokol aktivno-
sti Visokega komisariata OZN za begunce iz leta 1966 in podob-

no). Ostrejši nadzorni sistemi so začeli nastajati sredi osemdesetih let, ko so se zaostriale domače gospodarske razmere (stagflacija) in je začel val beguncev vrtoglavo naraščati. Predvsem so k temu prispevale vojne na Bližnjem vzhodu, povečani begunski tokovi iz Azije, Afrike in celo Vzhodne Evrope, tako da so že v začetku devetdesetih mnogi govorili o evropski »azilni krizi«. Medvladna pogajanja so na začetku devetdesetih let ponudila vrsto konvencij, ki so urejale standarde za nadzor zunanjih meja, sistem različnih vizumov in način boja proti ilegalni migraciji. Toda vsi ti režimi so bili bolj obrambni in v resnici niso bili pravi rezultat skupne azilne in migracijske politike med članicami EU. Šele begunska kriza sredi devetdesetih let, ki so jo povzročile balkanske vojne, je vodila EU do resnejšega pristopa k temu področju. Temeljna zamisel skupne evropske migracijske in azilne politike je bilo partnerstvo z državami, iz katerih prihaja migracijski pritisk.

Navidezno je to pomenilo, da bo EU napovedala splošen boj za enakopraven gospodarski, socialni in politični razvoj, ki bo preprečeval konflikte in zagotovil vsestransko upoštevanje človekovih pravic. V resnici pa je to pomenilo iskanje možnosti, kako bi državljanom »tretjih dežel« zunaj EU sicer zagotovili skupne standarde za sprejem in nediskriminatorske azilne postopke, hkrati pa bi jih na koncu vendarle vračali v države, iz katerih so prišli. Evropska politika se tako ni opredelila za »sprejemne sposobnosti« EU oziroma skupno število potrebnih in mogočih migracij. Vsa evropska migracijska in azilna politika migracij je na koncu zmogla izoblikovati zgolj sterilna priporočila za bilateralne in multilateralne sporazume držav članic s tretjimi državami glede prostovoljnega in prisilnega vračanja beguncev (Jelenko 2001).

EU je torej v zadnjih petih letih gradila temeljno migracijsko strategijo predvsem s politiko omejevanja migracij in restriktivnim nadzorom svojih zunanjih meja (vizumi). EU je v osemdesetih

letih zmanjšala možnosti ekonomskih migracij, v začetku devetdesetih je zožala azilni kanal, v zadnjih petih letih pa je posvetila pozornost predvsem ilegalnim beguncem (ilegalni migraciji). Vprašanje migracijskih tokov je še posebej pomembno pri sedanji širitvi EU v letu 2004, kjer naj bi po mnenju nekaterih evropskih držav (posebno Avstrije in Nemčije) migracijski tokovi imeli velik negativni vpliv na domači obseg zaposlovanja, socialni standard in raven plač. V državah članicah EU ocenjujejo, da bo priliv priseljencev iz držav kandidatk (prvega in drugega kroga) znižal domačo zaposlenost in plače, zato so dosegli uvedbo prehodnega obdobja, kjer za svobodni pretok delovne sile veljajo določene omejitve. Na drugi strani pa empirična dejstva govore, da niti padec »Berlinskega zidu« v začetku devetdesetih let niti prihodnja širitev EU v začetku tega desetletja najverjetneje ne bosta pomembno vplivala na migracijske prilive znotraj razširjene EU. Rezultati študij kažejo: da je migracijski potencial novih članic manjši od prvotnih predvidevanj; da se migranti kljub dohodkovnim razlikam preseljujejo v daljšem časovnem obdobju; da bo intenzivnost migracij relativno nižja zaradi pričakovane realne konvergence med starimi in novimi državami EU; da je najbolj nagnjena k migriranju manjšina držav (predvsem Poljska), najmanj pa nekatere najbolj razvite države (Češka, Slovenija); da etnična raznolikost in asimilacijska kultura v evropskih državah prej omejuje ta kakor pa pospešujeta migracijske procese v EU ter da ima EU razmeroma visoko »domačo« brezposelnost, kar bo negativno vplivalo na odločitve potencialnih priseljencev.

Analize kažejo, da znotraj razširjene EU po letu 2004 ni mogoče pričakovati nenadzorovanega in velikega pritoka migrantov in njihovega negativnega vpliva na trg dela (OECD 2001). Za EU je še posebno pomembno, da želi preprečiti etnično segmentacijo trga dela in prehod migracijskih skupnosti v etnične manjšine

(Schmidt 1994). V okviru nove migracijske evropske politike zato nekateri (na primer Institut za delo v Bonnu) predlagajo: uvedbo kvot, s katerimi bi uravnavali letne migracijske tokove na evropski ravni, ekonomske načine integracije migrantov na trgu dela s postopno odpravo omejitev, spodbujanje pritoka izobraženih migrantov s pomočjo selektivnih instrumentov ter kompleksne programe prehodov in integracije migracijskih skupnosti v ciljnih državah.

V EU velja, da vsaka država z upoštevanjem splošno dogovorjenih načel sama določa in izvaja migracijsko politiko. V zadnjih letih so države EU (še posebej Nemčija) zaradi obsežnih migracij, povečanega števila beguncev in iskalcev azila ter lastne gospodarske recesije uporabljale predvsem politiko omejevanja. V obdobju, ki prihaja, pa bo evropska migracijska politika morala dokazati, da lahko ponudi skupna izhodišča in nastopi kot celota. Samo v takšnih razmerah bodo migracije lahko pomagale reševati evropske demografske, ekonomske, socialne in kulturne probleme, namesto da bi jih poglobljale, kot se je dogajalo v devetdesetih letih.

SLOVENSKA POLITIKA **MIGRACIJSKIH TOHOV**

Demografski problemi, monopolizacija trga dela in pomanjkljiva migracijska politika v Sloveniji so podobni tistim v EU. Slovenija v zadnjih desetih letih ni imela niti resne demografske niti migracijske politike. S svojo geostrateško lego predstavlja vzhodna evroazijska migracijska vrata v EU, ki bodo v prihodnosti prestregla vsaj tretjino vseh evropskih migracij iz vzhodnoevropskega in azijskega prostora. Ekonomske analize dokazujejo, da ima Slovenija zanemarljiv migracijski potencial do sedanjih držav članic EU (Bevc, Prevolnik-Rupel in Verlič-Christensen 2000). Vendar pa tudi ta nizki migracijski potencial lahko pomeni v majhni državi po-

membno izgubo človeškega kapitala, še posebej, če se začasni visoko izobraženi migranti spremenijo iz začasnih v stalne.

Slovenska zakonodaja je bolj ali manj posrečena kopija evropskih smernic, vendar skupaj z institucijami na tem področju sama po sebi ne omogoča opredeljevanja za strateške usmeritve in politiko na področju demografskega razvoja, migracijskih procesov in gospodarskega razvoja. Migracijska zakonodaja je po evropskem vzoru predvsem restriktivna, manjka pa ji nadgradnja, ki bi morala uskladiti tri temeljna področja: azilno pravo, preseljevanje ljudi in integracijo tujcev v slovensko družbo. Kaotične razmere leta 2000 in 2001 so dodobra razgalile nesposobnost države, da bi s pravilno in učinkovito politiko uravnavala migracijske tokove in umirila negativne politične posledice, ki jih med domačim prebivalstvom povzročajo begunci in prosilci za azil. Vse, kar ponuja, sodi v klasični nabor nadzorovalne in omejevalne evropske politike (vizumi, mejni nadzor, deportacije ...), kar je v obdobju 2000–2001 spodbudilo visoko stopnjo ksenofobije, razpete med begunskim multikulturizmom in etničnim fundamentalizmom mlade slovenske države.

Kaj torej potrebujemo? Slovenija ima okoli dva milijona prebivalcev in je leta 2002 opravila redni demografski in socialni popis prebivalstva. Na podlagi do zdaj znanih podatkov lahko ocenjujemo: da število prebivalstva še naprej stagnira in se hitro stara (zmanjšuje se delež mladih do 15. leta in povečuje delež starejših nad 65 let); da je notranja naselitvena mobilnost nižja kot v EU, kar je povezano s tradicijo, kulturo in dostopnostjo stanovanjskega sklada (privatizacija družbenih stanovanj); da je stopnja registrirane brezposelnosti nižja kot v EU (11,6-odstotna, 2002), stopnja anketne brezposelnosti pa je na ravni povprečja držav OECD (med 7 in 8 odstotki); da je stopnja zaposlenosti sorazmerno stabilna in visoka in je pri moških nekoliko nižja od povprečja EU

(68-odstotna), pri ženskah pa bistveno višja (59-odstotna); da je ogroženost zaradi revščine višja, kot je povprečje v EU, vendar daleč najnižja v primerjavi s kandidatkami za članstvo v EU; da glede razvoja človeškega kapitala Slovenija zaostaja za povprečjem OECD predvsem pri visokem izobraževanju; da so strukturna brezposelnost in depopulacijske težnje nakopičene predvsem v nekaterih regijah (Pomurska, Podravska in Posavska regija) ter da živi v državi po grobih ocenah okoli 400.000 oseb, ki so državljani te države, niso pa del slovenske etnije, in okoli 500.000 Slovencev zunaj matične države.

Slovenija je demografsko zrela družba, s klasično demografsko tranzicijo in podobnimi težavami na trgu dela, kakršne ima večina držav EU. Ker je gibanje naravnega prirasta prebivalstva dolgoročen proces, uravnavanje migracijskih tokov pa kratkoročen, je toliko bolj pomembno, kakšna bo slovenska migracijska politika. Zaradi negativnih demografskih trendov in strukturnih potreb trga dela bo Slovenija objektivno nujno potrebovala pozitivni neto migracijski tok, ki bo šele omogočil normalno demografsko in gospodarsko reprodukcijo države in gospodarski razvoj. Edino pravo vprašanje je zato: kako določiti migracijsko politiko kot eno vitalnih ekonomskih politik slovenske države ter s kolikšno obsežnostjo in kako uravnavati migracijske tokove glede na demografske, socialne in gospodarske cilje.

Migracijska mobilnost slovenskega prebivalstva je v primerjavi z evropskimi državami na zelo nizki stopnji. Mednarodne analize dokazujejo, da so Slovenci na najnižjem mestu po obsežnosti vseh vrst potencialnih selitev v tujino. Eden temeljnih razlogov je v tem, da je Slovenija najbolj razvita postsocialistična država in da so njeni prebivalci med najbolj zadovoljnimi z ekonomsko in politično reformo svoje družbe v zadnjih desetih letih v primerjavi z drugimi nekdanjimi socialističnimi državami (Bevc 1996).

Demografska politika je po naravi stvari ena najbolj kompleksnih in najbolj občutljivih ekonomskih politik, ki zahteva celovit pristop in koordinacijo vrsto ekonomskih, socialnih, kulturnih procesov. Slovenija v nobenem strateškem dokumentu nima opredeljene demografske politike in je zato tudi ne izvaja. Ugotovili smo, da tudi EU nima razvite demografske in migracijske politike, vključno z upravljanjem trga dela. Zato EU ne bo običajna učna ura za Slovenijo. Evropski pristop k migracijski politiki in razumevanju azila je po eni strani sicer ponudil zakonitim migrantom nekaj pravic in svobode, toda na drugi strani je begunce in druge migrante povezal z ogroženostjo notranje varnosti države. To pa je tudi v Sloveniji in drugod nazadnje pripeljalo do izrazitih obrambnih reakcij države in strogega policijskega nadzora na njenih mejah. Nobenega dvoma ni, da se je reševanje celotne migracijske politike in še posebej njenega najbolj občutljivejšega dela, ki ga predstavljajo begunci in azil, znašlo v slepi ulici.

Kaj torej storiti? Dobrih in primerljivih zgledov ni in to vnaša veliko zmedo v ravnanje slovenske države zadnja tri leta, ko smo sicer legalizirali evropski model urejanja migracijskih tokov (še posebno beguncev in azila). Slovenija potrebuje posebej opredeljeno strategijo in politiko usmerjanja demografskih in migracijskih tokov. Naša država nima jasnih razvojnih demografskih in migracijskih ciljev, zato tudi nima posebej opredeljenih strategij, politik in nabora ukrepov za doseganje teh ciljev. V okviru svojega letnega poročila o razvoju vlada RS demografskih in migracijskih problemov sploh ne obravnava, čeprav so eden najresnejših razvojnih problemov države (*Poročilo* 2003).

Izhodišča migracijske politike lahko zato razdelimo na nekaj točk, ki jih bo slovenska država morala uresničiti v obdobju 2003–2005, ko dejansko vstopa v političnoekonomski prostor EU:

1. Vsaka migracijska politika mora najprej določiti število legalnih priseljencev, ki jih lahko prenese slovenska država. Če sledimo razmeroma konzervativnim evropskim merilom, potem bi slovenska država morala na leto sprejeti 20.000 priseljencev (1 odstotek celotne populacije), okoli petino tega pa bi morali vsako leto gospodarsko in socialno integrirati v slovensko družbo.

2. Druga raven migracijske politike je razlikovanje med tujci, ki ustrezajo potrebam našega trga dela in interesom gospodarstva. To pomeni, da mora migracijska politika diferencirati migracijske tokove glede na potrebe trga dela, kar je eno izmed meril, ki jih upoštevamo pri delitvi pravic tujcem.

3. Na tretjem mestu je sistem ekonomske, socialne in kulturne integracije tujcev v slovensko družbo na temelju spoštovanja človekovih pravic posameznikov in njihove identitete. To pomeni, da moramo kar najbolj spoštovati njihovo kulturno različnost, hkrati pa jih moramo gospodarsko in socialno integrirati v našo državo blaginje.

4. Šele na koncu je problem nelegalnih migracij, kjer je ekonomsko najbolj učinkovit in družbeno najbolj pravičen model prodaje legalnih pravic tujcem namesto prevladujočega sistema kvot (fizičnega omejevanja priseljevanja). Tako bi država dodobra spodkopala mafijsko trgovanje z belim blagom in pridobila lastna namenska sredstva za odpravljanje begunskih problemov.

Migracije so objektivno dejstvo in Slovenija jih v prihodnjih petdesetih letih preprosto potrebuje, da bi preživela kot ekonomska, socialna in politična entiteta in to ne glede na integracijske procese in evropski političnoekonomski globalizem. To je izhodiščna predpostavka, na kateri moramo zgraditi strategijo in politiko uravnavanja migracijskih tokov. Oboje pa je najboljša obramba pred naraščajočo ksenofobijo, ki se lahko poloti prebivalstva in nazadnje celo državnih aparatov, kot so pokazali dogodki na za-

četku leta 2001. Če obstaja kakšna realna podlaga za ksenofobične razmisleke, potem so to linearne projekcije slovenskih demografskih tokov, kjer se slovenska etnija v nekaj desetletjih zmanjša skoraj za polovico in s tem bistveno ogrozi svoj lastni obstoj.

So torej begunci in migranti naša priložnost ali naši stroški? Migranti so zagotovo pred vsem drugim povezani z določenimi stroški sprejema, nastanitve in vključitve v socioekonomski prostor naše države. Od tega, kako bo slovenska vlada reševala migracijske probleme, kako bo skupaj z drugimi nevladnimi organizacijami migrante vključila v slovensko kulturno, politično in gospodarsko stvarnost, pa bo odvisno, ali bodo migracije postale tudi priložnost za razvoj slovenskega gospodarstva. Zato ne moremo samo trditi, da migranti, prebežniki in azilanti zgolj obremenjujejo slovensko državo. Nasprotno, obremenjujejo jo toliko, kolikor so slovenske vladne in nevladne institucije nesposobne, da bi s pomočjo razvojne strategije in drugih politik migracijske tokove iz stroškovnih postavk spremenile v svojo razvojno priložnost.

Slovenija je država na pomembnem zgodovinskem in geostrateškem prehodu, ki je in bo zaznamovan z migracijskimi procesi in problemi. Tudi če bi si upali trditi, da neto migracij ne potrebujemo, čeprav smo skušali pokazati, da brez njih demografsko in gospodarsko ne moremo preživeti, bomo dolgoročno imeli opravka z njimi. Slovenija predstavlja vzhodna vrata EU in ne glede na to, kdaj in kako bomo sprejeti v EU, bodo naše meje postale del legalnih in ilegalnih migracijskih tokov med Azijo in Evropo. Vsaj četrtnina evropskih migracijskih poti, po mnogih ocenah pa tudi tretjina teh ilegalnih prehodov, poteka skozi vzhodna vrata EU in Slovenija je gotovo eno od njenih kril.

Trda političnoekonomska dejstva so daleč od ideološke navlake in politične omejenosti glede negativnega vrednotenja migracijskih tokov. Zato smo skušali dokazati, da so lahko migracijski pro-

cesi tudi v Sloveniji razvojna priložnost in ne zgolj socialni strošek. Migranti so lahko del intelektualnega in socialnega kapitala te države. Nemara bomo v tem tujskem ogledalu spoznali lastno podobo čudaških političnih in kulturnih norm, ki so pogosto tudi evropske in ki zahtevajo drugačen pristop in ravnanje. Če želimo tudi EU pokazati in dokazati drugačen, bolj človeški in tudi ekonomsko bolj racionalen obraz, potrebujemo pri vstopu v EU nov pristop do tega vprašanja in drugačno migracijsko politiko.

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POLITIKE VHLJUČEVANJA PRAISELJENCEV V VEČINSHO DRUŽBO

Številne evropske države so v zadnjem desetletju sprejele nove, restriktivnejše imigracijske politike, s katerimi želijo omejiti pritek tujcev na svoje ozemlje. V Evropi se širi strah pred tujci, ki naj bi Evropejcem odvzemali delovna mesta, zasedali stanovanja, živel »na njihov račun«, ogrožali njihovo kulturo z vnašanjem tujih vrednot in navad, zviševali stopnjo kriminala ipd. Kljub takšni sliki, ki se pogosto neupravičeno ustvarja v javnosti, in čedalje večjemu številu ljudi, ki nasprotujejo nadaljnjim imigracijam, pa demografska gibanja kažejo, da se bodo morale v prihodnosti imigracije kvečjemu povečevati, ne pa zmanjševati, če si bo Evropa želela zagotoviti dovolj delovne sile in zmanjšati naraščajoče nesorazmerje med upokojenim in aktivnim prebivalstvom (Sancton 2000).¹ Poleg tega bo Evropa verjetno potrebovala tudi dodatno (»uvoženo«) intelektualno moč, če bo želela tekmovati z drugimi razvitimi državami/regijami v tehnološkem razvoju.

Zahodne države si danes predvsem prizadevajo ustaviti oziroma preprečevati nezakonite migracije in omejiti delovne migracije oziroma jih uravnavati glede na lastne potrebe. Med čedalje pomembnejšimi cilji migracijskih politik pa se v zadnjem času pojavlja tudi integracija priseljencev – tistih, ki že dlje časa živijo

v imigrantski državi, in tistih, ki bodo šele prišli. Glavni cilj integracijskih politik je vključitev priseljencev v večinsko družbo tako, da postanejo njen funkcionalni člen, da enakopravno sodelujejo pri njenemu razvoju in imajo možnost za samostojno življenje. Poti do uresničitve tega cilja so v različnih državah različne, odvisne (tudi) od tega, katere vrednote postavlja v ospredje večinska družba (na primer demokracijo, liberalizem, pluralizem, socialno državo ...) oziroma kaj predstavlja želeni končni rezultat integracijskega procesa (asimilacija, multikulturna družba ...). Integracija priseljencev je v vseh družbah stalna, ne glede na obstoj oziroma neobstoj formalne integracijske politike, vendar pa primeren formalnopравни okvir zagotovo pripomore k hitrejšemu in učinkovitejšemu integracijskemu procesu. To pa je v korist obema stranema, vpletenima v ta proces – priseljencem in večinski družbi. Ne smemo namreč pozabiti, da je (oziroma bi morala biti) integracija vedno dvostranski proces, ki zahteva prilagajanje tako priseljencev kakor večinske družbe. Zato morajo biti tudi ukrepi integracijske politike usmerjeni na obe populaciji, da bi bilo z njimi mogoče doseči zastavljene cilje.

Namen tega prispevka je predvsem odpreti nekatere teme in podati nekaj izhodišč za razmišljanje o primerni integracijski politiki in integracijskih ukrepih v Republiki Sloveniji. S tem namenom bodo predstavljeni različni modeli integracije priseljencev in konkretne integracijske politike treh evropskih držav, ki se v praksi bolj ali manj približujejo omenjenim modelom. Dotaknili se bomo tudi sedanjega položaja integracijske politike v Republiki Sloveniji in podali nekaj smernic oziroma predlogov za razmislek pred pripravo konkretnih integracijskih programov. Pri tem naj omenimo, da sama integracijska politika deluje širše in ni zgolj politika do priseljencev, vendar je ta prispevek namenjen prav integracijski politiki v odnosu do priseljencev.

MODELI INTEGRACIJE PRISELJENCEV

Danes obstajajo v svetu različni modeli integracije priseljencev. Vsak izhaja iz posebnih zgodovinskih okoliščin in je zato prilagojen posamezni družbi (državi), njenim ciljem, normam in vrednotam. S stališča pravnega urejanja integracije priseljencev bi sedanje modele lahko razdelili v tri skupine: Za prvi model se v literaturi običajno uporablja ime »model diferenciranega izključevanja« (gl. na primer Castles 1995; Medved 2001), najdemo pa tudi druga poimenovanja, na primer Bauböck (1994) uporablja izraz »socialna vključenost/državlјanska izključenost«. Glavna značilnost tega modela je, da so priseljenci vključeni v nekatere sfere družbenega življenja (predvsem na trg dela), nimajo pa dostopa do nekaterih drugih sfer (socialni sistem, državljanstvo, politična participacija) (Castles 1995, 294). Takšen model so sprejele predvsem države s tradicionalno kulturno ali etnično definicijo naroda (nacionalnosti), ki niso bile deležne imigracij iz bivših kolonij in ki so po drugi svetovni vojni vodile politiko rekrutacije začasnih gostujočih delavcev. Nemčija, Švica in Avstrija sodijo v to skupino. Te države so priseljencem postopoma podeljevale vse več socialnih in državljanskih pravic, oteževale pa so dostop do naturalizacije (Bauböck 1994). Naturalizacija v tem modelu predstavlja zadnjo fazo v procesu asimilacije (Medved 2001, 54). Običajno te države tudi ne omogočajo potomcem priseljencev, da bi avtomatično pridobili državljanstvo z rojstvom ali ob polnoletnosti. Na priseljevanje se gleda kot na začasni pojav, ki naj bi se običajno končal z vrnitvijo priseljencev v njihovo izvorno državo (Bauböck 1994).

Drugi model je t. i. asimilacijski model ali »model diferenciranega vključevanja« (Medved 2001, 54). Ta model predvideva vključitev priseljencev v večinsko družbo tako, da se priseljenci odpovedo svojim jezikovnim, kulturnim in družbenim značilnostim in se

zlijejo z večinsko družbo. Večinsko breme prilagajanja leži na priseljencu samem, vloga države v asimilacijskem procesu pa je, da zagotovi ugodne razmere za čim hitrejšo individualno prilagoditev in prevzem večinske kulture in vrednot (Castles 1995, 298). Pri tem modelu gre v glavnem za integracijo prek naturalizacije (Bauböck 1994). Naturalizacija je začetek v procesu asimilacije (Medved 2001, 54). Priseljenci sicer lahko ostanejo v državi kot tujci (nedržavljeni) neomejeno dolgo, vendar pa se velik delež stalno naseljenega prebivalstva brez državljanstva šteje za demokratično anomalijo. Z dokaj kratkimi roki zahtevanega prebivanja v državi in z razmeroma nizkimi stroški priseljence spodbujajo, da se odločijo za naturalizacijo. Otroci priseljencev, ki so rojeni v državi imigracije, dobijo državljanstvo te države ob rojstvu ali pri polnoletnosti. Približevanje pravnega položaja nenaturaliziranih stalnih prebivalcev položaju državljanov (na primer s podeljevanjem volilne pravice za volitve na lokalni ravni) se v tem modelu običajno zavrača kot protiproduktivna strategija, ker znižuje željo priseljencev po naturalizaciji. Model izhaja iz predpostavke, da bodo priseljenci, ki so se naselili v državi imigracije, pretrgali vezi s svojo izvorno državo in ostali v novi državi za stalno (Bauböck 1994). V Evropi je primer države, ki je najbliže temu modelu, Francija. Ta model je bil prevladujoč tudi v ZDA v začetku XX. stoletja. Nekaj časa so izvajale asimilacijsko politiko tudi Kanada, Avstralija in Velika Britanija.

Za tretji, pluralistični ali multikulturni model (Felicita Medved [2001, 55] ga imenuje tudi model pluralističnega vključevanja) je značilno, da so priseljenci vključeni v politično skupnost in lahko hkrati ohranjajo svojo kulturno različnost. Članstvo v civilni družbi in nacionalni državi je združljivo s kulturnimi razlikami, ki so tolerirane ali celo spodbujane, seveda v mejah zakona in pri sprejemanju (asimilaciji) določenih temeljnih političnih vrednot in

institucij (Medved 2001, 55). Pravna integracija se v tem modelu meri po državljan-
skih pravicah in ne po formalnem državljan-
skem statusu. Naturalizacija je za priseljence pomemben način
pridobivanja pravic, ni pa edini. Povečevanje pravic stalnih prebi-
valcev države, ki niso njeni državljani, je dopolnilna politika natu-
ralizacije. Čeprav to lahko zmanjšuje stopnjo naturalizacije, pa
povečuje pravno integracijo. Ta model ne obravnava politične
skupnosti kot skupnosti, ki je popolnoma skladna s skupnostjo
državljanov, pač pa se ta skupnost širi čez meje formalnega član-
stva in tudi čez meje državnega teritorija. Naselitev v eni državi
ter ohranjanje socialnih (in drugih) vezi z drugo državo se v tem
modelu med seboj ne izključujeta (Bauböck 1994). Med evropski-
mi državami je v 70. letih multikulturni model uvedla Švedska,
vendar pa model v praksi ni v celoti zaživel in tako je v zadnjih
letih na Švedskem že prišlo do popravkov in sprememb politike,
sprejete v 70. letih.

PODROČJA, KI SODIJO V OHVIR INTEGRACIJSKE POLITIKE

V Sloveniji je integracijska politika še vedno področje, s katerim
nimamo veliko, da ne rečemo nobenih izkušenj. Čeprav je bilo že
v Resoluciji o imigracijski politiki, ki jo je sprejel slovenski parla-
ment maja 1999, zapisano, da je integracijska politika eden od
treh sestavnih delov imigracijske politike, pa se slovenska država
za zdaj ukvarja predvsem z drugima dvema deloma te politike – to
je z regulacijo priseljevanja in z azilno politiko. V zadnjem času je
sicer vedno več razprav tudi na temo integracije, vendar pa je v
teh razpravah pogosto opaziti, da ljudje nimamo celovite pred-
stave o tem, kaj vse naj bi integracijska politika sploh obsegala,
na katera področja človekovega (oziroma družbenega) življenja

naj bi posegala, kakšne ukrepe naj bi uvajala in s kakšnim namenom. Evropska unija, h kateri se sicer pogosto obračamo po nepotke, nam v tem primeru ne daje nikakršne pomoči, saj tudi sama nima izdelane integracijske politike. Države članice EU imajo to področje zelo različno urejeno. Nobena nima modela integracije, ki bi bil v vseh pogledih uspešen in bi ga bilo smiselno posnemati ali prevzeti. Kljub temu pa to ne pomeni, da na mednarodni ravni ni splošnih smernic, ki bi jih naša država lahko upoštevala pri ustvarjanju lastne integracijske politike, za katero se je zavezala z omenjeno resolucijo. V okviru Sveta Evrope, katerega članica je tudi Slovenija, je posebna skupina za integracijo² pripravila okvirna priporočila o tem, kaj vse naj bi vključevale integracijske politike držav. Naj na kratko predstavimo glavne točke teh priporočil oziroma glavna področja, ki naj bi jih uredile integracijske politike.

Eno takih področij so pravni status priseljencev in njihove pravice. V to področje sodijo na primer ukrepi za ureditev pravice do bivanja, zagotovitev enakih možnosti in pravnega varstva pred diskriminacijo, jasna določitev postopkov in možnosti za pridobitev državljanstva ... S tem naj bi priseljencem omogočili, da bi se počutili varni v novi državi, da bi se počutili del te države in da bi tako laže in hitreje razvili lojalnost do nje. Integracijska politika ne more zaobiti niti ukrepov na področju zaposlovanja. Zaposlitev je eden od glavnih elementov integracije, saj ljudem omogoča ekonomsko neodvisnost, več možnosti interakcije s pripadniki večinske družbe ... Tudi zagotavljanje možnosti za primerno nastanitev priseljencev oziroma zagotavljanje možnosti za nediskriminatorni dostop do stanovanj je eno od področij, ki bi jih integracijska politika morala urejati. Brez ustrezne stanovanjske politike se namreč lahko hitro ujamemo v zanko getoizacije in segregacije priseljencev, ki nosita s seboj vrsto negativnih učinkov za

vso družbo. Integracijska politika mora priseljencem zagotavljati tudi dostop do enako kakovostnih zdravstvenih storitev, kakršne so na voljo drugim prebivalcem države. Prav tako naj bi integracijska politika priseljencem omogočila ohranjanje in razvijanje njihove kulturne, verske in jezikovne identitete. Eno od pomembnejših področij integracijske politike je tudi izobraževanje. Države bi morale sprejeti ukrepe za zagotavljanje enakih možnosti izobraževanja in za preprečevanje podpovprečne uspešnosti priseljenjskih otrok v šolskem sistemu. Poleg tega pa lahko države s šolskimi učnimi programi spodbujajo vrednote, kot so tolerantnost in spoštovanje do drugih, spoštovanje različnosti ... Te vrednote naj bi država širila tudi s pomočjo medijev in javnih razprav, samim priseljencem pa naj bi zagotavljala pravico, da izrazijo svoje mnenje v javnih občilih.

To je nekaj glavnih področij, za katera naj bi po priporočilih skupine za integracijo, ustanovljene v okviru Sveta Evrope, skrbelo integracijska politika, seveda pa seznam še ni izčrpan ali popoln. Poleg naštetega bi bilo treba posebej omeniti še (vsaj) eno stvar – da je integracija vedno dvostranski proces, ki ne zadeva samo priseljencev, pač pa vso družbo. Izobraževanje večinske družbe v luči medsebojnega spoštovanja, odpravljanje predsodkov, preseganje etnocentrizma ter preprečevanje in kaznovanje diskriminacije so zato ukrepi, ki jih ne bi smela obiti nobena integracijska politika.

Stanje v mednarodni skupnosti je (za zdaj še) takšno, da je integracijska politika še vedno stvar posamezne države. Države jo oblikujejo v skladu s svojimi cilji, svojim normativnim in vrednostnim sistemom, vseeno pa ne smemo pozabiti tudi na nekatere mednarodnopravne standarde in obveze, ki so jih države sprejele z mednarodnimi pogodbami.³

Prej smo že omenili, da v praksi ne obstaja neki univerzalni model integracije, ki bi bil učinkovit v vseh okoliščinah in na vseh

področjih. Določena integracijska politika je lahko uspešna v določenem časovnem obdobju, medtem ko v drugem ne deluje več. Lahko je primerna za določeno priseljensko populacijo, medtem ko pri drugi ne doseže zelenih učinkov. Zato integracijske politike ne bi smeli obravnavati kot nekaj stalnega in nespremenljivega, saj je njena učinkovitost močno odvisna od številnih dejavnikov, ki se spreminjajo. Poleg tega pa je treba upoštevati, da se resnični učinki neke integracijske politike pokažejo dokaj pozno, šele po nekaj letih, pogosto šele pri drugi ali tretji generaciji. Zato je treba integracijske ukrepe ves čas spremljati in ocenjevati njihove učinke, da bi se lahko na neučinkovitost čim hitreje odzvali in z uvajanjem sprememb odpravljali in popravljali napake.

Primeri dobre prakse iz drugih držav so lahko za orientacijo pri uvajanju nekaterih integracijskih ukrepov tudi v drugih okoliščinah (državah), vendar se moramo zavedati, da prenašanje takšnih ukrepov iz enega okolja v drugo ni nujno uspešno in ne prinese vedno zelenih rezultatov. Kot že rečeno, vsaka država ima drugačen družbeni, normativni in vrednostni sistem, zato je treba pri ocenjevanju posameznih ukrepov upoštevati ves družbeni kontekst, v katerem so bili ti ukrepi sprejeti in izvedeni.

V nadaljevanju si bomo ogledali najpomembnejše poudarke konkretnih integracijskih politik treh evropskih držav – Nemčije, Francije in Švedske – od katerih bi (v grobem) lahko vsako uvrstili v enega od treh omenjenih modelov integracije, na koncu pa bomo dodali še kratek pregled sedanjega položaja integracijske politike v Sloveniji.

NEMČIJA

Nemška uradna politika je vse do leta 1998 temeljila na zanikanju imigracijskega položaja in je vztrajala na tem, da je nastanitev gostujočih delavcev v Nemčiji le začasna in da bo zato tudi njihova integracija le začasna in delna. Takšno stališče je vplivalo tudi

na integracijsko politiko, katere glavna značilnost je bila, da je omogočala priseljencem dostop do glavnih institucij sistema (kot so trg dela, samozaposlitev, izobraževalni sistem, stanovanjski trg) in jih vključila v socialno državo in v sistem socialne politike, ni pa jim zagotovila pravne integracije, predvsem možnosti pridobitve nemškega državljanstva. Posledice takšne integracijske politike so danes tele: priseljenci so dokaj dobro integrirani v trg dela (delež brezposelnih tujcev je precej majhen v primerjavi z drugimi evropskimi državami), otroci priseljencev so dokaj dobro integrirani na kulturnem področju (večina posluša isto glasbo, spremlja iste medije, je enako hrano, gleda iste filme in podobno preživlja prosti čas kot njihovi nemški vrstniki). Manj uspešna pa je bila ta politika na področju izobraževanja, saj so raziskave pokazale, da otroci priseljencev v Nemčiji dosegajo precej nižjo stopnjo izobrazbe kot njihovi nemški vrstniki in zato potem tudi večji del tujcev opravlja nekvalificirana dela. Predvsem pa je bila nemška politika neuspešna na področju identifikacijske integracije – stroga politika podeljevanja državljanstva, v kateri se močno odraža etnični princip naroda, je priseljence navdala s pomanjkljivim občutkom za pripadnost in identifikacijo z nemško državo (The EFFNATIS Project 2001).

Glede pridobitve državljanstva je Nemčija vse do leta 2000 vodila zelo restriktivno politiko in nemško državljanstvo je zelo težko pridobil, kdor ni imel nemških etničnih korenin. Leta 2000 pa je Nemčija sprejela nov zakon o državljanstvu in z njim precej omilila svojo naturalizacijsko politiko. Novi zakon daje priseljencem možnost, da za državljanstvo zaprosijo (že) po osmih letih bivanja v Nemčiji (če izpolnjujejo druge pogoje). Prej je bil pogoj petnajst let bivanja v Nemčiji. V nasprotju s starim zakonom je po novem nemško državljanstvo avtomatično podeljeno tudi vsem otrokom, rojenim v Nemčiji, katerih starši nimajo nemškega državljanstva,

če vsaj eden od staršev zakonito prebiva v Nemčiji najmanj osem let in ima ali pravico do bivanja (*Aufenthaltsberechtigung*) ali pa že tri leta neomejeno dovoljenje za bivanje (*Aufenthaltsurlaubnis*).⁴ V takšnem primeru otrok pridobi nemško državljanstvo ne glede na to, ali ob rojstvu pridobi tudi drugo državljanstvo. Osebe, ki imajo dvojno državljanstvo, morajo med 18. in 23. letom optirati za eno ali drugo. Če se oseba do 23. leta ne odloči, avtomatično izgubi nemško državljanstvo.⁵

Tako kot do nedavnega državljanstvo so tudi konkretni integracijski programi ali ukrepi v glavnem na voljo le priseljencem nemškega etničnega izvora (potomcem Nemcev, ki so emigrirali iz Nemčije predvsem na ozemlje nekdanje Sovjetske zveze, nekateri že pred več kot sto leti). Le-ti so bili upravičeni do šestmesečnega tečaja nemškega jezika, do socialne podpore in pomoči pri iskanju zaposlitve. Drugi tujci pa na splošno nimajo dostopa do posebnih integracijskih programov. Izjema so le nekateri poklicno-izobraževalni programi za mlade tujce in za ženske (Martin in Teitelbaum 1995).⁶ Z novim imigracijskim zakonom, ki ga je spomladi leta 2002 sprejel nemški parlament, je bil prvič v zgodovini ZR Nemčije zakonsko predpisan minimalni okvir integracijske ponudbe za vse priseljence.⁷ Zakon naj bi začel veljati s 1. januarjem 2003, vendar ga je nemško ustavno sodišče 18. decembra 2002 razveljavilo, ker postopek njegovega sprejema ni potekal v skladu z ustavo. Nemški notranji minister Otto Schily pa je že napovedal, da bodo predlog zakona v nespremenjeni obliki ponovno poslali v parlament.

Poglejmo si nekaj glavnih poudarkov iz tega zakonskega predloga, ki se nanašajo na integracijo priseljencev. Minimalni okvir integracijske ponudbe, ki je, kot že omenjeno, namenjen vsem priseljencem, obsega jezikovne in orientacijske tečaje. Zadnji vključujejo spoznavanje osnov nemške pravne ureditve, kulture in zgo-

dovine. Zvezna vlada pri tem prevzame stroške izvajanja osnovnih (začetnih) jezikovnih tečajev in orientacijskih tečajev, pa tudi celotne stroške integracije nemških izseljencev (*Aussiedler*). Preostale stroške nosijo posamezne dežele.⁸ Tujci, ki se za trajno priselijo v Nemčijo, imajo pravico udeležiti se integracijskega programa. Tujci, ki že dalj časa živijo na nemškem ozemlju, se prav tako lahko udeležijo teh programov, če so prosta mesta. Zadostno znanje nemškega jezika in poznavanje osnov nemškega pravnega in družbenega reda bosta v prihodnje pogoj, da bo tujec lahko obdržal trajno dovoljenje za prebivanje. Uspešno opravljen integracijski tečaj pa bo omogočal tudi skrajšanje roka za pridobitev nemškega državljanstva z osem na sedem let. Za priseljence, ki slabo obvladajo nemški jezik, bo obiskovanje integracijskega tečaja obvezno.⁹

Glede delovnih migracij je predlog zakona odprt in fleksibilen ter se ravna glede na povpraševanje po delovni sili. Za visoko kvalificirane delavce (na primer inženirje, informatike, matematike in tudi vodilne osebe na področju znanosti in raziskovanja) obstaja možnost, da že na začetku dobijo dovoljenje za stalno prebivanje (po sedanjem zakonu lahko dobijo dovoljenje največ za pet let), ostali delavci pa lahko dobijo dovoljenje za začasno prebivanje. Lahko se poveča omejeno število priseljencev, če jih država prav takrat potrebuje, in sicer po točkovnem sistemu. Tuji študenti, ki končajo študij v Nemčiji, pa lahko po tem predlogu zakona pridobijo enoletno dovoljenje za delo. Doslej so morali praviloma po končanem študiju Nemčijo takoj zapustiti.¹⁰

Najpomembnejše pristojnosti v zvezi z integracijo priseljencev naj bi bile po novem skoncentrirane v Zveznemu uradu za migracije in begunce (*Bundesamt für Migration und Flüchtlinge*), v kate-rega naj bi se prestrukturiral in preimenoval sedanji Zvezni urad za priznanje tujih beguncev (*Bundesamt für Anerkennung Aus-*

ländischen Flüchtlinge).¹¹ Urad bo oblikoval nacionalno integracijsko strategijo, strokovno svetoval zvezni vladi pri pospeševanju integracije (priprava programov in gradiva), zbiral informacijske materiale o integracijskih ukrepih, ki jih izvajajo zveza, dežele in občine, skrbel za razvoj učnih programov za začetne jezikovne tečaje in orientacijske tečaje o pravni ureditvi, kulturi in zgodovini ZR Nemčije ter za njihovo izvajanje, sodelovati bo moral z občinami, uradi za tujce in zainteresiranimi družbenimi skupinami, poleg tega pa bo moral skrbeti tudi za izvajanje ukrepov za pospeševanje prostovoljnega vračanja tujcev v njihove izvirne države.¹²

Za presojo in oceno migracijskega položaja, imigracijskih in integracijskih zmogljivosti naj bi ustanovili neodvisni svet strokovnjakov, ki bi vsako leto podal svoje mnenje. Poleg tega bi bil z zveznim uradom za migracije in begunce organizacijsko povezan tudi neodvisni znanstveni inštitut (*Bundesinstitut für Bevölkerungswissenschaften und Migrationsforschung*).¹³

F R A N C I J A

Francija je tradicionalna evropska država imigracije, saj se srečuje s priseljevanjem tujcev na svoje ozemlje že vse od sredine XIX. stoletja. Kljub temu pa nikdar ni razvila posebne integracijske politike do priseljencev. Francoska integracijska politika temelji na republikanskem modelu integracije, po katerem je odsotnost kakršnekoli posebne integracijske politike najboljši način za integracijo priseljencev in njihovih otrok (The EFFNATIS Project 2001). Glavne značilnosti republikanskega modela so:

- poudarjena je visoka kultura (ki jo imajo ne le za superiorno, temveč tudi za univerzalno);
- poudarja se pomen individualne, ne pa skupinske participacije in integracije;

- osrednja vloga v izoblikovanju državljanstva je namenjena racionalnim in političnim dejavnikom (namesto kulturnim in družbenogeografskim dejavnikom);
- združevalna funkcija v procesu graditve in reprodukcije omenjenih značilnosti je zaupana državnim inštitucijam, posebej šoli (Schnapper 1991).

Pri obravnavanju francoskega modela integracije je treba poznati zgodovino nastanka francoske države. Nastala je namreč v zgodovinskem procesu z asimilacijo različnih populacij iz različnih regij (Bretanja, Provansa ...). Vse te populacije so imele svojo lastno kulturo, način oblačenja, jezike itd. Francoski model integracije je vedno temeljil na asimilaciji različnih populacij. S pomočjo asimilacije so pripadniki teh različnih populacij postopoma postali francoski državljani. Integracija *à la française* temelji na ideologiji, da je pomembna individualna in ne kolektivna integracija. Univerzalistični principi so vedno imeli prednost pred posebnimi ukrepi (Krief 1999).

Posebej velika vloga se v republikanskem modelu integracije zato pripisuje šolskemu sistemu, ki naj bi bil najboljši instrument za integracijo otrok v francosko družbo. V skladu s takšnim pojmovanjem poteka integracija otrok iz Bretanje, Provanse ali iz tujine (se pravi, ne glede na izvor) tako, da v procesu izobraževanja ponotranjijo francoske vrednote in se pomešajo z ostalim prebivalstvom (Krief 1999).

Republikanski model se danes srečuje s številnimi novimi izzivi in njegova integracijska sposobnost čedalje pogosteje zbuja dvom. Republikanski model je bil prvotno oblikovan bolj z namenom integrirati različne regionalne skupine kot pa priseljence. Poleg tega so priseljenci v času Tretje republike prihajali v glavnem iz Evrope in iz francoskih kolonij, se pravi, da so bili kulturno bližje francoski družbi, kot to velja za etnično in kulturno zelo hetero-

geno populacijo današnjih priseljencev. Vedno bolj prihaja do izraza tudi neprimernost individualističnega pristopa k integraciji. V preteklosti (do 70. let XX. stoletja) takšen model niti ni bil sporen in deležen kritik, kajti priseljska populacija je bila sestavljena predvsem iz posameznikov (v glavnem moških), ki so se naseljevali v Franciji začasno, kot gostujoči delavci. Danes pa so priseljenci v glavnem za stalno naseljeni, živijo v Franciji s svojimi družinami in niso več le posamezniki, ampak so del večjih priseljskih skupnosti (Van Zanten 1997, 353–354).

Francoska politika se ravna po načelu, da je ne zanima izvor francoskih državljanov. Politika »manjšin« ne obstaja, niti ne obstaja sama ideja »manjšine« kot take. V skladu s takim pojmovanjem morajo etnične, kulturne, jezikovne in verske posebnosti ostati stvar privatnega življenja in se jih ne bi smelo priznavati v javnem življenju (Krief 1999). Vendar pa realnost ni vedno tako skladna z omenjenimi idejami. Čeprav javna sfera v Franciji res v precejšnji meri temelji na univerzalističnih načelih republikanskega modela, se vseeno najde v njej tudi prostor za izražanje partikularnih identitet. V novejšem času lahko kot primer za to navedemo prizadevanja francoskih vlad za vključitev islama v francosko versko življenje ter promoviranje regionalnih jezikov v francoskem izobraževalnem sistemu (po odločitvi bivšega predsednika vlade Lionela Jospina aprila 2001) (Cohen 2002, 56). Če se ozremo nekoliko bolj v preteklost, pa lahko opazimo, da so v Franciji že leta 1925 obstajali programi ohranjanja jezikovne in kulturne dediščine (*Programmes d'enseignement des langues et cultures d'origine* – ELCO). Ti programi so bili namenjeni ohranjanju jezikov in kultur priseljskih skupnosti, vendar pa niso imeli stabilnega državnega financiranja. Priseljske skupnosti so bile tako prepuščene samim sebi glede financiranja teh programov (Archibald 2002, 43). Vzporedno s temi programi so bili

leta 1970 ustanovljeni posebni razredi za nefrankofonske otroke priseljencev in sicer z namenom, da bi jim pomagali pri učenju francoščine in prilagajanju francoskemu izobraževalnemu sistemu. V začetku so ti razredi obstajali le v osnovnih šolah, leta 1973 pa so jih uvedli tudi v srednje šole (Archibald 2002, 43). Namen snovalcev francoske izobraževalne politike je bil, da bi nekako povezali te programe s programi ohranjanja jezikovne in kulturne dediščine in tako spodbujali dvojno (jezikovno, kulturno) identiteto priseljenjskih otrok. To naj bi pripomoglo k boljšim šolskim uspehom teh otrok, čeprav se je pozneje izkazalo, da uspehi takšnih iniciativ niso ravno prepričljivi. Tako je Francija med letoma 1975 in 1987 sklenila bilateralne sporazume o poučevanju maternega jezika z osmimi tujimi državami (Bleich 1999, 69). V okviru bilateralnega sporazuma s Turčijo, na primer, so bili rekrutirani turški učitelji za poučevanje turškega jezika, turške zgodovine in geografije v francoskih šolah. Poleg tega je turška priseljenjska skupnost v Franciji precej pridobila še z enim sporazumom, s katerim ji turška vlada zagotavlja usluge imama, verskega voditelja. Verski voditelji so v turških priseljenjskih skupnostih po vsej državi in pripomorejo k ohranjanju narodne, kulturne in verske identitete turških priseljencev in njihovih otrok (Archibald 2002, 43–44).

Tako kot v izobraževanju tudi v zaposlovanju prevladuje univerzalistični princip. Vladne politike za boj proti brezposelnosti, za pospeševanje zaposlovanja in integracije na trg delovne sile niso usmerjene posebej na priseljenjsko populacijo, pač pa vlada pri tem obravnava priseljence skupaj z drugimi skupinami brezposelnih, kot so, na primer, dolgo časa brezposelni, ženske, invalidi in mladi (Gineste 1999). Kljub prevladovanju univerzalističnega principa lahko v zadnjih letih tudi v zaposlovanju opazimo manjše odklone od tega principa. Tako na primer vlada prek ministrstva za delo in solidarnost neposredno financira nekatere

ukrepe družbeno-zaposlitvenega prilagajanja za begunce in prosilce za azil. Ministrstvo za zaposlovanje je leta 1997 uvedlo »Program za integracijo/reintegracijo in boj proti nepismenosti«, ki je bil namenjen posebej beguncem.

V nasprotju z nemško je francoska politika precej manj uspešna pri integraciji otrok priseljencev na trg dela. Delež brezposelnih je sicer v Franciji večji pri vseh skupinah, tako avtohtonih kakor priseljencih, vendar je med priseljenci stopnja brezposelnosti še posebej velika (The EFFNATIS Project 2001, 49–51).

Če se zadržimo še malo pri odklonih od univerzalističnih republikanskih principov in programih, ki so namenjeni posebej priseljencem, moramo omeniti tudi organizacijo FAS (*Fonds d'action sociale*). FAS je bil ustanovljen leta 1958 kot *Fonds d'action sociale pour les travailleurs immigrés et leurs familles*. Njegov cilj je bilo pospeševanje integracije priseljencev z različnimi družbenimi akcijami, stanovanjskimi programi, izobraževalnimi in poklicnimi programi ter kulturnimi dejavnostmi. Med njegovimi programi je bilo tudi pospeševanje učenja francoskega jezika. FAS je tako postal glavni instrument za integracijo priseljencev v Franciji (Archibald 2002, 34).

Francija je leta 1982 tudi spremenila zakone, ki so urejali svobodo združevanja, in tujcem, ki bivajo na njenem ozemlju, zagotovila pravico do ustanavljanja združenj. Priseljenska združenja se lahko povezujejo z organizacijami javnega sektorja, da bi promovirale skupne interese in cilje priseljenskih skupin. Leta 1984 je bilo tako ustanovljeno Združenje turških priseljencev (ELELE) s posebnim namenom – pospešiti integracijo turških priseljencev (odraslih in otrok) v francosko družbo. ELELE dobiva denar od FAS in od mesta Pariz (Archibald 2002, 44).

V okviru FAS je bila leta 1999 ustanovljena delovna skupina za pravico do učenja jezika. Delovna skupina naj bi preučila številne

zadeve (potrebe po jezikovnih tečajih, kakovost jezikovnih tečajev za tujce, učinkovitost tečajev, stanje na področju zaposlovanja, diskriminatorne prakse zaposlovanja itd.) in na koncu podala svoje predloge za administrativne in morda celo politične in pravne reforme. Glavni cilj naj bi bil zagotoviti prosilcem za državljanstvo pravico do učenja francoskega jezika – da ne bo to še naprej samo njihova dolžnost, medtem ko sistem ne omogoča, da bi vsi imeli možnost to dolžnost uresničiti (Archibald 2002, 51).

Glede državljanstva in naturalizacije velja Francija za eno bolj odprtih evropskih držav. Tujec lahko vloži prošnjo za francosko državljanstvo po petih letih stalnega bivanja v Franciji. Otroci avtomatično dobijo francosko državljanstvo, če je vsaj eden od staršev francoski državljan. Otroci tujcev, rojeni v Franciji, pa lahko pridobijo francosko državljanstvo: a) pri 13 letih, če imajo za to dovoljenje staršev in če so pet let pred svojim 13. rojstnim dnevom stalno živeli v Franciji; b) pri 16 letih, če izpolnjujejo zahtevo po petletnem predhodnem bivanju v Franciji; ali c) pri 18 letih, če so od svojega 11. leta starosti vsaj pet let živeli v Franciji.¹⁴ Obstaja tudi možnost dvojnega državljanstva. Zanimivo je, da ima več kot polovica otrok priseljencev v Franciji več kot eno državljanstvo (The EFFNATIS Project 2001, 54). Kljub temu da francoski zakon omogoča preprosto naturalizacijo za drugo generacijo priseljencev, pa so pogoji za naturalizacijo priseljencev prve generacije precej podobni kot v Nemčiji oziroma na nekaterih področjih (dokazovanje asimilacije) celo ostrejši (Hagedorn 2001, 247–248). Postopki so lahko zelo dolgotrajni, za zunanjega opazovalca včasih absurdni, za prosilce, ki morajo v njih dokazovati, da so zadošči integrirani (asimilirani) v francosko družbo, pa včasih mučni bolj, kot bi pričakovali.¹⁵

Š V E D S K A

Švedska se srečuje z imigracijo vse od druge svetovne vojne in ima od sredine 70. let jasno imigracijsko politiko, ki vključuje tudi integracijsko komponento. Glavna značilnost švedske imigracijske in integracijske politike je težnja k omejevanju nadaljnjega priseljevanja in spodbujanje integracije tistih priseljencev, ki jih je država že sprejela. V tem kontekstu se še posebej spodbuja integracija otrok priseljencev (The EFFNATIS Project 2001, 36).

Splošni cilj švedske politike je (bil) oblikovanje multikulturene družbe. Multikulturalizem določajo enake pravice na vseh področjih socialnega življenja, svobodna etnična, verska in kulturna identifikacija ter integracija v politično skupnost (volilna pravica na lokalnih volitvah za vse stalne prebivalce s tujim državljanstvom, razmeroma lahki pogoji za pridobitev švedskega državljanstva, dopuščanje dvojnega državljanstva v nekaterih primerih, podpora manjšinskim in priseljenkim organizacijam) (The EFFNATIS Project 2001, 36).

Leta 1975 oblikovana imigracijska politika je bila združena z manjšinsko politiko. Švedska vlada je namreč menila, da začetni problemi adaptacije priseljencev v končni fazi prerastejo v probleme etabliranih etničnih in verskih manjšin. Zato je zasnovala skupno imigracijsko in manjšinsko politiko s tremi glavnimi cilji: »enakostjo«, »svobodo izbire« in »partnerstvom« (Soininen 1999, 687).

Enakost odraža najbolj temeljno načelo oziroma vodilni princip švedskega modela in socialne države. Glavni instrument zagotavljanja enakosti je bila in še vedno je vsa splošna socialna politika: zdravstveno varstvo, socialna podpora, vrtci, brezplačno obvezno šolstvo, dostop do višje izobrazbe na podlagi uspehov in kvalifikacij, razmeroma pravičen sistem pokojnin in razmeroma pravičen trg dela. Vpeljava enakosti v kontekstu imigracije je zavračala sis-

tem gostujočih delavcev (*Gastarbeiter*), kakršnega sta poznali Nemčija in Švica. Priseljeni delavci naj bi uživali enake socialne in ekonomske pravice kot švedski državljani. Lahko so pripeljali na Švedsko tudi svoje družine (Westin 2000, 24–25).

Svoboda izbire, tako kot tudi enakost, odraža liberalno tradicijo idej, ki izvirajo iz francoske revolucije. Njena glavna ideja je, da posamezniki sami določajo svojo kulturno pripadnost in identiteto, ne pa kolektivi, organizacije ali etnične skupine. Njen cilj pa je bil preprečevati prisilno in nekompromisno asimilacijo posameznikov. Medtem ko naj bi enakost dosegli s splošnimi socialnimi politikami, naj bi bila svoboda izbire dosežena z instrumenti, ki posebej upoštevajo potrebe priseljske populacije. Eden od pomembnih uporabljenih instrumentov je bila pravica otrok priseljencev do učenja maternega jezika v šoli – pod pogojem, da je bilo dovolj otrok za organizacijo jezikovnega tečaja. Maternega jezika so se otroci lahko učili tudi že v vrtcih. Danes je splošno ozračje na Švedskem manj naklonjeno kulturnemu pluralizmu kot nekoč. Učenje maternega jezika za otroke priseljencev se ne zdi več tako pomembno, več pozornosti je namenjene temu, da so otroci priseljencev deležni izobraževanja v švedščini. Usmerjene politike, ki podpirajo svobodo izbire, niso najpomembnejša prednostna naloga lokalnih oblasti, ker so običajno predrage (Westin 2000, 24–27).

Partnerstvo, kot tretji cilj imigracijske in manjšinske politike, pa odraža potrebo po medsebojni strpnosti in solidarnosti med priseljenci in domačini (Švedi). Omenjeni cilj lahko razumemo kot zavrnitev socialne izključenosti, rasizma in diskriminacije na etnični in rasni podlagi. Za dosego partnerstva sta bila uporabljena dva glavna instrumenta: podpora priseljskim organizacijam in razširitev političnih pravic priseljencev. Oba instrumenta nekako temeljita na dobrih izkušnjah švedskega delavskega gibanja v XX. stoletju, ki se je razvilo kot demokratična mreža organizacij,

povezanih v hierarhično strukturo, in je s predanostjo svojih članov brez finančne podpore iz javnih sredstev doseglo lepe rezultate ter pripomoglo k razvoju Švedske iz revne podeželske družbe v sodobno socialno državo. Izhajajoč iz teh izkušenj so oblasti spodbujale tudi priseljence, naj se organizirajo in ustanovijo lokalne in nacionalne organizacije. Številne skupine priseljencev so se hitro odzvale, vendar pa so se kmalu pokazale tudi težave. Da bi bile upravičene do finančne pomoči iz javnih sredstev, so morale organizacije priseljencev sprejeti demokratične metode dela. Sprejeti so morale vrsto statotov, ki so predpisovali postopke ravnanja v različnih okoliščinah, ki bi lahko nastale. Članstvo v organizaciji je moralo biti odprto za vse. Vodilni odbor organizacije je moral biti demokratično izvoljen. Takšne zahteve so bile številnim priseljencem tuje iz kulturnih razlogov. Organizacijske infrastrukture, ki se je razvila med bojem za izboljšanje življenjskih pogojev na Švedskem v zgodnjem XX. stoletju, se ni dalo tako preprosto prenesti v organizacije, kakršne so si želeli priseljenci iz Jugoslavije, Turčije, Poljske, Čila, Irana ... Drugi dve pomembni sredstvi za zagotavljanje partnerstva sta bili razširitev političnih pravic priseljencev in spodbujanje naturalizacije. Švedsko državljanstvo temelji na principu *ius sanguinis*. To pomeni, da otroci pridobijo državljanstvo svojih staršev. Če je nekdo rojen na Švedskem, še ni avtomatično upravičen do švedskega državljanstva. Vseeno pa ima Švedska naturalizacijo za pomemben instrument integracije in zato spodbuja stalno naseljene tujce, da pridobijo švedsko državljanstvo. Državljeni nordijskih držav lahko pridobijo švedsko državljanstvo po dveh letih stalnega bivanja na Švedskem, državljani drugih držav pa po petih letih. Za pridobitev švedskega državljanstva ni treba opraviti nobenega preizkusa (o poznavanju švedske družbe, švedskega jezika ipd.), zahtevajo pa »lepo vedenje«. To pomeni, da tujci, ki so bili že kdaj obsojeni zaradi kaznive-

ga dejanja na zaporno kazen, ne morejo dobiti švedskega državljanstva. Čeprav je švedsko državljanstvo razmeroma lahko pridobiti, pa se precejšnje število na Švedskem stalno živečih tujcev ne odloči za naturalizacijo. Kljub temu uživajo enake socialne in ekonomske pravice kot švedski državljani. Enako velja za pravico do izobraževanja. Plačujejo tudi davke in tako prispevajo svoj del švedski družbi. Leta 1976 so dobili še pravico voliti na občinskih in regionalnih volitvah.¹⁶ Pojavili so se tudi predlogi, da bi jim podelili pravico voliti na parlamentarnih volitvah, vendar se to zaradi različnih nasprotovanj ni nikdar uresničilo. Švedska je namesto tega sprejela pravico do dvojnega državljanstva (Westin 2000, 24–29).

Leta 1986 je švedski parlament ponovno razpravljal o statusu priseljenjskih skupnosti in sklenil, da priseljenjske skupnosti ne morejo imeti statusa »etničnih manjšin«, katerih posebne potrebe in interesi so zaščiteni z ustavo. Nadaljnje povezovanje imigrantске in manjšinske politike bi pomenilo, da lahko vse družbene skupine zahtevajo enake možnosti za ohranjanje in razvijanje svojega maternega jezika, kulture in religije, kar pa v praksi ni izvedljivo glede na praktične in ekonomske omejitve. »Imigrantska in manjšinska politika« se je tako sredi 80. let preimenovala v zgolj »imigrantsko politiko« (Soininen 1999, 689–690).

Zunanji opazovalci pogosto pozitivno ocenjujejo švedsko imigracijsko politiko, predvsem njeno liberalnost pri naturalizaciji in radodarno delitev socialnih pravic priseljencem in tudi možnosti, da vplivajo na politiko. Vendar pa so številne raziskave pokazale, da omenjena politika ni pretirano uspešna pri integraciji priseljencev. Brezposelnost med priseljenci (predvsem tistimi, ki prihajajo iz neevropskih držav, pa tudi iz bivše Jugoslavije) je izjemno visoka, otroci priseljencev imajo kljub enaki izobrazbi in drugim kvalifikacijam precej manj možnosti, da dobijo delo, kot njihovi

švedski vrstniki, poleg tega pa imajo priseljenci v primerjavi s Švedi tudi nižje dohodke in so socialno manj mobilni (Soininen 1999, 693–694). Nobenih znamenj ni, da bi se segregacija na stanovanjskem področju začinjala zmanjševati. Zdravstvene statistike kažejo, da so priseljenci precej slabšega zdravja kot Švedi. Poleg tega so v primerjavi s Švedi precej bolj odvisni od socialne pomoči, če upoštevamo njihov delež v celotnem prebivalstvu. Oblast sicer ne dvomi o pravici do socialne pomoči, vendar pa velika odvisnost od socialne podpore pripomore h krepitvi starih predsodkov proti priseljencem. H krepitvi predsodkov pripomore tudi stopnja kriminala, ki je med priseljenci višja kot med Švedi. Vseeno pa je spodbudno to, da je stopnja kriminala med otroki priseljencev manjša kot pri njihovih starših, kar lahko kaže na pozitivne težnje v integraciji (visoka stopnja kriminala med priseljenci je namreč indikator neučinkovite integracije). Pomeni pa tudi, da je integracija v imigrantsko družbo dolgotrajen proces (Westin 2000, 63).

Zaradi številnih kazalcev neučinkovite integracije so se na Švedskem začele pojavljati kritike imigracijske politike, ki je obravnavala priseljence po skupinah (izbrani ukrepi za posamezne [etnične] skupine) in je temeljila na filozofiji, da je treba za priseljence skrbeti (*the taking-care-of philosophy*), iz česar izhaja, da so priseljenci strošek za državo in družbo, ne pa potencial, ki bi lahko prispeval k njenemu razvoju.¹⁷ Kot rezultat čedalje številnejših kritik je leta 1997 staro imigracijsko politiko nadomestila nova integracijska politika, ki je usmerjena na celotno družbo in katere cilji so: enake pravice in možnosti za vse državljane, ne glede na etnični ali kulturni izvor; družba, ki temelji na različnosti; medsebojno spoštovanje in toleranca.¹⁸

Posebni integracijski ukrepi so priseljencem na Švedskem na voljo dve do tri leta, po preteku tega uvodnega obdobja pa se, če

je to potrebno, uporabijo splošni ukrepi socialne politike. Vsaka občina je odgovorna za to, da odraslim priseljencem zagotovi tečaj švedskega jezika in tečaj spoznavanja glavnih značilnosti švedske družbe. Ta izobraževalni program naj bi trajal okvirno 525 ur, vendar se dolžina programa lahko prilagaja (Thoursie 1999). Občine dobijo od vlade nadomestilo za stroške, ki jih imajo s priseljenci v tem uvajalnem obdobju.¹⁹

Vlada podpira tudi kulturne dejavnosti priseljencev: subvencionira literaturo v različnih manjšinskih jezikih (javnim knjižnicam so na voljo posebni fondi, iz katerih lahko črpajo denar za nabavo tuje literature), »etnični« tisk je upravičen do enakih subvencij kot švedski tisk, švedska radio in televizija pa tedensko oddajata programe v več priseljskih jezikih.²⁰

Leta 1998 je bil ustanovljen tudi Nacionalni odbor za integracijo, katerega glavna naloga je pospeševanje integracije priseljencev v švedsko družbo. Eden od projektov, ki se jih je lotil odbor, je program Različnost na delovnem mestu. Od podjetij, organizacij in oblasti zahteva, da morajo bolj enakopravno zastopati različne etnične, verske in kulturne skupine v delovnih kolektivih. Vendar se stvari odvijajo počasi. Predvsem je to težko za večja podjetja in organizacije, saj je za dosego takšnega cilja najpomembnejše predvsem oblikovanje ali spreminjanje odnosov in ne toliko sama namestitve in razporeditev delavcev z različnim etničnim, verskim in kulturnim ozadjem v celotnem delovnem kolektivu (Westin 2000, 62).

Multikulturna družba lahko kot taka zaživi šele, ko multikulturalnost sprejmejo navadni ljudje. Sama odločitve političnih elit, da bodo oblikovale multikulturno družbo, v kateri bodo različne kulture enakopravno živele druga z drugo, je premalo, da bi se ta cilj udejanjil v praksi. In nekaj podobnega se je zgodilo na Švedskem – politični voditelji so si v 70. letih z velikim navdušenjem, a precej na hitro in brez širših in poglobljenih javnih razprav (Run-

blom 1998) zadali cilj, da bodo dotedanjo politiko asimilacije nadomestili s politiko multikulturalizma in tako ustvarili multikulturno družbo, ki bo temeljila na načelih enakosti, svobodne izbire kulture in partnerstva. Vendar, kot pravi Runblom (1998), je bilo glede na dolgoletno švedsko etnično in jezikovno homogenost ter omejene izkušnje z reševanjem manjšinskih vprašanj praktično nemogoče, da bi politiko pluralizma uresničevali brez težav.

Danes se zastavlja vprašanje, ali je švedska družba še pripravljena doseči cilj, ki si ga je zastavila v 70. letih – multikulturalizem. Westin (2000) opozarja, da integracijske politike na Švedskem vse preveč spominjajo na politike prikrite asimilacije. Kot pravi, bi za »multikulturno« družbo, ki se danes razvija na Švedskem, zelo težko rekli, da jo označujejo kulturna različnost, medsebojno razumevanje in spoštovanje med različnimi etničnimi skupinami ter enak socialni status teh skupin (Westin 2000, 63). Široko zastavljena formalna enakost na socialnem področju se ne odraža v praksi, kar so potrdile tudi številne vladne raziskave. Zato grozi resna nevarnost, da bi se namesto multikulturne družbe razvila na Švedskem razredna družba, razdeljena na etnične in kulturne linije (Westin 2000, 63; Soininen 1999, 695).

SLOVENIJA

V Sloveniji priseljenci v grobem sestavljajo dve oziroma tri skupine z različnim statusom – prvo skupino sestavljajo tisti, ki imajo slovensko državljanstvo, drugo pa tisti, ki ga nimajo, pri čemer se ta skupina deli še na dve podskupini – na priseljence, ki imajo v Republiki Sloveniji stalno prebivališče, in priseljence, ki imajo samo začasno prebivališče. Tisti, ki imajo slovensko državljanstvo, so glede pravic in dolžnosti popolnoma izenačeni z ostalimi državljani Republike Slovenije. Ta skupina je v Sloveniji dejansko prevladujoča in jo v glavnem sestavljajo pripadniki drugih naro-

dov in narodnosti nekdanje skupne države, ki so po osamosvojitvi Slovenije lahko pridobili slovensko državljanstvo po poenostavljenem postopku v skladu s 40. členom Zakona o državljanstvu Republike Slovenije.²¹ Priseljencev, ki nimajo slovenskega državljanstva, je v Sloveniji razmeroma malo, zlasti v primerjavi z drugimi evropskimi državami. Po podatkih Ministrstva za notranje zadeve je bilo na dan 24. oktobra 2002 v Republiki Sloveniji 52.844 oseb, ki so imele urejen status tujca. Od tega jih je 17.389 imelo veljavna dovoljenja za stalno prebivanje, 31.000 pa veljavna dovoljenja za začasno prebivanje. Tudi v tej skupini priseljencev močno prevladujejo priseljenci iz nekdanjih republik bivše Jugoslavije, predvsem iz Bosne in Hercegovine. Priseljencev iz ostalih republik je precej manj in tudi živijo precej razkropljeno, tako da pri večini težko govorimo o skupnostih. Priseljencem (tujcem), ki imajo stalno prebivališče v Sloveniji, so z Zakonom o socialnem varstvu²² zagotovljene vse pravice iz socialnega varstva, priseljenci (tujci), ki nimajo dovoljenja za stalno prebivanje v Sloveniji, pa lahko uveljavljajo pravice do posameznih storitev in dajatev v primerih in pod pogoji, ki jih določa ta zakon. Glede volilne pravice naj omenim, da je bila le-ta do nedavnega rezervirana le za državljane Republike Slovenije, s spremembo Zakona o lokalnih volitvah²³ junija 2002 pa je bila delno razširjena tudi na priseljenca. Omejnjeni zakon namreč določa, da imajo tujci s stalnim prebivališčem v Republiki Sloveniji pravico voliti člane občinskega sveta na lokalnih volitvah.²⁴

Temelji za slovensko integracijsko politiko so bili postavljeni leta 1999, ko je državni zbor sprejel Resolucijo o imigracijski politiki Republike Slovenije.²⁵ V tej resoluciji je bila integracijska politika opredeljena kot eden od treh elementov imigracijske politike, ki »se nanaša na ukrepe države in družbe, ki zagotavljajo ugodne pogoje za kakovost življenja priseljenih, spodbujajo integracijo in

omogočajo, da priseljenci postanejo odgovorni udeleženci družbenega razvoja Slovenije«. Resolucija je upoštevala kulturno pluralnost slovenske družbe in je gradila cilje integracijske politike na načelih enakopravnosti, svobode in vzajemnega sodelovanja. Pri tem je bilo pod enakopravnostjo mišljeno »zagotavljanje enakih socialnih, ekonomskih in civilnih pravic«; svoboda naj bi predstavljala pravico »do izražanja kulturne identitete ob zagotovitvi spoštovanja integritete in dostojanstva vsakega posameznika in gojitve lastne kulture v skladu z zakoni in temeljnimi vrednotami Republike Slovenije«; vzajemno sodelovanje pa je bilo razumljeno »kot pravica do udejstvovanja in odgovornosti vseh v nepretrganem procesu ustvarjanja skupne družbe«.

Resolucija je začrtala pluralistični (multikulturni) model slovenske integracijske politike, ki omogoča priseljencem enakopravno vključitev v slovensko družbo in hkrati ohranja njihovo kulturno identiteto. Izbira pluralističnega modela se zdi edina primerna, smiselna in mogoča, ker upošteva dejansko večkulturnost slovenske družbe in sledi duhu slovenske ustave, ki v 61. členu vsakomur zagotavlja pravico, da »svobodno izraža pripadnost k svojemu narodu ali narodni skupnosti, da goji in izraža svojo kulturo in uporablja svoj jezik in pisavo«. ²⁶

Pluralistični model integracije, kakršnega je začrtala resolucija iz leta 1999, potrjuje tudi nova Resolucija o migracijski politiki Republike Slovenije, ²⁷ sprejeta 28. novembra 2002. Državni zbor mora namreč, v skladu z Zakonom o tujcih, ²⁸ na predlog vlade Republike Slovenije vsaki dve leti sprejeti »Resolucijo o migracijski politiki, s katero določi gospodarske, socialne in druge ukrepe ter dejavnosti, ki jih bo sprejela Republika Slovenija na tem področju, kakor tudi sodelovanje z drugimi državami in mednarodnimi organizacijami na tem področju.« Nova resolucija skoraj dobesedno povzema vsa določila, ki se v stari resoluciji nanašajo na

integracijsko politiko, opredelitvi ukrepov, na katere se integracijska politika nanaša, pa dodaja še aktivno preprečevanje diskriminacije, ksenofobije in rasizma.

Tako v stari kakor v novi resoluciji je tudi zapisano, da »bo integracijska politika vsebovala določene pravne okvire in družbene ukrepe, ki bodo spodbujali integracijo priseljencev v slovensko družbo, preprečevali diskriminacijo in družbeno obrobno in omogočali, da priseljenci izražajo in gojijo lastno kulturo in vrednote na podlagi spoštovanja osebne integritete in dostojanstva v skladu z zakoni Republike Slovenije.« Od sprejetja prve resolucije do danes so bili sprejeti trije zakoni, ki vsebujejo določila o integraciji priseljencev in tujcev v Republiki Sloveniji. To so Zakon o azilu (1999), Zakon o tujcih (1999) in Zakon o dopolnitvah zakona o začasnem zatočišču (2002).²⁹

Zakon o azilu v 19. členu zahteva od slovenske države, da zagotovi pogoje za vključitev beguncev (torej določene skupine priseljencev) v kulturno, gospodarsko in družbeno življenje Republike Slovenije, da organizira tečaje slovenskega jezika za begunce, tečaje in druge oblike za nadaljnje izobraževanje in poklicno izpopolnjevanje beguncev ter seznanja begunce s slovensko zgodovino, kulturo in ustavno ureditvijo.

Podobno tudi Zakon o tujcih v 82. členu nalaga Sloveniji dolžnost, da zagotovi pogoje za vključitev tujcev, ki imajo v Republiki Sloveniji dovoljenje za prebivanje, v kulturno, gospodarsko in družbeno življenje Republike Slovenije. Za doseg tega cilja naj bi država organizirala tečaje in druge oblike za nadaljnje izobraževanje in poklicno izpopolnjevanje tujcev; zagotavljala informacije, ki so potrebne tujcem za njihovo vključevanje v slovensko družbo, zlasti glede njihovih pravic in dolžnosti, možnosti osebnega razvoja in razvoja v družbi; seznanjala naj bi tujce s slovensko zgodovino, kulturo in ustavno ureditvijo ter organizirala skupne

prireditve s slovenskimi državljani za spodbujanje medsebojnega poznavanja in razumevanja. Pri tem naj bi država oziroma državni organi sodelovali tudi z drugimi organi, organizacijami in združenji (tudi mednarodnimi).

Tako Zakon o azilu kakor tudi Zakon o tujcih imata skupno pomanjkljivost – ne določata namreč, kdo natančno je v Republiki Sloveniji odgovoren za zagotavljanje in uresničevanje pogojev za integracijo tujcev in kako se ti pogoji v resnici zagotavljajo. Delno je bila sicer ta pomanjkljivost v Zakonu o tujcih odpravljena po dopolnitvah septembra 2002,³⁰ ko se je v zakon dodala določba, ki od vlade Republike Slovenije zahteva, da izda predpis, s katerim bo določila načine za zagotavljanje in uresničevanje omenjenih pogojev (4. točka 82. člena). V nasprotju z omenjenima zakonoma pa tretji slovenski zakon, ki vsebuje določbe o integraciji – Zakon o začasnem zatočišču³¹ – nalaga dolžnost za izvajanje integracijskih ukrepov Uradu za priseljevanje in begunce. Urad je v skladu z dopolnili Zakona o začasnem zatočišču³² (z dne 26. julija 2002) odgovoren, da v sodelovanju s pristojnimi ministrstvi zagotovi pomoč pri vključevanju oseb, ki so pridobile dovoljenje za stalno prebivanje po Zakonu o dopolnitvah zakona o začasnem zatočišču, v kulturno, gospodarsko in družbeno življenje Republike Slovenije. Pri tem naj bi Urad zagotavljal informacije o pravicah in dolžnostih, ki pripadajo tem osebam; zagotavljal naj bi pomoč pri uveljavljanju teh pravic in obveznosti; organiziral tečaje slovenskega jezika in tečajnike seznanjal s slovensko zgodovino, kulturo in ustavno ureditvijo; zagotavljal sredstva za opravljanje izpitov iz slovenskega jezika ter organiziral tečaje in druge oblike strokovnega usposabljanja. Urad je dolžan zagotoviti tudi sredstva za izvajanje omenjenih integracijskih ukrepov, izvajanje posameznih ukrepov pa lahko deloma ali v celoti prepusti človekoljubnim ali drugim organizacijam (25. a člen).

Pristojnost omenjenega urada za izvajanje integracijskih ukrepov najdemo tudi v Odloku o spremembi odloka o ustanovitvi Urada za priseljevanje in begunce.³³ V tem odloku je zapisano, da urad (med drugim) izvaja posamezne ukrepe v zvezi z integracijo beguncev in tujcev ter usklajuje njihovo izvajanje, prav tako pa tudi organizira informacijsko službo s področja begunske problematike, začasne zaščite in integracije beguncev ter tujcev in izdaja publikacije ter informativna gradiva s teh področij.

V vsakem izmed zgoraj omenjenih zakonov se določbe o integraciji nanašajo le na določeno populacijo priseljencev (na begunce; na osebe, ki so pridobile dovoljenje za stalno prebivanje po Zakonu o dopolnitvah zakona o začasnem zatočišču; na tujce – osebe, ki nimajo državljanstva Republike Slovenije). V Resoluciji o migracijski politiki Republike Slovenije pa najdemo tudi določbe o ukrepih, ki so prav tako pomembni za tiste priseljence, ki so morda že pridobili slovensko državljanstvo. Med takšne ukrepe sodijo: aktivno preprečevanje diskriminacije, ksenofobije, rasizma in družbene obrobnosti, omogočanje svobodnega izražanja in gojenja lastne kulture ter priprava programov za objektivno obveščanje javnosti o različnih vidikih, vzrokih in posledicah migracijskih gibanj, kar naj bi pripomoglo k preprečevanju morebitnega razraščanja ksenofobije in odklonilnega odnosa do priseljencev.

Prepoved diskriminacije in enakost pred zakonom sta v Sloveniji zagotovljeni že z ustavo (14. člen), konkretnjših programov za aktivno preprečevanje diskriminacije priseljencev na različnih področjih družbenega življenja pa za zdaj v Sloveniji nimamo. Slovenska ustava tudi vsakomur zagotavlja pravico do svobodnega izražanja pripadnosti k svojemu narodu ali narodni skupnosti, do gojitve in izražanja svoje kulture ter uporabe svojega jezika in pisave (61. člen), vendar pa je država dokaj skopa z ukrepi, ki bi spodbujali ohranjanje in razvoj kulture in kulturnih dejavnosti

priseljencev oziroma priseljenskih skupnosti. Med ukrepi, ki jih za to področje Slovenija vseeno ima, naj omenim dvoje. Prvič, na Ministrstvu za kulturo imajo programe financiranja kulturnih dejavnosti in projektov, ki od leta 1992 vključujejo tudi »sofinanciranje ljubiteljske kulturne dejavnosti priseljencev in priseljenskih skupnosti v Sloveniji, zlasti še financiranje klubov in društev priseljencev pripadnikov 'drugih narodov in narodnosti' nekdanje jugoslovanske federacije« (Žagar 2002, 36). Kakor ugotavlja Žagar, so sredstva, ki so namenjena tej dejavnosti, še vedno precej manjša od potrebnih, kljub temu da kulturna društva »tipičnih« priseljencev doslej praviloma niso prijavljala svojih projektov na razpise Ministrstva za kulturo (Žagar 2002, 36). Druga vrsta ukrepov, ki pripomorejo k ohranjanju in razvoju kulture priseljencev, pa zajema programe dopolnilnega pouka maternega jezika in kulture za učence drugih narodnosti v Sloveniji. V Ljubljani, Mariboru, Kranju, Novi Gorici in na Jesenicah tako imajo dopolnilni pouk makedonskega jezika in kulture za učence makedonske narodnosti,³⁴ v Ljubljani pa tudi pouk arabskega jezika.³⁵

Omenjeni programi vsekakor sodijo v sklop ukrepov integracijske politike, kakršno predvideva Resolucija o migracijski politiki Republike Slovenije, vendar pa je to le majhen del ukrepov, ki bi jih Slovenija na podlagi omenjene resolucije morala sprejeti.

Z A H L J U Č E H

Iz pregleda integracijskih politik Nemčije, Francije in Švedske lahko zaključimo, da nobeden od treh modelov integracije ne zagotavlja v vseh pogledih uspešnega vključevanja priseljencev v večinsko družbo in njene institucije. Povsod se pojavljajo določeni problemi in odstopanja od zastavljenih ciljev in namenov.

Model diferenciranega izključevanja temelji na napačni predpostavki, da se bodo priseljenci po nekem obdobju (ali opravlje-

nem delu) vrnili tja, od koder so prišli, zato predvideva le njihovo delno integracijo oziroma integracijo le na nekaterih področjih družbenega življenja (na primer na trgu dela). Ta model ustvarja dve kategoriji prebivalstva – državljane in priseljence brez državljanstvih pravic oziroma celo brez možnosti, da bi jih pridobili tudi po daljšem nepretrganem obdobju bivanja v državi (kar lahko velja tudi za njihove potomce). Segregacija na področju državljanstva ter političnih in (običajno tudi) socialnih pravic pa vodi v razvoj različnih, zaprtih kulturnih ali etničnih skupnosti v državi, kar prav gotovo ne pripomore h kohezivnosti družbe in enakopravnemu razvoju vseh njenih delov, pozneje pa postane tudi potencialni vir napetosti in konfliktov. Omenjeni model integracije se je izkazal za neustreznega tudi v Nemčiji, ki prav zdaj spreminja svojo integracijsko politiko. Leta 2000 je omilila svojo naturalizacijsko zakonodajo, poleg tega pa skuša sprejeti novi imigracijski zakon, ki bi uvedel tudi različne integracijske ukrepe za pomoč priseljencem pri vključevanju v nemško družbo.

Asimilacijski model zahteva v zameno za enakopravnost priseljencev z drugimi državljani v javnem življenju njihovo popolno podreditev normam in običajem večinske družbe in kulture. V praksi se je izkazalo, da kulturna identiteta ni nekaj, kar bi se dalo preprosto nadomestiti z drugo (večinsko) ali pa jo omejiti zgolj na ozko zasebno sfero (kot to zahteva francoski model integracije), da formalna enakopravnost ne zagotavlja tudi dejanske enakopravnosti v praksi, da se neenakovreden položaj priseljencev kaže na različnih področjih družbenega življenja in da so, kljub poudarjanju enakosti, nekateri državljani bolj enaki od drugih. Francosko uradno vztrajanje pri univerzalističnih republikanskih načelih in zavračanje posebnih ukrepov za pomoč manjšinskim skupnostim je praktično absurdno zaradi dejstva, da hkrati s takšno uradno politiko že nekaj časa obstajajo tudi razli-

čni programi, usmerjeni v pomoč priseljskim manjšinskim skupnostim. To nedvomno kaže na to, da zgolj zagotavljanje enakih individualnih pravic priseljencem ne omogoča tudi zares enakih možnosti na vseh področjih družbenega življenja in udejstvovanja ter da so za to potrebni nekateri posebni ukrepi.

Multikulturni model integracije predvideva čim bolj enakopravno vlogo in položaj različnih etničnih skupnosti in njihovih pripadnikov v državi. Priseljencem dopušča ohranjanje njihove kulture in jezika, zahteva pa od njih, da sprejmejo nekatere temeljne politične vrednote in institucije večinske družbe. Priseljenci s stalnim prebivališčem v državi se glede pravic močno približujejo državljanom. Švedska, ki se je sredi 70. let podala na pot multikulturalizma, je priseljencem dala veliko socialnih in političnih pravic, enakopravnost z večinskim prebivalstvom, omogočila jim je dostop in sodelovanje v vseh institucijah švedskega sistema, poleg tega pa je uvedla tudi posebne ukrepe za pomoč priseljencem v prvih letih bivanja na Švedskem. Pa vendar so raziskave pokazale, da integracija ne poteka pretirano uspešno in da se na vseh področjih pojavljajo problemi. V 80. letih je Švedska ugotovila, da se je prenaglila, ko je imigrantsko politiko povezala z manjšinsko politiko, ker so praktične in ekonomske omejitve onemogočale zagotavljanje povsem enakopravnega položaja vseh etničnih skupnosti v državi. Ni pa tudi bilo široke podpore in pripravljenosti celotnega prebivalstva na izvajanje takšne politike. V 90. letih so se pojavile tudi kritike na račun obravnavanja priseljencev kot homogene skupine, za katero je treba skrbeti, namesto da bi vsakomur omogočili, da bi lahko skrbel zase. Zato se je konec 90. let fokus švedske integracijske politike preusmeril od priseljskih skupnosti na celotno družbo, ki naj bi zagotavljala enake pravice in možnosti za vse državljane ne glede na etnični ali kulturni izvor, temeljila na različnosti, medsebojnem spoštovanju in toleranci.

Slovenska integracijska politika je še precej na začetku poti. Z resolucijo o imigracijski politiki Republike Slovenije so bili sicer načrtani cilji in smernice integracijske politike, ki predvidevajo vpeljavo pluralističnega modela integracije. Imamo tudi že nekatere pravne in zakonske podlage, na katerih naj bi takšna politika temeljila,³⁶ vendar pa izoblikovanih integracijskih programov, ki bi omogočili uresničevanje teh zakonskih določil, še nimamo. Integracijske programe bo seveda treba čim prej pripraviti. Mirovni inštitut je v letu 2002 v okviru projekta »Slovenski model' migracijske politike: perspektive in možnosti države na 'schengenski periferiji'« pripravil nekaj priporočil in predlogov za oblikovanje nekaterih integracijskih programov,³⁷ tu pa dodajamo še nekaj smernic, ki bi jih bilo pri pripravi programov dobro upoštevati:

- programi naj bodo utemeljeni na pluralističnem modelu, kakršnega je načrtala že Resolucija o imigracijski politiki Republike Slovenije, in ki mu sledi tudi nova Resolucija o migracijski politiki Republike Slovenije;
- programi morajo jasno določiti načine in pogoje za učinkovito in dosledno izvajanje zastavljene integracijske politike;
- programi morajo jasno določiti in razmejiti pristojnosti in naloge posameznih akterjev, ki bodo pristojni za njihovo izvajanje;
- v programih mora biti jasno opredeljeno, na koga se posamezni ukrepi nanašajo in kdo je odgovoren za njihovo financiranje;
- jasno morajo biti opredeljene pravice, dolžnosti in morebitni privilegiji priseljencev, ki se odločijo za sodelovanje v (uvodnih) integracijskih programih;
- integracijski programi bi morali biti prostovoljni, vendar naj država s konkretnimi ukrepi spodbuja priseljence, da se teh programov udeležijo;
- integracijska politika mora upoštevati, da priseljenci niso enotna skupina ljudi z enakimi značilnostmi, interesi in potrebami –

zato bi morali imeti individualne integracijske načrte, ki bi bili, v skladu z možnostmi, prilagojeni posameznemu priseljencu, oziroma, če bi priseljenci sami tako želeli, tudi posameznim priseljenskim skupnostim;

- v programih morajo biti predvideni tudi ukrepi za preprečevanje pritiskov na asimilacijo priseljencev;
- pri načrtovanju in izvajanju integracijskih programov bi morali vključiti oziroma spodbujati k sodelovanju tudi zainteresirane ne-vladne organizacije;
- vsi ukrepi, ki sodijo v integracijsko politiko, naj bodo (v grobem) zbrani v enem samem dokumentu, s čimer bo zagotovljena njihova preglednost;
- vzpostaviti bi morali mehanizem spremljanja in dolgoročnega merjenja učinkov integracijskih ukrepov,³⁸ da bi lahko ocenjevali njihovo uspešnost ter popravljali in odpravljali tiste, ki bi se izkazali za neučinkovite;
- programi naj poudarjajo, da je integracija proces, ki zadeva celotno družbo; poskrbijo naj za ukrepe, ki bodo obveščali in oza-veščali javnost o tem procesu ter spodbujali predstavnike večinske družbe, da bodo v njem aktivno sodelovali.

Prav na zadnjo točko pri integracijski politiki pogosto pozabljamo, čeprav je za doseganje ciljev enako pomembna kot vse druge. Verjetno prav vsi integracijski ukrepi, kakršnikoli že, ne bodo dali zadovoljivih rezultatov, če ne bomo razmišljali tudi o tem, kako širšo družbo pripraviti do tega, da bo bolj odprta do drugih in drugačnih in da bo znala sprejemati in spoštovati kulturne razlike med ljudmi. Glavni del integracije se namreč dogaja na lokalnih, mikroravnih, v različnih vsakodnevnikih stikih s prebivalci v nekem okolju. Če ti niso pripravljeni odigrati svoje vloge v integracijskem procesu, potem tudi vsi drugi ukrepi in prizadevanja ne bodo prinesli zelenih rezultatov.

¹ Gl. na primer poročilo nemške neodvisne komisije »Zuwanderung«, ki je pripravljala priporočila za novo nemško imigracijsko politiko. Naslov poročila je »Zuwanderung gestalten, Integration fördern«. <<http://www.uni-konstanz.de/FuF/ueberfak/fzaa/german/dokdown/Bericht-zuwanderungskommission.pdf>> (17. oktober 2002).

² Originalno ime skupine je »Specialist Group on Integration and Community Relations«, njena priporočila glede integracijskih politik pa so bila objavljena v Coussey (2000).

³ Med takšne pogodbe sodijo na primer: Konvencija o statusu beguncev in newyorški protokol, Mednarodna konvencija o odpravi vseh oblik rasne diskriminacije, Evropska konvencija o človekovih pravicah, Evropska socialna listina, Evropska konvencija o pravnem statusu delavcev migrantov, Evropska konvencija o državljanstvu, Konvencija o sodelovanju tujcev v javnem življenju na lokalni ravni itd.

⁴ Staatsangehörigkeitsgesetz, člen 4/3, gl. Staatsangehörigkeitsgesetz (StAG), vom 22. Juli 1913 (RGBl. S. 583), in der im BGBl. III, Gliederungsnummer 102-1, veröffentlichten bereinigten Fassung, zuletzt geändert durch das Gesetz zur Reform des Staatsangehörigkeitsrechts vom 15. Juli 1999 (BGBl. I S. 1618). <<http://www.rpkassel.de/service/gesetze/texte/s/staatsangehoerigkeit.htm>> (7. januar 2003).

⁵ Staatsangehörigkeitsgesetz, člen 29.

⁶ Med temi programi naj omenim: binacionalne poklicno-izobraževalne programe za mlade tujce v sodelovanju z Grčijo, Italijo, Portugalsko, Španijo in Turčijo; spodbujanje izobraževanja priseljencev v tujih podjetjih v Nemčiji; tečaje za odpravo izobrazbenih deficitov pri mladih tujcih; spodbujanje izobraževanja mladih žensk in žensk, ki so se pred kratkim priselile v Nemčijo ... (Vogler-Ludwig 1999).

⁷ Gl. Fragen und Antworten zum Zuwanderungsgesetz. <http://www.bundesregierung.de/top/dokumente/Struktur/ix_73478.htm?template=single&id=73478_1640&script=1&ixepf=_73478_1640> (20. julij 2002).

⁸ Del stroškov integracije se lahko pripiše tudi samim priseljencem (glede na njihove finančne zmožnosti). Gl. <http://www.bundesregierung.de/top/dokumente/Struktur/ix_73478.htm?template=single&id=73478_1640&script=1&ixepf=_73478_1640> (20. julij 2002).

⁹ Gl. Übersicht der Neuregelungen des Zuwanderungsgesetzes. <http://www.bmi.bund.de/top/dokumente/Artikel/ix_87208.htm> (19. julij 2002).

¹⁰ *Migration News*, julij 2002. <http://migration.ucdavis.edu/mn/archive_mn/july_2002-08mn.html>.

¹¹ Gl. <http://www.bafpl.de/bafpl/template/index_integration.htm> (19. julij 2002).

¹² Gl. <http://www.bafpl.de/bafpl/template/index_integration.htm> in <<http://eng.bundesregierung.de/frameset/index.jsp>> (19. julij 2002).

¹³ Gl. Übersicht der Neuregelungen des Zuwanderungsgesetzes. <http://www.bmi.bund.de/top/dokumente/Artikel/ix_87208.htm> (19. julij 2002).

¹⁴ Gl. The state of refugee integration in the European Union. A working paper. Background paper for the conference on the integration of refugees in Europe. ECRE Task Force on Integration. 12.–24. november 1998. Antwerpen – Belgium. <<http://www.ecre.org/research/refinwp.doc>> (16. februar 2002).

¹⁵ Več o konkretnih zgodbah prosilcev za francosko državljanstvo si lahko preberete v članku Mauricea T. Maschina »Do you eat couscous at home? How often?«, *Le Monde diplomatique*, junij 2002. <<http://mondediplo.com/2002/06/09couscous>> (5. avgust 2002).

¹⁶ S pogojem, da vsaj tri leta stalno živijo na Švedskem (gl. Kwame Cumale Fitzjohn, »MG Almanac – Sweden. Part 1: Immigrants to Sweden«. <http://www.imdiversity.com/Article_Detail.asp?Article_ID=152> [18. oktober 2002]).

¹⁷ Gl. What we can learn from the integration policy in Sweden? <[http://www4.rvk.is/radhus.nsf/Files/MichaelRundquist/\\$file/michael.ppt](http://www4.rvk.is/radhus.nsf/Files/MichaelRundquist/$file/michael.ppt)> (16. oktober 2002).

¹⁸ Švedska vlada je v svojem poročilu »Švedska integracijska politika za XXI. stoletje« predlagala, naj besedo »toleranca« črtajo iz ciljev integracijske politike in jo nadomestijo z besedo »spoštovanje«. Gl. <http://naring.regeringen.se/pressinfo/infomaterial/pdf/N2002_038e.pdf> (23. september 2002).

¹⁹ Immigrants in Sweden. *Fact sheets on Sweden*, Swedish institute, april 1999. <<http://www.si.se/docs/infosweden/engelska/fs63.pdf>> (18. oktober 2002).

²⁰ Ibid.

²¹ 40. člen Zakona o državljanstvu Republike Slovenije: »Državljan druge republike, ki je imel na dan plebiscita o neodvisnosti in samostojnosti Republike Slovenije, dne 23. decembra 1990, prijavljeno stalno prebivališče v Republiki Sloveniji in tukaj tudi dejansko živi, pridobi državljanstvo Republike Slovenije, če v šestih mesecih od uveljavitve tega zakona vloži vlogo pri za notranje zadeve pristojnem upravnem organu občine, na območju katere ima stalno prebivališče ...« Gl. Zakon o državljanstvu Republike Slovenije (ZDRS), *Uradni list RS*, št. 1/91.

²² Zakon o socialnem varstvu (ZSV), *Uradni list RS*, št. 54/92.

²³ Zakon o spremembah in dopolnitvah zakona o lokalnih volitvah (ZLV-D), *Uradni list RS*, št. 51/2002.

²⁴ Več o tem gl. npr. Medved (2002).

²⁵ Resolucija o imigracijski politiki Republike Slovenije (ReIPRS), *Uradni list RS*, št. 40/99.

- ²⁶ Ustava Republike Slovenije, *Uradni list RS*, št. 33/91.
- ²⁷ Resolucija o migracijski politiki Republike Slovenije (ReMPRS), *Uradni list RS*, št. 106/2002.
- ²⁸ Zakon o tujcih (Ztuj-1), *Uradni list RS*, št. 61/99.
- ²⁹ Zakon o azilu (Zazil), *Uradni list RS*, št. 61/99; Zakon o tujcih (Ztuj-1); Zakon o dopolnitvah zakona o začasnem zatočišču (ZZZat-A), *Uradni list RS*, št. 67/2002.
- ³⁰ Gl. Zakon o spremembah in dopolnitvah zakona o tujcih (ZTuj-1A), *Uradni list RS*, št. 87/2002.
- ³¹ Zakon o začasnem zatočišču (ZZZat), *Uradni list RS*, št. 20/97.
- ³² Zakon o dopolnitvah zakona o začasnem zatočišču (ZZZat-A).
- ³³ Odlok o spremembi odloka o ustanovitvi Urada za priseljevanje in begunce, *Uradni list RS*, št. 23/2002.
- ³⁴ Pouk je bil organiziran na pobudo makedonskih društev v Sloveniji in Veleposlaništva Republike Makedonije v Ljubljani. Gl. <<http://www.mszs.si/slo/ministrstvo/mednarodno/solstvo/priseljenci.asp>> (6. november 2002).
- ³⁵ Gl. spletno stran Ministrstva za šolstvo znanost in šport Republike Slovenije. <<http://www.mszs.si/slo/ministrstvo/mednarodno/solstvo/priseljenci.asp>> (6. november 2002).
- ³⁶ Zakon o azilu (19. člen), Zakon o tujcih (82. člen), Zakon o začasnem zatočišču (25. a člen).
- ³⁷ Več informacij o projektu najdete na internetni strani Mirovnega inštituta na naslovu <http://www.mirovni-institut.si/slo_html/projekti/slomodel.pdf>.
- ³⁸ Na primer: spremljanje učnih uspehov otrok priseljencev in dosežene stopnje izobrazbe in njihova primerjava z izobrazbo večinske populacije; primerjava stopnje brezposelnosti med priseljenci in večinskim prebivalstvom; spremljanje diskriminacije na etnični, kulturni, jezikovni podlagi itd.

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PRISILNE MIGRACIJE V LETU 2002: ZAPUŠČINA DEVETDESETIH

Politični nered, razpad Jugoslavije in vojne na Balkanu med leti 1991–1996, ki so sledile, so sprožili razseljevanje 4,5 milijona ljudi.¹ Zaradi krize na Kosovu leta 1999 je skoraj 860.000 ljudi zapustilo svoje domove ter skušalo najti začasno pribežališče v sosednjih državah. Glede na podatke UNHCR je bilo konec leta 2002 na območju jugovzhodne Evrope več kot milijon beguncev in razseljenec, ki še vedno iščejo rešitve.²

Za družboslovce je bilo to stanje nestabilnosti izzivalno; zahtevalo je napor, da se v kaos uvede nek smisel. Zdi se, da je bil prvi logični korak – celo v primeru najhujših oblik prisilnih migracij – na ravni pojmovanja vzpostaviti stalno »povezavo« med neredom posameznega (razseljevanje prebivalstva) in transparentnostjo celote (položaj migracij v Evropi). Izkazalo se je, da vojne na Balkanu (1991–1999) v tem pogledu niso bile nobena izjema: nenadoma so se pojavile številne zahteve po raziskovalnih projektih, javnomnenjskih raziskavah, ocenah izgub in pridobitev ter statistikah o grozodejstvih in kršenju človekovih pravic. Moč raziskovanja, številke, klasifikacije, preštevanja in projekcije, je izoblikovala predstavo o potencialno nasilnih in nasilnih spremljajočih pojavih vojne, kot je razseljevanje prebivalstva. Hkrati so ti pojavi

pospešili nastanek različnih modelov zmernih politik sprejemanja razseljene populacije, zbiranje statistik ter predvsem izoblikovanje pojmovnega okvira, ki bi omogočil razlikovanje³ prekrivajočih se definicij prisilnih, neprostovoljnih in neekonomskih migracijskih tokov. Zakaj definicije? Podajanje definicij prisilnih migrantov, beguncev ali razseljencev v mnogih primerih lahko odloči o življenju in smrti. Kot navaja Steven Castles, v makro strukturi »definicije odigrajo ključno vlogo pri usmerjanju politik vladnih in mednarodnih služb do mobilne populacije. Definicije so odraz in hkrati sredstvo moči, kar velja tudi za opredelitev statusa beguncev ... Ni namreč vseeno, če je posameznik obravnavan kot begunec, kot neka druga vrsta prisilnega migranta ali kot prostovoljni migrant« (Castles 2002, 9).

V začetku vojne na Hrvaškem in v Bosni (pomlad 1991 in 1992) tako v akademskih krogih kakor tudi v službah pod okriljem ZN ni bil nihče opremljen z zadostnim znanjem, da bi se znal spopasti z realnostjo, ki je osupnila Evropo zgolj s številčnimi podatki (Salt in Clark 2002, 25): samo v nekaj mesecih – jeseni 1991 in spomladi 1992 – se je na območje zahodne Evrope zateklo na milijone »prisilnih«, »neprostovoljnih« migrantov iz držav srednje Evrope in Balkana.⁴ UNCHR se je z nastalimi razmerami in z razlogi, ki so do njih privedli, srečeval sproti: problema se je tako loteval stihijsko, a vendar v okviru danih možnosti dokaj učinkovito. »Migranti« so bili kmalu obravnavani kot »begunci«, vpeljane so bile osnovne politike nudenja zatočišča, ki naj bi zadostile potrebam tako velikega razseljevanja prebivalstva. Vendar pa so spremljevalni pojavi vojn (etnična čiščenja, kršenje človekovih pravic, posilstva in ropanja) ostajali bolj ali manj izvzeti iz uradnega okvira: nekateri od njih (eden takih primerov je bila Srebrenica) so imeli katastrofalne posledice.

Zgoščenost vojnih dogodkov ter hitro naraščajoče število razseljencev, beguncev in smrtnih žrtev sta pogojevala čedalje večje zahteve po kakršnikoli podatkih ter razlagah nastalih dogodkov. Po podatkih so povpraševali vojaške in civilne službe, nevladne organizacije, novinarji, mirovni posredniki, zdravniki, filantropi in akademiki, medtem ko so bili posredovalci podatkov manj diferencirani in hkrati nezanesljivi. Ker je bilo zahtev po razlagi konfliktov na Balkanu ter podatkih, ki so se nanje navezovali, čedalje več – kar je povsem razumljivo, saj so se že zaradi narave nastalih dogodkov z njimi oskrbovale osrednje televizijske mreže, mirovni posredniki in službe, ki se ukvarjajo z varovanjem človekovih pravic –, se je nakopičilo brez števila virov podatkov. O veljavnosti teh podatkov pa kljub temu ni dvomil nihče, niti akademska skupnost, ki o tem, kakšno predstavo si je mogoče ustvariti na podlagi pridobljenih podatkov in izvedenih raziskav, ni imela veliko povedati. V raziskovalne dejavnosti so bile vključene tako institucije, ki niso bile na strani vojskujočih, kakor tudi tiste na strani nasprotujočih si dežel. Tako ena kakor druga stran sta v razmerah, v katerih ni mogoče izoblikovati osnovnih meril izbire, izvedli številne raziskave javnega mnenja ter pri tem zatrjevali, da so zbrani podatki v celoti veljavni. Raziskave in zbrani podatki so služili predvsem upravičevanju ciljev, ki si jih je zastavila vsaka od nasprotujočih si strani – naj je šlo za vpis »etničnih« volivcev v register volilnih upravičencev ali za »dogovorjene« premike prebivalstva –, v pomoč pa so bili tudi številnim mirovnim posrednikom. Tako so bila najresnejša vprašanja, kot so posilstva, razseljene družine in uničena naselja, ranjeni in iznakaženi otroci ter etnično čiščenje, podprta s »podatki« in raziskavami, ki so temeljile na nesistematično pridobljenih spoznanjih. »Statistični« podatki so tako nastajali na podlagi čustveno obarvanih mnenj ter pretiranega posploševanja poročil o posameznih incidentih.

Daytonska ocena o razdelitvi Bosne, je, na primer, temeljila na zadnjem štetju prebivalstva Jugoslavije (april 1991). To je potekalo v obdobju izrazitega nihanja števila prebivalstva, kar gre pripisati etničnim migracijam in nasprotovanju določenih etničnih skupin, ki v popisu prebivalstva niso želele sodelovati (Albanci). V obdobju od začetka vojne na Hrvaškem in v Bosni (1991/92) do podpisa Daytonskega sporazuma (1995) je bilo razseljenih, ubitih in pogrešanih tri milijone in petsto tisoč ljudi.⁵

Tako izoblikovan pojmovni okvir v obdobju, ki je sledilo, ni bil izpopolnjen, ter celo po vzpostavitvi miru leta 1995 ni pridobil uradne veljavnosti. Zdi se, da se je nekakšna zmeda v odnosu do številčnih podatkov in opredelitev spremljajočih pojavov vojne – ta je zavladovala tako v akademskih krogih kakor tudi v humanitarnih ustanovah – ohranila vse do danes.

Kljub mogočnemu ustroju družbenih in statističnih ved, ki so nemudoma začele služiti javnemu mnenju, medijem in vojski, v obdobju vojn na Balkanu (1991–1995) nobena od temeljnih kategorij, ki se nanašajo na razseljevanje prebivalstva, ni bila jasno opredeljena, obenem pa ni bilo poskrbljeno za zanesljivost in veljavnost podatkov.⁶ Tako smo bili prepuščeni približnim ocenam števila razseljenih oseb, ki so bile v veliki meri posledica približnosti opredelitve posameznih pojmov. Kako naj bi določili število »beguncev«, če le-teh nismo znali natančno opredeliti? Kako klasificirati prisilne migrante, če se tri različne opredelitve prekrivajo druga z drugo? Predpostavka, da se bo nedoslednost v pojmovanju ohranila tudi po vzpostavitvi miru, se je izkazala za pravilno; v celoti jo potrjuje tudi sedanje stanje (Freeman 1995a; Brubaker 1995; Castles 2002). Zdi se, da so v zadnjem času vse oblike imigracije v najpomembnejše zahodne države sprejemnice postale »nadvse pereče in občutljivo vprašanje« (Freeman 1995a, 883). Kriza azila, ki je zavladovala v obdobju vojn na Balkanu, ter pri-

čakovani izbruh imigracij, ki ga je sprožil padec Berlinskega zidu, »sta imigracijo potisnila v središče političnega prizorišča. Glavne strani so se bile prisiljene opredeliti; četudi so ekstremne politične stranke izgubile svojo ostrino, se je politika nagnila proti desni« (Freeman 1995a, 883).

Kljub temu pa je v večjih zahodnih državah sprejemnicah javnost o odločitvah, ki se nanašajo na populacije migrantov (še zlasti na iskalce azila), slabo obveščena; nastajajo namreč »resne ovire, ki onemogočajo dostop do podatkov o imigracijah ... Ker diskusije o vprašanih, ki zadevajo imigracijo, potekajo znotraj zaprtega procesa, prihaja do potvarjanja razpoložljivih podatkov« (Freeman 1995a, 883). V pogovoru z Rogersom Brubakerjem (1995), Freeman zagovarja stališče, da »je v primerjavi z drugimi pomembnimi splošno političnimi vprašanji podatkov o migracijah relativno malo ... če bi trdili, da se zaradi pomanjkanja podatkov nasprotovanje imigracijam povečuje oziroma zmanjšuje, bi šlo za nepreverjeno hipotezo, vendar pa se zdi predpostavka, da pomanjkanje podatkov vodi v pasivnost, povsem upravičena« (Freeman 1995b, 911).⁷

Tako še vedno ostaja ključno vprašanje: sta v času izrednega stanja in še zlasti pod pritiskom etnično-nacionalnih konfliktov nalogi, kot sta zbiranje podatkov in izpeljava raziskovalnih projektov, izvedljivi? Trenutno se odgovor ponuja kar sam od sebe: sta »neizvedljivi«. Kadar gre za opredeljevanje pojmov in podajanje razlag, je dediščina, s katero razpolagamo — četudi črpa iz zelo pestre in nedavne zgodovine razseljevanja prebivalstva na Balkanu —, zelo skromna. Zato bi morali težiti k dvema ciljema: prvič, pokazati, kakšen napredek so pri opozarjanju na nedoslednosti v pojmovanju razseljevanja prebivalstva naredile družbene vede, in drugič, pokazati, kako koristne bi lahko bile te ugotovitve za nadaljnje analize prisilnega razseljevanja prebivalstva.

HAJ JE V PRISILNIH MIGRACIJAH
»PRISILNEGA« ? DEJSTVA
IN NJHOVO SPREVAČANJE

Z družboslovnega vidika se razsežnost »prisilnosti« v migracijah odraža predvsem v njihovi nenadnosti. Za razliko od »ekonomskih« migracijskih tokov je za »prisilne« migracije značilno pomanjkanje časa, potrebnega za »počasen začetek in postopen razvoj« (Freeman 1995a, 883). S sociološkega vidika tako prisilni migracijski tokovi kljubujejo ustaljenim časovnim, prostorskim in cikličnim modelom opredeljevanja »običajnih« migracij. Medtem ko sta njihovi prostorska in ciklična razsežnost zaobseženi v nenadnosti prisilnih migracij, pa to za njihovo časovno razsežnost – opredeljeno kot postopen razvoj premikov prebivalstva –, ne velja. Vendar pa se moramo zavedati, da ima »nenadnost« dogodka dve plati: kar je »nenadno« za objekt politike preseljevanja (razseljenca ali begunca), morda ni nenadno za tiste, ki sprejemajo odločitve. Zato lahko trdimo, da nenadnost dogodka oziroma tistega, kar dogodek vzpodbudi, ne pomeni tudi njegove »nepričakovanosti«. Prisilne migracije, ki jih sproži človeški dejavnik, največkrat spremljajo namigi in govornice; razseljevanje prebivalstva brez dvoma pogojujejo odločitve, ki jih sprejemajo oblasti. Z njihovega gledišča »prisilne migracije« niso niti nenadne ali nepričakovane niti »prisilne«. ⁸ Oblastem je za izoblikovanje sheme preseljevanja prebivalstva na voljo dovolj časa, kar sovpada s »časovnostjo« sociološkega modela. Pri tem pa se »sila«, ki se odraža v selitvah prebivalstva, vselej nenadno pojavi le na strani ciljne populacije. In prav to je tisto, kar nas zanima: gledati z analitičnega vidika. Za analitike so »prisilne« migracije tisto, kar o njih govorijo dejstva – neustavljivo razseljevanje prebivalstva, ki se pogosto bliža katastrofi ter ga lahko sproži bodisi človeški dejavnik bodisi narava. Analitik se tako znajde na področju nedoločenih

dejstev. Če je prisiljen predložiti »dejstva«, ki bodo služila potrebam načrtovalcev politike, ga le majhen korak ločuje od sprevrtačanja le-teh.

Učinek tako pridobljenih številčnih podatkov – količin –, ki pričajo o človeških katastrofah, v večini primerov izpodrine »poglobljen premislek« ter tako nadomesti potrebo zapolniti vrzeli v mreži pojmov. Vojne na Balkanu ter človeške katastrofe, ki so bile njihova posledica, so zelo nazoren odraz tega pojava. V začetku devetdesetih, ko so bili na območju Balkana celo najosnovnejši pojmi, povezani z razseljevanjem prebivalstva – begunec, razseljenec, pregnanec, prisilni/ekonomski migrant, neprostovoljna/prostovoljna migracija –, bolj ali manj neznani, je potreba po podatkih botrovala nastanku številnih virov statističnih podatkov in tolmačenj. Očitno je bilo, da so »podatki« in »statistike« o človeških katastrofah na Balkanu ves čas nastajali v dveh temeljnih oblikah diskurza.⁹ Prva od obeh je bila parabola, »s številkami opremljena« zgodba, katere namen je bil s pomočjo bodisi pretiranih bodisi preskromnih številčnih vrednosti – glede na to, kateri strani je pripadal pripovedovalec – ustvariti podobo človeških katastrof. Druga pa je skušala podati jasno oceno veljavnosti zbranih podatkov in njihove nezanesljivosti. Med tema temeljnima oblikama »statističnega diskurza« o nasilju in človekovih pravicah je prihajalo do različnih poskusov, ki so ustrezali zdaj enemu, zdaj drugemu, včasih celo obema hkrati. Njihov namen je bil pojasniti zmedo, ki so jo povzročili silovitost in nepričakovanost nastalih dogodkov ter poplava številčnih podatkov. Iz nastalih razmer so se rodili velikopotezno zastavljeni poskusi, katerih cilj je bil opredeliti celoto posameznih skupin ter vzročno povezavo posameznih dogodkov.¹⁰ Zelo znan je primer podatkov o številu posilstev v Bosni in na Hrvaškem: ko so iz srbskih koncentracijskih taborišč v Bosni začela prihajati prva poročila (začetek pomladi 1992), so »statis-

tike« o posilstvih in spolnih napadih navajale številčne vrednosti, ki so se gibale med 15.000 in 80.000.¹¹ Vrzel, ki je nastala med obema »odkrivanju dejstev« namenjenima diskurzoma, ni bila nikoli zapolnjena: prav nasprotno, vse bolj se je povečevala, kar so sebi v prid učinkovito uporabile številne nacionalistične frakcije na območju bivše Jugoslavije, za potrebe opredeljevanja kategorij in pravic razseljenih oseb pa se jih še danes s pridom poslužujejo številne nacionalistične frakcije ter oblasti v novih balkanskih državah.¹² Ne le predstave o pomorih prebivalstva ter na videz nedoumljivi kompleksnosti delitve Balkana, tudi njihove razlage so temeljile zgolj na številčnih podatkih, kar naj bi pričalo o doslednosti in natančnosti.¹³ Tako se ponovno srečujemo z dobro znano balkansko zgodbo o tem, »koliko« »čigavih« beguncev in razseljencev se še vedno ni nikjer ustalilo. Kot ob koncu druge svetovne vojne se tudi tokrat pojavljajo nesoglasja o žrtvah razseljevanja, ki jim ni videti konca.

Eno večjih nesoglasij se nanaša na odnos med pojmom »etnično čiščenje« in prisilna migracija. Tako pri reševanju lokalnih sporov kot tudi v primeru odločitev Haaškega sodišča neizpodbitno velja: »etnično čiščenje« in »prisilna migracija« sta pojma, ki sta eden z drugim zamenljiva. Vendar pa vsaka prisilna migracija ni etnično čiščenje, medtem ko vsako etnično čiščenje *predstavlja* migracijo, ki je prisilna. »Prisilno migracijo« lahko med drugim sprožijo naravne nesreče, ki na tisoče ljudi prisilijo v migriranje, ne da bi bile pri tem države ali oblasti zavestno vpletene. Na drugi strani pa gre v primeru »etničnega čiščenja« *po privzetem principu* za zavestno in načrtovano delovanje oblasti, pri čemer prisilna migracija nastopa kot posledica sprejetih odločitev. Iz navedega bi tako kot pravilo lahko izpeljali: le »etnično čiščenje«, ki ima za posledico prisilno migracijo, je mogoče obravnavati kot kršenje človekovih pravic in kot osnova za obtožbo. Žal

pa pri sklicevanju na navedeno pravilo naletimo na številne ugovore. Oba pojma, etnično čiščenje, še zlasti pa prisilno migracijo, je zato potrebno razložiti podrobneje.

MIGRACIJA, HI JO SPROŽI ČLOVEŠKI DEJAVNIH: ETNIČNO ČIŠČENJE

Pred začetkom vojn na Balkanu je bilo etnično čiščenje ne ravno dobro raziskan in dokumentiran pojav. Ko se je v prvi tretjini vojne v Bosni pojavilo kot »človekoljubna strategija preseljevanja prebivalstva«, je šlo za povsem neznan pojav, ki pa je zaradi svoje krutosti osupnil tako širšo javnost kot tudi analitike družbenega dogajanja. Na območju Balkana pojav etničnega čiščenja pred tem ni bil podprt z nikakršnimi (znanstvenimi) spoznanji in opredelitvami, ki bi omogočale poglobljen razmislek. Uradne državne statistike pri tem niso bile v nobeno pomoč: nered, ki je vladal v tedaj še obstoječi državi Jugoslavji, je sprožil razpadanje državnih institucij. Pravkar razglašena neodvisna država Hrvaška je skušala združiti drobce starih in novih institucij, pri čemer statistični uradi niso bili izvzeti. Ko se je stanje v temeljnih institucijah stabiliziralo, so se pojavili dokazi o tem, da državne institucije namerno prikrivajo oziroma potvarjajo podatke. Nekatere od bistvenih postavk, ki se nanašajo na razseljevanje prebivalstva in žrtve vojne, so bile – glede na evidence nevladnih organizacij, ki se ukvarjajo z varovanjem človekovih pravic – napačno interpretirane, ali, preprosto, izvzete iz uradnih pristojnosti, pa naj je šlo za pristojnosti državnega statističnega urada ali pristojnosti posameznih državnih služb. Tako je prihajalo do prikrievanja številčnih podatkov o razseljevanju večjih etničnih skupin – etnično čiščenje, izginotja, ugrabitve, posilstva, vojni zločini ter civilne žrtve na strani različnih političnih in etničnih skupin – oziroma

do zlorabe le-teh. V tem obdobju so se za najbolj zanesljiv vir podatkov o beguncih, razseljencih in osebah, ki so se po vojni vrnile na svoje domove, izkazale statistike UNHCR. Vendar pa so ob koncu vojne mednarodne institucije bodisi zapustile državo bodisi drugače opredelile svojo vlogo. Od vojne razdejana država se je spopadala s povratnim udarcem katastrofe: z vračanjem beguncev in razseljencev, s smrtnimi žrtvami ter zapuščenimi domovi na etnično očiščenih območjih, z maščevanjem novih političnih elit, ob tem pa tudi z nujnimi potrebami po vzpostavitvi politik stanovanjske gradnje, zaposlovanja in izobraževanja. Najpomembnejše odločitve, ki jih je bilo potrebno sprejeti, so se nanašale na razseljeno prebivalstvo, temeljile pa so na naključno zbranih statističnih podatkih ter nezadostnem poznavanju problematike razseljevanja prebivalstva.

Kaj pravzaprav je »etnično čiščenje« (razen tega, da predstavlja enega ključnih pojmov ter eno od obskurnih praks *fin-de-siècle*)? Glede na opredelitev, ki jo podaja Bell-Fialkoff (1996), je »etnično« čiščenje oblika¹⁴ razseljevanja prebivalstva, ki kot politika države teži k izgonu velikega števila oseb ter premikom prebivalstva. Spekter sorodnih pojavov se na eni strani začinja z »genocidom« ter na drugi zaključuje s komaj zaznavnimi pritiski, ki ljudi silijo v emigracije« (Bell-Fialkoff 1996, 1). Strinjamo se z Bell-Fialkoffom, ki pravi, da je skrajnosti iz različnih, ne v celoti analitičnih razlogov bolje pustiti ob strani.¹⁵ Tako pridemo do operacionalne opredelitve čiščenja (prebivalstva): »načrtovana, povsem namerna odstranitev neželjene populacije – zaznamuje jo ena ali več karakteristik, kot so etnična, verska, rasna in razredna pripadnost ali spolna usmerjenost – z določenega ozemlja. Kot čiščenje prebivalstva je ta pojav mogoče opredeliti le v primeru, kadar navedene karakteristike služijo kot podlaga za odstranitev prebivalstva z določenega ozemlja« (Bell-Fialkoff 1996, 3–4).

Tako bi v takšnem kontekstu »prisilna« migracija pomenila razseljevanje prebivalstva, ki ga načrtujejo in vpeljejo oblasti (država ali mednarodne institucije) ter je posameznikom vsiljeno zaradi njihove rasne, etnične, verske ali razredne pripadnosti oziroma zaradi njihove spolne usmerjenosti. Tovrstno razseljevanje prebivalstva je mogoče opredeliti kot etnično čiščenje, kadar si oblasti zastavijo cilj neželjeno populacijo za vselej in v celoti odstraniti z določenega območja.¹⁶

Povzemimo nekaj definicij: vsaka prisilna migracija ni etnično čiščenje, medtem ko vsako etnično čiščenje *predstavlja* prisilno migracijo. Isto velja tudi za druge oblike razseljevanja prebivalstva na podlagi rasne in verske pripadnosti ali spolne usmerjenosti. Selitev prebivalstva naj bi s ciljem nezaželene družbene skupine *za vselej* odstraniti z določenega območja načrtovale oblasti. Države ali mednarodne organizacije naj bi se pogajale o strategijah, kakršna je, na primer, »človekoljuben premik prebivalstva«. Vendar pa pogajanja ne morejo oslabiti ali celo nadomestiti dimenzije prisilnega, ki nastopa v procesu odstranitve prebivalstva z nekega območja ter v njegovi ponovni nastanitvi na nekem drugem območju. Katerakoli strategija je vselej v nasprotju z voljo posameznika. Si je mar mogoče zamisliti ciljno populacijo, ki bi na referendumu z izbiranjem med »da« in »ne« hotela odločati o tem, ali bo morala zapustiti svoje domove?

Čiščenje prebivalstva v bivši Jugoslaviji in državah, ki so jo nasledile, ustreza opisanemu obsegu čiščenja prebivalstva na podlagi etnične in/ali verske pripadnosti ter v nekaterih primerih celo razredne pripadnosti. Bilo je namreč namerno in načrtovano, vpeljale pa so ga legalno izvoljene oblasti. V določenih primerih je potekalo ob posredovanju mednarodnih sil ali pa so se o njem celo pogajale dve ali tri glavne vpletene »strani« (srbsko-jugoslovanska ter hrvaška in bosanska oblast). Faza »izrinenja« je v tovrst-

nih prisilnih migracijah potekala bolj ali manj stihijsko, medtem ko je faza »vračanja« (evfemizem: ponovna integracija) največkrat temeljila na multilateralni ali bilateralni osnovi in je bila vsiljena lokalnim oblastem. Prebivalstvo je bilo izgnano »za vselej«: s tem se je spremenila verska in etnična podoba določenih območij. Če pogledamo s tega vidika, je bilo etnično čiščenje uspešno. Vendar pa so medtem povratni tokovi prebivalstva postali najpomembnejši dejavnik vzpostavitve normalnih pogojev na Balkanu. Hrvaške, bosanske in srbsko-jugoslovanske oblasti so se bile prisiljene podrediti povratnim tokovom in ponovni integraciji prebivalstva. S tega vidika je bilo etnično čiščenje neuspešno. Vendar gre v navedenih primerih za skupine in posameznike, izpostavljene čiščenju prebivalstva, ki se zdaj še ne vračajo na svoje domove. Ne vemo, če se bodo kdaj vrnili. Lahko le domnevamo, da se je proces zanje končal, »očiščevalci« na Balkanu pa so dosegli svoj namen.

MIGRACIJE, KI JIH SPROŽI NARAVA: **OKOLJSKE KATASTROFE IN** **RAZSELJEVANJE PREBIVALSTVA**

Migracije prebivalstva vselej pogojujejo odnosi moči: v kompleksni shemi migracijskih tokov je stopnjo moči vselej mogoče »izmeriti«. Še toliko bolj, kadar govorimo o prisilni migraciji, ki jo sproži človek. Vendar pa je po mnenju nekaterih čedalje večje število prisilnih migracijskih tokov, ki jih ne sproži človeški dejavnik, temveč okoljske spremembe.¹⁷ Ponovno smo priča skrb vzbujajočim številčnim podatkom: sredi devetdesetih je bilo okoljskih beguncev vsaj 25 milijonov (22 milijonov uradno opredeljenih). Pričakujemo lahko, da bo v tem desetletju število v selitve prebivalstva vključenih oseb ter oseb, ki jim grozi nevarnost razseljevanja, naraslo na 200 milijonov, s čimer se bo število »okoljskih« beguncev in razseljencev povzpelo kar na 40 milijonov (Myers 1997; Castles 2002).

Vendar pa se v vrstah družboslovcev porajajo dvomi (Castles 2002) o tem, kakšna je povezava med okoljskimi vprašanji in razseljevanjem prebivalstva: je ta neposredna ali jo posredno pogojujejo dejavniki moči? Prvo stališče (Myers 1997) govori v prid predpostavki, da prisilno migracijo lahko povzročijo ali vsaj sprožijo okoljske krize, medtem ko drugo poudarja, da »okoljskih beguncev kot takih ni« (Black 2001). Vsem tistim, ki zagovarjajo stališče, da prisilna migracija, ki jo sprožijo okoljski dejavniki, ne obstaja, pojem »okoljskega begunca« pomeni nekaj, česar dejansko ni. Konstrukt, ki ga je mogoče spretno uporabiti, ko gre za močno spolitizirana vprašanja, s tem pa beguncem samim prinese več škode kot koristi. Kot trdi Black (2001), ni nobenih pokazateljev, na podlagi katerih bi bilo mogoče zaključiti, da so okoljske krize oziroma okoljske spremembe »neposreden vzrok velikih tokov beguncev, še zlasti ne tistih, ki so usmerjeni v razvite države« (Castles 2002, 2).

Zakaj se navedeni stališči v odnosu do tega vprašanja tako močno razlikujeta? Bi ju bilo potrebno ponovno preučiti? Castles poudarja, da morajo tako širša javnost kot tudi tisti, ki oblikujejo sedanjo politiko, poznati ozadje tega nesoglasja, saj »imajo povezave med okoljsko in prisilno migracijo daljnosežne politične posledice« (Castles 2002, 2). Knjige in članki, navedeni v pričujočem besedilu, so bili napisani v drugi polovici devetdesetih let, Castlesove kritike pa segajo v jesen 2002; v obdobju, ki je sledilo, smo bili priča valu največjih tokov (prisilnih migracij), med katerimi so še posebej pomembni tisti, ki jih je sprožila marca 2003 začeta vojna v Iraku. Zato je potrebno pojasniti ključne razlike med omenjenima stališčema.

Myers (1997) trdi, da danes milijonom ljudi »grozi nevarnost razseljevanja zaradi uničevanja plodnosti tal, krčenja gozdov, poplav itd.« (Myers 1997, 175). Castles pa temu ugovarja. Trdi namreč, da

zagovorniki tega stališča ne razpolagajo z zadostnim številom primerov, »v katerih so bili ti problemi *dejanski* vzrok razseljevanja prebivalstva. Povezava se torej vzpostavlja predvsem na ravni 'zdravega razuma' – če se zviša gladina vode, oziroma če izginjajo gozdovi, se zdi povsem logično, da se bodo ljudje prisiljeni razseljevati« (Castles 2002, 3).

Black (2001) trdi, da so tokovi beguncev, ki jih v razseljevanje prisilijo okoljski dejavniki, vselej »vezani na celo serijo političnih in ekonomskih dejavnikov; če se torej osredotočamo zgolj na okoljske dejavnike, s tem ne bomo pripomogli k razumevanju specifičnih položajev razseljevanja prebivalstva« (Black 2001).

Castles nestrinjanje med pravkar citiranima avtorjema opredeljuje predvsem kot metodološko. »Gre predvsem za vprašanje vzročne povezave med dogodki,« pravi Castles (2002, 4). Med vzroki vsakega razseljevanja prebivalstva oba avtorja prepoznavata sklope »dejavnikov, ki to razseljevanje povzročajo: napetost med posameznimi etnijami, neučinkovito in napačno ravnanje oblasti, ekonomske probleme itd.« (Castles 2002, 4). Ko gre za raziskovalne študije prisilnih migracij in uporabo njihovih splošnih opredelitev v praksi, oba pristopa upoštevata večplastnost vzrokov. Ko pa gre za njihovo razlago, prvo stališče (Mayersovo) potisne kompleksnost vzrokov v ozadje ter v ospredje povsem neutemeljeno postavi dejavnike okolja. »Zakaj?« se sprašuje Castles, ki hkrati odgovarja: »To ostaja nepojasnjeno« (Castles 2002, 4).

Tako se lahko strinjamo s Castlesom, ki trdi, da je pojem »okoljskega begunca« zavajajoč ter le v majhni meri pripomore k razumevanju kompleksnega procesa, ki pogojuje specifične primere revščine, konfliktov in razseljevanja« (Castles 2002, 5). Prisilne migracije, katerih vzrok so okoljski dejavniki, so redke; v sodobnem

svetu, kjer ljudje uničujemo naravo po načelu globalne moči, bi lahko z gotovostjo trdili, da neposredne povezave med razseljevanjem prebivalstva in okoljskimi katastrofami skoraj ni. Pri razlagi pojma prisilnih migracij tako okoljski dejavnik predstavlja zgolj vrh ledene gore, pod katerim najdemo celo vrsto različnih vzrokov, ki jih sproži človeški dejavnik. In prav ta je v veliki večini primerov ključni vzrok prisilnih migracij. Zakaj si je pomembno zastavljati vprašanja o *ključnih vzrokih*? Ker je pojem »begunca« v mednarodnem pravu opredeljen tako, da »oseb, ki zapustijo svoje bivališča zaradi problemov, vezanih na okolje, s tem pojmom ni mogoče opredeliti. Pravica do azila nikomur ne pripada zgolj zaradi propadanja okolja« (Castles 2002, 8).

Ker smo na pragu mednarodnih (vojna v Iraku) in nacionalnih konfliktov (Liberija, Nigerija), ki bodo gotovo odigrali pomembno vlogo pri uničevanju okolja, lahko z gotovostjo predvidimo, da bodo tisti, ki jih bo v prisilne migracije prisilila »politika katastrofe« (namerno požiganje naftnih polj, plantaž, gozdov), zaman iskali zatočišče v zavetju mednarodne varnosti. Ker jih ne bo mogoče opredeliti kot begunce, se bodo pridružili ogromni populaciji razseljenih oseb, katerih status ostaja dvoumen, kar velja tudi za 25 milijonov notranje razseljenih oseb. Danes tako ni nikakršne mednarodne ali pravne ureditve, ki bi jo bilo ob posredovanju mednarodnih institucij mogoče vsiliti lokalnim oblastem ali vojaškim vodjem ter tako zaščititi »druge vrste prisilnih migrantov«. Če govorimo o človekovih pravicah in o pravici do zatočišča, to pomeni, da v prihodnje večine tistih, ki bodo vključeni v prisilne migracije, morda ne bo mogoče uvrstiti v nobeno od kategorij. In kar je še huje, tisti, ki so zaradi svojih odločitev povzročili katastrofe v naravnem okolju in z njimi potencialne migracije, za sprejete odločitve ne bodo odgovarjali.

ZAHLUČEH: POLITIHE OBRAVNAVANJA PRISILNIH MIGRACIJ: NA HAŠNI OSNOVI?

Položaj je torej tak: konflikti, povezani z »etničnim čiščenjem«, ne bodo prenehali, temveč bodo sledili ustaljenemu ritmu in bodo pri tem bolj ali manj izpostavljeni globalnemu nadzoru. Isto bo veljalo tudi za »prisilne migracije«, ki se bodo pojavljale kot posledica že omenjenih konfliktov. Naraščalo bo tudi število prisilnih migracij, ki jih bo mogoče pripisovati okoljskim dejavnikom. Prebivalstvo, ki se bo znašlo sredi takšnih selitev, bo bolj ali manj številno ter bo v večini primerov najverjetneje prisiljeno prebegniti ali se razseljevati (zaradi »strateške« odločitve določenih posameznikov). Glede na zdaj veljavno mednarodno zakonodajo te osebe ne bodo upravičene do kakršnekoli oblike statusa begunca. Kaj je torej potrebno storiti na področju politike? Na voljo imamo tri možnosti:

Sprememba mednarodnega prava ter predvsem drugačna opredelitev statusa begunca od tiste, ki je zapisana v Konvenciji iz leta 1951. Zaradi številnih razlogov, ki jih navaja Castles (2002, 10), je zdaj ta možnost nerealna.

Prilagoditev in učinkovito izvajanje cele vrste politik, za katere se zavzemajo analitiki. Njihov prvenstveni cilj naj bi bil »obravnavati ključne vzroke vseh oblik prisilnih migracij ter jih odpraviti« (Castles 2002, 10; Myers 1997).

Tretja možnost se je pojavila ob izbruhu vojne v Iraku: ironično je, da je prav njena pobudnica, vlada ZDA, »načrtovala« strategije, ki naj bi se jih posluževali v primeru večjih preseljevanj prebivalstva. Pri tem pa ni znano, katere razloge – poleg vojn – ta načrt vključuje oziroma do katere mere – če sploh – so okoljske katastrofe v njem upoštevane kot možen vzrok migracij. Vendar pa je očitno, da na območjih, kjer odgovornost posameznikov (tistih, ki sprejemajo odločitve) ni niti dorečena, kaj šele natančno

opredeljena, izmišljene strateške odločitve, ki povzročajo prisilne migracije in razseljevanje prebivalstva, postajajo del represivne svetovne politike.

D P O M B E

* To besedilo vključuje rezultate raziskave »War-related Forced Migration«, projekt »Social Correlates of the Homeland War«, Filozofska fakulteta, Zagreb, 2002.

¹ »Razpad Jugoslavije v začetku devetdesetih let je pospešil najhujšo krizo v Evropi po drugi svetovni vojni. V desetletju prevratov je na območju Balkana zavladal politični kaos, vrstili so se vojne, v katere niso bile vpletene le lokalne nasprotujoče si strani, temveč tudi svetovne vojaške velesile, preseljevanje milijonov civilistov, ki so bili prisiljeni zapustiti svoje domove, ter neusmiljeno etnično čiščenje, kakršnemu je bil svet nazadnje priča v tematičnem obdobju nacizma« (UNHCR – The Balkans, <www.unhcr.ch/cgi-bin/texis/vtx/balkans> [marec 2003]). Ta del dokumenta UNHCR navajam v tolikšnem obsegu zgolj zato, ker je v mednarodni politiki ter v analizi družbenega dogajanja prisotna težnja katastrofo prebivalstva, ki jo je že omenjena vojna povzročila, brez poglobljene analize pospraviti v arhive.

² UNHCR – The Balkans, <www.unhcr.ch> (12. marec 2003).

³ Vrste migracij: neprostovoljna, prostovoljna in prisilna migracija. Neprostovoljna migracija: migracija, ki jo sprožijo katastrofe, masovne migracije etničnega značaja; prostovoljni migranti, ki skušajo unovčiti svoje poklicne ali ekonomske zmožnosti. Prisilne migracije sprožijo politične odločitve in ukrepi oblasti.

⁴ Če govorimo le o eni vrsti prisilnega migranta, iskalcu azila iz bivših komunističnih držav srednje in vzhodne Evrope, »se je

število iskalcev azila med letoma 1984 in 1992 povečalo s 25.000 na 421.000. Vojne na ozemlju nekdanje Jugoslavije so sprožile nenadne in prisilne selitve prebivalstva, kakršnim nismo bili priča od 2. svetovne vojne. Do konca decembra leta 1993 naj bi bilo migrantov 4,24 milijona, od tega 819.000 beguncev, 1,6 milijona razseljenih oseb ter 1,79 milijona v proces pomoči vključenih žrtev vojne« (Salt in Clarke 2002, 25).

⁵ Pred vojnami na Balkanu, med njimi in po njih izraz »prebivalstvo« ni bil razumljen zgolj kot statistični pojem; vseboval je tudi pojmovanje zgodovine določene skupnosti. Pri skoraj vsakem popisu, štetju in klasificiranju prebivalstva je izvor ali redno statistično spremljanje atributov (»označevalcev«), kot so etnična, verska ali spolna pripadnost, postal odločilni dejavnik pri določanju sedanjega in prihodnjega položaja celotnih regij in skupnosti. Tako je »prebivalstvo« zdaj opredeljeno kot »učinek njegove preteklosti ter vzrok njegove prihodnosti« (Cole 1994, 7).

⁶ V zadnjem času je prišlo do določenih izboljšav. Kot ugotavlja Hovy (2001), je »glede na priporočila ZN število podatkov o spolni in starostni strukturi iskalcev azila in beguncev v statističnih publikacijah UNHCR dostopno v mnogo večji meri ... Od leta 1999 so na voljo tudi podatki o beguncih in vseh drugih skupinah, ki zanimajo UNHCR. Tako se je po letu 1999 pokritost s podatki o spolni in starostni strukturi iskalcev azila in beguncev bistveno izboljšala ... Vendar pa je glavna ovira, ki preprečuje dobro pokritost s podatki o spolu in starosti, še vedno nezmožnost številnih razvitih držav tovrstne podatke pridobiti iz registrov« (Hovy 2001, 3).

⁷ Brubaker navaja mnenja, ki se med sabo razlikujejo: medtem ko Freeman trdi, da so pomanjkljivi in zavajajoči podatki o imigracijah posledica oblikovanja politike v državah sprejemnicah, ki temelji na določenih omejitvah, pa je Brubaker mišljenja, da »se zdi, da pomanjkanje podatkov o imigracijah ... ni posledica liberal-

nosti oziroma neliberalnosti politike ...« (Brubaker 1995, 904). Brubaker zagovarja stališče, da »je pri tem odločilni dejavnik omejena legitimnost političnih razprav« (1995, 905) o imigracijah. Nesporno lahko pritrdim njegovi trditvi, da bi »v liberalnih demokracijah premik meja legitimnega diskurza«, ki se navezuje na politiko do imigracij, omogočil večjo transparentnost ter izpopolnjenost podatkov o imigracijah. Vendar pa do tega ne bo prišlo samo od sebe. Menim, da v liberalnih politikah, ki se srečujejo s pojavom (prisilne) migracije, izpopolnjenost podatkov ter boljša dostopnost do njih nista *conditio sine qua non*.

⁸ Tako pridemo do pojma »človekoljuben premik prebivalstva« – neverjetnega konstrukta, ki je nastal v obdobju človekovih pravic.

⁹ »Diskurz« (legitimni, nelegitimni, omejeni/prisiljeni, liberalni in populistični) o imigracijah se je vzpostavil razmeroma pozno. Gre za teoretične razprave na področju, ki je bilo navadno opredeljeno kot preveč faktografsko za postmoderno subtilnost, ki nam jo »diskurz« nalaga. Zdi se mi, da že samo dejstvo, da se je v teoriji migracij vzpostavil v vrstah njenih najpomembnejših avtorjev, govori v prid napredku teorije same. Gl. npr. Brubaker (1995) in Freeman (1995a).

¹⁰ Za podatke o medetničnem nasilju gl. npr. Allcock (2002, 405–406). Gl. tudi Mežnarić (1993, 123–124).

¹¹ Nepopolna poročila, ki so temeljila na približnih ocenah, niso pripomogla k temu, da bi posilstvo opredelili kot vojni zločin.

¹² 230.000 srbskim državljanom hrvaškega rodu je bil dodeljen nejasen, začasen status. Njihova pravica do vrnitve na svoje domove ter pravica oziroma dolžnost ostati v državi sprejmnici še vedno ni jasno opredeljena. Še hujši je položaj bosanskih državljanov, ki imajo poleg bosanskega tudi hrvaško državljanstvo. Slednjim je hrvaška vlada dala na razpolago zapuščene srbske domove ter jih tako skušala vzpodbuditi k vrnitvi na ozemlje Hrvaške ...

tako zdaj bodisi na Hrvaškem ali v Bosni bodisi v različnih evropskih državah skušajo najti mesto, kjer bi se lahko ustalili. »Čeprav si je do konca leta 1996 837.000 državljanov Bosne in Hercegovine v drugih evropskih državah pridobilo 'začasni zaščiteni' status, se mnogi med njimi na ozemlje Bosne in Hercegovine niso vrnili« (Salt in Clark 2002, 25). Tako zdaj ti niso ne iskalci azila, begunci ali ekonomski migranti ... ne razseljenci.

¹³ Da bi zmanjšali tovrstno uporabo podatkov, je skupina strokovnjakov z različnih področij – psihologi, psihiatri, sociologi, demografi in strokovnjaki s področja računalništva – leta 1993 v Zagrebu ustanovila nevladno organizacijo z imenom HEG (Humanitarna ekspertna skupina), ki je delovala do leta 1995. Njen cilj je bil vzpostaviti in voditi bazo podatkov o virih, razlagah, izboljšavah in metodah, ki so se jih posluževale različne službe za potrebe zbiranja in navajanja podatkov o beguncih in razseljencih ter podatkov o kršenju človekovih pravic na zaradi vojne prizadetih območjih. Omenjena baza podatkov vključuje podatke iz petih glavnih virov: 1. statistik, ki jih je redno objavljala UNHCR ter z njim povezane službe na Hrvaškem in v Bosni, 2. podatkov nevladnih organizacij, ki se ukvarjajo z vprašanji človekovih pravic, 3. podatkov nevladnih organizacij ter strokovnjakov s področja terapevtske dejavnosti, 4. podatkov, ki so jih v zatočiščih na podlagi anket zbrali socialni delavci, in 5. teoretskih spoznanj ter nanje navezujočih se zapisanih virov na temo vojne, psihičnih travm, razseljevanja in nasilja.

Po predvidevanjih naj bi zbiranje tovrstnih podatkov njihovim uporabnikom omogočilo primerjavo različnih na Hrvaškem, v Evropi (Velika Britanija) in v Kanadi zbranih virov podatkov, ki se nanašajo na iste ali podobne primere in dogodke. Tako bi ohranjali minimalno raven kritičnega pristopa do posameznih virov in interpretacij. HEG je bila zasnovana kot izobraževalen okvir, namenjen vsem tistim, ki bi jih – ob minimalnem strokovnem znan-

ju – utegnili zanimati podatki o vojnah na Balkanu in njihovih posledicah ter viri teh podatkov.

¹⁴ Pojem »čiščenje« prebivalstva se lahko nanaša tudi na druge vrste družbenih skupin, ki jih zaznamuje verska, spolna, rasna ali razredna pripadnost.

¹⁵ »Ker ima razsežnosti grozodejstva – je namreč pomor velikega števila ljudi –, je genocid potrebno obravnavati kot posebno kategorijo; ne vselej neočiten pritisk na prebivalstvo, da zapusti svoje ozemlje, ki se lahko nezaznavno zmanjša na raven pritiska, kakršnega povzroča ekonomska nuja« (Bell-Fialkoff 1996, 1). Vendar pa je tanka razmejitvena črta med skrajnimi in zmernimi oblikami razseljevanja prebivalstva zabrisana. Zato se moramo zavedati, da sleherno zmanjševanje služi hevrističnim potrebam ter »ga je potrebno obravnavati zgolj kot smernice in ne kot jasne pokazatelje« (Bell-Fialkoff 1996, 2).

¹⁶ Zato, kot trdi Bell-Fialkoff, kot »čiščenje« prebivalstva ni mogoče opredeliti naslednjih primerov izгона velikega števila prebivalstva: trgovine s sužnji iz afriških držav – v mnogo večji meri kot rasistične težnje so jo pogojevali ekonomski interesi; preganjanja ameriških Indijancev, ki samih sebe niso dojemali kot raso; ali čiščenja prebivalstva prehodnega značaja, kakršen je bil izgon Albancev s Kosova med srbsko politično kampanjo leta 1999.

¹⁷ Za ta vpogled, ki je sorazmerno nov v stabilnih evropskih državah, se zahvaljujemo Stevenu Castlesu, ki je kot splošno priznani sociolog, ki se ukvarja s pojavom migracij, usmeril našo pozornost na povezave med okoljskimi spremembami, prisilno migracijo in močjo (Castles 2002).

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IMIGRANTI MED EVROPSKO MIGRACIJSKO POLITIKO IN POSEBNOSTMI PROSTORA

»Ogledujem si vaše mesto in kulturo. Če mi boste všeč, bom zaprosil za azil, drugače moram naprej. Za zdaj ste mi všeč.«

Citat je del izjave prebežnika, ki je v Slovenijo pobegnil iz Irana.¹ Pri bralcu pušča vtis, da se je imigrant odločil ostati v Sloveniji zaradi njene privlačnosti, njene kulture in njenih prostorov. Z njegovega gledišča je tako razmišljanje utemeljeno: migrant se odloči ostati v prostoru, ki mu je »všeč«. Pa vendar iz te perspektive spregleda enega pomembnih pogojev za svoje bivanje tukaj, namreč, ali bo on »všeč« tistim, ki živijo v »vašem mestu«, in ali bo »vaša kultura« sprejela njegovo. Z drugimi besedami: kako bodo ljudje, ki živijo v Sloveniji, sprejeli njega kot posameznika iz drugega prostora in druge kulture?

V besedilu bom poskušal na podlagi refleksije dogodkov in javnih diskurzov zadnjih let opredeliti značilni in že skoraj povsem naturalizirani odnos prebivalcev Slovenije do prebežnikov in drugih imigrantov, ki poskušajo v tem prostoru življenje začeti znova. Odnos do prebežnikov skriva v sebi oblike zavračanja in izključevanja, ki so bile (in so še vedno) značilne tudi, na primer, za odnos do beguncev balkanskih vojn in ekonomskih imigrantov iz repub-

lik bivše Jugoslavije. Utemeljeno lahko verjamemo, da se podlaga izključevanja prebežnikov vsaj do neke mere ujema s podlago izključevanja drugih imigrantov, ki se niso vključili oziroma se ne vključujejo v dominantni način življenja tako, kakor od njih pričakuje večinsko prebivalstvo. Za odnos prebivalstva do prebežnikov, ki so, kakor je videti, označeni za najbolj nezaželene imigrante, lahko rečemo, da je skrajna oblika zavračanja in izključevanja imigrantov. Pri tem je treba iz »skupine imigrantov« izvzeti imigrante iz zahodne Evrope in Severne Amerike, turiste, predstavnike multinacionalk in mednarodnih organizacij, diplomate ipd. Za razliko od tistih, ki prihajajo v Slovenijo na napačen način in z nepravlega konca sveta, so ti imigranti pri Slovencih dobro zapisani in jih le kdaj pa kdaj poimenujejo »imigrant«. Pri njih ne moremo govoriti o odnosu zavračanja in izključevanja, prej narobe. Prav tako ti imigranti pri prehodu meja (tudi slovenske) praviloma nimajo težav, saj jih kontrolni mehanizmi ne pregledujejo tako natančno kakor druge, če jih sploh. Njihove destinacije so globalizirane, število tako privilegiranih pa se ne zvišuje. Ta privilegij ostaja majhnemu številu bogatih držav oziroma majhnemu številu bogatih elit v velikem številu držav (Bauböck 1998, 27). Meja zaustavlja in zaustavi samo nekatere skupine, kategorije ljudi, medtem ko je za »izbrane« tako rekoč ni.

Med širitvijo Evropske unije in implementacijo njenih politik, na primer migracijske, je nemalokrat videti, da je odnos do imigrantov v vseh njenih državah vsaj podoben, če ne celo enak. Načini zavračanja in izključevanja, ne glede na to, v kateri del Evrope imigrant pride, so lahko povsod enaki, vendar ni nujno, da so tudi povsod enako utemeljeni. Evropska migracijska politika je prekrila tisto, kar lahko označimo za specifičen odnos nekega prostora do imigrantov. Ta odnos pa ne temelji izključno na drugačnosti imigrantov oziroma na njihovi primernosti ali neprimernosti, ka-

kor hoče biti največkrat prikazano, ampak tudi na posebnostih države, v katero pridejo. Po drugi svetovni vojni so na primer Avstralija, Nova Zelandija in Kanada dajale prednost britanskim imigrantom, postopoma pa tudi tistim, ki so prihajali iz severne in vzhodne ter pozneje tudi iz južne Evrope. Zavračanje Neevropejcev je temeljilo na rasnem izključevanju. Prevladovalo je prepričanje, da se imigranti iz Evrope lahko asimilirajo, Neevropejci pa ogrožajo nacionalno identiteto in družbeno kohezijo. Podobno so Argentina, Čile, Brazilija in Venezuela dajale prednost imigrantom iz »kulturno podobnih« evropskih držav, še posebej Španije, Portugalske in Italije (Castles in Davidson 2000, 55–56). Da lahko nekdo sprejme »kulturno podobne«, druge pa zavrača, mora najprej ustvariti mnenje o samem sebi. Šele potem se lahko primerja z drugim oziroma ga sprejme ali zavrne. Z imigrantovega gledišča tako ni najbolj pomembno, kaj je in od kod prihaja, ampak predvsem, kam gre oziroma kam pride. Logika integracije in izključevanja imigrantov je namreč v različnih državah lahko različna, čeprav na prvi pogled mogoče ni tako videti.

IMIGRANTI V TREH SKANDINAVSkih **DRŽAVAH: DANSKI, NORVEŠKI** **IN ŠVEDSKI**

V treh skandinavskih državah: Danski, Norveški in Švedski, ugotavlja Eriksen (1996), pomeni termin imigrant fizično drugačnega (temnopoltega), zaposlenega ali brezposelnega predstavnika delavskega razreda, pri čemer so imigranti iz zahodne Evrope in Severne Amerike iz te podobe izvzeti. Popularni diskurz običajno ne loči med ekonomskimi migranti, ki so v te države prišli v šestdesetih in sedemdesetih letih, in begunci, ki so prišli iz povsem drugačnih razlogov v osemdesetih in devetdesetih letih.

V teh državah se javne razprave o imigrantih vrtijo predvsem okrog jezikovnega pluralizma, verskih pravic, izključevanja s trga delovne sile in stopnje kriminala, pri čemer se pozornost od etnične diskriminacije, družbene marginalizacije in ekonomskega izkoriščanja vse bolj usmerja proti vprašanju identifikacije in kulturne dinamike. Glavno vprašanje je, kako naj bodo imigranti integrirani, da jim bodo zagotovljene enake pravice in možnosti kakor večinskemu prebivalstvu. Eriksen (1996) pravi, da je mogoče govoriti o značilnem skandinavskem pristopu (čeprav med državami razlike so): ideji družbenega inženiringa, vprašanju podobnosti in enakosti ter vprašanju »kulture«.

Po zamisli družbenega inženiringa je država tista, ki mora s svojimi institucijami vsem prebivalcem zagotavljati enake formalne pravice in možnosti. Velja prepričanje, da je za integracijo odgovorna država in da je mogoče na specifična vprašanja odgovorjati s standardiziranimi rešitvami. Thomas Gür v svoji študiji (*Staten och nykomlingarna*) zagovarja trditev, po Eriksonovem mnenju prepričljivo, da močna vpletenost države preprečuje uporabo in razvoj neformalnih mrež in s tem imigrante spreminja v stranke. Pokaže, da se v državah (na primer v Kanadi in Avstraliji), kjer spodbujajo neodvisne iniciative, imigranti hitreje »osamosvojijo« kot v državah, v katerih poskušajo vedenje imigrantov standardizirati tako, da jih podvržejo togim birokratskim režimom. V njih postane »imigrant« izraz, ki homogenizira različne posameznike, posameznice in skupine, ne glede na specifičnost njihovega položaja (Eriksen 1996).

Vprašanje podobnosti in enakosti izvira iz terminoloških značilnosti jezikov omenjenih držav. Specifičnost je v tem, da obstaja izraz s pozitivno konotacijo (*likhet/lighed*), ki ga lahko prevajajo kot podobnost ali pa kot enakost. Oboje samoumevno enačijo. Kot posledica, trdi Eriksen (1996), je podobnost nujni pogoj za enakost.

To pa je mogoče interpretirati, da je zaradi kulturne drugačnosti drugi še vedno neenak. V tem miselnem okviru ni mogoče biti drugačen in hkrati politično enak.

Glede kulture so imigranti v splošnem postavljeni pred nemogočo izbiro. Izbirati morajo med dvema skrajnostma: ali bodo postali »Skandinavci«, ali pa bodo obdržali svojo kulturo. Ne eno ne drugo v praksi seveda ni mogoče, kaže pa na miselnost, da obstajata »njihova kultura« in »naša kultura«, med katerima je mogoče potegniti jasno ločnico. Čeprav se včasih priznava enakost med »njihovo kulturo« in »našo kulturo«, pa jasna razmejitev med obema ostaja; v tem pogledu ostajajo imigranti kategorija zase (Eriksen 1996).

Eriksen (1996) sklene analizo družbene logike integracije in izključevanja imigrantov in beguncev z ugotovitvijo, da je v omenjenih treh državah mogoče govoriti o treh različnih vzrokih izključevanja. Na Danskem, pravi, gre za »dansko domačnost« (*Danish coziness* oz. *den danske hygge*), ki deluje kot mehanizem izključevanja na ravni neformalnih družbenih interakcij. Srečanja za domačo mizo, ki je pregovorno obložena s hrano in pijačo, so učinkovita oblika neformalnega druženja, iz katerega pa so imigranti praviloma izključeni. Na Švedskem je vzrok izključevanja, paradoksalno, ideja enakih možnosti, ki je del ideologije državne blaginje in v okviru katere ni prostora za razlike. Imigranti so neenaki in izključeni zato, ker želijo biti kulturno drugačni (različni) od večine in ker birokratizacija imigracij spregleda (zanika?) njihove specifične potrebe. Na Norveškem sta politika in diskurz vključevanja in izključevanja močno zaznamovana z vprašanjem nacionalnosti z močnimi etničnimi komponentami. Konflikti, ker jim na primer ne omogočijo muslimanske šole, se utemeljujejo (in razlagajo) s kulturnim determinizmom, (ne)priznavanjem tradicije oziroma tradicij ipd.

Čeprav je mogoče govoriti o značilnem skandinavskem pristopu, pa razlike med državami so in zato se vsaka od treh držav loteva vprašanja integracije imigrantov na svoj lastni način.² Poglejmo, kakšna je logika izključevanja, ki jo v Sloveniji lahko prepoznavamo, na primer, v zadnjih petnajstih letih.

IZHLJUČEVANJE IMIGRANTOV IN MEDIJSKI DISKURZ

Eden od prostorov, kjer se oblikuje razmerje med na videz homogenim prebivalstvom na eni in na videz homogenimi imigranti na drugi strani, je poleg drugih javnih diskurzov medijski diskurz. Ta predstavlja glavni okvir, v katerem nastaja splošni konsenz o odnosu »nas« do »drugih«. Odnos, ki izključuje imigrante, deluje navznoter kot kohezijska sila, ki utrjuje in homogenizira predstavo o lastni identiteti in lastni kulturi. S poudarjanjem bipolarnosti naša kultura-njihova kultura, naša identiteta-njihova identiteta (navsezadnje tudi stalnost-spremenljivost) se utrjuje miselnost, da je mogoče o »tujosti« govoriti tudi kot o nevarnosti. Nevarnost pa je zadosten pogoj, da se lahko sprožijo mehanizmi, ki so sicer v prikritem stanju mirovanja. V Sloveniji je med različnimi »krizami«³ prihajalo »do eksplicitnih groženj in poskusov raznih akterjev, da bi zares delovali sami, na lastno pest, zunaj legalnih in institucionalnih okvirov države« (Jalušič 2001, 15).

Na Švedskem, pravi Eriksen (1996), popularni diskurz običajno ne loči med ekonomskimi migranti, ki so prišli v omenjene države v šestdesetih in sedemdesetih letih, in begunci, ki so prišli v državo v osemdesetih in devetdesetih letih. V Sloveniji o takem enačenju ni mogoče govoriti.⁴ Prav tako ni mogoče govoriti o enačenju bosanskih beguncev, ki so v Slovenijo prišli v prvi polovici devetdesetih let prejšnjega stoletja, in tujcev, ki danes »pritiskajo na naše

meje«. V devetdesetih so po splošnem prepričanju begunci iz BiH »povzročali vse več nereda', 'motili navade lokalnega prebivalstva', povzročali 'naraščanje nacionalnih napetosti', 'bili potencialni storilci kaznivih dejanj'«, predvsem pa so predstavljali »drugačno civilizacijsko in kulturno raven ter vedenjski vzorec« (Doupona Horvat, Verschueren in Žagar 2001, 7). Sredi desetletja oziroma proti njegovemu koncu so begunci postali »naši«, izpraznjeno mesto pa so zapolnili sodobni migranti: ilegalci, ilegalni pribežniki, imigranti, azilanti, tujci ...⁵ V resnici so begunci postali naši samo »napol«. Še vedno ostajajo zadosti drugačni, da jih je mogoče vsak trenutek, skoraj po potrebi, vrniti v samo središče izključevanja in zavračanja. Zamenjava »objekta« v središču izključevanja in zavračanja se je v medijih odražala tako, da so izkušnje lokalnega prebivalstva z imigranti primerjali z izkušnjami, ki so jih imeli (vprašani ali kdo drug) pred tem z begunci. V tej strategiji je skrita domneva, da vsi vedo, kakšne »težave« so bile (ali so) z begunci.

Imigranti se kažejo v dveh, v resnici med seboj izključujočih se podobah, ki pa sta kljub temu združeni in še dodatno bremenita podobo imigrantov. So hkrati poznani in blizu ter neznani in od daleč: o njih pišejo v tiskanih mediji, videti jih je mogoče na televiziji ipd. V resnici pa prihajajo od daleč in ne iz prostorov, iz katerih so prihajali »tradicionalni« imigranti pred njimi. Sodobni imigrant je tako že videni nezaželeni drugačni, ki vrh vsega prihaja od daleč. Njegova podoba je, ne glede na to, kako bi pozneje (za)živel v tem prostoru, že vnaprej znana — in slaba.

Od začetka »prebežniške krize«⁶ pa do danes je bila v medijih o imigrantih objavljena vrsta člankov, intervjujev, reportaž, komentarjev, pisem bralcev ipd. Iz njih je mogoče razbrati odnos, ki ga zaradi vzajemnega učinkovanja med »ulico«, mediji in »javnostjo« lahko razumemo kot prezentacijo značilnega odnosa do imigrantov.

Imigranti vstopajo v življenje Slovencev različno. Na enem koncu silijo v »njihov osebni prostor« kot moteči element, ki hodi v »njihovo trgovino« in poseda pod »njihovimi okni«. Na drugem pa kot tisti, zaradi katerih sta ogroženi ekonomska in nacionalna varnost države. Prvo izhaja iz prepričanja, da je Slovenija zanje ciljna država, torej, da bodo v te trgovine hodili še naprej, da bodo še naprej posedali pod okni in da bodo za temi imigranti prihajali novi in novi. Drugo izhaja iz suma, da je Slovenija zanje samo vmesna postaja. To po eni strani sprošča napetost, saj bodo imigranti potem, ko se bodo »nahraniли in spočili«, odšli naprej, po drugi strani pa jo povečuje, saj naj bi bili pri tem zlorabljeni dobrota in strpnost Slovenije in njenih prebivalcev.

Ustvarjen je konsenz, da imigranti na vseh ravneh, naj bo to osebna ali pa raven nacionalne varnosti, predstavljajo grožnjo. Podobo imigrantov je oblikoval »glas ljudstva« iz okolice azilnih domov, potrjevali pa so jo glasovi drugih, ki so tako ali drugače prišli v stik z njimi ali so imeli o njih svoje mnenje.⁷ Prvo, kar je začelo motiti »glas ljudstva«, je bila neurejenost migrantov. Ti so pomanjkljivo oblečeni in obuti, neurejeni in nevajeni osebne higijene. Ker prihajajo iz »eksotičnih« držav in ker niso opravili zdravstvenega pregleda, so potencialna nevarnost za zdravje vseh, ki bi se znašli v njihovi bližini.⁸ S svojim nasilnim in nekulturnim vedenjem, kriminalno dejavnostjo ali že s samo prisotnostjo ogrožajo varnost prebivalcev. Kradejo obleke, hrano, baterije in radie, vlamljajo v vikende in avtomobile in ne nazadnje, »kradejo« ženske.

O razlikah, ki so opredeljene za kulturne, se govori, kakor da so naravne in nujne. Podobno pravijo tudi liberalni teoretiki, ki vidijo kulturne razlike največkrat skoraj kot naravno danost ali pa kot svobodno izbrani (drugačen) način življenja. Vendar pa najpomembnejše značilnosti, ki nekoga določajo za člana neke »kulturne skupnosti«, največkrat niso izbrane, ampak so pripisane in izhaja-

jo iz družbenih odnosov in specifičnega družbenega okolja. Prevladuje torej prepričanje, da so kulturne razlike naravne in da nastajajo same od sebe, ne pa kot posledica nekega specifičnega okolja, pritiskov in odpora (Bauböck 1998, 37). Tako kakor šele priznanje drugih nekomu omogoči, da postane član neke »kulturne skupnosti«, ne glede na to, kaj si misli o sebi, in ne glede na to, ali presega neke minimalne kriterije (neformalnega) članstva, tako tudi razlike postanejo pomembne šele takrat, ko mu jih pripiše nekdo drug in ga potem na podlagi teh pripisanih razlik zavrne.

Poleg kulturnih razlik je pomembno tudi materialno stanje imigrantov. Največ je tistih iz srednjega sloja, torej niso vsi samo reveži. Na tej točki postanejo vpleteni tudi tisti prebivalci, ki z imigranti neposrednega stika nimajo. Namreč: če prebežniki svoj denar imajo, zakaj potem »odžirajo« davkoplachevalski denar? Tujce vzdržujejo slovenski delavci, ki še sami komaj živijo. Država in z njo ljudje so tako obremenjeni tudi ekonomsko. Imigranti s svojo navzočnostjo ne »ogrožajo« zgolj »kakovosti življenja« tistih, ki so z njimi v neposrednem stiku, ampak predstavljajo grožnjo za vse prebivalce in državo. Krivi so za različne probleme v slovenski družbi, negativno vplivajo na področje zaposlovanja in socialne varnosti, »odžirajo« davkoplachevalski denar in predstavljajo grožnjo varnosti prebivalcev in države.

Skladno s prepričanjem, da mora tisti, ki opozori na »problem«, ponuditi tudi možnosti za njegovo rešitev, je »glas ljudstva« tudi pokazal, kje naj se »vprašanja imigrantov« začne reševati: pri državi. Po splošnem prepričanju je za nezadovoljstvo Slovencev kriva država, saj ne zna poskrbeti za svoje ljudi. Država je tista, ki bo (morala) stvari, ki so ušle z vajeti, spet spraviti na svoje mesto; s svojimi zakoni postavlja »pravila igre« in prav ona je tista, ki lahko s »primerno« zakonodajo »zajezi živo reko«. Pri tem ne smemo spregledati dejstva, da je tisto, kar se kaže kot pozitivna

možnost razrešitve, v resnici poglobljanje negativnega odnosa do imigrantov. »Glas ljudstva« ne išče pozitivnega obrata na primer tako, da bi »pomanjkljivo oblečenim in obutim« priskrbeli obleke ali da bi imigrantom pomagali poiskati zaposlitev ipd. »Glas ljudstva« ne vidi rešitve v iskanju odgovorov, ampak v »ukinitvi« vprašanja, v »ukinitvi« imigrantov kot motečih in nezaželenih: ko ne bo več imigrantov, ne bo več problemov. To pomeni, da je treba vse tiste, ki so že v državi, »poslati nazaj« oziroma »drugam«, tistim, ki bodo prišli za njimi, pa vstop preprečiti ali vsaj otežiti z dodatno zaostrenimi postopki.

IMIGRANTI MED DRŽAVNO POLITIKO IN EVROPSHIMI SMERNICAMI

Medijski diskurz ne gradi samo nekega javnega konsenza, ampak hkrati »aktivno pripravlja podlage, glavna izhodišča in legitimacijo za izvajanje državnih in lokalnih politik« (Jalušič 2001, 13). Poleg tega se vzpostavlja kot nekakšna interpretativna lupa, skozi katero je mogoče brati zahteve Evropske unije v zvezi z migracijsko politiko. Tako medijski diskurz svoj vpliv na politiko še povečuje. Zahteve Evropske unije delujejo kot zapovedane smernice, ki jih uradna politika prevzema kot smernice lastne politike; javno mnenje temu praviloma ne ugovarja.⁹ Negativne posledice nekritičnega sprejemanja zapovedanih evropskih smernic so v nekaterih državah vidne.¹⁰

Odnos prebivalstva do imigrantov, kakor se kaže skozi medijski diskurz, je do (imigrantov) »prizanesljiv« zgolj navidezno. Neko bi namreč lahko rekel, da je pisanje časopisov bolj kot preganjanju in odganjanju imigrantov namenjeno bralcem. Ti berejo in si ustvarjajo podobe. Njihovo mnenje in odnos do imigrantov, pa praviloma ne prestopita praga njihovega doma. To pomeni, da so imigrantom, ko jih srečajo na ulici, praviloma vsi naklonjeni, svoj

odklonilni odnos pa izrazijo šele potem, ko so varni za zaprtimi vrati svojih domov. Če še upoštevamo, da javnost razen v primeru »krize« oziroma če ni tako ali drugače izzvana, vprašanju imigrantov praviloma ne posveča velike pozornost, potem je zelo blizu napačen sklep, da je moč medijskega diskurza glede tega vprašanja pravzaprav njegova nemoč, odnos, ki naj bi ga pomagal ustvarjati in ki iz njega izhaja, pa komaj vreden omembe. Skladno s takim prepričanjem bi kateri od imigrantov odnos prebivalcev v dejanskem položaju sicer lahko občutil, ampak to bi bilo zgolj nesrečno naključje, nikakor pa ne pravilo. Če imigrant v trgovini ne bi bil postrežen, bi bilo to naključje, morda trenutna slabost prodajalca in ne pravilo, ki bi veljalo za vse imigrante v katerikoli trgovini – oziroma v katerikoli drugi interakciji v javnem prostoru. Sporočilo, ki ga moremo razbrati med vrsticami, je približno tako: res je, da imigranti ogrožajo Slovenijo, to pa nikakor ne pomeni, da Slovenci ogrožajo njih, če pa že, je to ogrožanje naključno ali pa upravičeno.

Recimo, da je interakcija kljub vsemu mogoče brez negativnega odnosa. Če pri prvem koraku »zlorabimo« verjetnost, pa že takoj pri drugem trčimo ob oviro, ki načelo verjetnosti (vsaj za opazovalca od zunaj) praviloma izključuje: na zakonodajo.

Na državno politiko poleg mnenja javnosti »pritiska« tudi politika Evropske unije. »Države, ki bi bile rade sprejete v Evropsko unijo, poskušajo zaradi pritiska, pod katerim so, nekritično izpolniti tisto, kar od njih pričakujejo. Nenazadnje je eden izmed pogojev za vstop tudi zapiranje meja« (Nauditt 2001, 35). Posledice »zapiranja meja« pa sežejo dlje kot samo do ravnanja s prebežniki, ki se znajdejo v »postopku«. Spodbujajo rasizem in reproducirajo predsodke in strahove. »Diskurz o beguncih, 'ki nam jemljejo žene, ki ne delajo, ki so azilantski goljufi, razpečevalci drog, itn.', krepi med prebivalstvom odkrit in prikrit rasizem« (Nauditt 2001, 38).

Duh Evropske unije obvladuje državno politiko zato, ker je sprejemanje smernic EU pač eden od pogojev za članstvo v njej. Javni diskurz pa zato, ker ga po eni strani napaja s formo (na primer nacionalizmi, ki so značilni za nekatere evropske države), po drugi strani pa zato, ker naj bi bil po tukajšnjem prepričanju odnos do imigrantov v drugih državah Evropske unije še precej slabši. Če lahko v Evropski uniji živijo z negativnim odnosom do imigrantov, potem bomo (v skladu s prepričanjem, da so v Evropi stvari urejene bolje kot v Sloveniji) tukaj še toliko lažje.

Tako se zdi, da se medijski diskurz neposredno dotakne imigrantov samo na rahlo, zares pa jih zagrabi šele tam, kjer na prvi pogled tega ni pričakovati: v zakonodaji. Če v medosebni interakciji še lahko pogojno govorimo o možnosti pozitivnega odnosa, pa tega za postopke, ki jih zapoveduje zakonodaja, ni več mogoče reči. Izjave, na primer uradnikov ali policistov, da so v postopku ravnali v skladu z zakonom, češ da z zakonodajno avtoriteto določen cilj opravičuje vsa sredstva (na primer nasilje ob prijetju pri prehodu meje zunaj za to določenih krajev), niso nič neobičajnega.

Neža Kogovšek (2001, 93) je v poglavju »Novosti, ki so za prosilce neugodne« povzela tiste spremembe zakona,¹¹ ki imigrantom v postopku odvzemajo del pravic, ki so jim bile pred tem priznane. Za potrditev zgornje trditve (da je negativni odnos z ulice, »preslikan« v zakon, dokončen) zadostuje omeniti, da se po novem odločbe, ki se vročijo prosilcem, v njihov jezik »ne prevedejo v celoti, temveč le izrek, pravni pouk in kratek povzetek obrazložitve. Stari zakon je določal, da se spisi v postopku vročajo v jeziku, ki ga prosilec razume, dodana pa je dopolnitev razen sklepov in odločb, ki se prevajajo, kakor je opisano« (Kogovšek 2001, 93). Če za boljšo predstavo zadevo obrnemo in rečemo, da se v slovenščino iz tujega jezika prevedejo le izrek, pravni pouk in kratka obrazložitev, potem hitro pomislimo, da vsega ne smemo izvedeti (ne ra-

zumeti pomeni prav to) ali zato, ker obrazložitev ni »poštena«, ali pa zato, ker je tako ali tako vseeno, kakšna je. Obrazložitev, zakaj je vlada sprejela tak sklep, govori sama zase. »Prevladal je namen vlade, da bo vsaj pri tej točki znižala stroške postopka, pa četudi na račun varstva človekovih pravic (pravici, ki sta kršeni v tem primeru, sta: prepoved diskriminacije na podlagi jezika in pravica do enakega varstva pravic)« (Kogovšek 2001, 91). Po tej utemeljitvi se sme o človeku in o človekovih pravicah legitimno odločati prek zmanjševanja stroškov, torej prek ekonomske racionalnosti.

NEZADOŠTNOST RAZPRAVE PROTI IMIGRANTOM IN ZANJE

Odnos do imigrantov pa v Sloveniji ni nastajal in ne nastaja izključno enoznačno. Protipol, pogojno rečeno, je začel delovati tako v javnem diskurzu kakor tudi v politiki. V začetku leta 2001, neka-ko na vrhuncu »prebežniške krize«, se je začel izraziteje oblikovati tudi glas, ki je pozival k strpnosti, torej k drugačnemu odnosu do tistih, ki bi jih »glas z ulice« najraje »ukinil«. Nekatero skupino in nevladne organizacije, posamezniki in posameznice so začeli pozivati proti sovraštvu do tujcev, Urad za intervencije je napovedal akcije solidarnosti ipd. Mediji so začeli objavljati pozive k strpnosti in hkrati o prebežnikih pisati ne samo kot o homogeni gmoti, ki ogroža, ampak tudi kot o posameznikih in posameznicah. To spremembo so nekateri označili za medijski obrat.

Za t. i. medijski obrat lahko rečemo, da je v glavnem pozival k strpnosti in bil »poskus« drugačnega pisanja. Kakor lahko vidimo danes, njegova moč ni bila v tem, da bi splošno razpoloženje bistveno odvrnil od neke navidezne naravnosti ali da bi deloval kot izhodišče za neki novi diskurz, ki ne bi bil omejen z vrednotenjem »proti imigrantom-za imigrante« in z apriornim zavračanjem ozi-

roma izključevanjem. Je pa medijski obrat (in njegove interpretacije) takrat, ko se mu bistveni odklon ni posrečil, postavil mejo »še sprejemljivega« odnosa do drugačnih (v tem primeru imigrantov) in za nazaj legitimiral prakse (metode, strategije ...) izključevanja in zavračanja – medijski obrat se je zgodil v času, ko je možnost »nesprejemljivega« postala realna. Hkrati so postale te prakse legitimne tudi za naprej, kar pomeni, da lahko v prihodnjem podobnem položaju pričakujemo podobne prakse izključevanja, za katere bodo akterji prepričani, da so njihova »pravica« in da so legitimne.

Politika, ki je iskala dodatni navdih v prevladujočem razpoloženju javnosti, je pri spreminjanju zakona o azilu dobila »sogovornika« v skupini nevladnih organizacij. Njihov namen je bil, da pripravijo pripombe na zakonodajo in opozorijo na nepravilnosti, ki se dogajajo pri njenem izvajanju v praksi. Med drugim so opozarjale,¹² da ravnanje do prebežnikov ne more biti standardizirano, torej enako za vse. »Zavrnitev prosilca [za azil] ne more temeljiti samo na vrednotenju motivov, temveč predvsem na razmerah, iz katerih prihaja.« Prav tako »osebe z različnimi statusi zahtevajo različno obravnavo« (Kogovšek 2001, 84, 85) ipd. Dialog med nevladnimi organizacijami in ministrstvom, kakor ga je to zastavilo in narekovalo,¹³ je prvim onemogočil, da bi v resnici izboljšali položaj prebežnikov v postopku. Namesto tega so se morale nevladne organizacije potruditi, da so prosilci ohranili »vsaj tistih nekaj pravic, ki jih uživajo po črki zakona« (Kogovšek 2001, 94).

Odnos do migrantov nastaja skozi navidezen »dialog« med poloma, med nasprotniki in zagovorniki, torej med nasprotniki imigrantov in tistimi, ki so *za* imigrante. Ta dualizem je v resnici prepoznaven, vendar deloma tudi zavajajoč. Če nič drugega, dominantni diskurz sproti delegitimira otoke protidelovanja, ki nastajajo zunaj diskurza proti-za, in jih »požira«. Po tej postavitvi opre-

delujeta negativni odnos do imigrantov politika in pa tisti (prevladujoči) del javnosti, ki je imigrantom nenaklonjen. Na drugi strani pa se poskušajo pozivi različnih skupin, posameznikov in posameznic, delovanje nekaterih nevladnih organizacij, ki jih v resnici lahko označimo za pozitivne, zreducirati na enoznačen odnos za imigrante.

Tisto, kar utrjuje negativni odnos, se kaže kot statično, globoko zakoreninjeno prepričanje, da je slovenski prostor »kulturno homogen« in ozemeljsko nespremenljiv¹⁴ in da je treba Evropo, katere del je tudi Slovenija, zavarovati pred »vdorom« drugačnih praks in nezaželenimi drugimi.¹⁵ Svoj navdih črpa iz preteklosti in je nekako slep za prihodnost – življenje je mogoče samo takšno, kakršno že poznamo, kakršno je, torej brez sprememb. V okviru takega razmišljanja bi morali imigranti svoje prakse prilagoditi tako, da ne bi bistveno vplivale na prakse večine. Vendar pa je od tega močnejše prepričanje, da asimilacija sploh ni mogoča. Ne zato, ker ne bi bila prava rešitev, ampak zato, ker se »oni« ali nočejo asimilirati ali pa tega niso sposobni. Navsezadnje naj bi bile tudi razlike prevelike (Castles in Davidson 2000, 60–61). Položaja, v katerem imigranti ne bi bili ne asimilirani ne izključeni, takšno razmišljanje ne vidi. Verjame, da so razlike tako velike, da jih ni mogoče nadzirati niti z asimilacijo niti z izključevanjem z nekaterih področij družbenega življenja (Castles in Davidson 2000, 92).

Prepoznavne (in pričakovane) so tudi prakse, argumenti in strategije: sklicevanje na politiko Evropske unije, politika najmanjšega potrebnega dialoga, sklicevanje na ogroženost, upori različnih skupin (ki se označijo za skupnosti) ipd. Druga stran se statističnemu braniku homogenosti in nespremenljivosti postavlja po robu z drugačnimi načini in strategijami, predvsem pa z drugih izhodišč. Svojega delovanja, in to je glavni razlog, zakaj ne

moremo govoriti o bipolarnem odnosu med zagovorniki in nasprotniki, ne utemeljuje s tem, koga (tudi kaj) imigranti (ne)ogrožajo, ampak s prostorom (državo) in njegovimi značilnostmi. Razlike med imigranti in nami zanje niso niti naravne niti pomembne – priznavajo jih kot subjekte, ki imajo svoje pravice in dolžnosti. Tako se poskuša »pozitivna stran« izogniti postavljeni dihotomiji in graditi pozitivni odnos do imigratantov mimo diskurza »proti-za«.

ZAH LJU ČEH

Kaj lahko v duhu Eriksonove analize sklenemo za slovenski prostor? Pri neposrednih stikih gradijo odnos kulturne razlike. Heterogenost in individualnost imigrantov sta zreducirani na homogeno, kulturno nesprejemljivo gmoto, ki, to je zdaj že skoraj samo-umevno, ne sodi v slovenski prostor. Z dominantno kulturo v slovenskem prostoru je nezdružljiva, vsaka možnost sobivanja pa je prav zaradi tega izključena vnaprej. »Slovenska kultura« naj bi tako pomenila oziroma predstavljala neko stalnost, uravnoteženost, »kultura« imigrantov pa neko spremembo, nekaj, kar lahko sedanje stanje spravi iz ravnotežja in ga nujno poslabša. Ostaja prepričanje, da je med homogenima celotama jasna in nepresojna ločnica, razlike na eni in drugi strani pa so v primerjavi z razliko med celotama zanemarljive oziroma jih sploh ni.

Bolj ko se od subjekta in neposrednega stika z njim pomikamo proti institucijam države, zamenjujeta kulturno nezdružljivost vloga državne birokracije in vsesplošni občutek prikrajšanosti. Imigranti niso samo kulturno (preveč) drugačni, ampak naj bi bili tisti, ki »odžirajo« slovenski denar. Njihova navzočnosti zato ni »problem« samo nekaterih, ampak prav vseh. Vzpostavljen je odnos, ki se neprestano obnavlja tako, da poskuša ukiniti subjekt

na drugi strani. Ker so imigranti drugačni in »nesposobni« sami preživeti, so na splošno nezaželeni. Niso primerni ne za sosede ne za sodelavce ali poslovne partnerje, še najmanj pa za sorodnike. Toda bolj ko jih homogena gmota sili iz svoje sredine, bolj postajajo imigranti od nje odvisni. In bolj ko so odvisni od drugih, torej nesposobni preživeti sami, bolj so nezaželeni. Tisto torej, kar naj bi odnos odpravljalo (kot povedano zgoraj), v skladu z odpravo vprašanja (ukinimo imigrante), jih dela še bolj »imigrante« in zato še bolj nezaželene.

Zlorabljanje »kulture« pa se ne konča pri trdno začrtani razliki med nami in njimi. Različnost imigrantov je zreducirana na neko homogenost, ki je označena za kulturno drugačnost. Ta drugačnost ogroža in zato se ji je treba postaviti po robu: zavračanje posameznikov in posameznic se tako dogaja v imenu kulture. Kultura (v jeziku z »ulice«) postaja legitimacija nasilja in hkrati orodje za njegovo izvajanje – proti drugim, ki so druga kultura, se je legitimno boriti z »našo« kulturo. Kultura kot nasilje tako postane gotovost znotraj tistega, kar smo zgoraj označili za naključje v osebnem odnosu. Gotovost, ki naj bi jo zagotavljali z zakonom zagotovljeni postopki, pa je vendarle samo naključna. Prebežnik potem, ko že pride v Slovenijo, nima nobenega zagotovila, da bo, na primer, do postopka za pridobitev azila, sploh prišlo. In to dvoje je tisto, kar vzdržuje razliko med »formalno« migracijsko politiko Evropske unije in dejanskim odnosom do imigrantov v neki državi.

D P O M B E

¹ »Šišenski ekonom lonec«, *Mladina* 44, 29. oktober 2000.

² Za Švedsko gl. npr. Bešter (v tej knjigi: 100–106).

³ Na primer »begunska kriza« v letih 1992–1993 (gl. npr. Dupona Horvat, Verschueren in Žagar 2001) in »prebežniška kriza« v letih 2000–2001 (gl. npr. Pajnik, Lesjak-Tušek in Gregorčič 2001).

⁴ Tudi do ekonomskih migrantov v sedemdesetih in osemdesetih letih so Slovenci razvili svojevrsten odnos. Zgovoren je podnaslov *A kuda idu Slovenci nedeljom?* (Mežnarič 1986), ki namiguje na nedružabnost, nezanimanje in samozadostnost večinskega prebivalstva. Prazne nedeljske ulice niso bile samo vprašanje življenjskega stila, ampak tudi način ograjevanja od življenja »drugáč-nih« (Mežnarič 1986, 13).

⁵ O zagati različnih izrazov gl. npr. Pajnik, Lesjak-Tušek in Gregorčič (2001), Milohnič (2001), Dupona Horvat, Verschueren in Žagar (2001).

⁶ O imigrantih so v medijih pisali tudi pred t. i. prebežniško krizo, vendar ne tako intenzivno. Intenzivno poročanje označi neko vsebino za škandal, afero, krizo ipd. To vpliva na reakcije politike in drugih vpletenih, o čemer je spet treba poročati. Ustvari se krog, ki ga van Dijk (1991, 88) poimenuje *panic circle* (panični krog ali krog panike). Ta vpliva na podobo skupine, o kateri se tako poroča, izrazito negativno (van Dijk 1991, 113).

⁷ Za podrobnejše analize konstrukcije podobe migrantov v tiskanih medijih gl. npr. Bassin et al. (2002), Jalušič (2001) in Kuhar (2001).

⁸ »Kot poklicni statistik zelo dobro vem, da obstaja veliko večja verjetnost, da se bo moj otrok nalezal kakšne eksotične bolezni, če se bo gugal na gugalnici, na kateri se je prej zibala kakšna zamorklja.« Izjava anonimnega sogovornika, objavljena v *Mladini* (44, 29. oktober 2000), skriva v sebi dva elementa, ki utrjujeta podobo pribežnikov in jo hkrati intenzivno reproducirata. Prvi je strokovnost (»poklicni statistik«), zaradi katere naj bi trditvi, dani v izjavi, ne bilo mogoče oporekati. Drugi je poimenovanje (»zamorklja«), ki imigrante prestavi v neki drugi, s slovenskim nezdržljivi svet.

⁹ »Prav napeti 'dialog' z državo je spomladi v Sloveniji ustvaril ozračje, ki je bilo podlaga za neprepustno in vedno bolj restriktivno ter 'Evropi prilagojeno' 'imigrantsko politiko'« (Jalušič 2001, 41–42).

¹⁰ Evropska unija pričakuje od prosilcev za azil, da bodo prošnjo za azil vložili v državah zunaj Evropske unije. V Litvi, na primer, so begunci, prosilci za azil in »osebe brez papirjev« pred uvedbo novih zakonov veljali za brezdomce. Skupaj z zahodnoevropskim programom je Litva nekritično prevzela tudi v EU uveljavljene izraze. Izraz »ilegalci« v Nemčiji označuje tiste, ki v državi živijo brez dovoljenja za prebivanje. V Litvi isti izraz loči tiste, ki papirjev nimajo, od tistih, ki te papirje imajo. Izraz »ilegalec« v Litvi torej pomeni tistega, katerega identiteta še ni znana. Tisti brez papirjev živijo »v nečloveških razmerah« v mestu Pabradė, v Ruklo pridejo šele takrat, ko ugotovijo njihovo identiteto, torej ko dobijo papirje (Nauditt 2001, 28).

¹¹ Avtorica v besedilu obravnava spreminjanje slovenske azilne zakonodaje v letu 2001.

¹² Za druge pripombe nevladnega sektorja na zakonodajo gl. Kogovšek (2001, 83–84).

¹³ Več o načinu izmenjave mnenj med nevladnimi organizacijami in ministrstvom gl. Kogovšek (2001, 85–90).

¹⁴ Razumevanje države kot stabilne in od drugih držav razmejene teritorialne enote je eden od vzrokov, zakaj so danes mednarodne migracije tako občutljiv fenomen (Bauböck 1998, 24). Družbe postajajo vedno bolj mobilne, države pa teritorialno vedno bolj toge, kar ustvarja očitno napetost (Bauböck 1998, 32).

¹⁵ Giovanna Zincone (1998), na primer, pravi, da je treba preseči prepričanje, da novi in novi imigranti spodkopavajo kulturno homogenost Evrope.

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MIGRATION — GLOBALIZATION — EUROPEAN UNION

M O J C A P A J N I H A N D
S I M O N A Z A V R A T N I H Z I M I C

F O R E W O R D

CONTEMPORARY MIGRATION BETWEEN THE GLOBAL AND THE LOCAL

Migration is linked to borders, identity, human rights, as well as to issues such as the nation, state, ethnicity, and culture, but also to increasing limitations, restrictive and exclusion policies, racism and xenophobia. The political processes that lead towards the establishment of an idealized, global welfare village do not have adequate answers in terms of migration policy. Globalized and increasingly differentiated migration, which also, or even primarily, produces more and more differentiation on various local levels, requires local and localized answers. When viewed through the prism of both local and global development, people become increasingly divided into citizens and non-citizens, into autochthonous residents and newcomers, domestic population and foreigners, those from the west and those from the south. By globalizing its restrictive migration policy, of which the central element is electronic border control (the Schengen regime), the EU redirects the consequences of its globalized vision to local environments. As a result, the inhumane features and technicized image of the EU's migration policies, which are directed at "stemming the im-

migration tide” and achieving “effective control of the border,” are beginning to show their face in micro-environments.

The development of the EU brought with it new division lines and a shifting of borders towards the east and the south, while observing the principle of the distinction between western countries and their southern neighbors. Under pressure of globalization, through which “European identity,” supra-nationality and constitution are affirmed by stressing the distinction between Europe and others (people from the east and the south, Balkan people and so on), the policies of exclusion on the global level are transposed to the local level. The pressures of globalization (e.g. EU directives on the restriction of migration) generate restrictive vigilante-style local responses. Slovenia experienced such situations in 2001 and 2002.

Answers vary, but all share several common traits. First of all, exclusion of immigrants feeds on phantasms about an external enemy, with immigrants frequently being cast in that role. Refusals on the local level stem from paranoid images of immigrants as enemies who undermine the autochthony of a specific nation defined in one or another way. Second, justification of exclusion and marginalization of immigrants today frequently exploits the syntagm “on our own land.” An increasing number of diverse local initiatives capitalize on their autochthony, so anyone second-in-line is not welcome. In the case of Slovenia, this happened in the 1970s and 1980s, with the arrival of workers from ex-Yugoslav republics. The story acquired a sequel in 1992 and 1993, with the arrival of refugees fleeing from war in Bosnia and Herzegovina, and was intensified in 2001, during the period known as the “immigrant crisis.”

These situations activated the logic of protecting national interests, effectively the logic of exclusion. The urge to put up a defense

against a phantom threat became intensified. This seemingly omnipresent and dangerous threat was embodied by incoming immigrants. Such situations generate the “meta-geographical conception of one’s homeland” (Puhovski 2002), which operates as a motivation and implies striving for “the right cause,” that is to say, protection of some superior, moral and even metaphysical idea. A frequently heard excuse alleging that “we are not a country of immigration,” offered by some politicians from EU member states, is a manifestation of a deep-seated mentality that finds naturalization on original “heritage.” The all-embracing *Volksgenossen* or ethnic comradeship that finds its legitimacy in the historical roots of language and culture, does not leave room for immigrants (Habermas 1994, 145). Today the protection of ethnic or national autochthony finds expression primarily as a defense against disturbing elements coming from outside. Immigrants become a disturbing element. They are at best tolerated, but only as long as the historical and cultural formation remains intact. The need to protect historical, cultural, ethnic or national autochthony and supranational identity has become an excuse based on the logic of force, and influence that endorses any attitude towards immigrants which thus becomes acceptable, correct and even necessary.

Both principles mentioned above, i.e. the constitution of one’s own identity by stressing a distinction from another, and references to autochthony functioning as a kind of motivation for action, strengthen the predominant identity of a specific environment. National and supranational identity have today become a norm to be maintained and protected. Policies favoring such an approach marginalize immigrants as people who do not conform to predominant norms and, moreover, who cannot achieve these. Paradoxically, this practice is in the service of delimiting a space and privatizing it, which is a principle that is incompatible with

the idea of globalization. The opening of new spaces that would allow the shaping of new identity policies is thus precluded. Habermas would argue that this brings to the fore the perspectives of autochthonous populations, while the perspectives of newcomers are marginalized. Such policies neglect “intersubjectivity” as a position of “willingness to take the perspective of the other side” (Habermas 1994, 141, 142). They also neglect active interaction, which Parekh termed “intercultural dialogue” (Parekh 2000, 268–273).

The second element enabling the legitimization of exclusion policies is culture, understood in its predominantly apolitical sense. Immigrants are increasingly obviously excluded on the basis of their different culture. They are excluded from normalized and nationalized social environments because they are different. Their culture is rejected because it does not comply with the norms of the predominant culture. The conviction that immigrants’ behavior is unacceptable because their culture is not “civilized” is gathering momentum. The argument of cultural autochthony is dangerous because it reinforces the superiority of those in the superior position and gives them power to assert their own truth. This is a situation in which the truth of an immigrant is excluded as insignificant. Present globalized and localized policies, which require a responsible answer, are policies of choice that lead to exclusivity: as soon as one option (autochthonous culture) is chosen, the second (non-autochthonous) has to be rejected. Neo-liberal ideas which accord the same importance to all values and people, do not go beyond the level of ideals. And it is precisely this type of ideal that contributes enormously to the opposition directed against immigrants.

Both global and local responses to migration operate on the principle of classifying immigrants into desirable and undesir-

able groups, with the majority of current migrants belonging in the latter group. Modern migration policies categorize immigrants on the basis of the “motive” for migration, through which formal and legal handling of the issue is facilitated. The problem is that categorization has become a means to further marginalize immigrants, so, for example, those whose motive for migration is poverty are designated as exploiters of the right to asylum, compared to those who migrate because of persecution or war. It seems that today various rights are granted in order to protect established national and supranational interests that have obtained a mythical legitimacy. Rights have been turned into a means of manipulation—immigrants are blamed for appropriating “too many” rights and even for allegedly abusing them.

Multicultural and integration models of migration policy, which are frequently intertwined, today represent a significant challenge to predominant restrictive approaches, particularly in the countries of Central and Eastern Europe. Despite the fact that various models of this type are already an established practice in some EU member states, they still represent a rarely favored alternative. In addition, a decision to introduce such a model is accompanied by constant reconsideration of its implications, since warnings about their deficiencies have been increasing.

Fraser pointed out one of the reservations regarding multiculturalism, saying that, although multiculturalism emphasizes diversity, this emphasis is limited to cultural diversity while the issue of inequality is overlooked (Fraser 1996, 206). Or, as Puhovski said, multiculturalism viewed only from the perspective of cultural differences, implies the syntagm of inequality: “they can be seen but should not be heard” (2002). In other words, let them be but only as cultural beings who are expected to keep silent. We are witness to a kind of folklorization of immigrants with their

culinary skills, dance and music being highlighted, but their political activity not being recognized. In criticizing integration, Young points out that individuals belonging to excluded groups are expected to fulfill the expectations of the dominant groups, so the danger of a unidirectional policy is still present. The author also warns that any failure of integration measures is usually blamed on minority groups, which presumably lack the willingness to accept certain conditions under which they are allowed to adapt or integrate (Young 2000, 216, 217).

Several authors suggested alternative approaches. Puhovski speaks of a “shift from a cultural to political platform” (2002); Parekh (2000, 193) speaks of “the search for new political formations.” Habermas refers to “political integration” (1994, 139) in the sense of intersubjectivity and active multicultural learning as proposed by Jaggar (2002)—which is a kind of learning that implies the interrogation of one’s own positioning and requires a kind of openness and sensibility that transcends the passive liberal model of mutual respect. To put it differently, this type of learning is interactive and requires a willingness to recognize the effects of dominant mechanisms. Parekh says that it also implies a willingness to transcend liberal ideals, for example, by recognizing some additional rights for minority groups and thus making an equal opportunities policy a plausible option (Parekh 2000, 262).

The essays in this collection examine migration from all these perspectives. While offering critical considerations of migration policies, they also create room for new ideas and different, currently neglected approaches. The essay by Simona Zavratnik Zimic, “Fortress Europe or open Europe? Challenges facing the countries on the ‘Schengen periphery,’” brings forward a reflection on recent migration debates. The author examines these first in the context of European integration processes and then in rela-

tion to Slovenia. The emphasis is on a critique of migration policies that are primarily embodied as border regime policies and restrictions on mobility across the outer protective line of nation states and the EU as a whole. Zavratnik Zimic argues that this is only a partial and inadequate answer to dynamic and increasingly diversified migration processes. Eastward expansion of the EU brings into existence new types of external frontiers—the former iron curtain and the concrete walls were replaced by more refined, electronic and paper walls. This bureaucratic fence enclosing the EU is barely penetrable for immigrants, so the number of “illegal border crossings” is increasing, with the EU migration policy being designed to prevent them.

The essay by Bogomir Kovač, “Globalization, migration and economic development on the margins of Slovenia’s migration policy dilemma” looks at migration in relation to demographic change. In the next few decades the EU and the US, where the population has been decreasing, as has the share of the active population, will need additional workforce, for which economic migration will be the only available source. By describing the economic effects of migration, the author dispels stereotypical representations of the presumed trends characterizing migration and draws attention to the “richness of economic conduct of migrants.” He also offers a critical reflection on EU migration policy, showing that the EU does not have any common solution to the migration issue and that its migration strategy rests on a restrictive policy and on control of its external frontiers. The author’s thesis is that, in shaping its own migration policy, Slovenia should approach it as an important economic policy. Certain principles that should be observed in the short term are also proposed.

Romana Bešter’s essay “Immigrant integration policies,” presents a clear overview of three integration models: the model of

differential exclusion, the assimilation model or the model of differential inclusion, and the pluralistic or multicultural model. To illustrate these approaches, the author presents the cases of three EU member states—Germany, France and Sweden—all of which approximate these models to a greater or lesser degree. The essay further includes several reflections on current integration policy in Slovenia and some guidelines for the preparation of specific integration programs.

Silva Mežnarić's essay "Forced migration in 2002: A legacy from the nineties," examines current references to the forced, involuntary migration of the 1990s, the time of war in former Yugoslavia, and explains why this is important for an understanding of current migration policies. She points out the ways in which inadequate and frequently incorrect statistical data, emotionally charged opinions and generalized reports influence the frame of reference that even today presents an obstacle to the understanding of many events. She further examines the impact of particular interests interfering with reports on present circumstances. Another issue of interest is the significance of forced migration. The author defines the concept of ethnic cleansing and explains why in the former Yugoslavia it was defined as based on ethnic origin and religion. The author also opens further interesting migration related questions—the relation between environmental and forced migration, as well as political implications of modern migration.

The essay entitled "Immigrants between the common European migration policy and local peculiarities" by Aleš Drolc explains how different motives determining various migration policies may have identical consequences. A refusal to recognize the autonomy of an immigrant in Slovenia is not necessarily based on the same arguments as in another EU state. The author uses this

context to expose the mechanisms behind Slovenia's formalized approaches to migration (which are harmonized with EU policies), and the characteristics of immigrant exclusion in Slovenia. The essay reconsiders certain events that occurred in 2001 during the time known as the "immigrant crisis." The opinions regarding migration become formulated along a pro and contra axis, resulting in an a priori refusal. The EU, and particularly its formal configuration, is used as a reference point and as a mask covering all the peculiarities of specific environments that lurk under such a formalized outer appearance. The author also draws attention to various dimensions and mechanisms of exclusion which have obtained broad legitimacy in Slovenia over the past fifteen years.

This book is thus a collection of critical reflections on migration trends from various perspectives, all of which highlight the deficiencies of modern, mainly restrictive responses to migration on the global level and the level of the EU on the one hand, and local and national levels on the other. What does the globalization of migration bring with it? Which global development trends affect migration policies? What are the consequences of the ever stronger outer frontiers of the EU? What kinds of migration do we face today? What are the differences and where do these originate? What are the implications of these differences for immigrants? How do residents of host regions respond to immigration? What are the characteristics of national migration policies compared to local ones? How should we consider them, and why should we not concede to the type of policy that prevails today? The authors in this collection propose answers to these and many other questions, creating room for new approaches to migration policy. It is our hope that this book will encourage many reconsiderations.

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S I M O N A Z A V R A T N I H Z I M I C

FORTRESS EUROPE OR OPEN EUROPE? CHALLENGES FACING THE COUNTRIES ON THE "SCHENGEN PERIPHERY"

ARCHITECTURE OF THE MIGRATION DEBATE

This paper will discuss the issue of borders and mobility within the context of an enlarged European Union.¹ It will focus on two key areas: the formation of a common EU migration policy, and the formulation of a Slovenian approach to migration management. The key feature of the formation of Slovenian migration policy is the country's involvement in European integration processes; we make a link here between these processes and the prospects and possibilities of those post-socialist countries that have found themselves on the external borders of the European Union—that physical and socio-political space we call the "Schengen periphery."²

Both models are currently under construction and reconstruction. However, even though still at the formation stage and open to initiatives, neither of the two models offers a clear answer to the question of how a common migration policy should be regulated in an enlarged EU. This future policy will be binding on old consolidated democracies as well as the first-round candidates

from the “Schengen periphery.” Moreover, it will already lie responsibility at the door of the second-round candidates comprising the Balkan states and stretching to the Russian neighbors Belarus and Ukraine. When we speak of the architecture of the migration debate, we are referring in particular to the challenges of common migration management worked out at the level of the EU. It is entirely clear that there will be major implications for a large number of countries and that present architecture is laying down the foundations of migration policies that extend far beyond their territorial boundaries. The primarily institutional approach to migration generally overlooks the fact that Brussels directives on migration will determine the manifold destinies of individuals outside the EU, and the opportunity for them to become members of one or another European society, as well as the destinies and opportunities of those who are already members of the EU. So let us not overlook the other side of the story: these same EU rules reveal concern over the demographic aging of Western societies and the lack of a workforce in certain economies. Despite the wishes of those that argue for a Fortress Europe closed to immigration, zero immigration cannot be a real possibility, since attraction between the East and the South, the suppliers of work force, and the EU and the West on the other hand, rests on factors that work both ways. Looking at it in the long term, these societies will probably not survive without immigrants.

At the level of the ethical, beyond actual or constructed boundaries and exclusions, the migration of today constitutes one of the crucial challenges to social solidarity, and to an understanding of justice and of the needs of specific groups and individuals. There has been a substantial shift on this point: migration is no longer merely a matter of the market and the economy; rather, it is primarily a question of human rights and politics. The real work will

only begin after individual countries have worked out among themselves quotas of people allowed in. What we have in mind here is an unsparing effort to achieve social cohesion,³ the inclusion and participation of immigrants in new societies, and intercultural communication between the numerous groups generally referred to as “immigrants” and the majority society. Strategies of multiculturalism,⁴ regardless of the controversial usage weighing down this term, seem to be the only political answer able to offer an acceptable model for a variety of areas, ranging from anti-discrimination to educational programs. It is precisely the issue of immigration to Europe that most puts to trial strategies of multiculturalism that are oppressed by the xenophobia of the Right as much as by the dithering and inarticulacy of the Left, not to mention the (neo)liberal approach that has actually created today’s world of poverty, division and inequality. Inequality is maintained by restrictions on mobility in areas where it is not desired—the movement of people—while all barriers to the establishment of the global market have long since fallen. In such a world of divisions, hostility towards immigrants, foreign cultures, and all things non-European and non-Christian is still highly estimated on the market of political rhetoric.⁵ This must be brought to a swift end. After all, the European migration project has a chance to shake “Fortress Europe” and opt instead for an open Europe that will not sponsor xenophobia, nationalism and racism.

Migration policies today are caught between a European and national *Realpolitik* that controls and restricts migration (e.g. Brochmann and Hammar 1999) and demands for consistent respect for human rights and the enforcement of principles of a humanitarian state based on the rule of law (the “public policy of non-governmental organizations”). One notices numerous differences of opinion in discussions of migration at the level of bureau-

cratic and non-governmental organizations, particularly in the specific understanding of human rights; these opinions range from conservative legal interpretations to a defense of global society and, with it, related concepts of universal citizenship and the right to migrate. The idea of the world as a global village has long since settled in our minds—an idea in which the global village is too often understood as a “made-to-measure” place. In such a place, the foreigner is one of the key and, at the same time, one of the most “problematic” figures.⁶

BOUNDARIES AND MOBILITY IN AN ENLARGED EUROPEAN UNION

For the most part, the function of boundaries is to separate, and, therefore, to communicate a difference in identity; in other words, boundaries primarily establish a dichotomy, an opposition, between “us” and “them.”⁷ We must bear in mind that there are many different types and manifestations of border in the social world: external and internal, selective and transitional, national, supranational, regional, local, and so on. In addition to administrative and political borders (which are generally the protected external lines of demarcation between nation states), internal borders also have great significance while pointing to divisions within societies, either along the lines of ethnic origin, or religion, or minority culture, or cultural identity, or lifestyles. Such boundaries take several forms: from visible physical lines drawn between territories to more hidden borders of inclusion and exclusion that denote social and cultural barriers.

Whenever one discusses the issue of borders and mobility within the context of European integration processes, with an emphasis on expansion of the EU 15 to the EU 25, one immediately

notices that migration policies are taking shape above all as border policies that represent the EU as “Fortress Europe” (e.g. Geddens 2000), from the perspective of the EU as well as that of the countries on the Schengen periphery. Pinning immigrants back to the external protected lines of nation states or the European Union is simply a partial and inadequate response to migration processes—processes which, according to Castles and Miller (1998), are becoming more and more dynamic and diversified. The expansion of the EU to the East imposes on us the task of forming a new type of external border, the sharp edges of Europe (Grabbe 2000), since iron and concrete, once the main construction materials, have been replaced by more refined fabrics: electronic communications and paper; in short, new borders are above all bureaucratic. It seems that the only thing that has not changed much is their permeability.

Arguing for a softening of hard national and EU borders in order to make it easier to cross them is logical from the point of view of migration as well. The problem is one of the structural criminalization of migration, which is a consequence of the fact that the borders are hard and impenetrable—this is a situation where a considerable part of migration is “forced into illegality.” It is from this point that the debate on preventing so-called illegal migration proceeds, but the real reasons for this situation are not being addressed. Simply designating migration as illegal points to the linking of migration with crime rather than positive solutions of migration policy.

BOUNDARIES AS HISTORICAL AND CONTEMPORARY WALLS

If we look at it historically, borders have sprung up as protective mechanisms, particularly in the form of physical walls. With the

establishment of borders in the period of globalization, such protective walls have acquired further significance; above all, they indicate exclusion and create inequality, and thus a difference in identity (cf. Andreas and Snyder 2000; Anderson 1996; Eskelinen, Liikanen, and Oksa 1999). The central point of reference and the subject of our sociological analysis are borders conceptualized as historical and contemporary walls. Our analysis combines two points of departure. We rely on the knowledge brought to us by the sociology of everyday life which employs a micro-approach to explain social reality, one based on individual perceptions or meanings these attach to everyday life practices (Berger and Luckmann 1988); at the same time, the issue of modern borders and border territories is treated within a wider context of institutional developments that belongs in the research field of political sociology.

Andreas (2000) has shown that the construction of walls (as borders) has a prominent place in human history. One is reminded of the Great Wall of China, which protected civilization from nomadic peoples and whose construction took several centuries; and of Emperor Hadrian's venture, on a smaller scale, in northern England. In the Middle Ages all social life was "protected" by means of city and monastery walls. These walls protected the community against military invasion and, at the same time, prevented the people from moving away. The 20th century saw its share of heavy walls, among them the Berlin Wall.

But walls are not a thing of the past; on the contrary, their persistence is obvious. Walls have still not disappeared, but their nature has radically changed. This is the post-modern era, which in terms of the construction of borders we can define as the shift from concrete walls to electronic ones. These show that borders, as protective mechanisms, are now based on high information

technologies that have the primary role of controlling the movement of the people (we should, of course, make the observation that it is the heritage of modernity which has created the necessary technological instruments for such electronic borders). Old materials, heavy iron and concrete, have been replaced by more refined materials, above all paper permits (visas) and electronic databases—in short, bureaucratic borders.

The question is this: What has changed the nature of the border so that it is now an electronic one? The answer is multifaceted, involving a radical change in social conditions: globalization processes that extend across different areas of social life, the latest methods of interconnection (which Castells [2001] has characterized as the rise of the “networked society”), the appearance of numerous forms of virtual reality, greater mobility, changed roles of the nation state and de-territorialization are some of the most important elements. Because of these social factors, the factors that have an impact on the nature of borders today have also changed, thus this key statement by Andreas (2000, 1): “The new walls are designed not to keep people in or to keep militaries out, but to deter a perceived invasion of ‘undesirables’—with unwanted immigrants leading the list of state concerns. Nowhere is this more evident than along the geographic fault lines dividing rich and poor regions: most notably the southern border of the United States and the eastern and southern borders of the European Union.” These are the latest walls surrounding the West. Strictly speaking these are two different Wests, since the most important feature of the European project is the possibility of expansion; nevertheless, the two Wests are very similar with regard to the definition of globalization and isolation. The key question for both is: How many foreigners can enter? The US-Mexican border is one of the most active areas economically and demographically,

conceived on the basis of the Free Trade Agreement (NAFTA). As with the European or EU project, the main issue revolves around workforce, which is of key economic importance, while presenting, culturally and politically, some “element of threat.” Today’s borders are therefore primarily those walls with which the West is surrounding itself. Despite the processes of the de-territorialization of the state that have occurred with globalization, borders remain important; border policies have not disappeared from the range of instruments available to nation states, nor can we expect them to.

POLICE BORDERS

The central statement regarding the nature of today’s borders—namely, that they are almost impenetrable or at least extremely selective walls around the most developed “West of the world,” and that they are above all police borders—should not be of concern only to social scientists but to political strategists as well. Strongly isolationist borders are not part of the past that crushed under pressure of globalization and its processes of the de-territorialization of nation states. Indeed, it is in the context of globalization that we are best able to point out the ambivalent nature of today’s borders: on the one hand we have the expansion of spaces, the wiping-away of hard borderlines between local/national spaces; on the other, the introduction of a new type of hard border that excludes on the basis of difference in identity. A basic contradiction with regard to today’s borders is evident in the relation “electronic walls around the West vs. the concepts of globalization and European integration.” Globalization means that ideas and goods may travel freely across borders; it does not mean that people may traverse those borders with the same freedom. The mobility of people is strongly curtailed, which represents a rare

exception to the principle of free movement supported by liberal ideology.

Border policies are becoming more and more important as one of the key instruments of the security policies of nation states or associations of states. In the case of Europe, the former military dividing line between East and West has been replaced by a police border, which is increasingly becoming an enclosure. The most eloquent example of this is the EU and the Schengen border, based on two main elements: the common European market and the protection of external borders. It seems that the removal of internal borders in Western societies has simultaneously given rise to the formation of a strong external border and of a “sophisticated” system for crossing the external border (one is thinking here of the SIS—the Schengen Information System). As Snyder (2000, 222) points out, the social realities of the free movement of goods, services and ideas on the one hand and the movement of people on the other are very different. He gives two reasons for this. The first is the coming-together of the political project with public opinion: although the Schengen project (just like European integration in general) started out as a project of the political elites, it constitutes one of the few EU initiatives that coincides with public opinion. Thus both factors—internal freedom of movement and an impenetrable, hard external border—have become untouchable at the level of the domestic politics of member states. The other reason is that EU border policy was formed along the lines of the nation state. More than with other EU integration projects, the creation of an external border directly required the EU to take on state-like functions, to be “*state-like*,” with border control playing the key role. It is therefore important not to overlook the fact that the establishment of the EU as a state entity is a process that was born on its Schengen borders (cf. Snyder 2000).

Control of external borders and of the movement of people across the border constitutes one of the most rigid policies of the EU. In the relation between state and migration, it seems most important that the states have a monopoly on the legitimate control of the movement of people across the border, which throughout the history of the control of migration movements has been an extremely authoritarian project (cf. Torpey 2000). For member states, freedom of movement is one of the greatest benefits of the whole European project. Criticism of Schengen is directed towards exclusion from Europe or the EU, where physical exclusion—being on the other side of Schengen—is actually exclusion on the basis of identity. This is expressed by the term “Schengenisation” (Torpey 2000), which is being encountered more and more often. Other important components of the conception of a future Europe, its borders and ultimate territorial image are the inclusion of and relations with the neighboring countries of South Eastern Europe and the Balkans with due attention paid to delicate issues such as a united Cyprus and accession of Turkey. Moreover, this conception should not leave out the attitude towards areas outside Europe, for example Russia, Mediterranean countries, and even north African countries (cf. Emerson 2002; Hill 2002; Maier 2002; Mungiu-Pippidi 2002). The project of the inclusion of the countries on the “Schengen periphery” is linked to the argument that these countries belong in the EU or the “common European space,” whatever that means. It is possible to encounter this viewpoint in the description of the eastern border of Poland (e.g. Jesien 2000), with the following view being symptomatic: the state must “prove” to the European Union that it belongs in it, which is linked once again to a demonstration of difference from the countries of the East, in this case Belarus and Ukraine, which according to the logic of this argument do not belong in the EU.

The similar argument of “being distinct from the Balkans,” and with it the demonstration of cultural difference from the South, is also evident in the construction of the new Slovenian-Croatian border—a border that is seen simultaneously as the dividing line and point of contact between “Europe and the Balkans” (Zavratnik Zimic 2001). Kovács (2002) shows the impact of the Schengen arrangement on the countries of the Balkans primarily from the point of view of the division of these countries into two groups, made up of those whose citizens require an entry visa for the Schengen area and those whose citizens do not. In the second group are Slovenia, Croatia and Bulgaria. Their citizens can remain in the Schengen area for three months without a visa. Citizens of countries in the first group are dealt with more strictly—the entry of citizens of Serbia and Montenegro, Macedonia, Bosnia-Herzegovina, Romania and Albania is conditional on a visa being acquired.

The factor that will most importantly influence European integration processes and expansion of the EU towards the East and the South will be the developments on the Schengen periphery. If countries attempt to demonstrate difference (and nothing else) on the future Schengen border, we will get new rigid police borders and many of them could very soon begin to demand visas from citizens on the outer edges of the EU. This gives rise to the question of the future borders of the EU: What kind of border it will be and where it will be? This is particularly apposite in view of the expansion of the EU to the East and South, and also because of the formation of a second round of “Schengen periphery” countries after 2007. Generally, political scientists are arguing for two contrasting models: a centralized state, i.e. a Westphalian-style super-state; and looser ties between states, resembling an adjustment of the model of the neo-medieval empire.⁸ The future of the EU is often seen as a new form of Westphalian federal state, with one

center of power, a clear hierarchy of administration, a European army and police force, etc., and a sharp (even inviolable) distinction between members and non-members. A particular feature of this type of Westphalian state is its hard and impermeable borders that fit into the image of fortress Europe that has been created along a Westphalian paradigm. However, Zielonka (2001) states that enlarged European Union would more closely resemble a neo-medieval empire than a neo-Westphalian type of state. What, then, is wrong with the Westphalian borders and why will the external borders have to be softened in the process of the eastward enlargement? Zielonka (2001) gives valuable points of reference. The first is the fundamental conflict of the spirit and purpose between the two EU projects, i.e. the intended expansion of the EU, (symbolizing integration and inclusion), and Schengen agreement, symbolizing inequality and exclusion. We can say that at this point only the EU will be able to define the European project with any clarity and, in line with this, the border policies as well. The other problem arising from hard borders is, according to Zielonka, linked to minorities: open borders are important because of the great number of minorities that live “on the wrong side of the border,” which can even affect political stability. The third problem is the fact that hard borders would bring to a halt processes of cross-border cooperation and regional links, which should be one of the EU’s top priorities. From this perspective the rigidly determined external border of Schengen primarily comes across as a barrier to the establishment of cross-border contacts, particularly for people who live on the Schengen border itself—in fact, not just for them but for all of us who intend to cross this latest bureaucratic wall of Fortress Europe at some time in the future. Undoubtedly, we are in favor of a neo-medieval model of the EU based on difference, plurality and the general principle of

Europe unbound (Zielonka 2002), and therefore in favor of the surmounting of classic territorial links, including open borders and flexible border areas. By contrast, the Westphalian model of the division of the world into territorially exclusive enclaves with clear and sharp borders is a considerably less optimistic perspective, one in which partial border regimes play a dominant role—on the one hand complete freedom of movement for capital and goods, and on the other, restricted and selective movement for people.

We can conclude our reflections on borders and mobility in an enlarged EU with a question, one that links migration, borders, individuals, immigrants and the majority society: Is the transition from Fortress Europe to an open Europe possible at all? The fortress has strengthened the borders, surrounded itself with electronic borders and constructed the Schengen periphery. The creation of a more humane border, the softening of the border on Europe's outer edges and of the internal borders between majority societies and immigrant communities will require bold effort if we are to attain an open Europe.

SLOVENIA: MIGRATION POLICY IN A COUNTRY ON THE "SCHENGEN PERIPHERY"

IDENTIFICATION OF THE ELEMENTS AND THE CHALLENGES TO POLICIES

Migration policy is extremely wide-ranging and, by its very nature, heterogeneous, which is why the management of migration is rife with misunderstanding. These misunderstandings are evident above all in the often overlooked wider and long-term social changes that have been wrought by migration for many years

now in traditional societies of immigration as well as those of emigration. Most of the time government policies fail to embrace this wide-ranging issue. It is worth drawing attention to three such challenges to current migration policies, for now still hidden—challenges with which we will have to engage in the future. The first will be migration and the achievement of social cohesion, which is an urgently needed, long-term but still almost invisible social project. The second will be the establishment of an integrated migration policy, one that is not based on the division of immigrants into various sub-categories described by laws. The third is linked to the first two: the selection of appropriate measures for the inclusion of immigrants in “new societies,” starting from the principle of two-way intercultural communication. All three are aimed at the individual—the central figure in all of this and one that must not be allowed to disappear from public policy. These overlooked aspects of migration policies are manifested above all as sociological facts. These facts demand much more than merely a traditional approach, which too often ends in legal integration and nothing more. This constitutes a possibility which, without serious social, political and cultural inclusion, remains solely on paper.

Let us look first at social cohesion, which could be understood in a number of substantially different ways (which, after all, is linked to the clarity of the term itself). Vertovec (1999) believes in popular discourse and political rhetoric social cohesion is only invoked by its absence, including prescriptions of the lack of social cohesion. According to Vertovec, the minimum common definition of social cohesion is given with elements of cooperative social interactions and a common value system, which at the same time points to the key question: What, in reality, creates processes of cooperation and value systems, and how do we maintain them?

An important contribution seems to be the author's view that the question of the formulation and attainment of common values capable of connecting people is above all a political question that must be based on political concepts such as nation state, ethnic/national identity, nationalism, welfare state, civil society, cultural capital, etc. He also points out that the main challenges represented by migration today are challenges to the liberal nation state (Vertovec 1999). The question is, therefore, how liberalism will confront the problems of citizenship, including the social citizenship of immigrants, participation and access to information and, further, tolerance, the rights of minorities, multiculturalism, xenophobia, hate-speech, etc. It is also a question of how frameworks for integration policies will arise and from what bases they will draw their strategies.

Attention must be drawn to a certain lack of comprehension regarding the attainment of social cohesion, which in today's post-modern environment necessarily impels us to at least take into account elements of transnational mobility, multiculturalism, different identity choices and intercultural communication. Perhaps the greatest "deficiency" of this social project is precisely its complexity: it is actually about dynamic, fluid social characteristics that ensue from the globalized postmodern environment. These social characteristics cannot simply be pinpointed and then handled through a custom-made political program. It seems that public policies too often give the excuse that the costs that would be incurred by the promotion of such far-reaching social projects are too high, from the aspects of financial, human and, last but not least, political capital. The costs are highly questionable, even unacceptable, especially for established rightwing parties in Europe but also for those on the rise. However, it is becoming clear, that it is no longer possible today to properly discuss social cohesion if

we do not include the issue of migration in this discussion—as one of the key points and not simply as a marginal matter.

The second problem is a conduct that seems to be natural part of migration policies, i.e. the automatic acceptance of the division of immigrant populations into subcategories and the giving and taking away of rights based on the group to which they belong.⁹ Here particular attention should be drawn to international economic migrants, who are not protected by a single special international law regime, since they have moved because of poverty and not, for example, because of political persecution, although there is frequently a link between the two. We hardly, or not at all, attach the discourse of human rights to this numerous group, which migrates out of economic necessity; as a result, it receives no care or attention. This logic serves above all as an excuse for those global policies that have caused such a radical division between the poor masses and the privileged few. Global conditions have already changed so much that lack of acceptance of migration for economic necessity has become unacceptable. It is not only “just the anti-globalists” who are arguing this; several of those involved in the global formulation of migration policies also recognize this fact. Nevertheless, it should be noticed that integration programs for economic migrants in post-socialist countries are, so to speak, non-existent, or else in very poor health. The good news is that in several environments there is an awareness of this deficiency in public policy. This applies to Slovenia as well.

We are in favor of an approach that does not allot or hierarchise care for fellow human beings according to different legal statuses. A sociological analysis of migration proceeds from processes of the global blending of populations and the simultaneous coming-together and coexistence of different cultural codes. In today’s world, this process is determined in particular by the logic

of the closure of national spaces; on the continent of Europe, the two most distinctive mechanisms of spatial and cultural exclusion are the Schengen border and the restriction of access to citizenship. Such an approach does not allow the universal nature of human rights (and still less, humanist worldview) to come to the fore. The classification of migrants into categories such as refugees with temporary asylum, Convention refugees, economic migrants and even “illegal migrants” etc. is the only logical consequence of this approach. It has legitimacy in the global “consensus” which offers a more or less general (stereotypical) view of migration: humanitarian aid must be provided to forced migrants and victims of military conflict, but at the same time they must be declared temporary refugees and held as close to their country of origin as possible, or at least returned home as soon as possible. Convention refugees are, on the basis of the standards of international law, protected against return to their country of origin, where they would become victims of non-democratic politics, but it must also be pointed out that asylum legislation is becoming more and more restrictive. In contrast, economic migrants are portrayed as gold-diggers whose aim is to attain the level of prosperity found in the West (“the poor exploiting the rich”). Instead of the argument that economic necessity is a rational migration factor, the argument has prevailed that this somehow constitutes exploitation of the West. This leads to the prevalent policy of migration regulation in the West: implying control, hard and impenetrable borders, and selective mobility. It is clear that this approach can be neither an adequate nor an appropriate response to the global politics of mobility. We have already stressed that border policies have become the harshest part of migration policies, and in many cases even replaced them. This makes it even more important to work on areas where migration policy is tak-

ing shape outside the field of the traditional (unsuccessful) control of borders, where we are thinking in particular of the inclusion of immigrants and intercultural communication.

As already mentioned, the third challenge brought by migration today is connected to the first two, or arises from them: the creation of suitable measures for including immigrants in "new societies," with its point of departure being two-way intercultural communication. Integration policies¹⁰ still differ considerably from country to country. Castles (1995, 4) expresses this difference conceptually by means of a definition of the four methods with which countries of immigration respond to immigrants. These are: total exclusion, differential exclusion, assimilation and pluralism. Total exclusion means preventing immigrants from entering; and although several countries have tried to introduce this strategy, nowhere has it been truly retained in this post-war period of mass migration. In reality we can speak of three migration policy models, including integration models: the model of differentiated exclusion (Germany, Japan), the assimilation model (France, Great Britain), and the multicultural model (Sweden, Canada, US, Australia). The Slovenian model, which is only now just being formed, will be able to draw on the different practices of countries with a longer tradition in such matters, where it should be drafted according to European multicultural models.

IMPACTS OF MIGRATION POLICIES

TEMPORARY REFUGEES, 1992: UPROOTED FROM HOME ENVIRONMENTS, EXCLUDED FROM THE "HOST SOCIETY"

The legal definition describes a refugee¹¹ as an individual who, on account of a well-founded fear of persecution (because of race,

religion, membership of a national group, membership of a social group or political convictions), has fled his country. The Geneva Convention obliges countries to protect the life of people fleeing a non-democratic political system and to consistently respect the principle of *non-refoulement*. The refugee issue in Slovenia is inseparably linked to the mass forced migrations that resulted from the military conflicts in the former Yugoslavia (Zavratnik 1996). Numerous individuals fled the region, having to abandon in an instant an environment that had, up to then, been a safe one, and having to rip apart the secure family and other micro-social networks of everyday life that had determined their social and cultural space. It was not only individuals that fled but larger (particularly ethnic) groups as well. The Balkan crisis caused a massive exodus, with severe effects on Western Europe. The response of the UNHCR was an institute of temporary protection, which is a partial—this is the right term—temporary solution that determines the basic rules for the provision of refuge to fleeing groups. While Convention refugees are handled on an individual basis, the institute of temporary refuge is a legal instrument for the protection of groups. Group approaches generally focus on numbers, where the individual is not sufficiently taken into account, which this case demonstrates. The sociological argument favors expression of the heterogeneity of groups, which is why the shift from numbers to the individual is, in the long term, the only sensible shift, and one that is urgently needed. Temporary refugees are very vulnerable individuals who, because of violence, have been wrenched from their environment of origin and who flee *en masse* because of a brutal attack on the inviolability of human life. The sociological definition of temporary refugees must emphasize the individual first, and only then the uprooted groups that involuntarily flee into uncertainty. Uncertainty is already the story

of the new societies and of their responses. We have characterized this in conceptual terms as social cohesion, and in the language of public policy as integration models.

The status of temporary refugees was regulated in 1997 by the Temporary Asylum Act (ZZZat),¹² which was adopted in Slovenia after temporary refugees had been living in the country for more than five years. The act was amended in July 2002 (ZZZat-A).¹³ The act provides the basis for the granting of temporary asylum, taking into account basic humanitarian standards (e.g. the integrity of the family), and determines issues relating to rights, obligations and repatriation. The main problem of this type of legislation is the fact that, from the outset, it is oriented towards the return of refugees to their home country. Repatriation is of course an integral part of refugee policies; however, it must not be its foundation, or the only alternative. In Slovenia the question “Why don’t refugees go home?” has been posed several times in a variety of different public contexts. Unfortunately, the response of state policy to this question has not been unequivocal—that repatriation is, in many cases, impossible and, even more importantly, that programs of return must not be the foundation of refugee policy. Given Slovenia’s situation, the response was far too limited. It would be right and proper if individuals that have lived in Slovenia for ten years of their lives as temporary refugees in new societies were at least asked what environment they felt at home in, what environment they felt was theirs. A long time has passed, punctuated by further military conflict, and the generations and conditions in their environment of origin have, by and large, changed. Many will never be able to return, either because of objective factors (areas have been ethnically cleansed, villages and communities wiped off the map) or because of subjective circumstances (they have decided to stay in the host country and hope to become part of the new society).

The shift from repatriation to integration has been supported throughout by NGOs and individuals from a variety of civil initiatives. The amendments to the Temporary Asylum Act bear witness to the change, placing greater emphasis on integration policies, with an article on integration appearing for the first time. Through this the state undertakes to provide assistance in inclusion in cultural, economic and social life, where it is obliged to provide information on rights and obligations, as well as assistance in exercising them. The integration article ensures the organization of Slovene language courses, instruction in Slovenian history, culture and constitutional arrangements, and resources for the taking of Slovene language exams, and mentions the organization of courses and other forms of professional training (Article 2 of the ZZZat-A). It is vital that the purpose of integration is given clear support in law. Since it is a special law, it can be expected that it will even deal in detail with the political, social, cultural and economic extent of “temporary refugee” status. At any rate, it contains an optimistic provision which states that state institutions may partly or entirely cede the implementation of integration measures to humanitarian organizations (Article 2 of the ZZZat-A).

We should also draw attention to rarely mentioned views on of refugees’ identity, and the expression and concealment thereof. Above all it is necessary to point out the problem of the latter, i.e. the strategy of “invisibility” by which I mean the following attitude: exposure of one’s identity can give rise to prejudice, antagonism, scorn, intolerance—in short, it can create discrimination. There is a personal risk that someone will find themselves in an unpleasant situation, or even conflict, if they expose their identity. Why would an individual choose such a strategy? The answer can be understood from the response of society: we conceal difference because of intolerance towards it. Here, anonymity replaces inte-

gration. Let us look at an example. Young refugees who have attended schools in Slovenia have already learned the language so that their ability to speak it does not differentiate them from others of their generation whose mother tongue is Slovene. The difference is hidden, and the individual is able to enjoy a measure of security from everyday conflicts that could arise on account of his different identity. His peers have also already forgotten that he is a refugee. It is only minor differences here and there that bring to light the anonymity of temporary refugee status, for example when someone is unable to accompany their peers to a concert over the border because, as a temporary refugee, they do not have a passport. These “minor differences” here and there draw our attention to the fact that the task is not integration but assimilation. We can even assert that assimilation is in no small measure the easier path, and one that is less of a burden for a society that is grappling unsuccessfully with the acceptance of difference, and even less painful for the refugee, who, being invisible, is not incessantly exposed to this or that pressure. Less risky for everyone? On the contrary, a great deal riskier for all of us.

MIGRANTS, 2001: THE SECOND CRISIS AND THE DIVERSE FACES OF MIGRATION

The most significant warning of the serious state of Slovenia’s migration policy came in 2001 in connection with the increased number of migrants from non-European environments, resulting in the so-called “migrant crisis” (Jalušič 2001; Kuzmanič 2001; Kuhar 2001; Pajnik, Lesjak-Tušek, and Gregorčič 2001). The state failed to come up with an appropriate, still less a rapid and effective, response to the public outpouring of unconcealed xenophobia. In an atmosphere of pronounced dislike for migrants, in spring 2001 the debate crystallized into assertions of victimiza-

tion (“The Slovenes are the victims. These newcomers are a threat to us”) and a disavowal of xenophobia (the support of NGOs, individuals, initiatives and professional associations that espoused consistent respect for human rights and expressed solidarity with the migrants) (Jalušič 2001). It was the NGOs and others that assumed the role of defenders of these weak, silent, vulnerable individuals and gave them a public voice. It was the NGOs in particular that became actively involved in the process of speaking up for ignored groups of migrants; the media reported on them, supported by numbers (which should be a reflection of objectivity, should be about stating facts), in combination with references to the threat to the national identity, the inundation of the local population and similar manipulative arguments.

Various non-governmental organizations, civil initiatives and individuals became actively involved in the process of advocacy up for immigrants, among them the Peace Institute. The model of activities of the Peace Institute (Figure 1) outlines the various activities: research, joint formulation, exertion of pressure on public policies, activism, alternative academic discussion and street campaigns.

DEFENCE OF MIGRANTS		
RESEARCH	POLICY	ACTIVISM
<p>Publications/ conferences:</p> <ul style="list-style-type: none"> • migration • human rights • xenophobia • incitement • care, solidarity • integration vs. exclusion • media discourses • borders, curtailed mobility • globalisation 	<p>Exertion of pressure on public policies:</p> <ul style="list-style-type: none"> • legislation (on asylum and aliens) • social integration measures • public defence and advocacy 	<ul style="list-style-type: none"> • Collecting toys for migrant children • Production of TV spots • Participation at public demonstration of support for migrants • Public defence and advocacy
IMPACT: HAS ANYTHING CHANGED?		
<ul style="list-style-type: none"> • formation of public discussion • impact of civil society on public policies • links between NGOs (migration and human rights) • acquainting the public with the issue of human rights • acquainting the media (reporting on migrants) • improvement of living conditions (accommodation for migrants) 		

FIGURE 1: MODEL OF ADVOCACY OF THE RIGHTS OF MIGRANTS

The basic standpoint of the advocacy for migrants drew attention to at least two aspects of Slovenian migration policy: its absence, or at least vagueness and frailty, and the diversity of civil society, since in this case we witnessed the crystallization of civil societies, which was accompanied by many different sorts of responses, from support to hostility (cf. *Report* 2001).

Since the so-called “migrant crisis,” the most important laws have been adopted and changed, i.e. the Aliens Act and the Asylum Act,¹⁴ which are the two most important elements of migration regulation. The basic document that demonstrates the state’s immigration policy is the 1999 Resolution on the Immigration Policy of the Republic of Slovenia (ResIPRS),¹⁵ which roughly defines immigration policy according to three areas: 1. the regulation of immigration policy; 2. asylum policy as an integral part of refugee policy; 3. integration policy, which relates to measures by state and society to provide favorable conditions for a high quality of life for immigrants and enable their integration. The resolution lays down the basic values of integration policy: equal rights (social, economic and civil rights), freedom (to express cultural identity on the basis of the integrity and dignity of the individual) and mutual cooperation (as the right to participation and the responsibility of everyone). The main instruction deriving from this document would therefore be: integration is a social project that must not and cannot be a matter for individual groups but is only possible with the responsibility and cooperation of wider society.

THE LABOR MARKET VS. THE HUMAN RIGHTS "MARKET"

The challenges and prospects of migration today are numerous and diverse. Regarding the most important ones in political terms,

we should of course mention institutional solutions, which deal with migration above all from the point of view of borders: therefore the construction of bureaucratic walls, like the electronic Schengen wall around the EU as well as those surrounding nation states. However, Fortress Europe is an inadequate, deficient and insubstantial response to global migration movements. In other words, it is clear that “zero immigration” is not desirable or good either for the “fortress,” which needs immigrants, or for immigrants themselves, who are placed by migration and border policies close to, or even on the line, between legality and illegality. Policies of rigid control and the closing of borders in many cases cause the structural criminalization of migration, which has an effect on the negative public image that the term “migration” has been attracting for some time. From this aspect, the challenges of today—integration, the establishment of social cohesion and intercultural communication—must be understood above all as the surmounting of such a negative connotation.

Let us conclude by saying that it is not only institutions that are important when it comes to dealing with migration. After all, it is not just a case of defining groups of immigrants (quotas, for the economy and the labor market) but of human rights and politics.

N O T E S

¹ This paper is the result of the author’s involvement in two projects: “Blue Bird. Agenda for Civil Society in South East Europe,” an international project headed by Dr Ivan Krastev, and the “Nation-Building Versus State-Building in the Balkans. Lessons Learned” conference (Budapest, CEU, 30 November–1 December 2002), where it was presented. The analysis of migration issues in Slo-

venia arose from a research project entitled “The Slovenian Migration Policy Model: Perspectives Prospects and Possibilities of Countries on the ‘Schengen Periphery,’” carried out at the Peace Institute in 2001–2002.

² Issues surrounding policies relating to migration management were discussed at an international seminar entitled “Migration and Asylum Policies in the Countries on the ‘Schengen Periphery’ and in the Balkans,” Ljubljana, 30 November–1 December 2001, organised by the Peace Institute, in collaboration with the Gea2000 Foundation, Ljubljana, and ECRE, London.

³ For more on the relations between social cohesion and migration, see Vertovec (1999).

⁴ For more on multiculturalism, see Parekh (2000).

⁵ See Hintjens (1992), for example.

⁶ Several of Zygmunt Bauman’s works have been devoted to an analysis of this concept and its modern meanings.

⁷ For more on this, see Barth (1969).

⁸ For more on this, see Caporaso (1996) and Zielonka (2001).

⁹ The authors of the research paper *Migranti, kdo ste?* (Pajnik, Lesjak-Tušek, and Gregorčič 2001) have drawn attention to this problem.

¹⁰ Romana Bešter discusses the topic of integration policies in more detail in this book.

¹¹ Geneva Convention Relating to the Status of Refugees, 1951, and the New York Protocol of 1967.

¹² Temporary Asylum Act (ZZZat). <www2.gov.si/zak/Zak_vel.nsf> (9 September 2002).

¹³ Act Amending the Temporary Asylum Act (ZZZat-A). <www2.gov.si/zak/Zak_vel.nsf> (9 September 2002).

¹⁴ The process of adoption of the Asylum Act is presented by Neža Kogovšek (2001). The author addresses the views, remarks,

achievements and eventual compromises that were the result of the new Asylum Act, in the formulation of which NGOs actively cooperated (the group of seven NGOs engaged in the areas of migration and human rights in Slovenia).

¹⁵ Immigration Policy of the Republic of Slovenia (ResIPRS). <www2.gov.si/zak/Akt_vel.nsf> (9 September 2002).

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B O G O M I R H O V A Č

GLOBALIZATION, MIGRATION AND ECONOMIC DEVELOPMENT ON THE MARGINS OF SLOVENIA'S MIGRATION POLICY DILEMMA

BY WAY OF INTRODUCTION

Migration flows have a long and exciting history, starting with the migration of African man several million years ago and extending to modern migrations which represent a crucial component of 20th century globalization. Three hypotheses will be significant for our study. Migration processes in this century will become very dramatic because they are powered by the engine of unbalanced demographic development, large economic inequalities and the varied needs of diverse labor markets. There is no right and proper global migration policy, nor does the European Union, which could otherwise serve as an example of possible institutionalization of the new international order, offer any adequate solution. Slovenian migration policy, particularly the chaotic situation in the area of migration in recent years, reveals the professional impotence and managerial incapacity of the state administration as well as a high level of xenophobia among the population of Slovenia.

The interlinking of these three hypotheses will lead to a surprising conclusion. Future migrations will be incomparably greater,

more comprehensive and more global than in the past. Yet governments and people alike simply refuse to understand or accept this fact, and that is the root of a fatal misapprehension of modern political and economic globalization. The European Union returns to the problem of the labor market integration at each new round of enlargement. Exaggerated forecasts of migration potential have attempted to prove that liberalization of the labor market and the influx of immigrants would affect salaries, increase the unemployment rate among workers with lower levels of education and affect economic growth. Slovenia is classified as an intermediary migration area that will, once it joins the EU, become a target country for immigration and a source country of predominantly highly educated emigrants who will move to other European countries. Accordingly, it will have to tackle the issue of migration policy, which, in the case of Slovenia, is determined primarily by the unfavorable demographic situation of the country and potential structural deficits in the labor market. At the same time, it will have to adopt an adequate policy to regulate the “brain drain” that will be accelerated by the differences in income, job opportunities and other lifestyle issues made possible by the global European society.

In the past, fear of the uncontrolled migration flows that were expected to accompany the enlargement of the European Union proved to be groundless. Numerous studies as well as historical experience indicate that the 2004–2005 enlargement will similarly prove that migration, despite high differences in income between the target and source countries of migration, occurs over a longer period of time. Accordingly, the largest migration waves within the enlarged EU can be expected in the first years immediately following the lifting of restrictions on the flow of the labor force. In the interim period we should expect realistic conver-

gence between new and old member states. Disregarding various labor market models and unreliable forecasts of EU member states, the analyses show that migrants generally increase the prosperity of the receiving country and the property of capital holders, and have a positive influence on the dynamics of the labor market. Yet despite this, migration flows inspire negative feelings among people, inflame political passions and draw attention to the economic consequences of migration.

With its share of 0.35 thousandth of the global population, 0.73 thousandth of the global gross domestic product and one thousandth of global trade, Slovenia is just a negligible island in the global sea of migration flow. In 2001, Slovenia's \$11,026 of GDP per capita represented 70% of the European average, which is a percentage greater than that achieved by Greece and slightly smaller than that by Portugal. In the new EU, Slovenia belongs in the class of small countries and within all EU scenarios (ranging from the "Europe of metropolises" to the "Europe of regions"), it ranks as a country with a rather favorable geo-strategic position, since it is located within one of the most propulsive gravitation centers of the new Europe (Frankfurt–Venice–Vienna–Prague–Berlin). Economic growth indicators show that Slovenia lags behind Europe by approximately 16 development years, while at the end of this decade (2008) it should reach the level that the present EU-15 reached in 2000 (Sicherl 2001). However, a more comprehensive analysis proves that differences indicated by other socio-economic indicators are much smaller (DRP 2001). Slovenia's population has been aging and stagnating in size in the past decades; this has demographic implications for two thirds of Slovenian territory. All these facts prove that, viewed from demographic, economic and social perspectives, Slovenia faces significant challenges which only intensify the political and economic problem of

migration flows. Even though not part of its development strategy so far, migration flows could represent a significant opportunity for Slovenia's future development.

Let us stress at this point that this essay does not aim to foster uncertainty and moral panic by citing migration and demographic figures. On the contrary, our intention is to employ these figures to boost the culture of dialogue that builds bridges towards political-economic rationality, social tolerance and liberal openness.

GLOBALIZATION PARADOX AND MIGRATION FLOW

Globalization can be understood as a form of internationalization, liberalization, universalization, westernization and de-territorialization (Scholte 2000). Seen in historical perspective, it is not a new phenomenon. In the last century we have been witness to three global waves, except that the one at the beginning of the 20th century was named "internationalization," the second in the 1960s was called "multinationalization," and the third, which has occupied the past one and a half decade, has been termed "globalization" (Oman 1994; Lawrence 1996; OECD 2000). But residents of a world that globalizes production and companies, markets and finances, communications and culture, continue to adhere to their "lifestyles" within their traditional "lifeworld," remaining firmly embedded in their limited, local ethnic communities, regions and countries. Only three decades ago, two thirds of the world's population lived in countries that were more or less outside the global currents of economic processes (WDR 2000). Underdeveloped countries were asserting themselves by struggling against the "internationalization" of world trade, while the

socialist world stood apart, firmly entrenched behind its ideological barricades of “anti-imperialistic struggle,” opposing the flow of goods, and even more so the flow of capital and people. However, those political and economic blocks that used to defy global market trends and the universal logic of capital (e.g. the non-allied block, the socialist block) began to disintegrate one after another at the turn of the 21st century. The concept of the “one-fifth of global society,” which centrally ensures the development of the world economy, was complementary to that of the four fifths of the world’s population that were threatened by economic, social and cultural regression and a unique “development of non-development.” Accordingly, restricting global capitalism, if viewed from the angle of the fundamental social and economic rights of the world’s population, historically represents an entirely rational attempt to overcome selfish interests in favor of common prosperity.

The Prisoner’s Dilemma and The Tragedy of the Commons are two components of the theory of public choice that are expedient for an analysis of how, in the long run, the lack of cooperation and the denial of common interests can benefit no one (Mueller 1989). The German sociologist Beck described this as the globalization of the civilizational risks that are intrinsic to industrial and post-industrial societies, creating a unique equalization in the world of differences (Beck 2001). The globalization of demographic, social, economic and ecological risks proves that these affect the rich and the powerful as much as they do the poor and the weak, or in other words, that in the global world of changes equality between the protagonists and the victims is eventually established. And if we agree that it is primarily the risks that are being globalized, then we should also draw attention to their individualization. Throughout the 1990s, various social scientists (Beck 2001; Kean

1998; Amoroso 1998; Held et al. 1999) called attention to the end of the traditional society of large groups, the peculiar dissolution of the states, social classes and layers which have increasingly dissected the welfare state as well as socially and economically less developed societies into a congeries of individual processes.

Individualization is the other side of the coin of modern globalization processes. It contributes to an increase in social inequality, mass unemployment in welfare states and poverty in less developed states. Through individualization, mass unemployment and poverty are thrust upon individuals to be shouldered as their personal destinies. Accordingly, the individual experiences these phenomena not as a kind of social and collective identity, but as a specific, individualized life situation. The referential point of modern unemployment and poverty is not a large social group, a state, a class or a social layer, but an individual as part of the market or society, one who perceives the reshaping of external social factors as a change in his/her individual life, thus experiencing systemic problems as his/her own guilt and failure. The “global civil society,” even though resisting theorization, proves that globalization processes eventually take place outside the usual paradigms of the market economy and the state as a political entity, and are rather processes of individual autonomy, redefinition of modern identities, responsibility and partnership (Anheier, Glasius, and Kaldor 2001).

The globalization of the 1990s permeated all segments of the world system, thus delineating the fundamental framework of the “lifestyle” best defined by the French school of “intelligent history” (Braudel, Febvre, Vilar, Bloch). This theoretical term is used in historiography to describe quite specific circumstances, even though, paradoxically, it draws on the fundamental principle of historical totality. Rather than confining itself to the isolated worlds of eco-

conomic, political or other socio-cultural facts, it insists on their inter-relatedness and interdependence as well as particularity, measurability and concreteness. Therefore, our view on globalization draws on Wallerstein's definition (Wallerstein 1993), which is based on a broad, but also specific, combination of different social processes. These include: communications (telecommunications, electronic media and global publications, air transport), markets (global producers and sellers, global trade and competition, liberalization of trade), production (globalization of production chains, global integration of companies, interdependence in terms of raw materials), organizations (global state agencies, transnational companies, global civil associations), capital and finances (US dollar as a global currency, credit cards, foreign currency market, banking, stock markets), and culture and awareness (global trademarks, the world as a global village, solidarity and trust).

The only real novelty among the various features of globalization is a rise in the significance of local factors, or a peculiar process of exclusion and individualization, which is an internal property of globalization processes. In this process, some people, as Kidron and Segal pithily put it, see the world as a global village, but the majority think that "the world is their village" (Kidron and Segal 1995). People simply believe that local space and their local identities have been gaining priority over global processes, even though globalization eliminates restrictions on the flow of goods, services and capital between countries. P. Naisbitt argues that one of the global paradoxes of the modern world is precisely the importance of individual units and their networking. The larger and the more important the world economy becomes, the more powerful and the more numerous its smallest protagonists are (Naisbitt 1994). A network is the basic instrument of "glocalization," a process that simultaneously generates both economic,

social and cultural globalization as well as localization. These are, quite simply, Janus-faced historical processes, and it is precisely this trait that hides the secret of a singular dialectics of the modern world. Globalization is transnational, and global economic and technological changes are like a centrifugal process, but one that does not deny importance to territorial geography, localness or regionalism that function as centripetal processes, which eventually, and quite contradictorily, change the social geography of the modern world (Oman 1997).

The debate about the importance of migration flow has found itself in a quandary created by “glocalization.” Let us mention only some contradictory standpoints: Some are convinced that political-economic globalization does not induce greater demographic pressure and that we should even expect a decline in global migration flows (Tapinos and Delaunay 2000). Others hold precisely the opposite opinion. For them, modern demographic trends, extensive liberalization of the flow of goods, capital and labor, and the communications (and transport) revolution, are the main levers of great migration waves that are still to come (Meadows, Meadows, and Randers 1995). Still others assert that a correct approach is an intermediate position, arguing that the international trade in goods and services, and the liberalization of capital and international finance in particular, are good substitutes for an increasingly less mobile labor force and that these processes can gradually replace the significance of migration flows (Abowd and Freeman 1991).

All three approaches rest on certain theoretical and empirical bases, but predictive mapping of the future, and of prospective migration flows, is an unpredictable and entirely uncertain process. While it is true that globalization invariably increases migration potential, it is not equally clear whether it will also

increase, or perhaps reduce, actual migration flows in the future. In our opinion it is possible to conclude with a high degree of probability that future demographic flows (population structure), economic factors (differences in income and employment), social circumstances (differences in levels of social security), and political opportunities (opportunities to confirm one's own identity) will greatly contribute to an increase, rather than a decrease, in migration flow.

Many variables influence the tendency to migrate and determine migration potential (see, for example, OECD 2000): actual income differences (differences in GDP, salaries, property), job opportunities (unemployment rates, population growth), various asymmetric shocks (wars, political and economic crises), technical and information opportunities (transport, information network), local differences (degree of urbanization), economic situation of the individual (life expenses, costs of moving), age and qualifications structure (life opportunities, social systems), and unwillingness to take risks (social security, job opportunities).

Factors such as economic differences (employment, salaries, social security), modern wars and methods of warfare and new possibilities of cheap transport and communications, increase migration possibilities and accelerate actual movement processes. The world of the future will be a world of traveling masses. The luckier ones will travel as tourists—the number of tourists is expected to rise from the present 700 million (in 2000) to 1 billion in 2010 (or, speaking in percentages, from the present 9% to 15% of the world's population) (see *Strategija* 2002). The second large group will comprise economic and political migrants. Globalization trends invariably encouraged migration flow and the other way round. In the 20th century alone the internationalization of migration flows between Europe and North and South America

was an important factor in the economic, political and cultural linking and development of countries on both sides of the Atlantic. Political and economic analyses prove that the migration policy contributed greatly to the new economic, political and social globalization of the modern world as well as the stabilization of a new Europe following the Second World War (Hobsbawm 2000).

DEMOGRAPHIC CHANGES AND MIGRATION FLOW

Demographic explosion in the 20th century is an objective fact, and the numbers game is unusually dramatic. In 1650 the world's population numbered approximately 0.5 billion, with an average annual growth of 0.3% leading to the doubling of the population over the next 250 years. As late as 1900 there were 1.9 billion people in the world and, given the average annual growth rate of 0.5% at the time, a mathematical calculation would have led one to conclude that the world's population would double within 140 years. Yet as early as 1970, which is half way through this period, the world's population numbered 3.6 billion, and the average annual growth rate rose to 2.1%. Today, there are 6.1 billion people in the world and this number increases by more than one billion at twenty year intervals, with the population growth being undoubtedly highly exponential. If we rely on various development scenarios based on estimations of fertility, by the year 2020 the world's population will number between 7.2 and 8.5 billion people. Viewed from another perspective, we could say that the world's population is increasing by 81 million people every year (approximately 133 million births and 52 million deaths), meaning that 150,000 babies are born every hour. By the mid 21st century, according to the estimations of the UN, the world population should level off at

around 10 to 11 billion people (UN 1998). One factor believed to contribute the most to demographic stabilization is economic development, which is expected to begin slowing down population growth around the year 2050, when the demographically most burdened countries in the world (India and China) are expected to reach the threshold of the developed economy.

However, it was precisely such linear projections of demographic trends and other restrictions on growth that were responsible for a relatively pessimistic perspective on the future of human civilization as presented by the World 3 model that was jointly developed in 1970 by the Club of Rome and the Massachusetts Institute (Meadows, Meadows, and Randers 1995). Futurologists have predicted global catastrophe within the next 100 years (by the year 2100), if present hypotheses and basic negative development trends do not change in the meanwhile. These negative trends pertain to the areas of: economic development and more balanced distribution of social wealth between developed and underdeveloped countries; social expenditure for the increased cost of development or maintenance of the welfare state (pension and health systems, education system); and increased expenditure for the maintenance of ecological restrictions on growth and other measures related to sustainable development.

The biggest global problem from this standpoint is that of unbalanced growth of the world population with respect to economic capacities and the possibilities of economic growth. A recent report by the World Bank (WDR 2000) shows that almost half of the world's population (2.8 billion people) live on less than two dollars a day, and that one fifth (1.2 billion) live on less than one dollar per day. The average income in the richest 20 countries is 37 times the average in the poorest 20 countries, and this difference has doubled in the past forty years. The conclusion that can be

drawn is clear and gravely straightforward. Demographic density coincides with poverty, and demographic death with economic prosperity. The young and poor population of the “world’s south” confronts the rapidly aging population of the rich countries. These hypotheses provide the basis for four important conclusions: the world’s demographic expansion still demonstrates the exponential growth; the majority of less developed countries have not yet undergone demographic transition; the demographic structure runs counter to economic development (poor countries with a young population, rich countries with an aging population); and economic wealth is increasingly more asymmetric, although the absolute level of poverty has been decreasing.

However, structural changes are more important in this respect than absolute or relative population growth figures. The theory of demographic transition (Chesnais 1992), which is based on European experience, interlinks biological reproduction, population structure and economic development. Although demographic transition implies rapid changes in the population structure (aging of population, higher levels of education and prosperity), owing to the advancement of industrialization and the welfare state, the interoperability of economic growth and changes in the population structure may have a more rapid impact even on less developed countries. In 2000, the number of births in the EU exceeded the number of deaths by 343,000. The same figure was recorded in India in the same year, but within just one week. Less developed countries have young, large populations and high annual growth rates (80 million people), while developed countries, in contrast, have old populations, among which the fertility rate is below replacement level (1.7 children per woman). Because of this, the absolute population of the EU will probably decrease by approximately 45 million by the year 2040, while the population of

South East Asia will double within the same period. Belgium, for example, needed 100 years to double its share of the population older than 60 years (from 9% to 18%), but Venezuela will achieve the same result within just 22 years (WB 1994). Generally, the population of the developed parts of the world is aging rapidly, so approximately one fifth of the population will be older than 60 in 2010, with this share rising to one fourth by 2010. According to the theory of demographic transition, changes in population structure are a result of internal factors, meaning that the influence and the significance of international migrations are excluded as being of no consequence. But in reality it is precisely migration processes that ensure mechanisms for mitigating rapid and dramatic changes in population structure. Accordingly, extensive migration processes are an important factor, one that reduces the dangers of demographic transition and represents one development alternative that is frequently overlooked.

Our hypothesis is that the demographic gap between the developed countries of the “world’s north” and the demographic excess of the “world’s south” will be balanced within the next few decades by extensive migrations that will be comparable to the movements of people in the 19th century. The new global population arrangement will result in the globalization of and increase in migration flow in the next few decades. In the 21st century, approximately one tenth of the world’s population (from 500 million to 1 billion people) will be on the move, primarily from the developing countries to the rich ones. Even at present, pure migration is the only source of population maintenance in the EU, and is twice as high as the natural increase in its population.

Towards the end of the 19th century, 30 million Asians moved to other parts of the world. At the beginning of the 20th century, approximately 60 million people moved to Western Europe and

North America from wider Eurasia, including Russia. In old Europe alone, industrialization and agricultural exodus in the period 1815–1914 caused an increase in the European population of one fifth by 1850 i.e. the middle year of this period (Chesnais 1992, 153). However, these data are not comparable with the demographic situation at the end of the 20th century. Taking into account only relative relations, in the present circumstances these figures could be multiplied by a factor of 3. In line with this, the present relative share of the migrant population in wider Eurasia would be around 180 million people. Yet empirical facts differ. The main reasons for this difference are more precise international statistics and clearer definitions of what international migrants are, how migration is monitored and measured, and what the fundamental reasons for modern migrations are.

International migrants are defined as persons who cross the border of their native country, change their permanent residence and have foreign citizenship when they enter the host country. In this study we will not be concerned with the problems related to statistical and methodological treatment of people within the framework of these criteria, because the focus of our interest is on the substantial determinants of migration flow. Between 1965 and 1990 the number of migrants in less developed countries rose from 47 to 57 million, and in developed countries from 30.2 to 54 million (UN 1998). In other words, actual migration at the end of the 20th century was essentially smaller than expected (180 million). A similar conclusion could be drawn about the proportional share of migrants in the total population, which in the comparable period 1965–1990 ranged between 1.5% and 1.7% in developing countries and between 3.94% and 5.89% in developed countries. In the US, immigrants accounted for 9.7% of the entire population in the period 1901–1910, while in the period 1971–1981 their share

dropped to only 2%. Or, to put it differently, in 1910 14.6% of the American population were born “outside its borders” compared to 6% in 1980 (Simon 1999).

These empirical facts prove that globalization of migration flow in the 20th century has been on the decline, a finding which stands in contrast to our hypothesis and analytical expectations. Below are three reasons that could partly explain this turn in the globalization of modern migration: a more precise measurement of migration flows after the Second World War and formalization of entry into a foreign country after the First World War (passports); in the past fifty years, world countries have been relaxing primarily the flow of goods and capital, while introducing restrictions on the flow of people (primarily the labor force); and migration flows are very uneven and cyclic, with the share of economic migrants with higher education increasing in the past decades (particularly in the US and the EU).

Taking into account the demographic, economic, technological, social, political, socio-cultural and, finally, purely administrative and statistically more tractable patterns of modern migration, we can conclude that: the 20th century migration did not reflect demographic trends, although all international statistics point to a rather stable increase in migration flow in the past two decades (UN 1998); the 20th century migration made possible economic internationalization (particularly between Europe and America, then Turkey and the Balkan countries, on the one hand, and Western Europe on the other, and Central America and the US); in modern globalization processes, changes in migration (the flow of people) lag behind other forms of this process (the flow of goods and capital); and modern migrations are restricted primarily by the monopolization of the labor market in developed welfare states, a condition which neutralizes large structural dispro-

portions between demographic trends and the stage of economic development on the global level.

One feature of these processes that is particularly important is the increasingly restrictive policies adopted by developed countries which prevent migration flows, although such an approach contradicts their demographic and economic needs. On the other hand, restrictive policies cause new structural disproportions between large demographic surpluses and the economic capacities of underdeveloped countries. The globalization of migration flow is thus primarily determined by political interests and ethnic nationalism, rather than by spontaneous demographic developments or free exploitation of opportunities arising from the needs of the global labor market. Accordingly, reduced global migration flows is primarily a result of political rather than economic factors, and of the predominant economic and ethnic nationalism (glocalization) rather than of conditions where moral principles dictate global respect for human rights.

ECONOMIC FACTORS IN MIGRATION FLOW

The classic economic theory of international exchange says that a country uses those production factors that are available in abundance and are, therefore, proportionally cheaper with respect to their productivity. In this theoretical approach, migration and international trade are mutually substituting, meaning that a country with an abundant labor force produces and exports primarily those products that involve the large labor force. However, empirical studies show that free trade is, with increasing frequency, a complementary companion of migration flow. This means that increasing economic globalization boosts the

export of the surplus workforce and increases the economic need for a foreign workforce. Both processes increase migration flow, so the increase in international exchange (internationalization, multinationalization, globalization) is related to the greater mobility and movement of people (Cogneau, Dumont, and Izzo 1998).

Economic theory has linked migration flow to the labor market and income (payment) policy and the wider welfare state policy (Waltz and Wellisch 1998). The economic extent of migrations is primarily dependent on differences in income between developed and underdeveloped countries, even though the individual decision to migrate for economic reasons is frequently a result of the collective decision of a family or a household. The theory of portfolio investments shows that a family reduces risk if its members are dispersed across different labor markets with different incomes. But the intensity of migration flow in such a case is related to large differences in income, which must also cover the initial, and relatively high, costs of moving. The low level of internal migration within the EU (2% of workers on the labor market are foreigners) proves that relatively small differences in income do not encourage migration. Another component that has been gaining importance in the EU is social capital seen as a network of institutions, norms and trust which together stimulate social cooperation and security among various social subjects (Schiff 1996). The significance of social capital in developed European communities (states, regions and ethnic communities) obviously prevents greater dynamics of the workforce.

Despite loose trade barriers, relative differences in income and business opportunities, people within the EU do not want to migrate. This simply means that modern migration flows within the EU are not determined by availability of a workforce (in emigration countries), but by demand for a workforce (in immigration countries).

Theoretically, we distinguish between “pull migration,” stemming from an increase in the demand for workers in the source country, which increases production, prices and salaries, and “push migration,” which is based on changes in the job market and is usually related to an abundant workforce, or extraordinary political circumstances (refugees, asylum seekers and so on). We also speak of push migrations in relation to shocks, for example, a structural deficit in the domestic workforce that can be amended through the intake of migrants. Since in the 1990s the EU countries predominantly employed restrictive migration policies, migration flows were primarily determined by pull migration factors (Zimmermann 1995).

Particularly important in this respect is the concept of the welfare state developed after the Second World War in Western Europe and the US. This concept implies that the state reduces life risks for the majority of its population by taking care of their social situation through a system of social transfers (the pension system and public health system are the best evidence of such intergenerational solidarity). In our example, the welfare state and care for those who are powerless and socially weak have become metaphor for the “promised land” sought by migrants from underdeveloped countries. But, on the other hand, it was the welfare state itself that caused the internal differentiation of the labor market, creating a situation in which domestic workers no longer wanted to take unskilled or lower paid jobs. This was coupled with an increase in the demand for a highly skilled workforce in the past decade, a demand generated by the development of new information technologies. Domestic labor markets, and the EU labor market in particular, did not provide sufficiently fast re-training or efficient education for their workforce. This led to a unique structural deficit in the labor markets of welfare states,

one that can be eliminated primarily with the help of migration flow.

Empirical studies of the EU labor market have produced some surprising findings. In the mid 1990s, the workforce in the EU numbered 169 million people (1995). Continuation of present demographic trends within the EU would result in a workforce amounting to 183 million in 2010. After that year, the labor market is expected to begin shrinking and to regress to 153 million people in 2050, a figure comparable to that for 1985. All these changes would be the aggregate result of demographic and structural changes in the active age of the population and differences in the structure of the workforce, since after 2010 the active population of the EU is expected to begin to decline. The biggest decline in the period 2010–2050 is expected in Italy (–7.5%) followed by Germany and Spain (–6.6%). These countries constitute the greater part of the EU labor market, and the deficit should be counteracted by migration flow (Punch and Pearce 2000a).

Nor should structural relations between the inactive and active population, a factor which will also undergo substantial changes in the future, be overlooked. The pressure of inactive population on the European labor market in the 1990s can be divided into three types: “green pressure” exerted by young people (up to 19), who are first-time job seekers (friction unemployment); “white pressure” by the active population (aged 29 to 59) who are unemployed for various reasons (structural and cyclic unemployment); and “gray pressure” by people who could still be active (those over 60), even though they are already eligible to join the social pension system (part of natural unemployment).

In the past, young people accounted for nearly half of non-working citizens, but owing to the fall in the fertility rate and other structural changes, in the next few decades we can expect an

increase in the third group. These structural changes will also contribute to a need for rejuvenation in the middle group of the active population in the EU, and the source of this rejuvenation will be primarily migration flow.

Viewed from the economic perspective, demand for a skilled workforce is increasing. German employers alone request from the government 1.5 million extra skilled workers from abroad. Obviously, national (publicly stated) workforce needs reflect the political aspirations rather than the realistic needs of a market that is governed by demands coming from business. Taking into account various estimations and needs of business, in addition to national (public) statistics and preferences, in the next three decades the US and the EU will need around 70 million of additional workforce from migration sources in order to maintain the present level of population, to meet the needs of the labor market and to increase the prosperity and competitiveness of the domestic economy. A number of studies, based on different calculations (partial variations are here neglected), have forecasted (Biffi 1997) that the migration potential of the countries of Eastern and Central Europe joining the EU in 2004 will amount to anything between 590,000 and 1.2 million migrants, meaning 100,000 to 150,000 migrants a year.

Faini and Venturini were seeking to establish the level of GDP per capita at which the difference in the development level (GDP) no longer represented a migration potential (for example, 4,000 dollars for Portugal, 4,100 dollars for Greece and so on). Their conclusion was that the migration potential among developed countries decreases with the decrease in differences in GDP between countries (Faini and Venturini 1994). However, other researchers have argued that the trend in less developed countries was just the opposite (Rotte and Vogler 1998). For example, the in-

crease in GDP in some African countries increased their migration potential, since development heightened their level of education and created financial opportunities for migration. Similarly, economic studies for Central and East European countries show that demographic changes will be relatively stable, but structural economic disproportions will increase their migration potential and the scope of migrations (Biffi 1997).

Global economic migration in the period 1965–1990 comprised approximately 110 million people. But one of the most recent studies by the UN has proved that by 2025 the EU alone will need around 40 million immigrants, while it will lose the same quantity of its population by the year 2050 (UN 1998). In order to satisfy the needs of the domestic market, in the past ten years the EU has accepted around 500,000 foreigners a year, with this figure for the US ranging between 700,000 and 900,000. However, economic migration is a politically delicate issue particularly in a period of high unemployment rates in receiving countries—a situation that was characteristic of Europe in the 1980s and 1990s. Governments are thus modest in their projections and announcements of national needs for an adequate workforce, taking care not to aggravate their relations with trade unions or affect domestic structural unemployment. Austria, for example, has projected only 20,000 immigrants a year over the next twenty years, the Netherlands 10,000; Great Britain counts on 77,000 immigrants, and France on 40,000 (Punch and Pearce 2000b).

Demographic trends in developed countries (US, EU), therefore, prove that it is very likely that the following tendencies will persist: a decrease in population size, a decrease in the number of the active population (especially in the countries of the present EU), and an increase in the need for additional workforce dictated by economic circumstances. As a result, economic migration will

be the only correct solution to fill the “black hole” in the labor market created by demographic trends and other structural changes. In the next few decades we can expect that developed countries (analytical estimates apply primarily to the US and the EU) will need, on average, between 1.6 and 2 million additional workers a year, and this extra force will have to be migrants from other parts of the world. In other words, this amounts to between 150 and 200 million migrants in the 21st century, which corresponds to the estimate presented in the second section of this study.

ECONOMIC EFFECTS OF MIGRATION FLOW

The theory of human capital shows that in the long run humans are willing to change their economic space when motivated by certain costs and expected income (Becker, Murphy, and Tamura 1990). If the immediate benefits arising from the mobility of the workforce are greater than the material and non-material costs, then we can expect that people will change jobs, move to another place, even cross the borders of their native country, where, by definition, they become economic migrants. However, if the discounted flow of benefits does not exceed the costs, then, in accordance with the principle of economic rationality, people will not decide to change their residences or jobs. Simpler models of human capital show that migrants, assessing from the economic factors, make their decisions primarily on the basis of job opportunities and differences in income, while more complicated models also include other factors that usually influence the wider process of decision taking. Yet the majority of neo-classical economic models of migration flow are based on unrealistic assumptions that, when deciding and estimating advantages (benefits) and weak-

nesses (costs), migrants take into account all the available information.

The first group of economic effects of migration comprises the influences of migration flow on the most important macroeconomic processes. The majority of international organizations (The World Bank, OECD) advocate balanced global development, which is expected to reduce differences in the levels of economic development and reduce migration pressure (the flow of the workforce) through an increase in the flow of goods and capital. Once economic development and realistic convergence of economic systems has gradually resulted in the equalization of work conditions, salaries and social circumstances in the countries that traditionally were the biggest providers of workforce, then global migration flow will subside. In certain extraordinary examples, migration flow could even be reversed. For example, after Portugal joined the EU, this previous exporter of workforce turned into an importer of workforce. Behaviorist traits of American migrants prove (Simon 1999) that: migrations have a positive influence on economic growth and business initiatives; migrations increase competitiveness on the labor market and motivation for work; migrants tend to set aside savings and make investments more than the average; and over time, some important areas of business become dominated by foreign workers exclusively.

Viewed from the political-economic perspective, a very important detail is that migration flow does not have a negative effect on unemployment (Freidberg and Hunt 1995). Empirical data show that during recession migration flow slows down rather than increases, so the impact of migration on the labor market is smaller than usually stated for political, ideological and other xenophobic reasons. This stands in stark contrast to the predominant belief that migration increases the supply of the workforce,

decreases the average level of salaries, increases unemployment and consequently has a negative impact on the domestic workforce. There is no reliable evidence that migration decreases the employment rate among the domestic population. A number of economic studies have shown that migration flows are indeed spurred by longer periods of unemployment. Yet in the modern world, the individual decision to migrate is frequently much more complex and involves relative evaluation of the consequences of the loss of domestic environment, family ties and so on. Undoubtedly, migration does have an impact on unemployment in the receiving country and on its labor market, but economic analysis has failed to establish any predominantly negative effect on unemployment among the domestic population (Bauer and Zimmermann 1999).

Similarly, migration does not have any significant impact on the level of salaries among the domestic population, because migrants usually resolve the problems of structural unemployment and fill specific niches in the labor market.

The majority of American and European studies have shown that migrants are a complementary component of the labor market, and, rather than affecting the salaries of domestic “white” and “blue collar” workers, their impact on their own salaries is far stronger. In addition, the greater part of the salary differential, particularly in the EU, can be explained by the imperfection of and inadaptability to the labor market. Simon, for example, proved that in the US even an increase in the number of migrant workers on the regional labor market of more than 10% causes a mere 1% decrease in salaries, and this happens only in areas in which immigrants are genuine substitutes for the domestic workforce (Simon 1999).

The second group of important migration effects has implications for regional economic differences in receiving countries. Empirical analysis (e.g. the case of Australia, Foster and Baker 1991) shows that migration actually increases regional differences, since the influx of immigrants causes a redistribution of income among production factors (from the owners of work to the owners of capital). These processes are especially evident if migrants are linked to entrepreneur capital, which causes, in addition to the redistribution of income, the redistribution of prosperity in some regions. This runs contrary to the logical conclusion that migration flow should actually reduce regional differences. Migration of skilled workforce (“brain drain”) brings benefits to developed countries, on the global and on the local level, since these countries thus acquire an additional, cheap and educated workforce (the US are a good example of this).

The third group of economic effects includes the impact of migration flow on the public sector and budget balance. Contrary to the convictions of domestic populations, economic studies prove that migrants are not greater users of public services and do not receive more financial transfers than the domestic population (Cutts 1992). Based on the example of the US, Simon showed that migrants (e.g. Mexicans) are even net payers into the system of social security, given that around 76% of Mexican immigrants pay social security taxes, while only 4% to 5% of all Mexicans receive social aid in the comparable area (free of charge medical insurance, social aid, subsidized education for children etc.). Since migrants usually do not form any special group of welfare receivers (e.g. the unemployed), the structure and amount of welfare received by migrants is on average the same as that received by the domestic population (Simon 1999). Weber and Staubhaar, for example, showed that in Switzerland a foreign household receives

\$1,700 a year on average, in the form of various public budgetary transfers (Weber and Straubhaar 1994). Borjas arrived at similar figures for the mid 1990s, showing that one fifth of immigrant households in America and 14% of American families were receivers of social programs (Borjas 1994).

Even though economic analyses of the impact of migration flow on the budget are usually completely contradictory, varying from one country to another, the majority of these studies nevertheless show that migration processes have a greater number of positive than negative effects on the public sector. The explanation is simple. Migration processes rejuvenate the population of the receiving country, which usually increases productivity, boosts economic growth and increases the budget, and at the same time relatively reduce the social costs of their reproduction and consequently, budgetary expenditure. In other words, in the long run migration proportionally reduces the share of public expenditure in the GDP. If, however, individual net budgetary expenditures increase in proportion to the scope of social programs, the reason is primarily the character of the welfare state.

The fourth group of economic effects of migrations refers to the economic richness of immigrants' behavior, an issue that is frequently the subject of numerous erroneous and stereotyped understandings. Economic studies (Simon 1999; Borjas and Freeman 1992) prove that: fertility among migrants is usually not higher than among the domestic population, even if they come from regions with different demographic traits; migrants are not greater users of medical services, since they are usually healthier than the domestic population; migrants are incomparably more mobile; they are willing to work more, in poorer work conditions and for lower salaries than the domestic population; and the crime rate among immigrants is not higher than that among the

domestic population, and quite frequently it is even lower (e.g. in the EU).

The primarily American studies summarized above show that the behavioral patterns of migrants are different in the initial period, but also that migrants, primarily economic ones, rapidly adapt to the labor market and the lifestyle of the receiving country. After ten years their behavior and lifestyle are almost no different from those of the domestic population, with this conclusion not applying to cultural (ethical, religious) differences, which, from a sociological point of view, can even enrich civil society. Compared to their domestic counterparts of the same age and sex, migrants are more willing to undertake hard work, which usually increases productivity, encourages economic growth and increases the national budget. At the same time, migration relatively reduces the social cost of its reproduction, so on the local level the positive economic effects of migration are greater than its cost (negative effects). This is also a fundamental message that should be grasped primarily by the political and economic protagonists shaping migration policies.

ECONOMIC POLICY OF MIGRATION FLOW REGULATION IN EUROPE

Until the 20th century, migrations were determined by the economic needs of the market, the social possibilities of survival and the quest for greater prosperity. While a free labor market did exist in the 19th century, it later became increasingly closed and regulated. This is particularly true of the period following 1914, when administrative control of state borders (passports) was gradually introduced. Generally speaking, in the period 1945–1975, west European countries encouraged economic migration

because of its positive influence on economic development, while in the period 1976–2000, they began to obstruct it because of the high internal unemployment rate.

The differences between European and American migration policies are considerable. In the US, migration policy has long since become an integral part of the American development strategy. The basis of the American migration policy after 1921 was primarily a clear distinction between legal and illegal migration. The quantity of economic migration is determined on the basis of annual quotas of work permits which are adapted to the needs of the labor market, while illegal migration is restricted through police control and other milder forms of immigration prevention. Yet throughout the past decades, the US has been especially successful in including economic immigrants, but unsuccessful in preventing illegal migration, particularly across the border with Mexico.

The measures intended to regulate migration flow can be divided into economic, political and cultural. The approaches that can be employed are either (labor) market based or purely administrative (quotas), or involve complex programs of indirect measures which have proved to be the most efficient. Some of these approaches are given below.

The “Maquiladora” program developed jointly by Mexico and the US in the 1980s; under this program, American companies located in a border region with a special customs regime can employ Mexican workers. The US and Canada have developed a special system of migration rights instead of quotas. The model was extended to illegal refugees, who can buy the right to cross the border or obtain asylum and thus become legal migrants. Special migration policy has been designed for families and students, enabling a more controlled and more efficient inclusion of foreigners into American society.

Compared to the US, the EU has nothing like a harmonized migration policy, with the labor market and the strategy of its regulation being its weakest institutional components. The Maastricht Treaty (1992) defined the single market as an “area without internal frontiers” with the three basic movements, of goods, capital and labor force. The Amsterdam Treaty of a later date (1997) ultimately reasserted the EU as an “area of freedom, security and justice” that can expand towards the east. These general clauses are especially delicate if transposed to a migration policy that comprises three areas: general provisions pertaining to economic migration, jurisdiction in the area of refugee issues and asylum law. The EU does not have either common statistics or common criteria for defining economic, political, legal or illegal immigrants. The majority of European demographic projections do not anticipate the methods for supplementing societies with low birth rates or societies having difficulties with the social costs of supporting the unemployed. The Schengen border regime and a seven-year restriction on the free flow of the labor force, demanded by the EU in accession negotiations with candidate countries, clearly indicate the limited range of European migration policy.

Germany, the largest EU country, accepts around 700,000 foreigners a year, but immigration into Germany is uncontrolled, since the country has neither a strategy for nor a law on immigration. By contrast, Spain adopted a new migration law in 1999 which should enable it to establish control over immigrants and illegal work, to regulate the expulsion of illegal immigrants and so on. One difficulty related to this is that illegal refugees cannot be repatriated without an agreement with the country from which they came, and there are as many as 45 such countries outside the EU. According to estimates, there are around half a million refugees in the EU today, yet the union has neither systematic plans

nor measures to regulate the inflow of foreigners. Similarly, the EU does not have a uniform system of work permit acquisition, nor of the gradual inclusion of migrants into the common “European house.” The void created by the absence of genuine migration policy is thus filled in by intolerance towards foreigners that has been accompanied by a series of dramatic incidents such as those in Dresden or Rostock.

Quite simply, the EU has neither genuine nor common migration solutions, even though it needs additional workforce if it wants to fill in its demographic gaps and structural deficit in the labor market. Until now, EU migration policy has reflected, to a large extent, the ideological and political constitution of the idea of a common Europe, European institutions and the feeling of belonging to a new, transnational Europe. But this process also brought to light its xenophobic face, one which throughout history has shaped European identity with regard to Eastern, Muslim and other Asian, non-Christian civilizations.

During the first three decades following the Second World War, Western Europe lived with relaxed migration regulations (increased need for the workforce) and generally respected the international regime regulating refugee rights (The Geneva Convention from 1951, the Protocol of the UN High Commission for Refugees from 1966 and so on). The stricter control system began to be introduced in the mid 1980s, owing to the straitening of domestic economic circumstances (stagflation). At the same time, the wave of refugees began to increase dramatically. The main reasons were wars in the Middle East, increased refugee waves from Asia, Africa and even Eastern Europe, so in the 1990s the situation in Europe came to be known as the “asylum crisis.” Intergovernmental negotiations produced a series of conventions in the early 1990s. These regulated norms pertaining to control of

the external borders, the visa system and methods for combating illegal migration. Yet all of these regimes were rather defensive, and were not, in reality, a result of common asylum or migration policy reached jointly by all EU member states. It was only the refugee crisis in the mid 1990s caused by the Balkan wars that forced Europe to take a more serious approach to this issue. The idea underpinning the common European migration and asylum policy was partnership with those states from which migration pressure originated.

Ostensibly, this was supposed to mean that the EU would declare its general commitment to achieving equal economic, social and political development, a situation that would prevent conflicts and ensure widespread respect for human rights. However, in reality it was merely a search for options that would indeed ensure common norms of acceptance and non-discriminatory asylum procedures for all citizens of “third countries” (outside the EU), but still based on the assumption that they would eventually return to their countries of origin. The European policy has thus chosen not to take into account the “acceptance capacity” of the EU or, in other words, the sum total of necessary and potential migrants. All that European migration and asylum policy eventually managed to produce were sterile recommendations for bilateral and multilateral agreements on the voluntary and enforced repatriation of refugees between member states and third countries (Jelenko 2001).

In the past five years, therefore, the EU has shaped fundamental migration strategy primarily through a policy of migration restrictions and restrictive control of its external borders (visas). In the 1980s, the EU reduced options for economic migration; in the early 1990s it narrowed the asylum channel, and in the past five years it has focused primarily on illegal refugees (illegal

migration). The issue of migration flow is primarily important in relation to the next enlargement in 2004. Some European countries (particularly Germany and Austria) deem that migration flow will have a significant negative impact on the scope of domestic employment, social standard and the level of salaries. The expectation that an influx of migrants from candidate countries (joining the EU in the first and second rounds of enlargement) will reduce domestic employment and salaries led to the introduction of a transition period in which several restrictions will apply to the flow of workforce. On the other hand, empirical data show that, in all probability, neither the fall of the “Berlin wall” in the early 1990s nor the future enlargement of the EU will have any significant effect on migration into the enlarged EU. The findings of various studies show that: the migration potential of the new candidates is smaller than initially anticipated; migration occurs over a longer period of time despite differences in income; the intensity of migration will be relatively lower, owing to the anticipated actual convergence between old and new EU states; the countries most inclined towards migration are in the minority (Poland is one among these), while the migration tendency is least evident among some of the most developed countries (The Czech Republic, Slovenia); ethnic differences and the assimilation culture in European countries limit rather than accelerate migration processes within the EU; and the EU has rather high “domestic” unemployment, which is a fact that will have negative influence on the decisions of potential immigrants.

Analysis shows that within the enlarged, post-2004 EU, it is not possible to expect an uncontrolled or major influx of migrants or their negative influence on the labor market (OECD 2001). A special feature of the EU’s approach is its desire to prevent ethnic segmentation of the labor market and the transition of migration

communities into ethnic minorities (Schmidt 1994). Some researchers (for example, the Institute for Work in Bonn), therefore propose that the new migration policy of the EU should include the following features: quotas that would regulate migration flow on an annual basis at the European level; economic methods of labor market integration of migrants through the gradual elimination of restrictions; encouragement of the influx of educated migrants through the use of selective instruments; and complex programs for the transition and integration of migration communities into the receiving countries.

The EU adheres to the rule that each country, by respecting the generally agreed principles, defines and implements its migration policy on its own. In recent years, extensive migration, the increase in the number of refugees and asylum seekers and domestic economic recession have led the EU countries (Germany in particular) to employ a primarily restrictive policy. But in the period to come, European migration policy will have to prove that it can offer a common basis and operate integrally. Only in such a case will migration be given an opportunity to contribute to the solution of European demographic, social, economic and cultural problems, instead of deepening them, as it happened in the 1990s.

MIGRATION POLICY **IN SLOVENIA**

Slovenia's demographic problems, monopolization of the labor market and deficient migration policy much resemble those in the EU. In the past ten years, Slovenia has failed to formulate any serious demographic or migration policy. Its geo-strategic location makes it an entrance door for migrants from the east and Eurasia, and in the future at least one third of all migrations from Eastern Europe and Asia will stop at its door. Economic studies

prove that Slovenia's migration potential towards present EU states is negligible, (Bevc, Prevolnik-Rupel, and Verlič-Christensen 2000). Yet, for a small country, even a low migration potential could represent a significant loss of human capital, particularly if highly educated migrants turn from temporary into permanent migrants.

Slovenian legislation is a more or less apt imitation of European guidelines, but legislation cannot ensure, neither on its own nor in combination with institutional support, strategic orientation or policy in the area of demographic development, migration processes and economic development. Designed on the European model, Slovenian legislation is primarily restrictive, and it lacks a superstructure that could harmonize the three basic areas: asylum law, movement of people and integration of foreigners into Slovenian society. The chaotic circumstances that prevailed in 2000 and 2001 revealed the incapacity of the state to regulate migration flow correctly or effectively, and to mitigate the negative political effects caused by refugees and asylum seekers. All that Slovenian legislation offers belongs in the classic set of supervisory and restrictive measures of the European policy (visas, border control, deportations). In the period 2000–2001, this gave rise to a high level of xenophobia that was prompted by the multiculturalism introduced by refugees, on the one hand, and by the ethnic fundamentalism of the young state, on the other.

What does Slovenia need? The country has around 2 million inhabitants. In 2002 it took a regular demographic and social census. On the basis of the data made public to date, we can make the following estimates: the population will continue to stagnate and age rapidly (the share of young people up to 15 has been shrinking and the share of those over 65 increasing); internal settlement mobility is lower than that in the EU, which is related to tradition, culture and accessibility of housing stock (privatization of social-

ly-owned apartments); the registered unemployment rate is lower than that in the EU (11.6% in 2002), the survey unemployment rate is at the average level of the OECD countries (between 7% and 8%); the employment rate is rather stable and high, and it is somewhat below the EU average for men (68%), and far above the EU average among women (59%); the degree of poverty threat is above the European average, yet definitely the lowest compared to other EU candidates; with regard to the development of human capital, Slovenia lags behind the OECD average, particularly in the area of higher education; structural unemployment and depopulation tendencies are concentrated primarily in certain regions (Pomurje, Podravje, Posavje); and according to rough estimates, Slovenia has 400,000 nationals who are not ethnic Slovenians, and 500,000 expatriate Slovenians.

Slovenia is demographically a mature society undergoing a classic demographic transition and having difficulties related to the labor market similar to those found in the majority of EU states. Since the trend of natural population growth is a long-term process, and the regulation of migration flow a short-term one, the nature of Slovenian migration policy is so much more important. Owing to negative demographic trends and the structural needs of the labor market, an objective forecast is that Slovenia will necessarily need a positive migration flow that will enable normal demographic and economic reproduction of the state and economic development. Accordingly, the two pertinent questions are: how to determine migration policy, understood as one of the vital economic policies of Slovenia, and what should be the scope of migration and how should Slovenia regulate migration flow with respect to demographic, social and economic objectives.

Migration mobility of Slovenians is very low compared to other European countries. International analyses have proved that Slo-

venians are at the bottom of the scale with regard to the extent of all types of potential movement into foreign countries. One of the main reasons is that Slovenia is the most developed post-socialist country and that, compared with former socialist countries, Slovenia's inhabitants are among those most satisfied with the economic and political reform of their society in the past ten years (Bevc 1996).

By character, demographic policy is one of the most complex and most delicate economic policies, exacting an integral approach and the coordination of a series of economic, social and cultural processes. Slovenia has not determined its demographic policy in any of its strategic documents, so, accordingly, it does not implement any such policy. We have already established that the EU does not have a demographic or migration policy either, nor does it have rules for labor market regulation. Consequently, the EU cannot provide a standard model for Slovenia to follow. The European approach to migration policy and asylum did indeed offer to legal migrants certain rights and freedoms, yet it also designated refugees and other migrants as an internal threat to the security of the state. This led, in Slovenia as elsewhere, to explicit defensive reaction on the part of the state and strict police control of borders. There is no doubt that the managing of the entire migration policy and particularly of its most delicate components, i.e. refugees and asylum, has reached a dead end.

What should Slovenia do then? There are no good or comparable examples, and this has caused much confusion in Slovenia's conduct during the past three years since it legalized the European model of migration flow regulation (particularly concerning the issues of refugees and asylum). Slovenia needs a dedicated strategy and policy of directing demographic and migration flows. It has no clear development goals in the area of demog-

raphy or migration, so it does not have specific strategies, policies or a set of measures for the achievement of these goals. The government of Slovenia has not even touched upon the demographic and migration issues in its annual development report, even though these are the two most serious problems of the Slovenian state (*Poročilo* 2003).

The premises on which a migration policy should be based can thus be delineated as several measures that the Slovenian state will have to implement in the period 2003–2005 when it actually enters the political-economic space of the EU:

1. A migration policy should first determine the number of legal immigrants that can be sustained by Slovenia. Following the relatively conservative European criteria, we estimate that Slovenia should accept around 20,000 immigrants every year (1% of the population), while one fifth of these should be economically and socially integrated into Slovenian society every year.

2. On the next level, a migration policy should distinguish those foreigners who satisfy the needs of the Slovenian labor market and the interests of the Slovenian economy. This means that a migration policy should differentiate migration flows with respect to the needs of the labor market, which is one of the criteria taken into account when granting rights to foreigners.

3. The third requirement is a system of economic, social and cultural integration of foreigners into Slovenian society, based on respect for human rights and individual identity. This means that Slovenia should pay the highest respect to their cultural differences, while at the same time economically and socially integrating these individuals into the Slovenian welfare state.

4. The last of these measures is the issue of illegal migration. The system of the sale of legal rights to foreigners is the economically most efficient and socially most just system. This system

should replace the present one involving physical limitations on migration. In this way, the state could radically shatter the illegal trade in people and obtain resources for the elimination of refugee problems.

Migration is an objective fact, and Slovenia will simply need migration in the next fifty years in order to survive as an economic, social and political entity, regardless of any integration processes or European political-economic globalism. This should be the underlying hypothesis on which Slovenia should build a strategy and policy of regulating migration flow. These are the best protection against the increasing xenophobia that could suffuse the population and eventually state apparatuses as well, as was confirmed by events at the beginning of 2001. If there is any realistic basis for xenophobic consideration, it is precisely the linear projections of Slovenian demographic trends, according to which the Slovenian ethnic body will be almost halved within several decades, actually threatening its own existence.

Are refugees and migrants an opportunity or just an expenditure for Slovenia? Migrants are certainly a group that creates certain costs for acceptance, settlement and inclusion into the socio-economic space of the country. Whether migration will turn out to be an opportunity for the development of the Slovenian economy is dependent on how the government will resolve migration issues and how it will include migrants, in cooperation with non-governmental organizations, into Slovenian culture, politics and the economy. Therefore, it is not possible to assert that migrants, refugees and asylum seekers only represent a burden for the state. On the contrary, they burden it only inasmuch as Slovenian governmental institutions and non-governmental organization are incapable of turning migration flows from an expend-

iture into an opportunity for development with the help of a development strategy and other policies.

Slovenia is a state undergoing an important historical and geostrategic transition which was, and still is, marked by migration processes and their accompanying problems. Even if we dared declare that Slovenia does not need net migration, notwithstanding our attempt to prove that Slovenia could not survive, either demographically or economically, without it, we cannot hope to evade these processes in the long run. Slovenia is the eastern gate to the EU, and, depending on how and when it joins the EU, Slovenia's borders will have to bear their share of legal and illegal migration flows between Asia and Europe. At least one fourth of European migration routes, of which, according to many estimates, as much as one third are illegal border crossings, involve this eastern gate of which Slovenia is a salient part.

Hard political and economic facts are a far cry from the ideological junk and political narrow-mindedness which evaluate migration flow as negative. This conclusion lies behind our attempt to prove that migration flow can be a development opportunity for Slovenia rather than merely a social expenditure. Migrants can be a part of the intellectual and social capital of this country. Perhaps the mirror held up by foreigners will show us our own image dominated by strange political and cultural norms, ones that we in many respects share with Europe, but also ones that exact a different approach and conduct. If Slovenia wants to show to the EU a different, more human and economically more rational face, it needs a new approach to this issue and a different migration policy at the time of accession to the EU.

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IMMIGRANT INTEGRATION POLICIES

In the past decade many European countries adopted new, more restrictive immigration policies aimed at limiting the influx of foreigners into their territories. The fear of foreigners has been spreading across Europe. Foreigners are believed to take away jobs and housing from local people, to “live at their expense,” to threaten their culture through introducing foreign values and habits, and to raise the crime rate. Despite such an image, which is often unjustifiably displayed in public, and an increase in the number of people opposing immigration, demographic trends indicate that in the future immigration will have to increase rather than decrease, if Europe wants to ensure a sufficient labor force and reduce the increasing disproportion between the retired and the active population (Sancton 2000).¹ In addition, Europe will probably need additional (“imported”) intellectual potential if it wants to compete with other developed countries/regions in the field of technology.

Today, western countries primarily strive to stop or prevent illegal migration and limit workforce migration, or rather, to regulate these in accordance with their own needs. One objective of migration policies that has been gaining importance is the integration of immigrants, meaning long-term residents in the country of immigration as well as those who are still to come. The main

objective of integration policies is the inclusion of immigrants into the majority population in such a way that they become functional members, participate in its development on an equal basis, and are given an opportunity for an independent life. Routes leading to this goal differ from one country to another and are determined (among other things) by the priorities of the majority population such as highly appraised values (e.g. democracy, liberalism, pluralism, the welfare state and so on), and by what has been defined as the ultimate goal of integration (assimilation, multi-culturality and the like). Integration of immigrants is a constant in all societies, regardless of whether or not formal integration policies have been defined, yet an adequate formal and legal framework undoubtedly contributes to faster and more effective integration. Both sides benefit from this—immigrants and the majority population alike. We should not forget that integration is (or should be) a two-directional process that requires adjustments on the part of immigrants as well as the majority population. Accordingly, the measures implemented through integration policies should be directed at both parts of the population if one wants to achieve the defined goals.

This paper primarily aims to call attention to certain issues and offer several points of departure that could be used in the consideration of a suitable integration policy and integration measures in Slovenia. We will, therefore, present several models of immigrants' integration and specific integration policies pursued by three European countries which have come close, to a greater or lesser extent, to these models. We shall also touch upon integration policy in Slovenia and suggest several guidelines for consideration preceding the preparation of integration programs. Let us stress here that integration policy has wider implications, but these dimensions are beyond the scope of this study, so we will limit ourselves to its implications for immigrants.

MODELS OF IMMIGRANT INTEGRATION

In the modern world several models of immigrant integration are in use. Each stems from specific historical circumstances and is, accordingly, adjusted to the needs of specific societies (countries), their goals, norms and values. Viewed from the perspective of legal regulations, we distinguish between three types of integration models: The technical term commonly used to denote the first model is the “differential exclusion model” (see, for example, Castles 1995; Medved 2001), although other names are also in use. For example, Bauböck (1994) uses the term “social inclusion/national exclusion.” The main feature of this model is that immigrants are included in some spheres of social life (the labor market in particular), but do not have access to certain other spheres (e.g. the social system, citizenship, and political participation) (Castles 1995, 294). This model has been adopted primarily by countries with the traditional cultural or ethnic definition of nationhood (nationality), which did not take their share of immigration from former colonies and which, after the Second World War, pursued policies of temporary, guest worker recruitment. Germany, Switzerland and Austria belong in this group. Over time, these countries gradually increased the number of social and civil rights granted to immigrants, but made difficult their access to naturalization (Bauböck 1994). In this model, naturalization is the last stage of the assimilation process (Medved 2001, 54). Usually, these countries do not automatically grant citizenship to the descendants of immigrants, neither at birth nor at coming of age. Immigration is seen as a temporary phenomenon which is supposed to end with the return of immigrants to their country of origin (Bauböck 1994).

The second model is known as the assimilation model, or “the differential inclusion model” (Medved 2001, 54). This model impli-

es the inclusion of immigrants into the majority society in such a way that immigrants discard their linguistic, cultural and social characteristics and blend with the majority society. The burden of adaptation is mainly shouldered by immigrants, while the role of the country in this model is to ensure favorable circumstances for optimally fast individual adaptation and adoption of the majority culture and values (Castles 1995, 298). This model primarily implies integration through naturalization (Bauböck 1994). Naturalization is the first step in the process of assimilation (Medved 2001, 54). Although immigrants can remain in the country indefinitely as foreigners, a large share of permanently settled population without citizenship is regarded as a democratic anomaly. These immigrants are encouraged to opt for naturalization by the prescription of relatively short periods of permanent residence in the country preceding application for citizenship and by proportionally low costs. The children of immigrants who are born in the receiving country obtain citizenship at birth or at coming of age. In this model, the trend towards equalization of the legal status of immigrants with that of other citizens (for example, by granting them voting rights at the local level), is usually rejected as counter-productive, since it reduces the immigrants' will to become naturalized. This model is based on the assumption that immigrants who have settled in the receiving county will cut ties with their native countries and will not return to these (Bauböck 1994). The European country that has most closely approached this model is France. In the US, this used to be a prevalent model at the beginning of the 20th century. Canada, Australia and Great Britain also pursued assimilation policies for a certain length of time.

The third, pluralistic or multicultural model (Felicita Medved [2001, 55] termed it "the model of pluralistic inclusion") is characterized by inclusion of immigrants into the political community

while preserving their cultural differences. In this model, being part of the civil society and nation-state is compatible with cultural differences, which are tolerated or even encouraged, but of course, within the limits of the law and assuming that immigrants have adopted (assimilated) certain fundamental political values and institutions (Medved 2001, 55). In this model, legal integration is measured by citizen's rights and not by formal citizen status. Naturalization is one important manner of obtaining rights, but by no means the only one. Increasing the rights of permanent residents who do not have citizenship is a supplemental policy of naturalization. Even though it can reduce the level of naturalization, it increases legal integration. This model does not treat the political community as fully corresponding to the citizens' community, one which extends beyond the limits of formal membership as well as beyond the state borders. Settlement in one country and preservation of social (and other) links with the other country are not mutually exclusive in this model (Bauböck 1994). In Europe, the multicultural model was introduced by Sweden in the 1970s, yet it has not been fully translated into practice, so recently Sweden has had to make corrections and changes to this policy originating from the 1970s.

AREAS THAT BELONG IN THE FRAMEWORK OF INTEGRATION POLITICS

As far as Slovenia is concerned, integration policy still represents an area with which the country does not have much experience, in fact, none at all. The Resolution on Immigration Policy adopted by the National Assembly in 1999 did indeed state that integration policy is one of the three constituent parts of immigration policy, but for the time being, Slovenia continues to devote attention pri-

marily to its other two constituent parts—immigration regulation and asylum politics. Although we have been witness to an increase in the number of debates about integration, these have demonstrated that participants in these debates do not have an integral picture of the scope of integration policy, the areas of human (social) life which it should cover, the measures that should be introduced and the purposes it should strive to achieve. The European Union, to which Slovenia frequently turns for guidelines, cannot offer any assistance in this respect, since it has not itself yet elaborated its own integration policy. EU member states regulate this area in various ways. None has a model of integration that could be deemed fully successful and worthy of imitating or adopting. Nevertheless, this is not to say that on the international level there do not exist general guidelines that could be taken into account by Slovenia when shaping its own integration policy as advocated by the resolution mentioned above. Slovenia is a member of the Council of Europe which includes a special group concerned with integration.² It issued framework recommendations as to what elements integration policy should include. We will briefly present the main points of these recommendations or rather, the main areas that should be regulated by integration policy.

One of these is the area of legal status and the rights of immigrants. It comprises measures aimed at regulating their residence permits, securing of equal opportunities and legal protection against discrimination, clear definition of the procedure and possibilities of acquiring citizenship and so on. This should enable immigrants to feel safe in a new country, to feel part of that country, and should encourage them to develop loyalty towards their new country faster and more readily. Furthermore, integration policy should not circumvent issues pertaining to employment.

Employment is one of the main elements of integration, since it enables economic independence and creates more possibilities for interaction with members of the majority society. In addition, ensuring adequate housing for immigrants, meaning non-discriminatory access to apartments, is another area that should be regulated by integration policy. The absence of an adequate housing policy is a pitfall leading to ghettoization and segregation of immigrants, with both having a series of adverse effects on society as a whole. Integration policy must also ensure non-discriminatory access to medical services. Similarly, integration policy should enable immigrants to preserve and develop their own cultural, religious and linguistic identity. Another important section of integration policy is education. Countries should adopt measures aimed at securing equal educational opportunities and preventing situations in which immigrants children's attainment at school is below average. Finally, school curricula are an expedient medium for encouraging values such as tolerance and respect for others, respect for difference and the like. These values should also be disseminated through the media and public debates, while immigrants themselves should be guaranteed the right to express their opinions in the mass media.

These are some of the main areas that should be addressed through integration policy as the recommendations of the group for integration with the Council of Europe clearly indicate. In addition to these, it seems appropriate to mention at least one more thing—that integration is invariably a two-way process, one that goes beyond immigrants to affect the entire society. Education of the majority population by promoting mutual respect, eliminating prejudices and surmounting ethnocentrism, and working towards prevention of and sanctions for discrimination—all these are measures that should be necessarily included in every integration policy.

At the moment, the international community (still) sees integration policy as an internal matter for individual states. Various countries shape these policies in accordance with their goals, norms and value systems, but we should not overlook certain international standards and obligations arising from international agreements.³

We have already pointed out that no universal model of integration that would be effective in all circumstances and within all areas exists in practice. A specific integration policy may be successful at a specific time, but not so at another time. It could be suitable when applied to one immigration population, but could fail to produce the desired effect with another. As a result, integration policy should not be treated as a constant and as being unchangeable, since its efficiency is highly dependent on a number of factors that constantly change. In addition, we should not forget that realistic effects of some integration policy are manifested with a considerable delay, after several years, and quite frequently only with the second or third generation of immigrants. In line with this conclusion, it is necessary to continually monitor integration measures and assess their effects, in order to be able to respond promptly to inefficient measures, to implement changes and to eliminate errors.

The examples of good practices in other countries could serve as guidelines when introducing certain integration measures into other environments, but we should be aware of the fact that transposition of such measures from one environment to another is not necessarily successful and does not always produce the desired results. As we have already pointed out, every country has a different social, normative and value system, so when assessing specific measures the entire social context within which such measures were adopted and implemented should be taken into account.

We will now proceed with presenting the most important components of specific integration policies in three European countries—Germany, France and Sweden. The models used by these countries roughly correspond to the three models mentioned earlier. In the last section, we will present a brief overview of integration policy in Slovenia

GERMANY

Until as recently as 1998, the official German policy was based on a denial of immigrant position and an insistence that guest workers in Germany settled there only temporarily, so accordingly, their integration was to be temporary and partial. Such a standpoint influenced German integration policy that is most notably characterized by the fact that it granted immigrants access to the main institutions of the system (e.g. the labor market, self-employment, the education system, and the housing market) and included them in the welfare state and the system of welfare policy, but did not provide legal integration, particularly not the option of acquiring German citizenship. The result of such a policy is that immigrants are rather well integrated into the labor market (the share of unemployed aliens is quite small compared to other European countries) and their children are rather well integrated in terms of culture (the majority listen to the same music, use the same mass media, eat the same food, watch the same movies and engage in the same leisure time activities as their peers of German origin). However, in the area of education this policy has been less successful. Research has shown that immigrants' children in Germany attain a considerably lower level of education than their German peers, so consequently, the share of unskilled work force among aliens is larger than that among native Ger-

mans. The German model failed to produce results primarily in the area of identification integration. Their very strict policy of granting citizenship strongly reflecting the ethnic principle, instilled in immigrants only inadequate feelings of belonging to the country, so their identification with the German state is low (The EFFNATIS Project 2001).

As regards the acquisition of citizenship, until 2000 Germany employed a very restrictive policy, so a person of no German ethnic origin could acquire German citizenship only with difficulty. The new law allows immigrants to apply for citizenship after eight years of residence in Germany (if they meet other requirements), compared to 15 years in the past. In contrast to the previous law, the new one stipulates that all children born in Germany to parents without German citizenship automatically acquire German citizenship, if at least one of the parents has had legal residence in Germany for at least eight years and has had either residence rights (*Aufenthaltserlaubnis*) or a residence permit (*Aufenthaltserlaubnis*) for at least three years.⁴ In such a case, the child acquires German citizenship regardless of whether or not it is entitled to citizenship of another country at birth. Persons with dual citizenship must opt for either of the two between the ages 18 and 23. If a person does not make a decision by the age of 23, he automatically loses German citizenship.⁵

Practices similar to those pertaining until recently to citizenship are also characteristic of certain other areas. Most other integration programs and measures in Germany are available only to immigrants of German ethnic origin, meaning descendants of Germans who emigrated from Germany primarily to the territory of the former Soviet Union, some of these a hundred years ago. They were entitled to a 6-month course in German, social aid and assistance in finding employment. Other aliens in

general do not have access to special integration programs. The only exceptions are certain professional training programs for young aliens and for women (Martin and Teitelbaum 1995).⁶ The new immigration law adopted in the spring of 2002 introduced, for the first time in German history, a minimal framework of integration options applying to all immigrants.⁷ The law was scheduled to come into effect on January 1, 2003, but the Constitutional Court invalidated it on December 18, 2002, since the adoption procedure was in contravention of the constitution. The German interior minister Otto Schilly has already announced that the bill will be sent to the Bundestag in an unchanged form.

Let us present several of the main elements of this bill pertaining to the integration of immigrants. The minimal framework of integration options available to all immigrants incorporates linguistic and orientation courses. The latter include an introduction to the basics of the German legal system, culture and history. The federal government bears the costs of the basic (entry level) language and orientation courses, and the complete costs of the integration of immigrants of German origin (*Aussiedler*). Other costs are borne by individual federal units.⁸ Aliens who immigrate to Germany for permanent settlement have the right to participate in these programs, as do long-residents, if there are vacancies. A sufficient knowledge of German and familiarity with the basics of the German legal system and social order will be a condition for retaining the permanent residence permit. A successfully completed integration course will also make possible the shortening of the minimum duration of permanent residence entitling one to apply for German citizenship, from eight to seven years. The integration course will be compulsory for immigrants who do not have a good command of the German language⁹.

As regards worker migrations, the bill is open and flexible and observes the principle of labor market needs. Highly qualified workers (e.g. computer engineers, mathematicians, and other leading figures in the fields of science and research) have the possibility of acquiring permanent residence permits upon arrival (the present law restricts such a residence permit to a period of five years at the most), while other workers can obtain only temporary residence permits. The limitation on the number of immigrants can be increased using a points system if the state has such a need at some specific time. Foreign students who graduate from German universities can acquire a one-year work permit. Until now, graduates generally had to leave Germany immediately.¹⁰

The most important responsibilities related to the integration of immigrants will now be concentrated in the Federal Bureau for Migrations and Refugees (*Bundesamt für Anerkennung Ausländischer Flüchtlinge*).¹¹ The Bureau will shape national integration strategy, provide expert assistance to the federal government in the promotion of integration (preparation of programs and materials), collect information on integration measures implemented by the federation, federal units and local administrations, and oversee the development of educational programs for entry-level language courses and orientation courses on the legal system, culture and history, and of their implementation; it will collaborate with municipal authorities, bureaus for foreigners and interested social groups; in addition, it will supervise the implementation of measures for the promotion of voluntary return of aliens to their countries of origin.¹²

An independent council consisting of experts is envisaged for the assessment and evaluation of the migration position, immigration and integration options. This council would submit its opinion annually. In addition, an independent scientific institute

(*Bundesinstitut für Bevölkerungs- und Migrationsforschung*)¹³ would also be organizationally linked to the Federal Bureau for Migrations and Refugees.

FRANCE

France is a traditional European country of immigration. It has been taking in immigrants ever since the mid 19th century. Despite this, it has never elaborated any special integration policy. The French integration policy is based on the republican integration model, according to which the absence of any special integration policy is the best strategy for the integration of immigrants and their children (The EFFNATIS Project 2001). This model is characterized by:

- the emphasis on high culture (considered not only as superior but as universal);
- the importance given to individual rather than group participation and integration;
- the central role attributed to rational and political factors (instead of to cultural and sociogeographic factors) in the construction of citizenship; and
- the unifying function assigned to state institutions, and particularly to the school, in the building and the reproduction of these features (Schnapper 1991).

When considering the French model of integration, one should be familiar with the history of the French state. It has been formed through a historical process of assimilation of various populations from various regions (Brittany, Provence ...). Every one of these populations had its own culture, dress code, language and so on. The French model of integration was always based on assimilation of various populations. Members of these various popu-

lations gradually became French citizens through the process of assimilation. Integration *à la française* is based on an ideology that attributes the highest importance to individual rather than collective integration. Universal principles always had priority over special measures (Krief 1999).

As a result, an especially significant role in this model of integration is attributed to the educational system, which is considered the best instrument for the integration of children into French society. Accordingly, the integration of children from Brittany, Provence or any other country follows the same principle, with ethnic origin being of no significance. Through the process of education, they internalize French values and blend with the rest of the population (Krief 1999).

Today the republican model is being challenged in many different ways, and its integration capacity is questioned with increasing frequency. Initially, the aim of the republican model was to integrate various regional groups rather than immigrants. In addition, during the time of the Third Republic immigrants came mainly from Europe and from French colonies, meaning that in terms of culture they were closer to French society than is the ethnically and culturally heterogeneous immigrant population of today. The unsuitability of the individualistic approach to integration is another element that is becoming increasingly more obvious. In the past (until the 1970s), this type of model was not deemed contradictory, nor was it the target of criticism, since the immigrant population mainly consisted of individuals (predominantly men), who settled in France temporarily as guest workers. But present day immigrants mainly settle permanently; they live in France with their families and are no longer just individuals but members of larger immigrant communities (Van Zanten 1997, 353–354).

The French policy follows the principle that that the origin of French citizens is of no interest to it. “Minorities” policy is non-existent, as is the notion of “minority” as such. In accordance with this understanding, ethnic, cultural, linguistic and religious orientations must remain private matters and should not be recognized in public life (Krief 1999). Unfortunately, reality is not always in harmony with these ideals. Although the public sphere in France is indeed mainly based on the universalistic principles of the republican model, it still leaves enough room for the expression of particularistic identities. A recent example would be the effort of the French government to include Islam in French religious life and to promote regional languages in the French educational system (a decision taken by the former prime minister, Lionel Jospin, in April 2001) (Cohen 2002, 56). Yet a look back further into the past will show that as early as 1925 France had programs for the preservation of linguistic and cultural heritage (*Programmes d'enseignement des langues et cultures d'origine—ELCO*). The objective was to preserve languages and cultures of immigrant communities, yet these programs were not assured a stable financial aid from the state. Immigrant communities thus had to rely on their own resourcefulness to find financing for these programs (Archibald 2002, 43). Parallel to these programs, in 1970 special classes were organized for non-Francophone immigrant children, with the aim of helping them learn French and adapt to the French educational system. While initially these classes were restricted to elementary schools only, in 1973 they were extended to secondary schools as well (Archibald 2002, 43). The goal of the designers of French educational policy was to link these programs with those for the preservation of linguistic and cultural heritage, and thus to encourage the dual (linguistic, cultural) identity of immigrant children. This was expected to contribute to im-

proved school achievement levels, although it later turned out that the success of these initiatives was not exactly convincing. This led France to sign bilateral agreements with foreign countries on the teaching of the mother tongue, resulting in eight such agreements between 1975 and 1987 (Bleich 1999, 69). One such bilateral agreement was signed with Turkey, enabling France to recruit Turkish teachers for the teaching of the Turkish language, history and geography in French schools. The Turkish immigrant community in France also benefited from another agreement through which the Turkish government provided the services of religious leaders (imams). Imams are found in Turkish immigrant communities across France, contributing to the preservation of the national, cultural and religious identity of immigrants and their children (Archibald 2002, 43–44).

The universalistic principle is also present in the area of employment. Governmental policies aimed at combating unemployment, promoting employment and integration into the labor market are not specifically directed at the immigrant population, but immigrants are treated like any other unemployed group, for example, the long-term unemployed, women, disabled people, young people and so on (Gineste 1999). Despite the predominance of the universalistic principle, slight deviations could be observed recently in the area of employment. For example, the government, through the Ministry of Labor and Solidarity, directly finances certain measures towards social-employment adaptation of refugees and asylum seekers. In 1997, the Ministry of Employment introduced a “Program for Integration/reintegration and Combating of Illiteracy” intended especially for refugees.

In contrast to German policy, French policy is considerably less successful at integrating immigrant children into the labor market. The percentage of the unemployed in France is higher than in

Germany among all groups, both autochthonous and immigrant, but the level of unemployment among the immigrants is conspicuously high (EFFNATIS Project 2001, 49–51).

With regard to deviations from the universalistic republican principles and programs targeted at immigrants, it seems appropriate to mention an organization named *Fonds d'action sociale* or FAS. It was established in 1958, initially as *Fonds d'action sociale pour les travailleurs immigrés et leurs familles*. Its objective was the promotion of immigrant integration through various social actions, housing programs, educational and professional programs and cultural activities. One part of it was the promotion of the learning of French. FAS thus became the main instrument for the integration of immigrants in France (Archibald 2002, 34).

In 1982 France changed the laws that regulated freedom of association, thus granting to the foreigners living in France the right to establish associations. Immigrant associations can form links with civil sector organizations, with the aim of promoting the common interests and objectives of immigrant groups. In 1984, the Association of Turkish Immigrants (ELELE) was established with a special purpose—to accelerate the integration of Turkish immigrants (adults and children) into French society. ELELE receives funds from FAS and the town of Paris (Archibald 2002, 44).

In 1999, a working group for the right to learn language was established under the auspices of FAS. The task of this group is to examine numerous requests (needs for language courses, the quality of language courses for foreigners, the efficiency of these courses, the situation in the area of employment, discriminatory employment practices and the like) and give proposals for administrative and perhaps even political and legal reforms. The main aim was to enable all individuals applying for French citizenship to learn French in such a way that all were given opportunity to

fulfill this duty instead of being left to their own resourcefulness (Archibald 2002, 51).

With respect to citizenship acquisition and naturalization, France is considered among the more open European states. A foreigner may apply for French citizenship after five years of permanent residence in France. Children are automatically granted French citizenship at birth if at least one of the parents is a French citizen. The children of immigrants born in France may acquire French citizenship a) at the age of 13 with parental authorization, provided that five years prior to this they had permanent residence in France; b) at the age of 16, if they fulfill the 5-year permanent residence requirement; or c) at the age of 18, if they lived in France for at least five years at any time between the ages of 11 and 18.¹⁴ Dual citizenship is also possible. It is interesting that more than half of immigrants' children in France hold more than one citizenship (The EFFNATIS Project 2001, 54). Despite the fact that French law enables simple naturalization for the second generation of immigrants, the conditions for naturalization of the first immigrant generation are quite similar to those in Germany, or rather, even stricter in some areas (e.g. proof of assimilation) (Hagedorn 2001, 247–248). The procedures may be time consuming and quite absurd for an external observer, while proving that one is sufficiently integrated into the French society can be more painful than one might expect.¹⁵

S W E D E N

Sweden has been confronted with immigration ever since the Second World War. From the mid 1970s it has had a clearly defined immigration policy including an integration component. The main characteristic of Swedish immigration and integration pol-

icy is a tendency to place limits on further immigration, combined with encouragement of the integration of those immigrants that have already been accepted. In this context, the integration of immigrants' children is particularly encouraged (The EFFNATIS Project 2001, 36).

The general objective of Swedish policy is (was) the shaping of a multicultural society. Multiculturalism is defined as equal rights in all areas of social life, freedom of ethnic, religious and cultural identification, and integration into the political community (voting rights in local elections for all permanent residents with foreign citizenship, relatively undemanding requirements for the acquisition of Swedish citizenship, the allowing of dual citizenship in some cases and support for minority and immigration organizations) (The EFFNATIS Project 2001, 36).

The immigration policy dating from 1975 was combined with a minority policy. The Swedish government was of the opinion that the initial problems of immigrants' adaptation eventually grow into the problems of established ethnic and religious minorities. Therefore, it designed a common immigration and minority policy with three main goals: "equality," "freedom of choice," and "partnership" (Soininen 1999, 687).

Equality is the most fundamental or leading principle of the Swedish model and welfare state. The main instrument that ensures equality was, and still is, the general social policy: health protection, social aid, kindergartens, free compulsory education, access to higher level education on the basis of attainments and qualifications, a relatively just system of pensions and a relatively fair labor market. By introducing equality into the context of immigration, Sweden rejected the idea of guest-workers (*Gastarbeiter*) as was familiar in Germany and Switzerland. Immigrant workers should enjoy the same social and economic rights as

Swedish citizens. They were also allowed to bring their families to Sweden (Westin 2000, 24–25).

Freedom of choice, just like equality, reflects the tradition of liberal ideas arising from the French revolution. The main idea is that it is individuals rather than collective, organizations or ethnic groups who should decide for themselves to which culture and identity they belong. The objective was to prevent enforced or uncompromising assimilation of individuals. While equality was expected to be achieved through general social policies, freedom of choice was to be achieved with the help of instruments that devote special attention to the needs of the immigrant population. One of the important instruments used in this case was the children's right to learn a mother tongue at school—provided that a sufficient number of children were present to justify the organization of such a course. Children could also learn a mother tongue in kindergarten. Today, the general climate in Sweden is less favorable to cultural pluralism than in the past. Learning a mother tongue does not seem to be as important as it used to be, and more attention is devoted to the learning of Swedish. Directed policies that support freedom of choice are not the most important or priority task of local administrations, since these are usually too costly (Westin 2000, 24–27).

Partnership, the third objective of immigration and minority policy, reflects the need for mutual tolerance and solidarity between immigrants and native citizens (Swedes). This objective can be understood as a rejection of social exclusion, racism and discrimination on an ethical or racial basis. In order to achieve partnership, two main instruments were used: support for immigrant organizations and broadening of the political rights of immigrants. Both instruments are based, in a way, on the positive experience of the Swedish workers' movement in the 20th century,

which evolved into a democratic network of organizations linked into a hierarchical structure. Even without financial support or public funds, relying only on the commitment of its members, this movement achieved enviable results and contributed to Sweden's development from a poor rural society into a modern welfare state. Based on these experiences, the government encouraged immigrants to organize and establish local and national organizations. A number of immigrant groups swiftly responded, but it was not long before various difficulties came to light. In order to be entitled to receive financial aid from public resources, organizations of immigrants had to adopt democratic methods of operation including a series of statutes that prescribed procedures in various hypothetical circumstances. Membership in these organizations had to be open to everyone. The managing board of the organization had to be elected democratically. These demands were alien to many immigrants for cultural reasons. The organizational infrastructures that were developed during the struggle for the improvement of living conditions at the beginning of the 20th century could not be so easily mapped onto the kinds of organizations favored by immigrants from Yugoslavia, Turkey, Poland, Chile or Iran. Two further important methods for ensuring partnership were broadening of the political rights and encouragement of naturalization. Swedish citizenship is granted on the *ius sanguinis* principle. This means that children inherit the citizenship of their parents. If someone is born in Sweden, he/she is not automatically entitled to Swedish citizenship. Nevertheless, Sweden sees naturalization as an important instrument of integration, so it encourages foreigners with permanent residence in Sweden to apply for Swedish citizenship. Citizens of Nordic countries can acquire Swedish citizenship after two years of permanent residence in Sweden, and citizens of other countries after

five years. No tests are required for the acquisition of Swedish citizenship (e.g. command of Swedish, familiarity with Swedish society or the like), but what is required is “good behavior.” This means that those foreigners who have been sentenced to a prison term cannot acquire Swedish citizenship. Although it is relatively easy to acquire Swedish citizenship, a large number of foreigners living in Sweden do not opt for naturalization. Despite this, they enjoy the same social and economic rights as Swedes. The same applies to the right to education. In addition, foreigners pay taxes and contribute their part to Swedish society. In 1976, foreigners were granted the right to vote in municipal and regional elections.¹⁶ There were also proposals to grant them the right to vote in parliamentary elections, but this proposal was never realized owing to various types of opposition. Instead, Sweden decided to allow dual citizenship (Westin 2000, 24–29).

In 1986, the Swedish parliament renewed debate on the status of immigrant communities and decided that immigrants could not have the status of “ethnic minorities” whose special needs and interests are constitutionally protected. The further blending of immigrant and minority policies would mean that all social groups could begin to demand equal opportunities for the preservation and development of their mother tongues, culture and religion, which is a demand that would not be realizable in practice, given the practical and economic limitations. “Immigration and minority policy” was thus renamed “immigration policy” in the mid 1980s (Soininen 1999, 689–690).

External observers frequently give positive assessments of Swedish immigration policy, in particular of its liberal approach to naturalization, generosity in granting social rights as well as the possibility of influencing politics. Yet many research studies have shown that this policy is not extremely successful in terms of

immigrants' integration. Unemployment among immigrants (particularly those coming from non-European countries, but also former Yugoslavia), is extraordinarily high; despite the same level of education and other qualifications, immigrants' children have considerably fewer job opportunities than their Swedish peers, and in addition, immigrants also have lower salaries and are socially less mobile than Swedes (Soininen 1999, 693–694). There are no signs of a reduction in segregation in the housing area. Research statistics show that immigrants' health condition is worse than that of Swedes. In addition, they are much more dependent on social aid compared to Swedes, if their share in the total population is taken into account. The government indeed does not question the right to social aid, but excessive dependence on social aid contributes to the strengthening of old prejudices against immigrants. Another contributing factor stirring up prejudices is the crime rate, which is much higher among immigrants than Swedes. An encouraging statistic, however, is the lower crime rate among immigrants' children than among their parents. This could be an indicator of positive trends in integration, since the high crime rate among immigrants is an indicator of inefficient integration. In addition, it also indicates that integration of immigrants is a long-term process (Westin 2000, 63).

Numerous signs of the inefficiency of integration sparked criticism of an immigration policy that treated immigrants by groups (selected measures for individual [ethnic] groups) and was based on the taking-care-of philosophy. What is implied in this approach is that immigrants represent an expenditure for the country and society, rather than a resource that could contribute to their development.¹⁷ As a result of increased criticism, the old immigration policy was replaced by a new one in 1997. The new policy is directed at all members of society, and its main objectives are as fol-

lows: equal rights and opportunities for all citizens regardless of their ethnic or cultural origin; a society based on diversity and mutual respect and tolerance.¹⁸

Special integration measures are available to immigrants in Sweden for a period of two to three years. After this introductory period, general measures of social policy are employed if necessary. Every municipality is responsible for ensuring a course of Swedish and a course introducing immigrants to the main characteristics of Swedish society. This educational program should be approximately 525 hours long, but its length may be varied (Thoursie 1999). The government reimburses municipalities for all costs incurred by immigration during this introductory period.¹⁹

The government also supports the cultural activities of immigrants: it subsidizes literature in minority languages (public libraries have access to special funds which they can use to purchase foreign literature); the “ethnic” press is entitled to subsidies identical to those for the Swedish press, and Swedish radio and television have weekly programs in several immigrant languages.²⁰

In 1998, the National Board for Integration was established. Its main task is the promotion of immigrants’ integration into Swedish society. One of the projects of this board is entitled “Diversity at the Workplace.” It requires that companies, organizations and the authorities ensure more balanced representation of various ethnic, religious and cultural groups within their work organizations. Yet development is slow. This requirement is particularly difficult to fulfill for larger companies and organizations, since it is the shaping and changing of relationships that contribute to the achievement of this objective more than recruitment or deployment of workers with various ethnic, religious and cultural backgrounds (Westin 2000, 62).

A multicultural society can become fully fledged only after multiculturalism is accepted by ordinary people. A decision on the part of the political elite alone to create a multicultural society in which various cultures live side by side and on an equal basis is not sufficient in practice. Something like that actually happened in Sweden: in the 1970s political leaders enthusiastically, but also hastily and without a broad public debate (Runblom 1998), set themselves the goal of replacing the former policy of assimilation with a policy of multiculturalism and creating a multicultural society based on the principles of equality, freedom of choice and partnership. Yet, as Runblom (1998) pointed out, it was practically impossible to realize the policy of pluralism without difficulties, given the long-term ethnic and linguistic homogeneity in Sweden and their limited experience with minority issues.

The question that arises today is whether Swedish society is still willing to achieve the goal that was set in the 1970s i.e. multiculturalism. Westin (2000) points out that integration policies in Sweden are too reminiscent of the policies of hidden assimilation. In his opinion, one could hardly say that a “multicultural” society like the one evolving in Sweden at the moment is characterized by cultural diversity, mutual understanding and respect among ethnic groups or equal social status for these groups (Westin 2000, 63). A broadly based formal equality in the social field is not reflected in practice, as has been proved by a number of governmental research studies. As a result, there is a realistic danger that, instead of a multicultural society, Sweden may end with a class society divided along the lines of ethnicity and culture (Westin 2000, 63; Soininen 1999, 695).

SLOVENIA

Immigrants in Slovenia can be roughly divided into three groups with different statuses. The first group consists of those who have Slovenian citizenship. The second comprises those who do not have citizenship and can be further divided into immigrants with permanent resident status in Slovenia and those with temporary resident status. Immigrants with Slovenian citizenship are fully equal to other citizens of Slovene ethnic origin. This group is actually predominant in Slovenia, and it mainly consists of the members of other nationalities of the former Yugoslavia who, when Slovenia gained independence in 1991, could apply for Slovenian citizenship under a simplified procedure under Article 40 of the Citizenship Act of the Republic of Slovenia.²¹

The number of immigrants without Slovenian citizenship is relatively low, particularly compared to other European countries. According to data from the Ministry of Internal Affairs, on October 24, 2002 there were 52,844 persons in Slovenia with legal foreigner status. Of these, 17,389 had permanent residence permits, and 31,000 had temporary residence permits. This group too is dominated by immigrants from the former Yugoslavia, especially Bosnia and Herzegovina. The number of immigrants from other former Yugoslav republics is much smaller, and these are scattered across the country, so one could hardly speak of them as a community. The immigrants (foreigners) with permanent residence in Slovenia are guaranteed all social security rights by law,²² while foreigners without permanent residence permit can exercise rights to individual services and levies in cases and under conditions stipulated by this law. Until recently, voting rights were reserved for Slovenian citizens only, but with the amendments to the Local Elections Act in June 2002,²³ voting rights were partially extended to immigrants. The law thus prescribes that

foreigners with permanent residence in Slovenia have the right to participate in local elections for members of the municipal council.²⁴

The foundations of the Slovenian integration policy were laid down in 1999, when the National Assembly adopted the Resolution on Immigration Policy in Slovenia.²⁵ In this resolution, integration policy was defined as one of the three elements of immigration policy relating to “the measures taken by the state and society to ensure favorable conditions for the quality of life of immigrants, encourage integration and enable immigrants to become responsible participants in the social development of Slovenia.” The resolution took into account the cultural plurality of Slovenian society and it based the goals of integration policy on the principles of equality, freedom and mutual cooperation. Equality here implies “the ensuring of equal social, economic and civil rights”; freedom means the right “to express cultural identity while ensuring respect for the integrity and dignity of every individual and cultivation of one’s own culture in accordance with the laws and fundamental values of the Republic of Slovenia”; mutual cooperation is understood as “the right to action and responsibility of all in the continual process of the creation of a common society.”

The resolution envisaged a pluralistic (multicultural) model of integration policy, which enables immigrants to become included in Slovenian society on an equal basis, while preserving their cultural identity. The choice of the pluralistic model seems to be the only suitable, sensible and possible choice, since it takes account of the actual multi-culturality of Slovenian society and is in harmony with the spirit of Article 61 of the Constitution which specifies that “everyone has the right to freely express affiliation with his nation or national community, to foster and give expression to his culture and to use his language and script.”²⁶

The pluralistic model of integration as laid down by the 1999 resolution has been confirmed by the new Resolution on Migration Policy of the Republic of Slovenia,²⁷ adopted on November 28, 2002. As a matter of fact, in accordance with the Aliens Act,²⁸ on the proposal of the government the National Assembly is obliged to adopt, in two years intervals, a “Resolution on Migration Policy” in which it determines the economic, social and other measures and activities that will be adopted in this field, as well as cooperation with other countries and international organizations in this field. The new resolution recounts almost word for word all provisions from the old resolution pertaining to integration policy, and adds to these the active prevention of discrimination, xenophobia and racism.

Both resolutions stipulate that the “integration policy will include a certain legal framework and social measures that will encourage integration of immigrants into Slovene society, prevent discrimination and social marginalization and enable immigrants to express and cultivate their own culture and values on the basis of respect for individual integrity and dignity in accordance with the laws of the Republic of Slovenia.” Since the adoption of the first resolution, three laws have been adopted which include provisions pertaining to the integration of immigrants and foreigners in Slovenia. These are: Asylum Act (1999), Aliens Act (1999) and Temporary Asylum Act (2002).²⁹

Article 19 of the Asylum Act obliges the state to ensure conditions for the inclusion of refugees (i.e. a specific group of immigrants) into cultural, economic and social life in Slovenia, to organize Slovene language courses for refugees, then courses and other forms of further education and professional training, and to acquaint refugees with Slovenian history, culture and Constitution.

Similarly, Article 82 of the Aliens Act obliges the state to ensure conditions for the inclusion of foreigners with residence permit in Slovenia in the cultural, economic and social life of Slovenia. In order to achieve this objective, the state should organize courses and other forms of further education and professional training for foreigners; furthermore, it should provide information for foreigners needed for their participation in Slovene society, particularly information related to their rights and duties, and opportunities for individual development and development within society; it should acquaint foreigners with Slovene history, culture and constitutional order and should organize joint events with Slovene nationals with the aim of encouraging their mutual acquaintance and understanding. In so doing, the state, i.e. its various bodies, should cooperate with other bodies, organizations, and associations (including international).

Both the Asylum Act and the Aliens Act have one deficiency—neither of the two includes a precise definition of who in Slovenia is responsible for the provision and realization of conditions for the integration of foreigners, and of how these conditions should be ensured in practice. This deficiency in the Aliens Act was partly amended with the amendments dating from September 2002,³⁰ when a new provision was included in this law stipulating that the government of Slovenia should formulate rules determining the methods of provision and realization of these conditions (item 4 of Article 82). In contrast to this law, the third law that includes provisions pertaining to integration—the Temporary Asylum Act³¹—assigns the duty to execute integration measures to the Bureau for Immigration and Refugees. In accordance with the amendments to the Temporary Asylum Act (dated July 26, 2002),³² the Bureau is responsible for ensuring, in cooperation with the relevant Ministries, assistance with the inclusion in the cultural, eco-

conomic and social life of Slovenia for persons who have obtained a permanent residence permit according to the Temporary Asylum Act. The Bureau should provide information on the rights and duties of these persons; furthermore, it should ensure assistance with the exercising of these rights and duties; organize Slovene language courses and acquaint participants with Slovene history, culture and constitutional order; provide funds for exams in Slovene language and organize courses and other forms of professional training. The Bureau is obliged to ensure funds for these integration measures, while actual implementation of measures can be entrusted, in part or fully, to various humanitarian or other organizations (Article 25 a).

The authority of this Bureau to implement integration measures is also mentioned in the Ordinance amending the Ordinance on the Establishing of the Bureau for Immigration and Refugees.³³ This ordinance states that the Bureau implements (among other things) individual measures pertaining to the integration of refugees and foreigners and coordinates their implementation; it also organizes an information service concerned with refugee issues, temporary protection and integration of refugees and foreigners and produces publications and informative material in these areas.

Provisions contained in the laws mentioned above pertain to a specific segment of immigrants (i.e. refugees, persons who were granted permanent residence permit according to the Act Amending the Temporary Asylum Act, and foreigners, meaning persons who do not have Slovenian citizenship). In addition, the Resolution on Migration Policy also contains provisions on measures that are equally important for those immigrants that have already acquired Slovene citizenship. Some of these measures are: active prevention of discrimination, xenophobia, racism and so-

cial marginalization, enabling free expression and cultivation of one's own culture, and programs for the objective informing of the public on various aspects, causes and consequences of migration flow, which should contribute to the prevention of any potential flourishing of xenophobia or rejection of immigrants.

Prohibition of discrimination and equality before the law are guaranteed by the Slovene Constitution (Article 14), but Slovenia does not have any specific programs for active prevention of discrimination against immigrants in various areas of social life. Article 61 of the Constitution ensures everyone "the right to freely express affiliation with his nation or national community, to foster and give expression to his culture and to use his language and script" yet the state is not very generous as regards measures that should encourage the preservation and development of the cultural activity of immigrants or immigrant communities. Two measures relating to this area deserve to be mention here. The Ministry of Culture has financing programs intended for cultural activities and projects, and since 1992 these programs have included "co-financing of amateur cultural activities of immigrants and immigrant communities in Slovenia, particularly the financing of clubs and societies of 'other nations and nationalities' of the former Yugoslavia" (Žagar 2002, 36). As Žagar concludes, the funds intended for these activities are still much smaller than needed, despite the fact that so far the cultural societies of "typical" immigrants generally have not submitted their projects to the tenders issued by the Ministry of Culture (Žagar 2002, 36). The second type of measure that contributes to the preservation and development of the culture of immigrants includes supplementary classes in the mother tongue and culture intended for students of other nationalities in Slovenia. Supplemental classes in Macedonian language³⁴ and culture are organized in Ljubljana, Maribor,

Kranj, Nova Gorica and Jesenice and classes in Arabic³⁵ were available in Ljubljana.

These programs undeniably belong in the group of integration policy measures as envisaged by the Resolution on Migration Policy in Slovenia, yet these represent only a small part of the measures that should be implemented in accordance with the Resolution.

CONCLUSION

The survey of integration policies practiced in Germany, France and Sweden shows that none of these models ensures all aspects of integration into the majority society and its institutions. Certain problems and deviations from the objectives and declared intentions are present in all of these countries.

The model of differentiated exclusion is based on the erroneous assumption that after certain time (or on completion of work), immigrants will return to their countries of origin, so it envisages only partial integration into certain areas of social life (e.g. the labor market). This model creates two categories of population—nationals and immigrants without citizen rights, or rather, without the possibility of acquiring citizen rights in Slovenia even after a longer period of permanent residence in the country (which also applies to their descendants in Slovenia). Segregation in the area of citizenship, political and (as a rule) social rights leads to the development of different and closed cultural or ethnic communities within the country. This is definitely not beneficial for the cohesion of society and equal development of all parts of such a society. Moreover, it can become a potential source of tension and conflict. This model of integration proved to be unsuitable in Germany as well, where immigration policy has recently

been subject to changes. In 2000, Germany tempered the laws pertaining to naturalization, and in addition, the adoption of a new immigration law is underway. This law should introduce various integration measures intended to provide assistance to immigrants with their incorporation into German society.

In exchange for the equality of immigrants, the assimilation model requires their complete subjection to the norms and customs of the majority society in public life. Practical experience, however, showed that cultural identity is not a feature that could be simply replaced by another (majority) identity or restricted to the private sphere only (as required by the French assimilation model); it also became evident that formal equality does not ensure actual equality in practice, that unequal status of immigrants transpires in various areas of social life, and that some citizens are more equal than others. The insistence of France on universalistic republican principles and the rejection of special measures intended to assist minority groups is absurd on the practical level, owing to the fact that various programs designed to help minority communities have existed in practice for quite a long time. The existence of such programs clearly points to the fact that legal ensuring of equal rights to immigrants does not also ensure equal opportunities or participation within all areas of social life, and that special measures are needed to achieve this objective.

A multicultural integration model envisages the greatest possible equality in roles and positions of various ethnic groups and their members. It enables immigrants to preserve their culture and language, but also requires that they accept certain basic political values and institutions of the majority society. Immigrants with permanent residence closely approach native inhabitants with regard to their rights. Sweden, which set out on the

journey toward multiculturalism in the mid 1970s, granted immigrants many social and political rights and equality with the majority population; it gave them access to and enabled participation in all institutions of the Swedish system and in addition, introduced special measures for assisting immigrants during the initial period of settlement. Nevertheless, various studies have shown that integration has not been very successful and that no area has been immune to problems. In the 1980s, Sweden realized that it acted too hastily when it linked immigration policy to minority policy, since practical and economic restrictions made impossible the ensuring of genuinely equal status to all ethnic groups in the country. In addition, the wide agreement and readiness of the population to support such a policy were absent. The practice of treating immigrants as a homogenous community that should be helped instead of providing conditions for such groups to take care of themselves came under criticism in the 1990s. As a result, towards the end of the 1990s, the focus of Swedish integration policy shifted away from the immigrant community to society as a whole. Such a society should ensure equal rights and opportunities to all citizens regardless of their ethnic or cultural origins; it should be based on difference, mutual respect and tolerance.

Slovenian integration policy has only recently started to develop. The Resolution on Immigration Policy did indeed determine the goals and guidelines for integration policy envisaging a multicultural model. Slovenia has already created certain legal bases for this integration policy³⁶ but has not yet shaped integration programs that could ensure implementation of legal regulations. Integration programs need to be formulated as soon as possible. In 2002, the Peace Institute conducted a project entitled "A Slovenian Model of Migration Policy: Perspectives on the Country at the Schengen Periphery and its Options." Part of this project were

certain recommendations and suggestions for the shaping of integration programs.³⁷ Below are some additional guidelines that should be taken into account when formulating these programs.

- An integration program should be based on a pluralistic model as delineated by the Resolution on Migration Policy of the Republic of Slovenia and observed by the new Resolution;
- Such a program should clearly define methods and conditions for efficient and consistent implementation of integration policy;
- It should clearly define and delimit the authorities and tasks of individual actors that will be responsible for its implementation;
- It should clearly define to whom individual measures apply and who is responsible for financing;
- It should clearly define the rights, duties and potential privileges of immigrants who decide to participate in (introductory) integration programs;
- Participation in an integration program should be voluntary, but the state should encourage immigrants to take part;
- Integration policy should take notice of the fact that immigrants are not a homogenous group with identical traits, interests or needs; accordingly, individual integration plans should be drawn up, which would be adapted to individual immigrants in accordance with practical possibilities, or to individual immigrant groups if they themselves wish to do so;
- An integration program should also include measures aimed at preventing pressures on immigrants to assimilate;
- Non-governmental organizations should be included, or encouraged to join in the planning and implementation of integration programs;
- All measures of integration policy should be in principle concentrated in one document, so that a clear overview is ensured;

- A mechanism of monitoring and long-term measurements of the effects of integration measures should be established,³⁸ so that their success can be assessed and inefficient programs eliminated or amended.
- Any such program should stress the fact that integration is a process affecting society as a whole; it should take account of measures intended to inform the public and raise its awareness of this process; these should also encourage representatives of the majority society to take active part in this process.

It is precisely the last point on the list above that is frequently overlooked in integration policies, although it is no less important than any other. Probably no integration measure of whatever nature can produce the desired results if the designers of these measures neglect to consider methods for encouraging the wider society to become more open towards others and those who are different, and to learn how to accept cultural differences. The main part of integration actually occurs on the local, micro-level, through various everyday contacts with inhabitants in a specific environment. If ordinary people are not ready to contribute their part to the integration process, integration measures will fail to produce the desired results.

N O T E S

¹ See, for example, a report by a German independent commission “Zuwanderung” about new German immigration policy entitled “Zuwanderung gestalten, Integration fördern”. <<http://www.uni-konstanz.de/FuF/ueberfak/fzaa/german/dokdown/Bericht-zuwanderungskommission.pdf>> (October 17, 2002).

² The name of the group is “Specialist Group on Integration and Community Relations”; its recommendations concerning integration policies were published in Coussey (2000).

³ Some of these agreements are: Convention relating to the Status of Refugees and the New York Protocol, Convention on the Elimination of All Forms of Racial Discrimination (CERD), European Convention on Human Rights, European Social Charter, European Convention on the Legal Status of Migrant Workers, European Convention on Citizenship, European Convention on the Participation of Aliens in Public Life at Local Level.

⁴ Staatsangehörigkeitsgesetz, Article 4/3, see Staatsangehörigkeitsgesetz (StAG), vom 22. Juli 1913 (RGBl. S. 583), in der im BGBl. III, Gliederungsnummer 102-1, veröffentlichten bereinigten Fassung, zuletzt geändert durch das Gesetz zur Reform des Staatsangehörigkeitsrechts vom 15. Juli 1999 (BGBl. I S. 1618). <<http://www.rp-kassel.de/service/gesetze/texte/s/staatsangehoerigkeit.htm>> (January 7, 2003).

⁵ Staatsangehörigkeitsgesetz, Article 29.

⁶ Among these programs are: binational professional education programs for young foreigners in cooperation with Greece, Italy, Portugal, Spain, and Turkey; encouragement of immigrants’ education within foreign companies in Germany; courses aimed at eliminating deficits in the area of education among young foreigners; encouragement of the education of young women and women who recently moved to Germany (Vogler-Ludwig 1999).

⁷ See Fragen und Antworten zum Zuwanderungsgesetz. <http://www.bundesregierung.de/top/dokumente/Struktur/ix_73478.htm?template=single&id=73478_1640&script=1&ixepf=_73478_1640> (July 20, 2002).

⁸ A part of integration cost could be charged to immigrants themselves (depending on their financial situation). See <<http://www>.

bundesregierung.de/top/dokumente/Struktur/ix_73478.htm?template=single&id=73478_1640&script=1&ixepf=_73478_1640> (July 20, 2002).

⁹ See Übersicht der Neuregelungen des Zuwanderungsgesetzes. <http://www.bmi.bund.de/top/dokumente/Artikel/ix_87208.htm> (July 19, 2002).

¹⁰ *Migration News*, July 2002. <http://migration.ucdavis.edu/mn/archive_mn/july_2002-08mn.html>.

¹¹ See <http://www.bafl.de/bafl/template/index_integration.htm> (July 19, 2002).

¹² See <http://www.bafl.de/bafl/template/index_integration.htm> and <<http://eng.bundesregierung.de/frameset/index.jsp>> (July 19, 2002).

¹³ See Übersicht der Neuregelungen des Zuwanderungsgesetzes. <http://www.bmi.bund.de/top/dokumente/Artikel/ix_87208.htm> (July 19, 2002).

¹⁴ See The state of refugee integration in the European Union. A working paper. Background paper for the conference on the integration of refugees in Europe. ECRE Task Force on Integration. November 12–24, 1998. Antwerpen – Belgium. <<http://www.ecre.org/research/refinwp.doc>> (February 16, 2002).

¹⁵ For more on individual stories of applicants for French citizenship see an article by Maurice T. Maschin “Do you eat couscous at home? How often?” *Le Monde diplomatique*, June 2002. <<http://mondediplo.com/2002/06/09couscous>> (August 5, 2002).

¹⁶ Under the condition that they had permanent residence in Sweden for at least 3 years (Kwame Cumale Fitzjohn, “MG Almanac – Sweden. Part 1: Immigrants to Sweden.” <http://www.imdiversity.com/Article_Detail.asp?Article_ID=152> [October 18, 2002]).

¹⁷ See What we can learn from the integration policy in Sweden? <[http://www4.rvk.is/radhus.nsf/Files/MichaelRundquist/\\$file/michael.ppt](http://www4.rvk.is/radhus.nsf/Files/MichaelRundquist/$file/michael.ppt)> (Oktober 16, 2002).

¹⁸ In its report entitled “Swedish integration policy for 21st century,” the Swedish government proposed that the term “tolerance” should be removed from the description of the goals of integration policy and replaced by “respect.” See <http://naring.regeringen.se/pressinfo/infomaterial/pdf/N2002_038e.pdf> (September 23, 2002).

¹⁹ Immigrants in Sweden. *Fact sheets on Sweden*, Swedish institute, April 1999. <<http://www.si.se/docs/infosweden/engelska/fs63.pdf>> (October 18, 2002).

²⁰ Ibid.

²¹ Article 40 of the Citizenship of the Republic of Slovenia Act: “A national of another republic, who on the day of the plebiscite on the independence of the Republic of Slovenia, on December 23, 1990, had a registered permanent residence in Slovenia and actually lives in Slovenia, acquires citizenship of the Republic of Slovenia under conditions that he/she submits application for it with the administrative body of the municipality in which he/she lives within six months from the coming into effect of this law.” See Citizenship Act of the Republic of Slovenia (ZDRS), *Uradni list RS* (Official Gazette of the RS), No. 1/91.

²² Social Security Act (ZVS), *Uradni list RS*, No. 54/92.

²³ Act Amending and Supplementing the Local Elections Act (ZLV-D), *Uradni list RS*, No. 51/2002.

²⁴ For more on this see Medved (2002).

²⁵ Resolution on Immigration Policy in Slovenia (ReIPRS), *Uradni list RS*, No. 40/99.

²⁶ Ustava Republike Slovenije (The Constitution of the Republic of Slovenia), *Uradni list RS*, No. 33/91.

²⁷ Resolution on Migration Policy of the Republic of Slovenia (ReMPRS), *Uradni list RS*, No. 106/2002.

²⁸ Aliens Act (Ztuj-1), *Uradni list RS*, No. 61/99.

²⁹ Asylum Act (Zazil), *Uradni list RS*, No. 61/99; Aliens Act (Ztuj-1); Act Amending the Temporary Asylum Act (ZZZat-A), *Uradni list RS*, No. 67/2002.

³⁰ See Act Amending the Aliens Act (Ztuj-1A), *Uradni list RS*, No. 87/2002.

³¹ Temporary Asylum Act (ZZZat), *Uradni list RS*, No. 20/97.

³² Act Amending the Temporary Asylum Act (ZZZat-A).

³³ Ordinance amending the Ordinance on the Establishing of the Bureau for Immigration and Refugees, *Uradni list RS*, No. 23/2002.

³⁴ The initiative for these classes came from Macedonian societies in Slovenia and the Embassy of the Republic of Macedonia in Ljubljana. See <<http://www.mszs.si/slo/ministrstvo/mednarodno/solstvo/priseljenci.asp>> (November 6, 2002).

³⁵ See a web page of the Slovenian Ministry of Science, Education, and Sports. <<http://www.mszs.si/slo/ministrstvo/mednarodno/solstvo/priseljenci.asp>>.

³⁶ Asylum Act (Article 19), Aliens Act (Article 82), Temporary Asylum Act (Article 25a).

³⁷ For more information on this project see the Peace Institute's web page at <http://www.mirovni-institut.si/slo_html/projekti/slomodel.pdf>.

³⁸ For example: monitoring immigrants' children attainment at school and the achieved level of education and its comparison with the level of education of the majority population; a comparison of the unemployment rate among immigrants and majority population; monitoring of discrimination based on ethnic, cultural, linguistic differences, and so on.

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FORCED MIGRATION IN 2002: A LEGACY FROM THE NINETIES

In addition to political chaos, the collapse of Yugoslavia and the consequent Balkan wars led to the displacement of an estimated four and a half million people from Croatia, Bosnia and Serbia between 1991–1996.¹ The Kosovo crisis in 1999 was the cause of nearly 860,000 people leaving their homes and seeking temporary safety in surrounding countries. According to UNHCR, in South-East Europe, by the end of 2002, more than one million refugees and displaced persons were still seeking solutions.²

For social scientists, the quest to make sense out of such turbulence was hard to resist. To build a regular conceptual “bridge” between the chaos of the particular (displacement) and the transparency of the whole (the migration situation in Europe) regularly, even in the most severe conditions of forced migration, was, seemingly, the first logical step. The Balkan wars (1991–1999) proved to be no exception to that: research projects, surveys, estimates of losses and gains, statistics about atrocities, abuse and human rights violations appeared suddenly to be in high demand. The power of research and numbers, of classification, enumeration and projections, represented volatile phenomena of war collaterals such as population displacements, and urged compiling of

reasonable policy models of reception, statistics, and, above all, a conceptual framework for muddling through³ overlapping definitions of forced, involuntary, non-economic migration flows. Why definitions? Because to define forced migrants, refugees or displacees is, in a number of instances, a matter of life and death; on a macro level, as Steven Castles would put it, “definitions are crucial in guiding the policies of government and international agencies towards mobile people. Definitions reflect and reproduce power and none more so than the refugee definition . . . It makes a big difference whether people are perceived as *refugees*, other types of *forced migrants* or *voluntary migrants*” (Castles 2002, 9).

At the beginning of the war in Croatia and Bosnia (Spring 1991 and 1992), nobody either in the academic community or within UN agencies was prepared for the reality which overwhelmed the European world with sheer numbers (Salt and Clark 2002, 25); in a couple of months during the Fall of 1991 and the Spring of 1992, the western world received millions of “forced,” “involuntary” migrants from Central Europe and the Balkans.⁴ UNCHR covered the problem erratically and, within the given possibilities, efficiently, learning the hows and whys along the way. “Migrants” were soon enough templated as “refugees,” and basic policies of sheltering in the case of such population displacement were deployed. Yet, other collaterals of the war (ethnic cleansing, human rights violations, rape and robberies) were left more or less out of the official domain—some among these with catastrophic consequences; the Srebrenica disaster is one of these.

The density of war events and the rapidly growing numbers of displacees, refugees and casualties cause a growing demand for data (of *any* kind) and for explanations of events. Consumers included journalists, military and civilian agencies, peace mediators, NGOs, physicians, philanthropists, and academics; the sup-

pliers were less diversified and, in addition, not reliable. Since the high demand for explanations of the Balkan conflicts and assorted data kept growing—understandably enough, the very nature of the events fed prime-time networks, peace makers and human rights agencies—it was saturated by innumerable sources of data. However, the validity of this data was not questioned, not even by the academic community. The latter had little to say about what such research and data actually represented. Research activities involved both agencies from non-combatant parties as well as agencies pertaining to nationals in conflict. Both sides were taking numerous public opinion surveys, and claiming the overall validity of the outcomes, in situations where the basic parameters of sampling were impossible to meet. Research and data collection served mostly as justification for the various goals of the parties in conflict and numerous peacemakers: from registration of “ethnic” voters for referendums to “negotiated” population transfers. Hence, the most serious issues like rape, displaced families and destroyed settlements, wounded and mutilated children and ethnic cleansing, were supported by “data” and research based on erratic observations. As a consequence, “statistical” products were developed on emotionally loaded estimate and on overgeneralizations of reported individual incidents. The Dayton assessment of the division of Bosnia, *par exemple*, was based on the last Yugoslav population Census (April 1991). This Census had been taken at a time of significant population turbulence caused by ethnic migration and the refusal of certain ethnic groups to be surveyed at all (Albanians); between the onset of the war in Croatia and Bosnia (1991/92) and the Dayton agreements (1995), three and a half million people were displaced, killed or lost.⁵

Such a framework did not improve later, nor has it acquired validity after the appeasement of 1995. It appears that a certain

bewilderment both in academia and among the relieving agencies related to the numbers and concepts concerning collaterals of the war has survived till today. Despite the powerful machinery of the social and statistical sciences promptly activated to serve public opinion, the media and the military during the 1991–1995 Balkan wars, none of the fundamental categories of population displacement have been cleared nor have data been made reliable and valid.⁶ We were left with approximations of displaced people, due in a large measure to approximations of concepts. How could we count “refugees” if we were in doubt how to define them? How could we classify forced migrants, if at least three differently defined populations lay on top of one other? It was predictable also that the same framework of uncertainty would persist in the future, once the peace was settled. This prediction proved correct and thoroughly supported by the present state of affairs (Freeman 1995a; Brubaker 1995; Castles 2002). It appears that all kinds of immigration to the main receiving Western countries have recently become “highly salient and emotive issues” (Freeman 1995a, 883); the asylum crisis during the Balkan wars and the expected explosion of immigration after the demolition of the Berlin Wall “moved immigration to the stage of high politics. It forced the major parties to take stands, which took much of the sting out of the extreme parties but pushed policy to the right” (Freeman 1995a, 883).

In spite of that, in major Western receiving countries, decisions concerning migrant populations (particularly asylum seekers) are being made without the public’s being well informed. There are “serious barriers to the acquisition of information about immigration. . . . There is a highly constrained process by which immigration issues are debated that distorts the information that is available” (Freeman 1995a, 883). In an exchange with Rogers Bru-

baker (1995), Freeman argued that “information about migration is relatively scarce compared to other important matters of public policy . . . whether lack of information raises or lowers opposition to immigration is an untested hypothesis, but it seems reasonable to suspect it leads to quiescence” (Freeman 1995b, 911).⁷

Therefore a major question still remains, which is, is anything like data collection and research feasible in times of emergency, particularly under the strain of an ethno-national conflict? “Not feasible” is the rather obvious answer, at least for the time being. Having a scarce conceptual and explicatory heritage from such an eventful and recent history of population displacement in the Balkans, we should like to do two things: first, to display how far social science at its best has come in targeting the disarray of population displacement, and secondly, how useful findings would be for future analysis of the phenomenon of forced population displacement.

WHAT IS “FORCED” IN FORCED MIGRATION? FACTS AND QUIRKS

Taken socially, the dimension of “force” in migration stands mainly for its being abrupt. In a manner contrary to “economic” migration flows, “forced” migrations lack time to “start slow and build over time” (Freeman 1995a, 883). Taken sociologically, forced migration flows defy customary temporal, spatial and cyclical models of “normal” migration conceptualization. Whereas spatial or cyclical dimensions could be subsumed under the abrupt nature of forced migration, the temporal dimension—defined as a slow building up of population movements—cannot serve such a purpose. Nevertheless, one should be aware that the “abruptness” of the event has two sides; what appears as “abrupt” on the side of

the object of displacement policy (the displacee or refugee), might not be perceived as such on the side of decision makers. Therefore, one could argue that the abruptness of the event or of its trigger does not stand for its being “sudden”; more often than not, when it comes to humanly triggered forced migration, there were hints and rumors; there are certainly decisions taken by authorities related to displacement of a population. For them, “forced migrations” are not abrupt or sudden, neither are they “forced”.⁸ The authorities have the time they need for building up the scheme of population displacement, thus complying with the “temporality” of the sociological model. Whereas “force” in movements always appears abrupt on the side of the target population. Hence, what concerns us here, on the side of the analysts. To them, “forced” migration is always what it factually is—an overwhelming event of population displacement, often close to disaster, triggered by either human agency or nature. As a result, the analyst finds herself in the limbo of indeterminate facts. If under pressure to produce “facts” for policy makers, it would be just a short step to quirks.

The impact of figures thus produced—of “how many”—related to human disasters more often than not replaces “thinking it through,” substituting the need to patch up a conceptual network. The Balkan wars and related human disasters were good illustration of this phenomenon. The need for data fuelled the compilation of various statistical sources and constructions in the early 1990s, in a situation when even basic notions related to the fact of displacement—refugee, displacee, expellee, forced vs. economic migrant, involuntary vs. voluntary migration—were mostly unknown in the region. It was evident that “data” and “statistics” on human disaster in the Balkans kept being produced in two principal forms of discourse:⁹ first, as a parable, a “numerated” story

used to illustrate certain human disasters, with inflated or deflated figures, depending on which side the producer belonged. And second, as a fair attempt to assess the validity and areas of uncertainty in the data. In the space between these two main forms of “statistical discourse” on violence and human rights, resided various attempts to serve either, or even both of them simultaneously. Their common purpose was to make some sense out of the chaos created by unexpected and overwhelming events and by the avalanche of sheer numbers. On such grounds grew rather ambitious attempts to draw conclusions about aggregate groups and causality of incidents.¹⁰ The case of the figures on rape in Bosnia and Croatia was notorious for that: when first reports started to emerge from the Serbian concentration camps in Bosnia (early summer of 1992), “statistics” of incidents of rapes and sexual assaults varied from 15,000 to 80,000.¹¹ The gap thus created between these two “fact finding” discourses never closed; on the contrary, it kept growing. Its ramifications were efficiently used by various nationalistic factions in the former Yugoslavia and are still used in defining categories and the rights of displaced people by various nationalistic factions and by governments in the new Balkan states.¹² The seemingly impenetrable complexity of Balkan divisions and slaughter used to be represented and even explained by figures, as evidence of precision and rigor.¹³ What we have now is the same old familiar Balkan story about “how many” and “whose” refugees and displacees are still being distributed over. Just as in the case of the aftermath of the Second World War, never-ending disputes about victims of population displacement still continue.

One of the crucial areas of those disputes concerns the relationship between “ethnic cleansing” and forced migration. Either in regional disputes or in The Hague Court, it is supposed that

this relationship should not be questioned: “ethnic cleansing” and “forced migration” are being used interchangeably. However, not every forced migration is ethnic cleansing, while every ethnic cleansing *constitutes* migration that is forced. “Forced migration” may also be triggered by environmental incidents which induce thousands to migrate, without authorities or states being deliberately involved. Whereas “ethnic cleansing” *by default* is a deliberate and planned action of the authorities, with forced migration as a consequence of their decision making. Therefore, as a rule, it would follow that only the “ethnic cleansing” that results in forced migration qualifies as a ground for abuse of human rights and indictments. Regrettably, there are caveats in applying this rule: both ethnic cleansing and, above all, forced migration need to be further explained.

MIGRATION FORCED BY HUMAN AGENCY: ETHNIC CLEANSING

On the eve of the Balkan wars, the phenomenon of ethnic cleansing was hardly a well studied and documented issue. When it emerged as a “humane population displacement strategy” during the first third of the war in Bosnia, it was staggeringly new. Its severity stunned both the general public and social analysts. There was no previous (academic) knowledge in the area about it, not even any concepts for thinking it through. Official state statistics were of no help; state agencies were falling apart because the still existing state—Yugoslavia—was in disarray; the newly proclaimed independent state of Croatia tried to get bits and pieces of old and new institutions together, statistical offices included. When a certain stabilization of basic institutions was achieved, there were indices of deliberate concealment or mis-

representation of data on the part of state agencies. Some crucial areas of population turmoil and war casualties were—according to human rights NGO evidence—misinterpreted or, simply, omitted from the purview, either of the State statistical office or of particular state agencies. Thus, figures on displacement of large ethnic groups—ethnic cleansing, disappearances, kidnapping, rape, war crimes and civilian casualties from various political and ethnic affiliations—were being concealed or manipulated. UNHCR statistics proved to be the most reliable source for data on refugees, displacedes and returnees at the time. But, with the conflict over, international agencies move out or redefine their roles—and the war-torn country has to face reverse transfers of disaster: the return of refugees and displacedes, emptiness and death in ethnically cleansed areas, revenge of new political elites, together with the urgent need for housing, employment and education policies. The most important decisions to be taken concerned displaced population, and they were based on what even random statistics and ill-informed knowledge about population displacement had to offer.

What is “ethnic cleansing” after all, except one of the key terms and obscene practices of the *fin-de-siècle*? According to Bell-Fialkoff (1996), “ethnic” cleansing is a form¹⁴ of population displacement, deployed as a state policy aiming at mass expulsion and population transfers. The spectrum of related phenomena runs from “genocide at one end to subtle pressure to emigrate at the other” (Bell-Fialkoff 1996, 1). We would agree with Bell-Fialkoff that said extremes are better put aside, for various reasons, not entirely analytical.¹⁵ What we would be left with is the operational definition of (population) cleansing, which is “a planned, deliberate removal from a certain territory of an undesirable population distinguished by one or more characteristics such as ethnicity, reli-

gion, race, class, or sexual preference. These characteristics must serve as the basis for removal for it to qualify as cleansing” (Bell-Fialkoff 1996, 3–4).

Therefore, “forced” migration in such a context would be population displacement planned and deployed by authorities (state or international organizations) and forced upon individuals on the basis of their race, ethnicity, religion, class or sexual preferences. Such a displacement qualifies as ethnic cleansing if authorities declare the goal of removal as being to permanently and totally move an undesired population from a given terrain.¹⁶

To conclude about definitions: not every forced migration is ethnic cleansing, though every ethnic cleansing *constitutes* forced migration. The same is valid for other types of population displacements on the basis of race, religion or sexual preferences. Movement of the population should be deliberately planned by authorities, with the goal of removing undesired social groups from a given terrain *for good*. In such transactions governments or international organizations could negotiate strategies, such as, for instance, “humane transfer of populations”. Nevertheless, negotiations do not undermine or even replace the dimension of forcefulness in the population removal and resettlement. Whatever the strategy, it is always against individual will. Could we possibly imagine a target population having a referendum on voting “yes” or “no” to their being removed from their homes?

Population cleansing in the former Yugoslavia and its succeeding states corresponds with all the mentioned dimensions of cleansing on ethnic and/or religious, sometimes even on class grounds. It was deliberate, planned, deployed by legal governments, in certain instances assisted by international forces and sometimes negotiated between two or three major “parties” (Serbian-Yugoslav and Croatian plus Bosnian authorities). The “push out” side of

these forced migrations was more or less erratic, while the “pulling back” (euphemism: reintegration) is, in most instances, planned on a multilateral or bilateral basis and forced upon local governments. People were pushed out “for good”; certain areas changed their religious and ethnic profile: from this point of view, ethnic cleansings succeeded. In the meantime, however, return flows became the most important factor in stabilizing the area. Croatian, Bosnian and Serbian-Yugoslav authorities are being required to comply with return and reintegration. From this point of view, ethnic cleansings failed. But the cases in point are individuals and groups exposed to cleansing; for the time being, they are not returning. We do not know if they will ever return; all we can speculate about is that, for them, the process is over and the “cleaners” in the Balkans have achieved their goals.

MIGRATION FORCED BY NATURE: ENVIRONMENTAL DISASTERS AND POPULATION DISPLACEMENT

Migration of people is always bound up with power relations; there is always a “measurable” quantity of power within the complex canvas of migration flows. The more so when talking about humanly triggered forced migration. However, some would argue, there are today more and more significant forced migration flows which are not triggered by human agency: those are triggered by environmental changes.¹⁷ The awesome figures again: in the mid-1990s, there were at least 25 million environmental refugees (22 million officially defined as such). Moreover, 200 million could be expected to move or were at risk of displacement, thus eliciting as many as 40 million “environmental” refugees and displacees (Myers 1997; Castles 2002) in this decade.

There are doubts, though, among social scientists (Castles 2002) about the nature of the link between environmental issues and population displacement; is it direct or mediated by power agents? The former approach (Myers 1997) argues in favor of the existence of forced migration caused or at least triggered by environmental crisis, while the latter promotes the idea that “there are no environmental refugees as such” (Black 2001). For those who argue that environmentally caused forced migration does not exist, “environmental refugees” constitute a myth, a construct that serves highly politicized issues, thus being harmful to the refugees themselves. For Black (2001) there is absolutely no evidence that environmental changes or crisis “leads directly to mass refugee flows, especially flows to developed countries” (Castles 2002, 2).

Why do these two schools differ so strongly on this issue? Is it important to review them? According to Castles, it is substantial for both the general public and policy makers to know what in fact lies behind these disagreements. The reason for that is that “linkages between environment and forced migration have far-reaching political consequences” (Castles 2002, 2). The articles and books quoted here were written in the late nineties. Castles’ criticism came out in the fall of 2002; since then, the most important events in the field of (forced) migration started to unfold, notably those connected to the war in Iraq, which started in March 2003. We should, therefore, explain the basic differences between these two approaches.

According to Myers (1997), millions of people are today “at risk of displacement from desertification, deforestation, rising water levels and so on” (Myers 1997, 175). But, says Castles, advocates of this approach do not provide enough evidence “on people who have *actually* been displaced by such problems. Rather, the link-

age appears simply as ‘common sense’—if water levels rise, of forests disappear, it seems obvious that people will have to move” (Castles 2002, 3).

According to Black (2001), environmentally caused refugee flows are always “linked to a range of other political and economic factors, so that focusing on the environmental factors in isolation does not help in understanding specific situations of population displacement” (Black 2001).

Castles finds that disagreements between these two authors are mainly of a methodological nature. “The issue is above all one of causality,” says Castles (2002, 4). Behind every population displacement both authors see a clusters of “contributory factors: ethnic tensions, ineffective and mistaken government responses, economic problems and so on” (Castles 2002, 4). It is clear that when it comes to operationalization of a general concept or to case studies of forced migration, the causes of forced migration are treated as multiple in both approaches; nevertheless, when it comes to an explanation, in the (A) approach the complexity of causes is set aside and, on an undefined basis, environmental factors are assigned primacy. Why?—asks Castles, and responds: “This never becomes clear” (Castles 2002, 4).

We would therefore agree with Castles, that the notion of the “environmental refugee’ is misleading and does little to help us understand the complex process at work in specific situations of impoverishment, conflict and displacement” (Castles 2002, 5). Environmentally caused forced migrations are rare; in the contemporary world, in which humans are destroying nature on the basis of global power, one could safely say that a direct link between population displacement and environmental disaster hardly exists. Therefore, the environmental factor in explaining forced migration is the tip of an iceberg or volcano, underneath which lies

a multiplicity of causes triggered by human action. This is, for the most part, the root cause of forced migration. Why are such concerns with *root causes important*? Because the term “refugee” is defined in international law in such a way that “someone who flees due to environmental problems does not fall under this definition. Nobody gets asylum just because of environmental degradation” (Castles 2002, 8).

Since we are on the threshold of major international conflicts that will almost certainly play the card of environmental destruction, the war in Iraq for instance, we could safely assume that forced migrants, resulting from the “politics of disaster” (intentionally ignited oil fields, for example) would have no shelter under the international security umbrella. Not counting as refugees, they would thus join the vast population of displaced people with dubious status, like 25 million internally displaced persons. Today, there is no legal or institutional regime which one could enforce through international agencies upon local military leaders or governments in order to assist or protect “other types of forced migrants.” This means that when it comes to human rights and shelter, the major part of any forcibly displaced population in the future could be found redundant. Moreover, decision makers who have caused disasters in the natural environment and eventual migration could not be held responsible.

CONCLUSION: POLICIES RELATED TO FORCED MIGRATION—ON WHAT GROUNDS?

Here is the situation: conflicts related to “ethnic cleansing” will not stop, but will be more or less under global control and follow a familiar pace. So will “forced migration” as a consequence of

the former. As to forced migration attributed to environmental causes or related to environmental issues—it will grow; populations encapsulated in such movements will be more and more numerous and predictably more often than not, will be displaced (by someone’s “strategic” decision) or will flee. Under current international law, such a population would not be entitled to claim refugee status of any kind. What to do in policy terms? There are for the moment three possibilities:

To change international law, first of all the definition of refugee status in the 1951 Convention. For many of the reasons discussed by Castles (2002, 10), such a possibility is not realistic for the moment.

To adapt and make effective a whole series of policies proposed by analysts. They aim primarily to “deal with the root causes of all types of forced migration, and make them unnecessary” (Castles 2002, 10; Myers 1997).

The third possibility emerged with outbreak of war in Iraq: ironically enough, the instigator, the USA government, “planned” the strategies to be used in the case of mass population displacement. It is not known what causes, besides war activities, are included in such a plan, or how far, if at all, environmental disaster is taken into account as a possible trigger of migration. But it is rather obvious that devising strategies for forced migration and displacement becomes part and parcel of a repressive world politics in certain areas where the responsibility of human agents (decision makers), is not even articulated, let alone defined.

N O T E S

* This text considers results of research “War-related Forced Migration,” project “Social Correlates of Homeland War,” Faculty of Philosophy, Zagreb, 2002.

¹ “The collapse of Yugoslavia in the early 1990s precipitated the worst crisis in Europe since the end of World War II. A decade of upheaval produced political chaos throughout the Balkan region, wars which at one point involved not only local antagonists, but also the world’s major military powers, the flight of millions of civilians and a ruthless campaign of ethnic cleansing not witnessed since the dark days of Nazi era” (UNHCR—The Balkans, <www.unhcr.ch/cgi-bin/texis/vtx/balkans> [March 2003]). I quote this part of the UNHCR document extensively, only because there is a tendency in international politics and social analysis to put the subject of population disasters caused by this war into the archives, without further analysis.

² UNHCR—The Balkans, <www.unhcr.ch> (12 March 2003).

³ Types of migration: involuntary, voluntary, and forced. Involuntary: disaster generated, ethnically tinged mass migrations; voluntary migrants who seek the chance to realize their occupational and economic capabilities. Forced migrations are induced by political decisions and administrative measures.

⁴ Talking solely about one type of forced migrant, asylum seekers from former communist central and Eastern Europe, “between 1984 and 1992 numbers of asylum seekers rose from 25,000 to 421,000. The wars in former Yugoslavia brought sudden and massive forced movements on a scale not seen since the Second World War. By the end of December 1993 they had led to an estimated 4.24 million migrants, including 819,000 refugees, 1.6 million displaced persons and 1.79 million assisted war victims” (Salt and Clarke 2002, 25).

⁵ Before, during and after the Balkan wars, the term “population” comprised not only the object of statistical observation; it meant, also, the history of a particular collectivity. In almost all counting, numbering, and divisions—the origin or statistical continuity of

attributes (“markers”) like ethnicity, faith or sex became decisive for the actual or future standing of whole regions and collectivities. Thus “population” became defined as “the effect of its past and the cause of its future” (Cole 1994, 7).

⁶ Some things have improved lately. As Hovy (2001) states, “information on gender and age of asylum seekers and refugees, as proposed by the UN recommendations, has become increasingly available in UNHCR statistical publications . . . since 1999 the coverage has been extended to refugees and all other groups of concern to UNHCR. Consequently, the coverage of gender and age of asylum-seekers and refugees in Europe has significantly improved in 1999. . . . However, one of the main constraints in providing a comprehensive coverage of gender and age remains the inability of many industrialized countries to provide this information from their registration systems” (Hovy 2001, 3).

⁷ Brubaker has differing opinions on that: while Freeman argues that scarce or misleading data on immigration is part of policy making in receiving countries based on constraints, Brubaker thinks that “the scarcity of information about immigration . . . does not seem to be related to the liberal or nonliberal quality of the polity . . .” (Brubaker 1995, 904). For Brubaker, it is “the boundaries of the legitimate discussion” (1995, 905) in immigration policy debates that are at stake here. I would certainly agree with him that “shifts in the boundaries of legitimate discourse in liberal democracies,” related to immigration policies would improve the quality and transparency of data on immigration. But this will not occur automatically: I would argue that improvement of data and their accessibility is a *sine qua non* for liberal polities when faced with (forced) immigration.

⁸ That is how we come to the “human transfer” of population—an incredible construction in the age of human rights.

⁹ “Discourse” (legitimate, illegitimate, constrained, liberal, and populist) on immigration emerged rather recently as the way of theorizing in a field which has been traditionally viewed as “too factual” for such post-modern subtleties, as “discourse” suggests. The sheer fact that it appeared in migration theory via its most outstanding authors implies, it seems to me, the advance of this theory itself. See for instance Brubaker (1995) and Freeman (1995a).

¹⁰ On the bias of data on intra-ethnic violence, see, for instance, Allcock (2002, 405–406). Also Mežnariž (1993, 123–124).

¹¹ Rather poorly documented reports based on guesstimations were not very useful in arguing that rape should qualify as a war crime.

¹² There is an uncertain status, pending definition, of 230,000 Serbian nationals of Croatian origin. The basic definition of their rights to return home, or rights and obligations to stay in a receiving country, is still not clear. Not to mention Bosnian citizens with both Bosnian and Croatian citizenship who were motivated by the Croatian government to move to Croatia, and were given abandoned Serbian homes and facilities to enjoy . . . they are now circulating among Croatia, Bosnia and various European countries seeking a place to settle. “By the end of 1996, 837,000 citizens of Bosnia-Herzegovina had received ‘Temporary Protected’ status elsewhere in Europe, though many of these have now returned” (Salt and Clark 2002, 25). They are neither asylum-seekers, nor refugees nor economic migrants . . . nor are they displacees.

¹³ In order to alleviate such use of data, a group of experts in various fields—psychiatrists, psychologists, sociologists, demographers and computer specialists—set out in 1993 to establish a non-governmental organization called HEG—Humanitarian Expert Group. The goal was to design and run a database about sources,

interpretations, elaborations and methods applied by various agents in collecting and displaying data on refugees, displaceds, victims and human rights abuse in the war affected area. The database was designed to collect information from five main sources: (1) statistics released regularly by UNCHR and related agencies based in Croatia and Bosnia, (2) data of NGOs dealing with human rights, (3) data of NGOs and experts dealing with therapeutic work, (4) data based on surveys in shelters and carried out by social workers, and (5) academic and related written production on war, traumatic stress, displacement and violence.

The assumption was that compilation of such a database would enable users to compare various sources of information in Croatia, Europe (UK) and Canada, related to the same or similar events or cases. Thus a much needed threshold of critical approaches to sources and interpretations would be maintained. HEG was conceived as an educational framework requiring minimal expertise for everybody interested in sources for and data about the Balkan wars and their consequences.

¹⁴ “Cleansing” could be applied to other kinds of social aggregates characterized by religion, gender, race or class.

¹⁵ “Genocide, because in its scope and horror the mass murder of our times deserves to be treated as a separate category; the not always subtle pressure to leave, because it may grade imperceptibly into pressure by economic necessity” (Bell-Fialkoff 1996, 1). Nevertheless, the fine line between extreme and mainstream types population displacement is blurred. It should be kept in mind that any proposed curtailment serves only heuristic purposes and “should be regarded as guidelines rather than clear indicators” (Bell-Fialkoff 1996, 2).

¹⁶ Hence, according to Bell-Fialkoff, the following mass population removal, for instance, would not qualify as “cleansing”: the

slave trade from Africa, because it had mainly an economic and not a racist basis; the push-backs of American Indians, because they did not have race as their rationale, or temporary cleansing like the expulsion of Albanians from Kosovo during the 1999 Serbian campaign.

¹⁷ For this insight, relatively new to placid Central European countries, we are grateful to Steven Castles who, as a widely recognized sociologist of migration, brought to our attention the relation between environment changes, forced migration and power (Castles 2002).

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IMMIGRANTS BETWEEN THE COMMON EUROPEAN MIGRATION POLICY AND LOCAL PECULIARITIES

“I’m examining your town and your culture. If I like you, I’ll apply for asylum, otherwise I have to go on. For now, I like you.”

The quotation above is taken from a statement by an immigrant who fled to Slovenia from Iran.¹ It suggests that the person takes decision to stay in Slovenia depending on its allurements and its culture. From the viewpoint of a migrant, such a line of reasoning is justified: a migrant chooses to stay in a place that he/she “likes.” But this perspective leaves out one of the main conditions on which his residence here is dependent i.e. whether the residents of “our town” will “like” him, and whether “our culture” will accept his. To put it differently, the point at issue is how people living in Slovenia will accept him as an individual coming from a different region and a different country.

This paper will try to illuminate, through reflections on events and public discourses that have dominated the past years, a typical and virtually naturalized attitude of Slovenians towards immigrants who attempt to start a new life in Slovenia. Various forms of the refusal and exclusion that permeated the attitude towards refugees from the Balkans wars and economic immigrants from

former Yugoslav republics persist to this day. We can justifiably argue that the basis of the exclusion of “contemporary” immigrants corresponds, at least to a certain extent, to that which leads to the exclusion of other immigrants (refugees from the Balkans wars and economic immigrants from former Yugoslav republics) who fail to integrate into the dominant lifestyle in accordance with the expectations of the majority population, although the attitude towards “contemporary” immigrants, apparently the most undesirable type of immigrants, involves particularly extreme forms of refusal and exclusion. However, it should be stressed that the group referred to as “immigrants” does not include persons coming to Slovenia from Western Europe and North America, nor tourists, representatives of multinational corporations and international organizations, diplomats and so on. In contrast to other immigrants who enter Slovenia in a wrong way and come from a wrong part of the world, the types of immigrants mentioned above are looked upon favorably and the designation “immigrant” is only rarely used with reference to this group. It is not possible to speak of refusal or exclusion of these specific immigrants; the situation is rather just the opposite. By the same token, when crossing a border (Slovenia included), these immigrants usually do not experience any difficulties, since control mechanisms applied to others are not so strictly pursued in their case, if at all. Their destinations are globalized. The number of these privileged migrants has not been increasing. This privilege actually continues to be enjoyed by several rich countries or several rich elites among the large number of countries (Bauböck 1998, 27). A state border is designed to stop, and does stop, only some groups or categories of people, while the chosen few are virtually unaware of it.

In connection with the enlargement of the EU and the implementation of its policies, for example migration policy, one fre-

quently has the impression that all member states have adopted similar, if not identical, attitudes towards immigrants. Forms of refusal and exclusion can indeed be identical, regardless of which part of Europe an immigrant finds himself in, but this conclusion cannot be extended to explanations of the grounds for refusal and exclusion. Common European migration policy falls like a canopy over those features that can be described as characterizing the attitude of a specific social place towards immigrants. And such an attitude is not necessarily based on differences defining immigrants, or on their suitability or unsuitability, as is usually maintained, but may well depend on specific features of the receiving country. For example, after the Second World War Australia, New Zealand and Canada initially favored British immigrants; later their preference was gradually extended to immigrants from Northern and Eastern Europe, and eventually to those from Southern Europe. The belief that prevailed was that immigrants from Europe had no difficulties assimilating, while non-Europeans were believed to pose a threat to national identity and social cohesion. Similarly, Argentina, Chile, Brazil and Venezuela gave priority to immigrants from “culturally close” European countries, particularly Spain, Portugal and Italy (Castles and Davidson 2000, 55–56). In order to accept people with “similar culture” and to refuse others, one must first form a firm self-image. Only then can they compare themselves to others, and refuse or accept others. Accordingly, from a immigrant’s point of view, it is not of crucial importance who he/she is or whence he/she comes, but primarily where he/she goes. The logic of integration or exclusion of immigrants varies from one country to another, although this may not seem so at first glance.

IMMIGRANTS IN THREE SCANDINAVIAN COUNTRIES: DENMARK, NORWAY AND SWEDEN

Eriksen (1996) writes that in three Scandinavian countries, Denmark, Norway and Sweden, the term “immigrant” denotes a physically distinct (dark-skinned), employed or unemployed representative of the working class, with immigrants from western Europe and North America being excluded from this designation. Popular discourse usually does not make distinctions between labor migrants who arrived in the 1960s and 970s, and refugees, who were driven by completely different motives in the 1980s and the 1990s.

Public debates about immigrants in Scandinavian countries primarily concentrate on issues of linguistic pluralism, religious rights, exclusion from the labor market and the crime rate; attention is increasingly redirected from ethnic discrimination, social marginalization and economic exploitation to issues of identification and cultural dynamics. The crucial question is how to integrate immigrants while ensuring them the rights and opportunities identical to those enjoyed by the majority population. Eriksen (1996) writes that one can speak of a characteristically Scandinavian approach (although differences between countries do exist): it involves the idea of social engineering, the issues of similarity, equality and “culture.”

The idea of social engineering implies that it is the state that should ensure equal formal rights and opportunities to all residents through its institutions. It is believed that integration is a responsibility of the state and that standardized solutions should do the job in any specific case. However, in his study entitled *Staten och nykomlingarna*, Thomas Gür argues, convincingly according to Erikson, that an intense involvement of the state prevents the

use and development of informal networks, thus turning immigrants into customers. Gür showed that in certain countries (e.g. Canada and Australia) which encourage independent initiatives, immigrants attain “independence” faster than in the countries that strive to standardize immigrants’ behavior by subjecting them to rigid bureaucratic regimes. In the latter case, the term “immigrant” becomes a factor in the homogenization of diverse individuals and groups, regardless of their specific situations (Eriksen 1996).

The issue of similarity and equality in Scandinavian countries is related to the terminological peculiarity of their languages. Their specific feature is a term which has positive connotations (*likhet/lighed*) and can be translated as “similarity” or “equality,” so the two concepts are automatically equated. As a result, argues Erikson (1996), similarity is a prerequisite for equality. One resulting interpretation is that cultural differences make others unequal. Within such a frame of reference, difference and political equality are incompatible.

As regards culture, immigrants generally face an impossible choice. They have to choose between two extremes: either they become “Scandinavians” or they retain their own culture. Neither option is feasible in practice, but it does point to the reasoning that there exist “our culture” and “their culture” with a clear division line between the two. Although the equality of “their” culture compared to “ours” is occasionally recognized, a clear distinction between the two remains; in this respect, immigrants continue to be a distinct category (Eriksen 1996).

In concluding his analysis of the social logic of integration and exclusion of immigrants and refugees, Eriksen (1996) argues that it is possible to speak of different reasons for exclusion in the three Scandinavian countries he studied. In Denmark, it is Danish

coziness (*den danske hygge*), which operates as a mechanism of exclusion on the level of informal social interaction. Gatherings around the table, which is proverbially groaning with food and drink, are an effective form of informal socializing from which immigrants are generally excluded. In Sweden, the reason for exclusion is paradoxical. It arises from the idea of equal opportunities, which, in turn, is part of the ideology of the welfare state. This concept does not leave room for difference. Immigrants are unequal and excluded because they want to be culturally different from the majority, and because the bureaucratization of immigration overlooks (or should we say “denies”?) their specific needs. In Norway, the politics and discourse of inclusion and exclusion are conspicuously marked by the issue of nationality, including powerful ethnic components. Conflicts such as that caused by the state’s refusal to allow Muslim schools are attributed to (and explained by) cultural determinism, (non)recognition of tradition etc.

Although it is true that one can refer here to a typically Scandinavian approach, differences between countries do exist, and each country approaches the issue of immigrants’ integration in its own, specific manner.² We shall now proceed to present the logic of exclusion that has been characteristic of Slovenia over the past 15 years.

EXCLUSION OF IMMIGRANTS AND MEDIA DISCOURSE

Media discourse is one area in which the relation between the apparently homogeneous majority population, on the one hand, and the apparently equally homogeneous immigrants on the other, is established. This discourse provides the main framework for a general consensus on “our” attitude towards “others.” An

attitude which excludes immigrants operates inwardly as a cohesive force that strengthens and homogenizes one's representations about one's own identity and culture. Emphasis on bipolarities such as our culture vs. their culture, our identity vs. their identity (and, after all, permanence vs. transition), bolsters the view that difference can be understood as a threat. And threat is a sufficient trigger setting in motion mechanisms that are otherwise dormant. During various crises,³ Slovenia thus experienced its share of "explicit threats and attempts by various players to really act on their own, off their own bat, and outside the legal and institutional framework of the state" (Jalušič 2001, 15).

Erikson (1996) has established that popular discourse in Sweden usually does not make distinction between economic migrants who arrived there in the 1960s and 1970s, and refugees who came in the 1980s and 1990s. The same cannot be said about Slovenia,⁴ particularly not with regard to Bosnian refugees who came to Slovenia during the first half of the 1990s, compared to the aliens who "exert pressure" on our borders today. In the early 1990s, there was a general consensus among the public that refugees from Bosnia and Herzegovina were increasingly causing disturbances, that they "disrupted the habits of the local population," 'increased tensions between nations,' were 'potential criminal offenders,'" and, most notably, that their "civilizational and cultural level and behavioral patterns were different" (Doupona Horvat, Verschueren, and Žagar 2001, 7). By the mid 1990s, however, and towards the end of the decade, Bosnian refugees have been transformed into "our people," while the void thus created was filled with modern immigrants: illegals, illegal immigrants, asylum seekers, aliens and so on.⁵ In reality, Bosnian refugees succeeded only half way in becoming "our people." The difference remains sufficiently large that their regression, at any moment and

almost according to momentary needs, to a position of exclusion and refusal is still possible. This change of the “object” of exclusion and refusal found its expression in the media, which made comparisons between the local population’s experiences with immigrants and their previous experiences with Bosnian refugees. This strategy rests on the assumption that everybody is familiar with the “difficulties” that were caused (or are still caused) by refugees.

Immigrants have acquired two kinds of image. Although exclusive, the two images were nevertheless combined into a single one that additionally tarnished immigrants’ reputation. Immigrants are simultaneously familiar and close figures as well as alien and remote. They can be seen on TV and are frequently written about in the print media, yet they come from far away and from places that were not the source of “traditional” immigration in the past. A modern immigrant is thus an already known but undesirable and different person, who on top of everything comes from far away. Regardless of how successfully such an immigrant would later integrate into a specific environment, his/her image is determined in advance—it is negative.

Ever since the beginning of the “refugee crisis,”⁶ the media in Slovenia have been carrying articles, interviews, reports, commentaries, readers’ letters and various other types of texts on immigration related subjects. These media texts point to an attitude towards immigrants which, because it arises from the interaction among the “street”, the media and the “public,” can be interpreted as typical.

Immigrants enter the lives of Slovenians in different ways. At one end of the spectrum, they appear as invaders of “their private spaces” seen as disturbing elements, ones that shop at “their grocers” and linger around “their homes.” At the other end, they ap-

pear as people who threaten the economic system and national security. The first type of presumed intrusion is related to the assumption that Slovenia is their target country and that they will continue to shop at “their” grocers indefinitely, will continue to linger around their homes, and that present immigrants will be followed by ever new ones. The second arises from the suspicion that Slovenia is just a stop on their journey to another destination. Although this eases tensions in a way, since it implies that once immigrants “feed themselves and take a rest” they will go on, it also straitens relations because these immigrants are believed to abuse the kindness and tolerance of Slovenia and its inhabitants.

There is a consensus that immigrants pose a threat on all levels, both personal and national. The image of immigrants was concocted by the “voice of the people,” those living in the vicinity of asylum seekers’ homes, and reasserted by others who had one or another kind of contact with them or simply had an opinion about them.⁷ One trait of immigrants that was the first to galvanize this “voice of the people” was their sloppy appearance. Their clothing and footwear are poor and they are seen as untidy and as neglectful of personal hygiene. Given that they come from “exotic” countries and were not subjected to medical checks, they are seen as a potential threat to the health of all those who find themselves in their vicinity.⁸ Their aggressive, uncivilized and criminal behavior, even their very presence, jeopardize the safety of the domestic population. They steal clothes, food, batteries and radios, they break into houses and cars, and last but not least, they “steal” women.

Differences defined as cultural differences are treated as if they were natural and inevitable. This is an approach similar to that of liberal theoreticians who, for the most part, consider cultural differences to be a natural fact, or freely chosen (different)

lifestyles. Yet the most salient characteristics that determine one as a member of a certain “cultural community” are in most cases not chosen but attributed; these arise from social relations and specific social environments. Nevertheless, the predominant conviction remains that cultural differences are natural and that they evolve on their own, rather than as a result of some specific environment, pressure and resistance (Bauböck 1998, 37). One becomes a member of a specific cultural group only when recognized as such by others, regardless of his/her self-image and regardless of whether he/she meets the minimal criteria for such (informal) membership. Similarly, differences become important only when they are attributed to someone and then used as grounds for refusal.

Another important factor, in addition to cultural differences, is the material situation of immigrants. Most immigrants belong in the middle class; not all of them are poor. This is the point at which the general population, those who do not have direct contact with immigrants, come into play. The implicit question is “why immigrants are allowed to ‘snatch’ taxpayers money, if they have their own money.” Immigrants presumably live at the expense of Slovene workers who can hardly make ends meet themselves. They thus present an economic burden for the state and its people. Through their mere presence, immigrants “threaten the quality of life,” not only of those who have direct contact with them, but of all citizens and the state. They are to be blamed for various problems within Slovenian society; they have a negative impact on employment and social security; they “snatch” taxpayers money and represent a threat to the safety of citizens and national security.

In harmony with the belief that one who points out the problem should also offer solutions, the “voice of the people” suggested how the “issue of immigrants” should be tackled. It should be

resolved by the state. It is generally believed that responsibility for the dissatisfaction of Slovenian citizens lies with the state, which does not know how to take adequate care of its own people. It is the state that should set in order matters that have evaded control. It defines the “rules of the game” through legislation, so it should “stem the current” by adopting adequate legislation. However, we should not overlook the fact that this apparently positive solution in fact strengthens the negative attitude towards immigrants. “The voice of the people” does not seek a positive resolution, for example, by providing clothes to “those with inadequate clothes and footwear” or by helping immigrants to find “jobs.” “The voice of the people” does not see solution in the search for answers, but in the “elimination” of this issue, and “elimination” of immigrants seen as disturbing and undesirable elements; once the immigrants are gone, all the problems will disappear. This, in other words, means that all current immigrants should “be returned to where they came from” or “to somewhere else,” and those who are still to come should be prevented from entering the country, or at least their entry should be made difficult by means of stricter rules.

IMMIGRANTS BETWEEN NATIONAL POLICY AND EUROPEAN GUIDELINES

Media discourse not only creates public consensus, but it also “actively lays down the foundation, the primary principles and the legitimacy for the implementation of national and local policies” (Jalušič 2001, 13). In addition, it is being constituted as a kind of interpretative magnifying glass through which one can read the requirements of the European Union related to migration policy. In this way, the influence of media discourse on politics is augmented. The requirements of the EU function as mandatory

guidelines adopted by national politics as their own. Public opinion generally does not oppose such a practice.⁹ The negative results of uncritical adoption of mandatory European guidelines are already visible in certain countries.¹⁰

The attitude of the domestic population towards immigrants, as presented by media discourse, appears to be “lenient.” One could say that, rather than aiming at persecuting and driving away immigrants, the media texts are more intended for readership. Readers form images on the basis of what they read in the media. But their opinions and their attitude towards immigrants generally do not stretch beyond the doorsteps of their homes. This means that, by and large, people are benevolent towards immigrants when they meet them in the street, and they express their negative attitudes only when they are safely inside their homes. If we further take into account the fact that the public does not devote much attention to the issue of immigrants unless there is a “crisis,” then we risk reaching the erroneous conclusion that media discourse is in fact powerless with respect to this issue, and that the attitude to which it presumably contributes, and which is believed to arise from that specific discourse, is almost not worth mentioning. Accordingly, one may erroneously believe that even if an immigrant experiences such a negative attitude, such an event could be interpreted as an unhappy coincidence and by no means a rule. For example, a shop assistant’s refusal to serve an immigrant would be understood as a fault of that shop assistant and not as a rule that would be applied to all immigrants entering any shop or having any type of interaction in a public space. One message that could be read between the lines is roughly as follows: it is true that immigrants are a threat to Slovenia, but this by no means implies that Slovenians threaten them in return, and if they do, such a threat is accidental or even justified.

Let us suppose that interaction is nevertheless possible, without negative attitudes being involved. Yet even if we “abuse” such a probability in the first instance, we will already encounter an obstacle by the second stage, where the principle of probability is, as a rule, excluded (at least as regards an external observer). This obstacle is called “legislation”.

In addition to being under public pressure, national policy is under pressure from EU policy as well. “Owing to pressure, the states that would like to join the EU try to uncritically fulfill everything expected from them. After all, one of the conditions for accession is the closure of the borders” (Nauditt 2001, 35). But the implications of border closure do not affect just the procedural treatment of refugees. They also encourage racism and reproduce prejudices and fears. “The discourse on immigrants, ‘who take our women, do not work, are asylum swindlers, drug dealers etc.’ encourages both open and hidden racism among the population” (Nauditt 2001, 38).

The spirit of the European Union dominates national politics because the adoption of EU directives is one of the conditions for membership. But it also dominates public discourse. One reason that this is so is that it furnishes a form (e.g. the nationalisms characteristic of some European countries). Another is that Slovenians believe that the attitude towards immigrants in some other European countries is even worse. If the EU can live with the negative attitude towards immigrants, we too can do it so much more easily (this, in turn, is in harmony with the belief that the European Union keeps everything in better order than Slovenia does).

It seems that media discourse usually touches upon immigrants only in passing and seriously tackles them only within an unexpected area, i.e. legislation. While, conditionally speaking, one can imagine that the attitude towards immigrants is positive in per-

sonal interactions, legal regulations are definitely devoid of positive inclinations. The insistence on the part of civil servants and policemen that their behavior is in harmony with legal regulations, implying that the goal determined by legislative authority justifies all means (e.g. violence when someone is caught crossing the border outside an official border crossing) is nothing unusual.

In the chapter entitled “Innovations unfavorable to asylum seekers,” Neža Kogovšek (2001, 93) recapitulates those amendments to the law¹¹ through which immigrants seeking asylum were deprived of certain rights that had previously been recognized. In confirmation of our assertion above, i.e. that the negative attitude dominating the street has been transposed into legislation, be it sufficient to say that, according to one of these amendments, the decisions about asylum applications are not “fully translated” into the language of the applicant, “only the operative part of the judgment, legal caution and a short summary of the explanation. Under the previous law, documentation related to asylum application procedure was written in a language understandable to the seeker, with this amendment prescribing that this does not apply to decisions and judgments which are translated as specified” (Kogovšek 2001, 93). The first thought that comes to mind is that one is not meant to know everything (since not being able to understand means precisely that), either because the explanation is not “honest,” or because the content of the explanation is at any rate irrelevant. The explanation for the government’s adoption of such an amendment speaks for itself: “The government’s objective to reduce the costs of the procedure, at least at this stage, has prevailed, even if cost reduction is effected at the expense of human rights protection (in this case, it is the principle of the prohibition of discrimination on the basis of language and the right to equal protection of rights that are

violated)” (Kogovšek 2001, 91). According to this conclusion, it is permissible to decide about human beings and human rights through the logic of cost reduction or economic rationality.

INSUFFICIENT DEBATE PRO AND CONTRA

The attitude towards immigrants in Slovenia has not been uniform. A counter-trend was present, conditionally speaking, in the public discourse and in politics. Early in 2001, which is the time when the “refugee crisis” peaked, it was possible to hear voices calling for tolerance and a different attitude towards those whom the street would have readily “eliminated.” Certain groups and NGOs, joined by certain individuals, launched appeals to stop hostility towards aliens. The Bureau for Interventions announced solidarity actions. The media began to publish appeals for tolerance and to refer to immigrants as individuals rather than a homogeneous mass representing a threat. This change was described by some as the “media’s change-of-heart.”

This “change-of-heart” could be described as mainly consisting of appeals for tolerance and “attempts” to write differently. Today it has become obvious that it did not have the power to essentially change the general sentiment and deflect it from its prevailing orientation, nor to create a basis for a new discourse that would not be limited by pro-and-contra-immigrant arguments or by an a priori refusal or exclusion. What this shift (and its interpretations) actually succeeded in doing, after failing to achieve any essential change, was to establish the limit of the “still acceptable” attitude towards those who are different (immigrants). In addition, it retroactively gave legitimacy to practices (methods, strategies) of exclusion and refusal—the media’s change-of-heart oc-

curred at a time when the possibility of the “unacceptable” became realistic. At the same time, it legitimized the future use of these practices, meaning that one can expect that similar approaches will prevail in some similar situation in the future, with the actors pursuing them being convinced that they have the right to do so and that such practices are legitimate.

During the asylum law amendment procedure, a group of NGOs began a dialogue with politicians, with the latter falling back on public sentiment in search of additional inspiration. The intention of these NGOs was to formulate remarks on the law and to draw attention to irregularities accompanying its implementation. Among other things, the NGOs pointed out¹² that the treatment of immigrants could not be standardized, meaning that it was not feasible to apply equal treatment to all. “A denial of asylum cannot be based on the evaluation of motives exclusively, but on circumstances from which the asylum seeker comes.” Similarly, “persons with different statuses require different types of treatment” (Kogovšek 2001, 84, 85). The dialogue between NGOs and the ministry, in the form laid down and dictated by the ministry,¹³ forestalled attempts by NGOs to make the asylum application procedure more favorable for immigrants. Instead, NGOs were forced to strive to achieve for immigrants the retention of “those few rights to which they are entitled according to law” (Kogovšek 2001, 94).

The attitude towards immigrants is being shaped through an apparent “dialogue” between two poles, that is to say, between the opponents and advocates of rights for immigrants, or rather, those who support immigrants and those who are against them. This dualism is recognizable yet also partly misleading, if only because the dominant discourse continually de-legitimizes and swallows these islands of activism operating outside the “pro and con-

tra” discourse. In accordance with such a layout, the negative attitude towards immigrants is determined by politics, and by the (predominant) part of the public that is negatively disposed towards immigrants. In addition, there are attempts to reduce appeals by various groups and individuals, and the activities of some NGOs, to a uniform attitude simplistically summarized as “pro-immigrant,” although it is multifaceted and involves various (positive) dimensions.

The negative attitude is strengthened through a phenomenon that appears to be a static, deeply rooted conviction that Slovenian space is “culturally homogeneous” and its territory unchangeable,¹⁴ and that Europe, in which Slovenia belongs, must be protected against the “intrusion” of different practices and undesirable others.¹⁵ Such a conviction finds inspiration in history and is blind to future developments—for it, the only possible way of life is the one we already know, that is life without change. In accordance with this reasoning, immigrants should adapt their practices in such a way that these do not affect those of the majority. However, the conviction that assimilation is not possible at all is even stronger. This is not to say that assimilation would be an incorrect solution, but the problem is that “they” do not want to be assimilated or are not capable of doing it. After all, differences are supposed to be too large (Castles and Davidson 2000, 60–61). This type of reasoning is not capable of anticipating a situation where immigrants would be neither assimilated nor excluded. It is held that differences are too great to be controlled either through assimilation or through exclusion from certain areas of social life (Castles and Davidson 2000, 92).

Practices, arguments and strategies that use references to EU policy, then to the policy of minimal dialogue, to threat, resistance

of various groups (that are described as communities) and similar, are also evident (and expected). The “opposing side” has been making attempts to challenge statistical barricades of homogeneity and unchangeability by proposing different means and strategies and, above all, by suggesting new platforms on which to build a different attitude. Opponents of government policy do not base their stance on arguments about whether or not immigrants pose a threat, and who (or what) is threatened, but take the territory (the state) and its characteristics as the point of departure. This is the main reason why it is not possible to speak of a bipolar relation between advocates and opponents. For opponents, the differences between immigrants and us are neither natural nor important—for them, immigrants are subjects entitled to certain rights and having certain duties. This is the approach adopted by the “positive side,” which tries to avoid the imposed dichotomy and build a positive attitude towards immigrants outside the “pro and contra” discourse.

CONCLUSION

What conclusion, in the spirit of Eriksen’s analysis, can be drawn for Slovenia? We could say that in direct contacts it is cultural difference that determines the attitude. The heterogeneity and individuality of immigrants are reduced to homogeneity, whereby immigrants are rendered a culturally unacceptable mass which does not belong in Slovenian space. It is incompatible with the dominant culture of Slovenia, and every possibility of coexistence is ruled out in advance. Slovenian culture supposedly implies or represents a kind of permanence or balance, while the “culture” of immigrants is believed to personify a kind of change, something that could throw off balance the current state of affairs, in-

evitably making it worse. There is a belief that there is an obvious and opaque partition between two homogeneous wholes, with differences within each whole being negligible, or even non-existent, compared to differences between the two.

The further we move away from the issue of direct contact with the subject (immigrants) towards state institutions, the more the argument of cultural incompatibility is replaced by the role of state bureaucracy and the general feeling of deprivation. Immigrants are not only culturally (too) different, but they presumably “burn up” Slovenian money. Their presence is, therefore, not the problem of a limited number of individuals, but of us all. This attitude is continually reproduced through attempts to eliminate the subject that is “on the opposite side”. Since immigrants are different and “incapable” of surviving on their own, they are generally undesirable. They are not suitable to be neighbors, nor workmates, nor business partners, and least of all relatives. Yet the more this homogeneous mass forces immigrants out of their environment, the more dependent immigrants become on it. And the more they are dependent on others, and thus incapable of surviving on their own, the more undesirable they are. The attitude that is intended to eliminate any relation to immigrants through the elimination of the immigrant issue (of immigration itself), makes these people even more into “immigrants” and even more undesirable.

The abuse of cultural traits does not end with firmly drew differences between us and them. The difference of immigrants is reduced to the homogeneity of a group that is defined as culturally different. Their difference is threatening, so it must be defied. Refusal of immigrants is thus pursued in the name of culture. In the language of the street, culture is turned into legitimization of violence and becomes a means of implementing violence—it is

legitimate to fight others who come from different cultures, using “our” culture. “Aggressive” behavior under pretence of culture thus becomes an inevitability within relations we earlier described as personal interaction. On the other hand, inevitabilities that should be ensured by law become governed by chance. For example, an immigrant in Slovenia has no assurance that he will be given the chance to apply for asylum. These two types of inevitabilities help maintain that important difference between the migration policy of the EU and the actual attitude towards immigrants in various countries.

N O T E S

¹ “Šišenski ekonom lonec” (The melting pot of Šiška), *Mladina* 44, October 29, 2000.

² For Sweden see, for example, Bešter (in this book, 274–281).

³ For example, the “refugee crisis” in 1992–1993 (see Doupona Horvat, Verschueren, and Žagar 2001, and the “refugee crisis” in 2000–2001 (see Pajnik, Lesjak-Tušek, and Gregorič 2001).

⁴ Slovenians also developed a unique attitude towards economic migrants in the 1970s and 1980s. The question “Where do Slovenians go on Sundays?”, appearing as the subtitle of a book entitled “Bosanci. A kuda idu Slovenci nedeljom?” (Mežnarič 1986), is quite illustrative of the unsociability, lack of interest and self-sufficiency of the majority population. Deserted streets on Sundays pointed not only to a difference in lifestyle but to the ways in which the domestic population segregated themselves from those who are “different” (Mežnarič 1986, 13).

⁵ For more on the terminological quandary see, for example, Pajnik, Lesjak-Tušek, and Gregorčič (2001), Milohnić (2001), Doupona Horvat, Verschueren, and Žagar (2001).

⁶ Immigrants were written about in the media before the “refugee crisis” as well, but with less emphasis. The emphasised content acquires the dimensions of a scandal, an affair, a crisis etc. thus influencing responses on the part of politicians and others involved by suggesting what topics should occupy the media agenda. This creates a circle which van Dijk (1991, 88) called the panic circle. It affects the image of the group, which then gets negative publicity (van Dijk 1991, 113).

⁷ For more detailed analysis of the construction of the immigrant’ image by the print media see, for example, Bassin et al. (2002), Jalušič (2001) and Kuhar (2001).

⁸ “As a professional statistician, I am well aware that my child is much more likely to contract some exotic disease if he plays on a swing that was previously used by some zamorklja.” This anonymous statement published by *Mladina* (44, October 29, 2000) conceals two elements that serve to reinforce the image of immigrants and reproduce it at the same time. The first element is professionalism (“professional statistician”) which serves to forestall objections to the assertion. The second is the terminology used for an immigrant (“zamorklja,” which roughly translates as “darky”), which transposes immigrants into another world incompatible with ours.

⁹ “A truly charged ‘dialogue’ with the state this spring in Slovenia created an atmosphere that was the basis for an impermeable and increasingly restrictive ‘immigrant policy’ that was ‘adapted to Europe” (Jalušič 2001, 41–42).

¹⁰ The European Union expects asylum seekers to apply for asylum outside the European Union. In Lithuania, for example, refugees, asylum seekers and “people without documents” were treated as homeless people before the introduction of the new law. Along with the western European program, Lithuania also uncrit-

ically took over the established terminology. In Germany, the term “illegals” denotes people who live in the country without residence permit. The same term is used in Lithuania to distinguish people without documents from those who have documents. The term “illegal” is thus used to denote someone whose identity is not known. People without documents live in “inhumane circumstances” in the place called Pabrade; they come to Rukla only when their identity is established, meaning when they obtain documents” (Nauditt 2001, 28).

¹¹ The author writes about the changes to Slovenian asylum legislation in 2001.

¹² For other remarks on legislation by the non-governmental sector see Kogovšek (2001, 83–84).

¹³ For more on the manner of opinion exchange between the NGOs and the ministry see Kogovšek (2001, 85–90).

¹⁴ Understanding the state as a stable and separate territorial unit is one of the reasons for modern migrations being such a delicate phenomenon (Bauböck 1998, 24). Societies are increasingly mobile, and the states are increasingly rigid in terms of territory, which creates tensions (Bauböck 1998, 32).

¹⁵ Giovanna Zincone (1998) says that the conviction that new immigrants undermine the cultural homogeneity of Europe should be left behind.

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METELKOVA 6
SI-1000 LJUBLJANA
E.: INFO@MIROVNI.INSTITUT.SI
WWW.MIROVNI-INSTITUT.SI