The European Union: Migrants, Minorities and the Changing Nature of Citizenship

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Within the discipline, there has long been a divide between those who study issues of migration and those who concentrate on minorities. As such the two fields have formed separate reading lists, traditions and theories. The study of migration has delved into issues such as access to services, remittance and naturalization policies. Conversely, the study of ethnic conflict, identity politics and political inclusion has been left to the minority politics scholars. While this divide has served the discipline well in the past, it may be time to for a re-evaluation of this division of labour. There appears to be growing synergy between the two fields and in a globalized world this movement toward a single, unified study of minorities appears to soon be a reality. At the vanguard of this movement is the European Union. The European Union (EU) began over 60 years ago as a specialized trade agreement between six, post-war, cash-strapped West European states but has evolved over that time to become an economic juggernaut consisting of twenty-seven countries spanning from Portugal to Estonia. In order to fulfil this economic advancement it was necessary to rapidly expand the trade organization's political influence as well, thus creating the ever closer union. A key component of this political integration involved the free movement of people and goods across borders. Beyond simply allowing for an expedited border crossing, the EU felt it was necessary to allow basically free movement of labour from one area of the union to another. States were no longer able to fully control who was entering or leaving the state. Moreover, these migrants from within the European Union were given rights at a European level which trumped local or national laws. While done to promote economic prosperity these policies have fundamentally changed the relationship within the EU between states, migrants and their citizens. By extension it may have changed how we study questions surrounding minorities and migration.

This paper will examine this possibility. Through an examination of the EU's policies on intra-member migration and the resulting movement of people across the continent it will be argued that the line between national minority and migrant has become blurred. The paper will provide a brief overview of minority issues within the EU and then juxtapose them to these 'new' minorities and traditional international migrants. What will become clear is that the new minorities provide the missing link between the fields of study and therefore must be studied in a new way. Finally, the paper will discuss the ramifications of this new minority for both the European Union specifically and for the study of minority politics more generally. It argues that the best option for both the EU and the discipline is to look at this issue not through an ethnic or migrant lens, rather address the entire issue as one of social cohesion. This way the various types of minorities can be looked at both individually but also collectively to see if there is the possibility for overlap in tactics across groups.

It is important to note that this paper acknowledges openly that the concept of 'new minorities' is contentious. There are many within the study of ethnic conflict who will disagree with the very premise that these migrants represent a change to the definition of minorities. It can be argued that the goals of economic migrants will forever be different from those of established minority groups and that if the situation in the state becomes intolerable migrants can simply return to their native country- an option most national minorities lack. It is the belief of this paper that while it is not possible to refute these claims, it may simply be that these new minorities are simply too new to be fully understood at this point in history. While the free movement of people has existed in Europe almost since the inception of what would go on to become the European

Union, it has only been with the expansion into Eastern Europe that it has become of greater concern. These groups who are now moving throughout the EU have not been there long enough to be fully studied and as a result while much of the analysis found in this paper is speculative at this point, so would be the rebuttal. It is argued here that it is better to examine the possible ramifications of this new type of migrant on the EU and the study of minority politics as soon as possible, rather than simply assume that the early evidence which will be presented below is simply incorrect. The EU has created a new classification of migrant, one with enshrined rights, which moves them ever closer to how we traditionally define minorities. These new minorities represent too important of a potential issue for the EU and scholars to simply ignore. The evidence is beginning to arrive, now is the time to begin our analysis of it.

Defining minorities, defining migrants

Traditionally the division between minorities and migrants has been assumed to be rather cut and dried. However, when the issue is examined more closely, the picture becomes murkier. To assume that there is an easy to understand, universally accepted definition of what type of group comprises a minority group is foolhardy. While there have been efforts to try to define what comprises an ethnic group, whether it be a common language, culture, religion, etc., these definitions may be too restrictive in a modern world.[1] As Benoit-Rohmer notes, in the vast majority of cases states and organizations "give no general definition of the concept of minority, on the basis of which to identify in abstract terms those groups (and their members) entitled to enjoy the rights attached to that concept" (1996: 12). She goes further to suggest that it may be states' unwillingness to engage in discussions of minority rights that has led to this definitional quagmire as without a proper, legal definition, the state can argue that nothing can or should be done for groups within its borders (Benoit-Rohmer 1996: 12). Many minority rights scholars base much of their working understanding on the United Nations Special Rapporteur Francesco Capotorti's definition (which derived from the 1945-1946 Subcommission on the Prevention of Discrimination and the Protection of Minorities): "a group numerically inferior to the rest of the population of a state, in a non-dominant position, whose members- being nationals of the state- possess ethnic, religious, or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity directed towards preserving their culture, traditions, religion or language" (Jackson-Preece 1998: 19). Even this definition can prove problematic. For some, such as Henrard it is too restrictive. Her version excludes the requirement of being nationals of the state (2000: 46). This allows for the inclusion of minority groups who share a sense of identity, but are not necessarily viewed as nationals. The Roma in various European states can be seen as meeting the minority classification to Henrard but not Capotorti. For others, such as Jackson-Preece (1998), the Capotorti definition does not go far enough in ensuring that there is a clear division between minorities and migrants. Her definition of a minority therefore is:

> A group numerically inferior to the rest of the population
> of a state, in a non-dominant position, well defined and
> historically established on the territory of that state, whose
> members- being nationals of the state- possess ethnic,
> religious, linguistic, or cultural characteristics differing
> from those of the rest of the population and show, if only
> implicitly, a sense of solidarity, directed towards preserving

their culture, traditions, religion, or language.(Jackson-Preece 1998: 28)

This definition is meant to provide greater clarity and to make the decision as to who is and who is not a minority easier to understand. It provides not only the generally accepted tenets of minorities (linguistic, religious and cultural difference) it strengthens the historical component. By specifying that the group must be historically established removes the possibility of migrants of any kind being included in this definition. The historical nature of these groups leads them to be considered 'National Minorities" which separates them both in law and in the study of minorities. Malloy explains that:

> The reason for the differentiation in the national minority rights discourse between national minorities and other constitutive communities is that, according to international law and the prevailing view in European international politics, states are seen as nations and therefore nations equate with states, and only those nations that equate with states have moral recognition. (2005: 16)

Therefore national minorities are separated from other groups in that they are nations without states and therefore deserve greater levels of cultural and linguistic protections and potentially some level of self-determination. As Malloy indicated the concept of national minority has become a part of the lexicon of international law, and in Europe this is where the great divide has been made. Those groups that qualify as national minorities are protected under certain rules and those that do not qualify are not entitled to those rights. It is therefore alarming that the term national minority has taken on such weight and is seen as such a given that it appears in most European legal treaties and documents without fully defining the term. We see this in the Council of Europe's flagship document, the Framework Convention on National Minorities, which alludes to the cultural and linguistic nature of national minorities but acknowledges that even though previous documents from the UN and elsewhere are mentioned, they do not "extend to any definition of a national minority in these texts" (www.coe.int). Similarly, the Organization for Security and Co-operation in Europe's High Commissioner on National Minorities (HCNM) was given a mandate that "the High Commissioner will provide 'early warning' and, as appropriate, 'early action' at the earliest possible stage in regard to tensions involving national minority issues which have not yet developed beyond an early warning stage" (www.osce.org/hcnm) without being instructed as to what a national minority was. It was only in 1997 that the OSCE official defined minorities and while it is based on cultural and linguistic markers there is no mention of a need to be historically established.

While the term national minority has become the catch phrase to describe the groups that meet the Jackson-Preece definition; in reality the definition is flawed. It can be questioned as to what exactly is meant by being historically established minority within a state. Once concrete examples are used to test the definition issues arise. For example, the Basques in Spain (and southern France) can trace their history for hundreds of years in one location. Others, such as the Russian communities in Latvia and Estonia can claim a small presence in their current locations for hundreds of years but the vast majority of the population arrived after World War Two. Both groups are now considered national minorities by the international community. Why are the Russians in Estonia, the vast majority of whom arrived in the past 50 years a national minority, but the Poles who have moved to Ireland are not? Both groups lack a true historical presence in the state, both migrated for economic gain, yet only one is a national minority (see McGarry et al. 2006). It is obvious that a greater level of definition is required.

Gurr attempts to provide such a definition through the *Minorities at Risk Project* (MAR). Gurr acknowledges that it is not possible (or particularly useful) to differentiate between all the various minorities in the world (Gurr 1993, 2000). Any definition would face problems of recognition by states and often by the groups themselves. As such, rather than attempting to define minorities MAR, as its name indicates concentrates on groups that are at risk of rebellion, oppression or discrimination. The actual working definition of a communal group for Gurr was simply any group that identified itself, or was identified based on their ethnicity, religion, culture, etc (Gurr 2000: 4). The question therefore was not: who is a minority but rather, which minorities specifically should we as scholars be concerned with? To answer this question MAR determined the groups most likely to be at risk and categorized them into 6 categories:

1) Ethnonationalists- what has been described above as National Minorities. Large well-established, ethnically distinct groups.
2) Indigenous Groups- a distinct subset of ethnonationalists. Usually smaller with more specific issues and demands.
3) Communal Contenders- very large ethnonationalists who are capable of gaining power in a state.
4) National Minorities- small minorities who have immigrated from elsewhere.
5) Ethnoclass- same as 4 except they occupy the lowest rung of the economic ladder.
6) Religious Groups- groups whose uniqueness is specifically and solely based on religious affiliation (Gurr 2000).

By expanding the understanding of minority beyond the European national minority ideal, MAR provides the link that allows for this movement of our definition of minorities. As the MAR definitions include immigrant groups, including Foreign Workers in Switzerland and traditional ethnonationalist groups such as the Basques in Spain, it blurs the line between migrant and minority and allows for a clearer study of the opportunities and threats facing all minorities.

Traditionally, the definition of migrant has been more obvious and less controversial. The most basic definition of migrant is someone who has moved from one country to another with the intention of staying in that new country (www.iom.org). For those who study migration, there has been more concern with further parsing the definition down into its smaller parts. As Geddes notes, the field of migration studies now looks specifically at issues such as economic migrants, asylum seekers, refugees, families, students, etc (Geddes 2008; Doyle 2001: 1). Within each of these subsets scholars have focussed their attention on a variety of issues such as discrimination and access to social services, but always using the basic definition of migrant outlined above.

What is necessary now is to move the two definitions closer to each other. The Gurr typology provides an example of such an opportunity and the European Union has provided the perfect test case. This movement may already be occurring in Europe. As McGarry et al., note in Europe "[m]any nationality movements . . . resist being identified as 'minorities', because they see this as blurring the distinction between them and immigrants, and as not conducive to equality between them and the state's dominant national community" (2006: 2). Whether these groups like it or not, these new 'new minorities' or intra-EU migrants are blurring the lines and could in the future make this distinction irrelevant.

The European Union's Internal Migration Policies.

In order to understand how the EU has created the conditions necessary for a shift in our understanding of minorities and migration it is important to look at the policies that have led to

this point. The seeds of this issue date back to the earliest days of what would become the European Union. The EU is founded on the 'four freedoms' of capital, goods, services and people. The last of the freedoms, people, was employed in order to expedite the first three. While many trade agreements contain provisions on the free movement of goods and capital, what made the European Economic Community (EEC, the precursor to the EU) unique was the level of commitment to this goal. In order to speed trade it was accepted that people must also have the ability to cross borders freely. This included not only the eventual removal of border crossings to allow for easier transport of goods throughout the European Economic Zone but also the movement of labour from one market to another to allow for European companies to find and employ the best people possible (Menz 2002). Once this freedom was created it became necessary to ensure that those EU residents who were moving throughout Europe were protected. This led to even greater levels of integration and the establishment of some level of European Citizenship and the rights that correspond with that citizenship. As Ackers correctly notes, mobility rights in the EU are "both an important right in itself, and a source of other rights" (2004: 275). She goes further to explain the power of these rights:

> citizenship provides full access to social provisions in host
> welfare systems on the basis of non-discrimination. Whilst
> Community law cannot guarantee a standardised platform of
> social entitlement, it does provide for very broad application
> of the non-discrimination principle giving favoured EU citizens
> . . . full and equal access to welfare benefits including all forms
> of social assistance (Ackers 2004: 275).

These rights date back to the basic principles of the Treaty of Rome (1957) and were expanded upon during the early days of the Union. Much of the pressure to provide the right for mobility and the corresponding protections of these migrants came from Italy who saw an opportunity for its citizens to move elsewhere to work (Favell and Hansen 2002: 585). Even with these rights and protections the total number of Europeans who chose to move remained relatively low. In the 1970's approximately one million Europeans were living in another EC country. By the 1980's that number had doubled yet that still only represented a 0.1% movement per year, almost all of which came from Italy and Portugal (Hantrais 2007: 217). Menz (2002) argues that this low number was due to language issues and very low unemployment throughout the EC region.

By the 1980's further integration and treaties were about to make the entire process of moving throughout Europe more accessible. First, was the revolutionary Schengen agreement and subsequent Dublin Accords that changed not only external immigration policies but also the removal of internal borders in the European Zone helped encourage the movement of people. It was the 1992 Maastricht Treaty however, that formalized the mobility rights of EU citizens and created a natural preference for EU citizens in migration (McLaren 2001: 88). As a result there was an increase in the number of EU citizens deciding to move throughout the EU, however, most assumed they would be what Favell and Hansen refer to as "circular migration" (Favell and Hansen 2002: 582) or what Fligtein calls "shuttle migration" (2008: 170) which was temporary with the migrant returning to their home state after a short period of time.

This all changed with the beginning of the accession process of East European states in the mid-1990's. With the looming expansion into the East it was assumed that once the candidate states became a part of the EU there would be an influx of cheap labour. As McDowell explains:

> One of the most difficult issues raised during the accession
> negotiations was how to tackle fears of the existing member-

> states that these new, less-privileged citizens would immediately migrate westwards on accession. Once in the West it was assumed that they would either swell the unemployment figures or take jobs of poorly qualified natives, as well as constitute a politically-awkward enclave population (2009: 20).

In France and elsewhere this was labelled the "Polish Plumber" problem.

There was some circumstantial evidence that led many to believe that this scenario could materialize. For example, in a 2004 survey over one quarter of Lithuanian pharmacists said they would move to other areas of the EU when given the chance (Smigelska et al. 2007: 505). Kupiszewski predicted that over the long-term over one million Poles would emigrate to other EU countries and that the EU should expect "a short-lived relatively high wave of emigration as soon as the legal and administrative restrictions on the freedom of the movement of labour are lifted" (2002: 642). The most in-depth study of the potential movement from east to west was performed by Bauer and Zimmerman (1999). Their conclusion would have been a shock to the states of Western Europe. They predicted that 2-3% of the entire population of Eastern Europe would move at least temporarily to the west, with most of the migration focussed on Austria and Germany (47).

Due to these predictions of rampant movement of not just migrants, but migrants with European citizenship rights, there were demands to restrict the movement of people from the incoming countries. The loudest voices for these policies, not surprisingly based on Bauer and Zimmerman's predictions, were the states that bordered the newly incoming members- Germany and Austria. Their worry was that migrants from the new states could enjoy the benefits of higher wages and social services without having to move too far from their homeland. The European Commission acquiesced to these demands by allowing the established member states to set the conditions for migrants from incoming members for up to seven years. Put another way, while the EU had established mobility rights for its citizens, they would not initially apply to new EU citizens. This was merely one in a series of double standards introduced by the EU on issues surrounding minorities. The other most blatant discrepancy involved the changes demanded of incoming members to improve the condition of their national minorities without the corresponding policies existing in the west. The fifteen established member states therefore enacted varying policies for new EU migrants. The majority of states (Belgium, Finland, France, Germany, Greece, Luxembourg and Spain) chose to treat the new states exactly as they had treated them prior to accession. Migrants would have to apply for work visas just like citizens from other continents and had to prove that there was no one in the country, or established EU member states, capable of performing the specific job. Austria, Italy, Netherlands and Portugal chose to enact a strict quota system with no further permits allowed outside of exceptional circumstances once the limit was met. Britain, Ireland and Denmark allowed for migrants as long as they had proper work visas and specific wage and working condition requirements were met. Finally, Sweden opted for no restrictions and no permits (Boeri and Brucker 2005: 638). While this may seem progressive it was simply due to the Swedish Legislature being unable to agree on the specific restrictions they wanted to impose in the timeframe provided by the European Commission. Without an official policy they had to accept the most open option. It is interesting to note that despite this de facto open door policy, Sweden did not see a noticeable increase in migrants from Eastern Europe. Bahna accounts for this small increase (approximately 1.2% after 2004) to the difficulties in learning the Swedish language and the poor condition of the Swedish economy heading into the accession period (2008: 844). In reality, only Ireland and Britain saw a

substantial increase in migrants applying for work permits. Both countries required labour at the time and more migrants have a grasp of English compared to other languages. The exact number of migrants will never be truly known (many applicants had been in the countries illegally prior to accession) but by 2006, 447 000 people had applied for permits in Britain, most from Poland (McDowell 2009: 20) and Ireland saw over 40 000 migrants arrive in 2006 alone (Barrett and Duffy 2008: 600). There are anywhere from 100 000 to 200 000 Poles alone now in Ireland (Sliwinska 2009). By the end of 2006 Finland, Germany, France, Spain, Portugal and Greece had either scrapped or altered their migration policies for Eastern Europe. However, many states re-introduced the policies for Bulgarian and Romanian citizens after their 2007 accession (Thaut 2009: 192). Even with the recent economic slowdown, there is no evidence that the circular or shuttle migration has occurred. While the number of people moving into Ireland or Britain may have slowed, many are choosing to stay. It would appear that a different migration theory, "network migration" is at play within the EU. Put simply, network migration is the theory that migration from one region to another "may become a self-perpetuating process, because the costs and risks of migration are lowered by social and information networks" (Bauer and Zimmerman 1999: 19). Put another way, "[t]he more people with the same cultural background and the same language in a receiver country, the more attractive this region is for a potential migrant" (Thum 2000:2). Once migrants started to arrive in some states, it became easier for others to follow and due to the networks that now exist in those states, it is easier for them to stay even during difficult financial times. It is too soon to see how many other networks of migrants develop across Europe but what the theory predicts is that once established, they will not necessarily go away over time.

Migrants, National Minorities and Immigrants in the EU

With the expansion of the European Union politically, through its policies on the movement of people and geographically, into Eastern Europe we can therefore see three distinct types of minorities throughout the region. The first are traditional immigrants from outside of the EU. Within this category there are differences between economic migrants, asylum seekers, refugees and illegal immigrants. Here, the EU has been active with the previously mentioned Schengen Agreement, Dublin Accord and the Amsterdam Treaty which moved immigration into the Justice and Home Affairs Office. The result has been, according to Herz "the transfer of asylum, visa and immigration affairs from the third and intergovernmental pillar of the European Union to the first pillar with its community method" (2006: 229). The EU has worked on issues of integration for these immigrants through agencies such as EQUAL, which was funded from 1996-2006. The EU was willing to fund projects designed at supporting integration through employment within specific states. It was designed to create 'best practices' that could then be exported to other EU states for their immigrants and refugees. It was an attempt at providing assistance at the local level to speed the integration process (Interview Faber 2009). Sadly, the program's budget was cut in 2006 and is now defunct, leaving many immigrants with very little assistance coming from the EU directly.

The second classification is national minorities. Here, the EU faces a variety of issues. Some involve the discrepancy between East and West as a result of the accession process. Conversely, some involve the fact that the EU allowed for ethnic conflicts to remain unresolved yet states were granted membership. Most notably the low-level tension between Hungary and Slovakia over the treatment of each other's diasporas (Interview Palermo 2009). The inclusion of

Cyprus is also problematic beyond the fact that the conflict, while dormant, still requires UN Peacekeepers. By allowing Cyprus in without addressing the deep-rooted ethnic issues it makes it difficult to influence potential new members, such as Croatia, to make similarly necessary improvements prior to membership (Interview Schupp 2009). Beyond the problems in the East and new member, Cyprus, there remain issues within the well-established West European members as well. There has been a need to crack down recently on the Basque terrorist organization ETA in Spain (as seen with the 1000 year sentences handed down to ETA bombers in May, 2010) and in March, 2009 despite being officially dismantled, IRA dissidents shot and killed two off-duty British soldiers in Northern Ireland. Throughout Europe there also remains large-scale discrimination of the Roma population. Most notably in Italy where in May of 2008 local governments in Naples and Milan were highly criticized by the international community for what could be seen as anti-Roma legislation. Both cities conducted special censuses for their Roma populations and subsequently forcibly moved Roma villages further away from the cities. This incident culminated in hundreds of Italians attacking a Roma camp with sticks and torches demanding that they leave (www.errc.org). There is little the EU can do in any of these problems as it lacks any laws or policies on minority rights. It lacks enforcement on these issues outside of the accession process, and as the Cypriot and Slovak/Hungarian issues indicate, even that has not been completely effective. While some had hoped that the Lisbon process would set out more control for the European Commission, no such provisions made it into the treaty. Throughout Europe minorities are growing more concerned over discrimination, access to state resources and their relationship with the state.

Finally there are the 'new minorities'. It has been argued that they occupy the middle ground between national minorities and migrants in Europe. They face a variety of challenges, most notably that the EU does not make a distinction between them and regular immigrants. In many ways the new minorities face additional problems compared to migrants from outside the EU. Due to the restrictions of Schengen Space, a (legal) migrant must have a job prior to their entry to the EU. As a result they tend to be better trained and possess greater language skills than someone moving from one EU country to another (Interview Faber 2009). Within Europe many of the jobs that would have allowed a new minority to work within their own language, such as heavy industry are no longer prevalent. They therefore require use of the local language in order to gain meaningful employment.[2] These groups are aware of the European citizenship rights, but in practice those rights are limited to what the state will actually provide. The EU provides its citizens with literature on how to migrate within the region which outline their mobility rights and what to do if these rights are violated (European Commission 2007). However, it lacks enforcement outside of the European Court of Justice on Human Rights, which has up to a 12 year waiting list for cases to be heard (Interview Packer 2009). While many of the 'new minority' attempt to integrate into their new society, a walk through Dublin will now reveal Polish language newspapers, churches and supermarkets, further the concept of network migration and the pull for Polish migrants to this location. As Fligstein notes in a recent survey almost 50% of EU citizens living in a different EU country than their home feel conflicted between seeing themselves as being a part of their new society and their old culture (2008: 171). They are hyphenated Europeans, with loyalties to two states and the EU itself. They are a community that is looking for access to state services, want their rights protected and to avoid discrimination, much like migrant groups, but their issues are now similar to national minorities. As a result, they are also a group that are challenging our understanding of state sovereignty and citizenship. While some (Howard 2009) argue that citizenship in Europe will remain at the state

level, others look at groups such as the intra-ethnic migrants and begin to question this assumption. Schuster and Solomos (2002) note that while difficult to quantify, there is a difference between national and European citizenship and more and more for all migrants "borders are becoming less significant and migrants are increasingly accessing the rights previously reserved for national citizens" (49). With agencies such as the European Union Fundamental Rights Agency already pushing states to end discrimination and provide access for all EU citizens regardless of which state they are in, the lines between national and intra-EU citizenship is continuing to evolve. How the divide between national and European citizenship plays out as the EU moves forward will help shape much of what the EU looks like in the future.

Implications

\   In June of 2009 over 100 Romanian migrants, some Roma, others not were attacked in Belfast by a mob of angry (Protestant) youths. They were forced to flee from their homes and needed to take refuge in a church. The British government determined that the attacks were hate crimes and had to pay to relocate the majority of the Romanians back to Romania as they no longer felt safe in Belfast. This attack opened a new schism in an already divided city. Vincent Parker, the Head of Equality and Human Rights Policy for Sinn Fein believes that the Romanians were attacked both for the fact that unemployment has risen in Belfast and they and other migrants were targeted for blame and also simply because they were different (Interview Parker 2009). Parker worried that this new minority would eventually constitute an 'underclass' and provide "new people to hit" in Northern Ireland. Beyond the size of the population it would seem that EU migrants in Britain constitute a minority at risk. Other new minorities, such as the Poles in Ireland and Britain now constitute sizeable minorities. For example there are now more Poles in England than Cornish. There are demands in Britain for access to media in their own language, which has long been a demand by national minorities and is often a priority for organizations, such as the OSCE High Commissioner on National Minorities to secure to try to maintain peace. Many other issues important to these minorities, such as access to services and education are also found in the work of the High Commissioner (www.osce.org/hcnm). As Packer notes, to argue now that these minorities in the EU are different in law or in practice than national minorities is simply "denying reality" (Interview Packer 2009).

        As mentioned above, the Minorities at Risk Project accounts for situations in which the majority determines who is a minority. If a majority target a group even if that group lacks social cohesion, they are considered at risk. As the Romanian incident in Belfast indicates, it may be the case that in Europe it is the majorities in these states who determine their own definition of minorities. As the 2009 European Parliament elections indicated, there is a growing resentment in many European countries against 'the other'. That other is blamed for loss of jobs, changes to the countries culture and generally their lot in life. These xenophobic, far-right parties do not care whether a group is a national minority, new minority or migrant- they simple will target them all. In many ways the EU already treats national minorities and new minorities equally. As has been discussed above, it lacks effective programs and laws to assist either group. This inability or unwillingness to become involved in issues of social cohesion is a growing frustration among scholars and practitioners in the field. States in the EU have long shied away from voluntarily working with non-EU agents such as the High Commissioner on issues involving national minorities and efforts to help with issues surrounding EU migrants or traditional migrants have been rebuffed by many EU states.[3] Until there is a willingness to

address all issues of social cohesion within the EU these tensions are going to continue to build. The EU will have to face numerous problems in various states, some dealing with national minorities, others with various types of migrants. Many of these issues can be addressed using the same good offices. The EU must begin to address Social Cohesion directly, and in its totality to avoid the destabilizing results of inaction. It will require greater influence by the EU into areas normally reserved as the bastion of the state, but as these issues will destabilize the Union as a whole, it will be necessary. Much of the work on migration is currently handled by the EU's Justice and Home Affairs (JHA) department within the European Commission. It may be necessary to expand this agencies portfolio to include greater influence on issues of social cohesion beyond migration. It may require the EU working with other International Organizations such as the Council of Europe or the OSCE's High Commissioner on National Minorities (unfortunately the High Commissioner is limited in the direct role he can play again due to the use of the word 'national' in his title) in order to learn how to best enter into negotiations and diplomacy on sensitive matters such as those associated with cohesion. It may require the EU to provide a voice for the cultural advocacy groups that are beginning to spring up in Britain, Ireland, Germany and other member states with large EU-migrant populations. This would require much more work in areas where both the European Commission and the member states may be uncomfortable working. Regardless of what needs to be done, the reality is these problems will not be going away and they will only become more critical as more Europeans move throughout Europe with the intention of not returning to their home state. This paper is not naive to suggest that this level of integration is possible or likely in the near future. It is simply argued here that the EU should care and it would be in its best interest to develop effective policies and partnerships to work in this area as quickly as possible.

Conclusion

This paper has argued that the new minorities within the European Union represent a new type of minority group which blurs our understanding of the differences between migrants and minorities. Rather than simply argue that minority politics involve questions of identity and migration politics revolve around access, it is more productive to view all of these groups on a spectrum. To say that the Framework Convention on National Minorities or the High Commissioner on National Minorities have never been used for migrants so they never will, is short-sighted. Identity is a fluid concept and is always in flux. Recognition on the importance of a group's identity is the bare minimum a state must do when accommodating a national minority, what would it hurt therefore to begin that process for new minorities as well?[4] Moreover, as has been discussed it often is not the group that has the opportunity to shape their own identity. If the majority group determines that they are a target for discrimination, the issues most important to any group, migrant, new minority or established national minority will change very quickly. Social cohesion is vital to European integration and it is remarkable that the EU currently lacks many of the good offices necessary to carry-out this role. Without cohesion, the resulting conflicts will destabilize the EU, put greater pressure on states to act independently and threaten the concept of an ever closer union.

The definitions of migrants and minorities have been used by academics and government agencies because they are convenient and in the past may have made a certain degree of sense. We have become too dependent however on these rigid definitions. Very little in politics fits neatly into a convenient box or category. How long must a group live in a region before they are historically relevant? What if a migrant group maintains its identity and demands inclusion based on this identity? There are too many outlier cases to keep our old definitions. If the European

Union is unwilling to acknowledge this melding of groups, it then falls to academics to acknowledge it, study it and make predictions based on this new reality. The typology set out in the Minorities at Risk project provides the sorts of opportunities to study the questions a spectrum approach would generate. It may not be possible for MAR itself to include all cases of new minorities due to the immense amount of new coding that would be required, but by acknowledging that there can be different types of minorities, each who have their own level of group identity, their own issues and particular relationship with the state, then we can begin to look for new patterns and make better predictions. MAR in principle does not make a distinction between large migrant groups and national minorities, it is only in the practical application where a distinction is made. The European Union has provided the perfect storm for researchers. Between the growing movement of people throughout the union, rising xenophobia and the unique aspects of mobility rights as set out in the *acquis communitaire* there is much that can be studied in regard to social cohesion in Europe. It will be necessary to find new and creative ways to carry out this work. The first step will be to acknowledge that our basic understanding of what is a minority has changed.

[1] See for example the evolution of the concept of nationality from Joseph Stalin (1921) *Marxism and the National Question* which sets out strict homogenous requirements for consideration as a nationality to Rogers Brubaker (1992) *Citizenship and Nationhood* (Cambridge: Harvard University Press) discussion of ethnic and civic understandings of ethnicity which allows for the creation of new heterogeneous nationalities.

[2] Sliwinska notes that this is the biggest problem facing the Polish community in Ireland.

[3] An official with the Organization for Security and Co-operation in Europe who wishes to remain anonymous acknowledged that the OSCE has tried to work with both the European Union and many of the EU member states with no success.

[4] I am grateful to both Natalie Sabanadze and Klemens Buescher, Senior Advisors to the OSCE's High Commissioner on National Minorities for their insight and providing both sides of this debate. Interviewed in The Hague, 18 June, 2009.

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