

# The Framing of Immigration

An Analysis of the European Immigration Pact

Viktorina Vincze

# Abstract

International immigration has become one of the greatest concerns in world politics in the last few decades. Due to discrepancy of wealth among different regions of the world, some states have become destinations for immigrants whilst others have become targets of brain drain. The aim of this thesis is to examine how immigration is framed in today's European immigration policy. More specifically, I will take a look at why immigration has become a problem, instead of being seen as an opportunity. In order to pursue this analysis a framing model, developed by Robert M. Entman will be applied. With the help of Entman's framing paradigm, four different frames will be highlighted which are to be found in the Pact. By analyzing the draft of European Pact on Immigration and Asylum, the result indicates that the two most dominant frames in the text are the *Illegal frame* and the *Security frame*. Since the Pact is to be transposed further into practical actions by the next multiannual policy programme of Justice and Home Affaires, the result of this thesis is rather considerable.

*Key words:* European Union, immigration, framing, European Immigration Pact  
Words: 9747

# Table of contents

<b>1</b>	<b>Introduction.....</b>	<b>1</b>
1.1	Aim of the thesis .....	1
1.2	Methods and Materials .....	2
1.2.1	Discourse analysis .....	3
1.3	Delimitation.....	3
<b>2</b>	<b>Theoretical Framework.....</b>	<b>5</b>
2.1	Framing .....	5
<b>3</b>	<b>European Immigration Policy .....</b>	<b>8</b>
3.1	Conceptualizing immigration.....	8
3.1.1	Immigration, immigrants, migrants.....	8
3.1.2	Different factors of immigration .....	9
3.2	A historical overview .....	10
3.2.1	The Tampere and the Hague Programme.....	11
3.3	The European immigration pact.....	12
<b>4</b>	<b>Analysis .....</b>	<b>13</b>
4.1	The Illegal Frame .....	13
4.2	The Security Frame .....	16
4.3	The Economical Frame .....	19
4.4	The Eurocentric Frame.....	20
4.4.1	Macro perspective .....	21
4.4.2	Micro perspective.....	21
<b>5</b>	<b>Conclusion .....</b>	<b>24</b>
<b>6</b>	<b>References.....</b>	<b>25</b>

# 1 Introduction

“The EU has been built on a commitment to mobility – of goods, capital, labour and services – while on the other hand it has now become concerned with imposing restrictions on mobility in the name of security” (Delanty 2008:689).

In recent years, illegal immigration has become a great concern for European politicians due to the growing number of illegal immigrants entering the territory of the Union. The issue was also one of the highly debated topics of the French Presidency of the EU. At the centre of the debate are questions about how to manage the influx of immigrants by creating new immigration policies or strengthen the already existing ones. In order to continue paving the path towards a common European immigration policy, *the European Pact on Immigration and Asylum* was signed at the October EU Summit 2008 by all 27 Member States. The expression “Let some of them in”, used in *The Economist*<sup>1</sup>, is an accurate description of the purpose of the pact, since it is formed in a way to crack down on illegal immigrants while attract qualified labour-force to come and work in the EU. Considering the demographical changes in the European Union, with low fertility rates and an ageing population, it is known that Europe is in need of labour-force, both high-skilled as low-skilled workers.

The definition of immigration as a problem is particularly important as it can shape the direction of future policy making. Public opinion often depends on how the political elite frame issues to fit their own interests (Chong & Druckman 2007:99). For example, citizens’ opinions about illegal immigration may depend on whether the politicians frame it as a security issue or an economic, labour-force related issue.

## 1.1 Aim of the thesis

The aim of this study is to examine how immigration is framed in today’s European immigration policy. More specifically, I will in this analysis take a look at why immigration has become a problem, instead of being seen as an opportunity. Further, I will analyze how the immigration problem is framed to fit

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<sup>1</sup> *The Economist* – *Letting some of them in*, 2 October, 2008

politicians' future policy making by examining the European immigration pact. The main question of this thesis will therefore be the following:

*How is the immigration problem framed in the European Pact on Immigration and Asylum?*

I consider the aim of this topic to be important, not only because immigration is a highly debated and a very up-to-date issue but also because the way immigration is framed today has a crucial importance in how the immigration policy in the near future will be shaped. For example, in the case of the European immigration pact, the pact is intended to provide general lines and principles guiding future European immigration policies. In other words, the programme which will be the successor of the Hague Programme in 2010, will enable the Pact to be transposed further into practical actions (Draft of European Pact on Immigration and Asylum).

## 1.2 Methods and Materials

To give this research a theoretical relevance, I have chosen to base this study on the theory of *frame analysis* also known as *framing*. Although this theory is neither a full-fledged theoretical paradigm, nor a coherent methodological approach<sup>2</sup>, it has been well applied in various disciplines during the last three decades. As there are a variety of different approaches to framing, I will, in my analysis, rely on Robert M. Entman's famous *framing paradigm* in which four processes to identify framing are presented, namely to *define problems*, *diagnosing causes*, to *make moral judgements* and to *suggest remedies*. I presume that his model will help me to identify the frames hidden in the new immigration pact, which is also the object of this analysis. Since an official version of the European Pact on Immigration and Asylum is not yet available, I had to rely on the latest draft issued on 24 September 2008, right before the pact was adopted by all the 27 Member States.

In order to narrow the analysis, I have borrowed some of George Lakoff and Sam Ferguson's framing concepts, namely the *Illegal Frame* and the *Security Frame*, while adding two of my own frame suggestions found in the text, namely the *Economic* and the *Eurocentric Frame*. The framing concepts suggested by these two fellow researchers were only to be found in the article "The Framing of Immigration", published on the Rockridge Institute's homepage<sup>3</sup>, therefore, they might not be considered as reliable concepts. But since George Lakoff is a well established professor of cognitive science and linguistics at the University of California, Berkeley and a founding senior fellow of the Rockridge Institute, and

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<sup>2</sup> See page 4

<sup>3</sup> For more info, visit <http://www.rockridgeinstitute.org/>

Sam Fergus who is also active at the UC Berkeley, I believe that they are more than appropriate and interesting to use in my analysis.

Furthermore, apart from Entman, Lakoff and Ferguson, I will, in this research, refer to other significant scholars and their work on framing or/and immigration, such as Dennis Chong, James N. Druckman, Gerard Delanty, Thomas König, only to name a few.

### 1.2.1 Discourse analysis

As “frame analyses are a number of related, even though sometimes partially incompatible methods for the analysis of discourses” (Scheufele 1999:118 in König), I find it necessary to briefly introduce what discourse analysis is about and how it is connected to framing.

The term discourse analysis is very ambiguous; it is both a qualitative method – which also will be applied in this study - and a theory that has been used in different disciplines, mostly in human and social sciences. According to Bergström and Boréus, *discourse analysis* as a method can be considered as a text analysis in a broad sense, where the focus of discourse is on the role of language and how it is used to uncover the way social reality is produced (Bergström & Boréus 2005:305). In fact, all discourse analyses have texts as their basis. Text as such must be understood in a broad sense, just as Bergström and Boréus stated; it can be both written in form of documents, web pages, articles etc., and spoken in form of a speech, a conversation, broadcasts on TV, radio, web, etc. Since the purpose of this study is to analyze the draft of the European immigration pact, the method used is text analysis incorporated in a framing paradigm.

The link between discourse analysis and framing emerged through Erving Goffman and his work on framing (König 1999). Apart from introducing the method of *frame analysis* as a part of discourse-based methods, he also contributed other essential concepts to the field of discourse analysis, such as interaction order, footing and face<sup>4</sup>. However, Goffman’s original *frame analysis* has been adopted and developed by a number of other scholars from various disciplines (Ibid.). One of them is Robert Entman whose framing model will be applied in this study (see chapter 2).

## 1.3 Delimitation

I am well aware that research on framing is best applied by using data from mass media, that is, by analyzing newspaper articles and information from other communication channels such as television and radio. To be able to conduct such

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<sup>4</sup> For more information see works of Erving Goffman from 1955, 1974, 1981 and 1983

an immense research successfully, it requires access to archives of these different communication channels, but most importantly, it requires time.

My idea from the beginning was to examine in which way the French media has influenced the shaping of the draft on the European immigration pact. Since the French President Nicolas Sarkozy, ever since his presidential campaign in 2007, has been calling for a new European pact on immigration, the choice of material seems therefore rather unproblematic. In this case, the most appropriate time-line to make the analysis would be a period between the start of Sarkozy's presidential campaign in January 2007 and his presentation of the European immigration pact in June 2008. It means an examination of different media channels of an approximate period of one year. My selection of materials would include three of the main daily French newspapers, namely *Le Monde*, the most popular French newspaper with a centre, centre-left political orientation; *Le Figaro* which is a conservative i.e. right-wing newspaper supporting the French ruling party UMP, *Union pour un Mouvement Populaire*<sup>5</sup>; and *Liberation*, a very liberal i.e. left-wing newspaper.

I believe that the accumulation of all the articles from the three newspapers mentioned above, would not have caused any main difficulties for me. My only concern was the lack of time. I figured that such an analysis would take more time than I had at my disposal and I was, thereby, obligated to choose a different approach for my research. As I still wanted to do an analysis within the same field i.e. immigration, I decided to choose the latest draft of the European Pact on Immigration and Asylum to serve as my object of analysis. I argue that this new European immigration pact can be considered as an outcome or a summary of the current debate and public opinion on immigration, therefore I believe that this paper can contribute to further research within this area.

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<sup>5</sup> The Union for a Popular Movement

## 2 Theoretical Framework

### 2.1 Framing

Lakoff and Ferguson argues that “framing is at the center of the recent immigration debate.” (Lakoff & Ferguson 2006). But what entails *framing* exactly and how can it be applied in a scientific research?

*Framing* or *Frame analysis* as it is often used in the literature is neither a fully developed theoretical model nor a coherent methodological approach. As Scheufele puts it, frame analyses are somewhat of a mix of different, but related methods for the analysis of discourses (Scheufele 1999:118 in König). Despite its weakness, *framing* as a method has been used for decades in different areas<sup>6</sup>. This approach is mostly applied by communication scholars and political scientist within three different disciplines, such as in media studies, in social movement studies and within management and organizational studies. Each of these studies has focused on different areas of framing theory by applying different methods to approach the subject (Ibid.). As a consequence, there are rather different definitions instead of a common broad definition of framing. Furthermore, the term *frame* is used in two ways; as a *frame in communication* and as a *frame in thought*. *Frame in communication* or *media frame* as it is also called, which I will also apply in this study, refers to words, images, phrases and presentation styles used by a speaker, for example a politician or other media channel, to intermediate information about an issue or event to an audience. The frame used in this context “reveals what the speaker sees as relevant to the topic at hand” (Gamson & Modigliani, 1987, 1989 in Chong & Druckman 2007:100). While *frames in communication* refer to the interests of the speaker, *frame in thought* or *an individual frame* reflect the audiences’ emphasis, that is, what they believe to be the most relevant aspect of the issue (Chong & Druckman 2007:101).

To fit the *frame in communication*, as an adequate definition, I will rely on Robert M. Entman’s definition of framing which says: “To frame is to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, casual

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<sup>6</sup> See König



interpretation, moral evaluation, and/or treatment recommendation for the item described.” (Entman 1993:52).

The two keywords of framing, according to Entman, are *selection* and *salience*. The term *salience* means highlighting of information in a way that it becomes noticeable and meaningful for the audience. By *salience*, Entman means an outcome of the interaction between the text and the receiver (Ibid. 53).

Although, Entman states that frames have at least four locations in the communication process, namely the communicator, the text, the receiver and the culture, I would argue that framing, in form of *selection* and *salience* is not present in all of these locations. I consider *selection* as a two-way process while *salience* can be considered as a one-way process. *Selection* is an instrument for the communicator to frame a subject to pursue own interests, it is also an instrument that is used by the receiver. The receiver is able to *select* whether they want to receive the information and take it in or not, because there is no guarantee that the presence of framing in the text will influence the thinking of the receiver. Receivers are most likely to be affected by frames when they possess insufficient information about the framed subject and its alternatives (Entman 1993:53-54). *Salience* as an instrument, on the other hand, is only available for the speaker. Neither a text, nor a culture is able to use framing. First of all, a text can only intermediate what it already has been selected and highlighted by the communicator and/or the receiver. Second of all, since a culture is considered as a “stock of commonly invoked frames” (Ibid.), it is not the culture per se, but the individuals within this grouping that has selected and/or highlighted the frames.

However, as I have already mentioned above, framing has become central in the recent immigration debate. In fact, frames have important implications for political communication such as highlighting certain aspects of reality while leaving other aspects highly insignificant (Entman 1993:55). Framing can either be associated with negative connotation – ex. as a strategy to manipulate individuals, or with positive connotation – ex. as a learning process. As Chong and Druckman argue, framing is often construed in negative terms in the public opinion field due to the framing effects which suggests that political elites can manipulate popular preferences to serve their own interests (Chong & Druckman 2007:120). As a consequence, when political elites seek to dominate framing of a certain issue, in the same time they are forced to compete with elites of different persuasion. In this context, framing is seen as an instrument to exercise political power (Entman 1993:55). Yet, Sniderman and Theriault state that framing might be less influential in politics than in other studies due to the exertion of political influences. What they mean is that since exertion of power results in the competing of opposing frames, there is a chance that the frames cancel each other out and will leave the public opinion unaffected. Moreover, it has been proved that individuals when exposed to frames from different political factions, they favoured the frame that was consistent with their own values (Sniderman & Theriault 2004 in Chong & Druckman 2007:102). But how can frames in a text be recognized?

In order to identify frames, a model must be used. A useful model is Robert Entman's *framing paradigm* in which four different processes are identified: *defining problems* – a costs and benefits analysis of the agent, usually measured in terms of common cultural values, *diagnosing causes* – identifying the source of the problem, *making moral judgements* – evaluating casual agents and their effects, and *suggesting remedies* – finding solutions for the problem in question and analyse their effects. Entman adds that while one sentence may contain more than one of these processes, many sentences may not contain any at all. Moreover, a frame in a text may not necessary include all four processes (Entman 1993:52). A good example to demonstrate how this model works is the *cold war frame* example. The cold war frame, which according to Entman, dominated U.S. news of foreign affairs, “highlighted certain foreign events, - say, civil wars - as problems, identified their source (communist rebels), offered moral judgments (atheistic aggression), and commended particular solutions (U.S. support for the other side)” (Ibid.). With this model in mind, I am hoping to indentify frames that are hidden in the draft.

# 3 European Immigration Policy

With the creation of an area of free movement, resulting in the abolition of the internal borders of the European Union and in a further widening of the Schengen area, new policies and instruments were needed to be developed in order to manage the challenges of sustainable immigration. In this chapter, a brief historical overview of the development of the European immigration policy will be presented, followed by a short description of the European Pact on Immigration and Asylum.

Since this thesis mainly focuses on how the immigration problem is framed in the European Union, I find it important to give clarity to the definition of immigration and immigrants, before I start the analysis. In order to develop effective prevention programs or immigration policies, it is necessary to understand what motivates people to migrate; therefore different factors to immigration will also be highlighted.

## 3.1 Conceptualizing immigration

### 3.1.1 Immigration, immigrants, migrants...

According to the Encyclopedia Britannica<sup>7</sup>, the definition of the word *immigration* is the following: in an intransitive sense it means “com[ing] into a country of which one is not a native for permanent residence” while in a transitive sense it refers to the action to “bring on or send as immigrants”. Furthermore, as immigrants and migrants are often used as synonyms, a clarification is needed surrounding these two terms: an *immigrant* is a “person who comes to a country to take up permanent residence” while a *migrant* is a “person who moves regularly in order to find work”.

Meissner points out five categories of migrants; *legally admitted immigrants and non-immigrants* including immigrants admitted legally by traditional immigrant-receiving countries such as the US, Canada and Australia and foreign students, multinational corporation executives and managers, scientist etc., *contract labor migrants* referring to workers migrating through a contract

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<sup>7</sup> Online Academic Edition

arranged between labour-surplus countries and other regions of the world, *illegal immigrants* referring to individuals crossing borders without proper documents and those who overstay the terms of authorized visas, *asylum-seekers* and *refugees* (Meissner 1992).

High-skilled or high-qualified and low-skilled or low-qualified workers are other immigrant-related terms used in this paper that also need to be clarified. High-skilled labour refers to persons with academic background; the most recruited and desired are workers within information and communication technology, engineers and hospital staff. Low-skilled workers are people who are either non-graduated or uneducated. Workers within this category are offered jobs with low wages.

### 3.1.2 Different factors of immigration

Immigration per se as a phenomenon is nothing new; people have been moving from one place – country or region - to another in search of a better living ever since the dawn of human evolution. Rather, it is the massive influx of immigrants, mostly illegal, which is to be considered as unprecedented, not only in Europe but also other “receiving” countries. While back in history the motives of immigration might have been the lack of sustenance, shelter and/or safety, these motives have not really changed over time. The only thing that differs from today’s motives is the typology; today’s immigration is mostly motivated by economical or non-economical reasons. Economic determinants can involve for instance labour recruitment, un- or under-employment, network influences, while non-economic factors can be constituted by family reunification, escape from war and persecution, adventure seeker etc. (Widgren & Martin 2002:215).

Factors of international migration have been studied by various scholars. Massey et al. present the different factors by categorizing them by different theories: The *neoclassical* approach states that integration is caused by geographical differences in the supply and demand for labour. As a result of countries diversity of labour capacity, different wages make workers move from a low-wage to a high-wage country (Massey et al. 1993:432). Another aspect within this theory describes the factor of immigration by a cost-benefit calculation. Massey et al. states that individuals are rational and choose to move if the trade-off has net benefit (1993:434). In other words, people migrate only if they believe that they can gain more than lose from migration. On the contrary, *Dual labour market* theory, insists on that migration does not stem from a push factor, i.e. rational choice decisions, but rather from a pull factor, that is, a need of foreign labour (1993:440). According to the *World systems* theory, “migration is a natural outgrowth of disruptions and dislocations that inevitably occur in the process of capitalist development.” (1993:445). Taking into account the influence of land, raw materials, labour within peripheral regions, and global cities on migration, it all comes down to one result: low-skilled natives refuse low paying jobs which creates strong demand for immigrants, while well-paid, upper jobs are occupied by well-educated natives and high-skilled immigrants (1993:447). Apart from

economical factors such as wage differences, trade-off benefits etc., the *Network* theory present a social factor to migration. This approach states that interpersonal ties such as kinship, friendship and shared community origin lower the costs and risks of movements which in turn will encourage the immigrants to move to countries they have relationship with through friends or relatives, or where communities of immigrants are established (1993:448).

## 3.2 A historical overview

A tendency of being a country of immigration rather than a country of emigration has started to occur among European countries in the 1960s. This shift, caused by a significant increase in immigration into the EU, can be explained by different political, historical and economical factors such as a substantial labour shortage in the reconstruction sector in the postwar era and the outcomes of the political changes in Eastern and Western Europe, that is, large influxes of immigrants from former communist countries into EU countries and its surroundings, only to name a few. Given these ongoing demographical changes, national policies needed to adopt a different path to be able to manage the unprecedented immigration flows. Depending on the countries political approach to and social values of immigration, these policies differed and still differ significantly from one another<sup>8</sup> (Bia 2004:5).

Although the debate on immigration at the EU level commenced already in the early 1980s with the Schengen Agreement, growing concerns about immigration did not become a matter for the Union as whole<sup>9</sup> until the Maastricht Treaty entered into force in 1999. Through this treaty, the cooperation on Justice and Home Affairs, also known as the *third pillar* of the European Union, dealing with “matters of common interest”, became institutionalized (Apap 2002:309-310).

However, it was only a decade later that a first common guiding policy for immigration and free movement was formally included into the Treaties, stipulating that “the internal market shall comprise an area without borders in which the free movement of goods, persons, services and capital is ensured in accordance to the provisions of this Treaty” (Article 14 (2) EC Treaty). With this common policy of free movement of persons and with a more open European internal market in sight, an ongoing work has started its path of reforms towards a common immigration policy.

Considerably changes took place in the domain of immigration when member states agreed upon an even closer cooperation in immigration- and asylum-related matters. With the Amsterdam Treaty entering into force of the in 1999,

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<sup>8</sup> See Bia 2004 for Italy and Germany; see also Apap 2002 for Germany, Sweden, The Netherlands and the UK

<sup>9</sup> Except for the United Kingdom, Ireland and Denmark which has opt-outs from the common immigration law but includes two Schengen countries such as Iceland and Norway.

immigration, asylum and visa matters has moved from the third pillar to the first pillar. From a political perspective, this change involves a shift from an intergovernmental decision-making, unanimity voting and veto-right to supranational legislation and qualified majority voting (Bia 2004:7). To put it differently, this shift indicates a transfer of national competences concerning immigration issues to the EU level, but since the Amsterdam Treaty does not comprise any legally binding instruments in this area, the member states keep continue to make their own immigration policies taking into account national concerns, instead of leaving this responsibility to the EU institutions in compliance with the supranational norm (Bia 2004: 9).

The lack of binding legal instruments in the immigration area is considered as one of the main reasons of the inertia in the creation of a common European immigration policy. However, some important, immigration related policies regarding visa and most asylum and refugee issues became legally binding with the Treaty of Amsterdam and are superior to national legislation. Also, EU institutions, especially the European Parliament has gained more decision-making power and the veto power of the member states has been gradually reduced.

When it comes to legal immigration, differences in regulation apply. Within this domain, some Member States still retain their national competences; Denmark, Ireland and the UK have opt-outs from EU immigration, asylum and civil law. Furthermore, in accordance with the Hague Programme, see below, unanimity voting and the use of national veto rights along with restricted parliamentary are commonly applied for a set of policies within this domain, such as legal long-term migration on third-country nationals, their freedom to travel up to three month etc. (Bendel 2005:22-23).

### 3.2.1 The Tampere and the Hague Programme

With the aim to achieve an overall harmonization between the member states within the immigration area in the near future, two programmes were adopted: the Tampere programme in 1999 for a five-year-period, and the Hague programme, which is in force since 2005, also for a five-year-period. The regulations set down in these two programmes would serve as guidelines to create a somewhat of a common European immigration and asylum system (Bendel 2005:20).

The Tampere programme invoked a creation of an *area of freedom, security and justice*, with the following policies in mind: The *Partnership with the countries of origin*, the creation of a common European Asylum System, measures to guarantee a fair treatment of third country nationals and the management of migration flows (Bendel 2005:21). Even though not all of the aims were achieved, progresses have been made. According to the European Council, “the foundations for a common asylum and immigration policy have been laid, the harmonisation of border controls has been prepared, police cooperation has been improved, and the groundwork for judicial cooperation on the basis of the principle of mutual recognition of judicial decisions and judgments has been well advanced” (The Hague Programme).

In November 2004, a new program for Justice and Home Affairs was adopted by the European Council with the aim to strengthen *area of freedom, security and justice*, the policy adopted along with the Tampere programme. The Hague Programme, as it is called, sets out ten priorities: the protection of fundamental rights including citizenship, the fight against terrorism, migration management through a common European immigration policy, internal and external borders and visas, a common asylum area, the positive impact of migration on our society and economy, privacy and security in sharing information, the fight against organised crime, civil and criminal justice, sharing responsibility and solidarity in the field of Freedom, Security and Justice (Hague programme).

### 3.3 The European immigration pact

“If the French government is to be believed, immigration policy in Europe is in need of some ‘house-keeping’.” (Collett 2008:1). This statement is well supported by the fact that ever since his election campaign in 2007, French President Nicolas Sarkozy, has been calling for an immigration pact for Europe, which was officially presented in July 2008, at the beginning of the French presidency.

This pact, the European Pact on Immigration and Asylum was unanimously adopted by the European Council at the European Council Summit on the 16<sup>th</sup> of October, 2008. The aim of this pact is to create a system that would deal with the constant influx of immigrants into the European Union through different common approaches. Also, the pact is likely to define the framework for the successor of the Hague Programme which is expected to be agreed under the Swedish Presidency in the second half of 2009. Since the pact is conceived as a political document, therefore, it has no legal binding (Carrera & Guild 2008:1).

The pact includes five key issues, namely organization of legal immigration and integration, control of illegal immigration, effective border control, construction of a European asylum system, migration and development (European Pact on Immigration and Asylum). Although the pact might seem as ambitious and revolutionary at first, the five key issues mentioned above has already been conceived and declared in both the Tampere and the Hague Programme (Collett 2008:1).

## 4 Analysis

*Illegal immigrants, illegal aliens, undocumented workers, guest workers, border security, amnesty* and the list could go on. Since simply immigration as a frame does not provide us with an extensive idea of the problems related to immigration, each of these frames defines a specific problem and to each of them should be given more consideration in the process of solving the immigration problem (Lakoff & Ferguson 2006).

By examining the different frames and the way they appear in the draft on the European Pact on Immigration and Asylum, I am hoping to find an answer to the main question posed: *How is the immigration problem framed in the European pact on immigration?* In order to pursue this analysis, I will first take a look at immigration frames used in the public debate proposed by Lakoff and Ferguson. Then, by using Entman's framing model, I will examine how these frames, and other ones as well, appear in the European immigration pact.

### 4.1 The Illegal Frame

As Lakoff and Ferguson states, the illegal frame is one of the most commonly used frames within the immigration debate. According to them, the term *illegal immigrants* is not neutral but rather embedded in a highly structured illegal frame. It is highly associated with the illegal act of border-crossing, that is, the term *illegal immigrants* is framed as a legal problem (Lakoff & Ferguson 2006). However, illegal immigration is not simply a legal problem, but also economical and political one which I will discuss further in this chapter.

By using the term *immigrant* per se to identify an individual who decides to leave his/her country to live permanently in another one, for some people, it might also signify *otherness*. This concept, by using a rather popular definition, defines a social differentiation separating "us" from "them". Differentiation per se is not to be considered as destructive; on the contrary, differentiation, in the sense of being unique or extraordinary can be very beneficial. It is destructive only when differentiation, whether it is based on ethnic, geographical, economical or other distinguishing characteristic, is represented by negative aspects of identification. Since the *Other* is a stereotype of what is excluded and strange, by identifying the other as a threatening stranger is a good example of a destructive differentiation (Delanty 1995 in Creutz-Kämppi 2008:298). In the European immigration context, "us" often signifies Europeans while "them" signifies the *Others* i.e. the immigrants. When immigrants exposed to destructive differentiation a false perception of their collective identification occurs, which might also result in a



degradation and denigration of the group. Also, “given the vast diversity in migrants’ origins, destinations, life choices and cultures, treating them as a single homogeneous group is unrealistic, not to say naïve” (Collett 2008:3). Also, in post-September 11 Europe, immigration became conflated with international terrorism; moreover, the immigrants were framed as societal enemies (Messina 2008:419).

Similar to the term *immigrant*, the adjective *illegal* is also charged by negativity. *Illegal* signifies a violation of a law, i.e. something legally prohibited. Identifying immigrants as such, it is not only misleading but is also juridically and morally incorrect. It is highly misleading because, just as Kaas argues: “Calling people *illegal immigrants* is as misleading as calling jaywalkers *illegal walkers* and speeders *illegal drivers*.” (Kaas 2008). It is juridically incorrect because the terms *illegal* and *criminal* are often used as synonyms although they are treated differently by the law. Due to the *Return Directive* which was adopted by the European Parliament in June, 2008, illegal immigrants will be treated according to the same rules in the EU. The purpose of the legislation was to lay down common rules and procedures on the return of illegal immigrants<sup>10</sup>. According to this directive, the procedures regulating expulsion of illegal immigrants shall be standardized so that a common discipline can be established concerning the expulsion or the granting of legal status to every immigrant residing illegally within the borders of the EU.

Furthermore it is also morally incorrect, because putting these two negatively charged terms together, *illegal immigrants* unfairly condemn and stigmatize individuals. The term is often associated with drugs, crime, human smuggling, trafficking and trespassing (Dunaway et al. in Kim et al. 2008:6). As matter of fact, many of those we call illegal immigrants arrive perfectly legally to the European Union by traveling with authorized visas or other travel documents, and become automatically *illegals* when they overstay the validity period of the visa (Broeders & Engbersen 2007:1594). But we should not forget the fact that hundreds of illegal immigrants risk their life and limb every week to reach European shores, striving for a better life for themselves and their family (The Economist). These individuals’ only crime might be “committing victimless technical offenses” which can not be compared with the action of a prototypical criminal. So defining them as criminals overlooks the huge gains they generate for the European Union’s economical prosperity by working hard for unfairly low wages (Lakoff & Ferguson 2006).

The term *illegal immigrants* also commonly used in the new European immigration pact to identify immigrants entering the European border illegally i.e. without papers. In fact, *illegal immigrants* is the only designation used in the draft. It has been used six times; five times in a destructive manner:

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<sup>10</sup> For further information see [http://www.europarl.europa.eu/news/expert/infopress\\_page/018-31787-168-06-25-902-20080616IPR31785-16-06-2008-2008-true/default\\_en.htm](http://www.europarl.europa.eu/news/expert/infopress_page/018-31787-168-06-25-902-20080616IPR31785-16-06-2008-2008-true/default_en.htm)

- to control illegal immigration by ensuring that illegal immigrants return to their countries of origin or to a country of transit;<sup>11</sup> (p.4,7)
- illegal immigrants on Member States' territory must leave that territory; (p.7)
- each Member State has the legal instruments to ensure that illegal immigrants are expelled; (p.7)
- to develop cooperation between Member States [...] to ensure the expulsion of illegal immigrants; (p.8)

But only once in a positive sense:

- to invite Member States to take rigorous action, also in the interest of the immigrants, by way of dissuasive and proportionate penalties against those who exploit illegal immigrants (employers, etc.); (p.8)

But would the use of different designation affect the contents of the pact in any ways? I would argue that with the right terms it would be possible to change the attitude of the pact towards illegal immigrants. The only problem is that I have been unable to find a more appropriate designation. Terms used in the media defining immigrants crossing borders illegally are the following: undocumented workers, illegal aliens, irregular immigrants, economic refugees and economic immigrants. I have already discussed the dilemma with the term *illegal*, yet, using it as an adjective to the word *alien* can not be more “unhumanizing”. The term *alien*, just as *immigrant*, also stresses otherness; referring to foreigners who do not belong there. While the designation *undocumented workers* seems as an acceptable and less accusatory than *illegal immigrants*, it is not in the least unproblematic. As Lakoff and Ferguson put it, the term *undocumented* suggests that the workers should be documented, that is, it implies irregularity in the sense of not being normal. Moreover, the word *worker* suggests that the immigrants’ only function is to work; meaning that they are not expected to educate themselves nor do any other activities while residing in the host country (Lakoff & Ferguson 2006). The term *irregular* might be slightly biased than *illegal*, but the signification is the same. *Economic refugees* and *economic immigrants* are not neutral designations either. The adjective *economic* gives us the impression that immigrants are only residing in a country to work. In other words, they are, for instance, not expected to educate themselves (Collett 2008:3). The *refugee* designation might be even more destructive than the term *illegal*.

Nevertheless, it could be argued in what way it would be possible to find a more appropriate designation for something unwanted. Sooner or later, this “nicer” term would eventually carry a negative meaning.

In accordance with Entman’s *framing paradigm*, the first four examples mentioned above fit the *suggest remedies* function perfectly. The solutions

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<sup>11</sup> The same ... is used twice in the text

suggested includes ensuring of return, expel, expulsion of illegal immigrants and a requirement for them to leave EU's territory. What kinds of message do these suggestions transmit to the receiver?

It is not necessary to read between the lines. The message is pretty clear: it is not in the interest of the European Union to host unwanted individuals. Therefore, the Member States are all called for a stricter and more effective control of borders, and to pursue of the common return policy. These unwanted individuals are categorized as illegal immigrants while their only crime committed might be the pursuit of a better life. By using the term *illegal immigrants* instead of other designations such as *undocumented workers*, gives the suggested solutions a righteous character. In so doing, the political elites invoke the illegal framing of the immigration problem as a practical strategy to gain support for the solutions proposed. Thus, *moral judgments* made here is to consider illegal immigrants as criminals.

And as illegal immigrants are often negatively associated with crimes, the public opinion about illegal immigration has also become a security issue. 43 % of Europeans are frightened by the continued influx of immigrants, arguing that this phenomenon will contribute to increase criminality (Le Monde), which leads us to the next frame, that is, the security frame.

## 4.2 The Security Frame

Delanty argues that “with the emergence of a European political community that has diminished national sovereignty [...], both Europe and migration become linked as sources of instability for many people” (Delanty 2008:677). In an insecure world, not only the public opinion but also the elites tend to consider the influx of immigrant as threats or a cause to insecurity, despite the immense economical contribution they make to the Member States' economy (Breunig & Luedtke 2008:123).

During the post-war era, the immigration policy was in equilibrium due to an established division between economic, societal and physical safety aspects. The economic aspect includes providing of adequate necessities for foreign workers; the societal aspect encourages the integration of the immigrant into the society as well as the facilitation of social relation between immigrants and citizens; and finally the physical safety aspect put emphasis on Europe's external border controls and the prevention of transnational crime. However, this equilibrium was thrown out of balance, mainly due to the September 11 attacks. While preceding the terrorist attacks, the political elites considered it possible to treat labour immigration policy, immigrant incorporation policy and border control policy in relative isolation, it has now become problematic to implement these policies without confrontation. Messina argues that “terrorism now suggests that the liberal state's commitment to expansive immigration and generous immigrant incorporation policies possibly conflict with its core responsibility to safeguard the physical safety of its citizens” (Messina 2008:419).

Security implies that there is a possible threatening situation. It means that where threat occurs, there are objects to protect (Lakoff & Ferguson 2006). Every state has an obligation, to protect their citizens from external threats. Such a responsibility applies also for the EU as whole. It has been argued that the lack of internal borders will augment illegal activities such as illegal border-crossing, drug smuggling and trafficking, therefore an effective external border is considered as a must for security reasons.

So in what manner does the security frame appear in the draft? Just as Entman's model suggests, I will, first of all *diagnose causes*. As the new European pact includes eight propositions on illegal immigration but nineteen propositions on security matters<sup>12</sup> - the word *control* appears twenty times in the text - it is quite evident that immigration is mostly framed as a security problem. By identifying the forces creating the problem, I have found two apparent sources; illegal immigrants, of course, and the lack of adequate resources and system to manage immigration. Considering all the propositions on security matters laid down in the text, illegal immigrants are regarded as main source to the immigration problem. Were it not for the fear of illegal immigrants and the unwanted effect of their influx into the EU, then why does the draft, which is not even a legally binding document, includes measures to such an extent? Apart from external border controls, the draft also includes other measures, mostly of cooperative kind:

- to develop cooperation between Member States, [...] to ensure the expulsion of illegal immigrants (biometric identification of illegal entrants, joint flights, etc.); (p.8)

- to step up cooperation with the countries of origin and of transit, under the Global Approach to Migration, in order to control illegal immigration in particular to follow with them an ambitious policy on police and judicial cooperation to combat international criminal organisations engaged in trafficking migrants and in human trafficking, (p.8)

- intensify cooperation with the countries of origin and of transit in order to strengthen control of the external border and to combat illegal immigration by increasing the European Union's aid for the training and equipping of those countries' staff responsible for managing migration flows; (p.10)

- pursue policies of cooperation with the countries of origin and of transit in order to deter or prevent illegal immigration, in particular by capacity-building in those countries; (p.14)

The poorly managed immigration and the lack of resources to be able to give all the immigrants a better life, the Member States are encouraged to apply a so called temporary or circular migration. This political tool involves a so called

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<sup>12</sup> See RFI

triple-win principle, that is, by ensuring temporary stay for legal immigrants, this managed migration can create benefits for the host country suffering of labour shortage, the sending country dealing with labour surplus, as well as for the migrant itself. It is presented as an attempt to prevent brain drain, which signifies the effect of recruiting high-skilled workers from countries they are most needed. Taking into account the “sending country” and the lost it suffers from loosing own qualitative labour, enforcing temporary migration seems as a preferable way to ease the loss. Yet, temporary migration can also cause damages within a society; it has been stated that if immigrants perceive themselves as temporary residents, there is no necessity for them to assimilate or to adapt themselves to the culture of the host country (Black 1996:69-70).

According to Entman’s *suggesting remedies* function, I would state the following: a closer examination of the draft shows two different approaches to solve the immigration problem. The first one is basically about creating a “safety net” to keep “uninvited guests” out of the EU’s territory. The propositions in the draft are crying out for more effective border security and a common action for sending “uninvited guests” back to their home country. As Colette puts it, due to “the economic downturn, combined with a continued public perception that immigration numbers are too high, has prompted governments to shift their policies further in the direction of control” (Colette 2008:2).

The second approach, a strategy dealing with legal and illegal immigration, concentrates on how to attract high-skilled workers to the Union. In order to achieve the strategy objectives, a European Blue Card has been initiated by the European Commission in 2007, among other things. Although the European Blue Card is not explicitly included in the text, its initiative is very present. The vote about the European blue card was expected to take place in late November 2008, but has been postponed until the beginning of the year 2009. However, the statistics show that this far, EU has failed to attract highly qualified labour force. In fact, high-skilled foreign workers constitute 0,9 percent of all workers in the European Union, compared with 9,9 percent in Australia, 7,3 percent in Canada and 3,5 percent in the United States (The New York Times).

I would argue that the purpose of this strategy can be ambiguously understood. According to the statistics, it is obvious that the EU has to make itself more attractive for foreign high-skilled labour since they are mostly needed in the Union. On the other hand, an increase of qualified or highly qualified workers might also serve as crime-prevention strategy. By opening up the borders to them who can be accepted by the public opinion i.e. high-skilled migrants, can contribute to decrease illegalities. Since high-skilled workers migrate legally and already have jobs offered by the host country, it is less likely that they will engage in illegal activities. Also, having a considerable number of highly qualified migrant workers in a society, it helps to slowly dispel the “stereotypes that usually associate migrant workers with unskilled jobs and low qualification – the so-called ‘3D’ jobs: dirty, dangerous and demanding” (Employment and working conditions of migrant workers p. 39).

Furthermore, high-skilled workers are generally regarded as beneficial due to their aptness to easily integrate within the host society. Christian argues that the high-skilled immigrants' higher capacity to integrate can be explained by the fact that they are often educated, middle-class individuals who share ethnic, cultural, and racial attributes with the citizens of the host country. Furthermore he adds that "many high-skilled migrants in Western European countries relocate as a result of regional policies and programs that promote the free movement of persons between countries of similar levels of development. Thus, highly skilled migrants are not perceived to be a problem" (Christian 2000:ii).

### 4.3 The Economical Frame

The European immigration pact gives little attention, if any, to economic and employment issues explicitly. In fact, the pact does not address the issue of employment at all. However, the pact does make reference to immigration and the way it contributes to economic growth:

- International migration [...] can be an opportunity, because it is a factor of human and economic exchange, and also enables people to achieve what they aspire to. It can contribute decisively to the economic growth of the European Union and of those Member States which need migrants because of the state of their labour markets or of their demography. (p.2)

Nevertheless, as theories of international migration demonstrate (see chapter 3.1.2.), immigration is all about economics, both for the immigrant and the host country; while people immigrate mostly due to economical reasons, countries recruit migrants also for the same reason. Immigrants as economic actors enhance the productivity of the host country by accepting temporary or marginal jobs, working hard etc. (Messina 1992). "There is an almost unlimited supply of migrants willing to accept low-skilled jobs in high-income countries at wages and employment conditions significantly lower than those mandated by local laws and international norms" (Ruhs & Martin 2008:254). In contrast, the EU has to compete with other "receiving" countries over a relatively small supply of high-skilled labour. The fact is that the EU needs both low qualified and high qualified workers, but the pact has not taken into account the needs of labour force of the Member States of the EU. The needs vary across the Union; while Italy and Greece are in need of low-skilled migration, other Member States has different needs (EIU ViewsWire).

Key economic questions of immigration such as "Are migrants taking jobs away and depressing the wages of the natives, or do they contribute to the creation of jobs and increase the general level of wages, [...] Are they just a burden on the welfare state or do they impart gains through increased productivity..." have also been widely studied and investigated by scholars (Zimmermann 2004:10).

Empirical studies show no evidence that supports neither the fact that immigrants increase the risk for natives to lose their job, nor that immigrants depress native wages. In fact, the overall effect of immigration on natives remains largely positive (2004:12).

Apart from the example above, there is one more reference to economical growth due to immigration - less evident than the example - namely temporary or circular migration. As I have mentioned earlier, temporary or circular migration can be beneficial for the receiving country. Economic theory and empirical evidences confirm that “moving workers from low-income to higher-income countries benefits migrants and raises global income while creating small net economic benefits in receiving countries” (Ruhs & Martin 2008:250). Temporary migration and the benefits it generates have also been taken into consideration by the World Bank. It estimated that sending more guest workers from low-income to high-income countries would not only be beneficial to the sending country but would also generate global income gains. As a matter of fact, in a press release about the World Bank’s Global Economic Prospect report for 2006, it was argued that more temporary work visas for low-skilled immigrants in industrial countries would contribute to reduce poverty in sending countries, among other things (Ibid.).

According to existing studies on immigration and its economical impact on both the host country and its citizens, immigration should not be framed as an economic problem. However, among the highlighted illegal vs. legal differentiation, we can also find other categories such as high- vs. low-skilled, asylum seekers vs. economic migrants, temporary vs. permanent workers, some of them also apparent in the draft, which give us the impression to treat immigrants as an economically depended mass, rather than as individuals, members of society and potential citizens (Collett 2008:3).

International immigration is a good thing for the EU, as long it happens legally and as long it involves high-skilled labour. This is the brief message of this frame. High qualified labour is undoubtedly an important economic resource and by circular migration, other categories of immigrants can foster economic growth. Therefore, high-skilled workers and circular migration is the *solution suggested*.

## 4.4 The Eurocentric Frame

As the title implies, this section will highlight the focus on Europe in the European immigration pact, and by European I mean the European Union as whole. I would argue that there are two different perspectives of Euro-centrism to be found in the text, namely a micro and a macro perspective. The micro perspective refers to the relation between the European Union and its member states, while the macro perspective refers to the relation between the EU and the rest of the world, especially developing countries.

#### 4.4.1 Macro perspective

Seen from a communitarian perspective, EU seems like what Walzer calls a “perfect club”. In this society, there is a clear distinction between members and non-members. Within this “perfect club” which also stands as a metaphor for nation, it is free and authoritative to decide who should be allowed to join and who should be excluded to be a part of the community (Black 1996:68).

As shown by a closer examination, the immigration pact does clearly welcome some of the immigrants while putting increased focus on keeping others away from the EU’s territory<sup>13</sup>:

- to increase the attractiveness of the European Union for highly qualified workers and take new measures to further facilitate the reception of students and researchers and their movement within the EU; (p.5)

- to invite Member States [...] to establish ambitious policies [...] to promote the harmonious integration in their host countries of immigrants who are likely to settle permanently; those policies [...] will include specific measures to promote language-learning and access to employment, essential factors for integration; they will stress respect for the identities of the Member States and the European Union and for their fundamental values, such as human rights, freedom of opinion, democracy, tolerance, equality between men and women, and the compulsory schooling of children. The European Council also calls upon the Member States to take into account, by means of appropriate measures, the need to combat any forms of discrimination to which migrants may be exposed; (p.6)

This so called *skill-selective migration* intensifies the Eurocentric nature of the pact since it focuses only on the interest of the European Union and leaving little attention to the needs of developing countries. There is a need of low-skilled workers in the EU but the pact mainly put emphasis on high-skilled labour force, which is not in the interest of developing countries. Since developing countries, often has a surplus of low-qualified labour force, the EU should concentrate on how to help to absorb that surplus (RFI). According to the European Commission, there are up to 8 million illegal immigrants in the EU. “But with ageing populations and low birth rates in many EU countries, some experts calculate that the EU will need at least 40m immigrants over the next four decades just to maintain the European labour force” (Financial Times).

#### 4.4.2 Micro perspective

With the creation of the immigration pact, the European Union stresses the establishment of a long-desired common European immigration policy. Even

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<sup>13</sup> For more examples see page 14



though notable progress towards integrated immigration policies has been made by the EU, such as abolition of internal borders, adoption of a common visa policy, harmonisation of external border controls and asylum standards, cooperation in controlling illegal immigration, establishment of the Frontex<sup>14</sup> agency, only to name a few, the preamble of the text argues that “further advances are necessary” (Draft of the European Pact on Immigration and Asylum).

While the aim of the European immigration pact is to pave the way towards common immigration policies, the pact turns out to be rather a non-Eurocentric in the sense of underemphasizing the competence of the EU as whole. The progress mentioned above mean also that the power and the sovereignty of the Member States have been significantly reduced in the areas of immigration, asylum and borders. Still, given its predominantly intergovernmental nature, the pact prioritizes the competencies of the Members States rather than that of the EU. It means that conflict between the member states and the EU will arise due to the unclear separation between competencies on immigration, asylum and borders. Carrere and Guild also argues that there is a risk that “respective interests of some member states, and their current governments, will constitute one of the key factors guiding the rationale of European policies” (Carrera & Guild 2008:5). As a consequence, the EU’s aim of the achievement of a common immigration policy will risk to fall into recession.

An accurate example of the intergovernmental character of the pact is the following:

- The European Council considers that legal immigration should be the result of a desire on the part of both the migrant and the host country to their mutual benefit. It recalls that it is for each Member State to decide on the conditions of admission of legal migrants to its territory and, where necessary, to set their number. (p.5)

These lines provide an exclusive competence to the Member States to adopt measures relating to legal entry and residence matters. By doing so, the Member States can respectively regulate the admittance of third country nationals i.e. legal immigrants (Carrera & Guild 2008:5-6).

I would argue that the problem framed in this case, just as it also stated in the preamble of the draft, is the lack of resources to commonly manage immigration. Even though the progress towards a common or harmonized immigration policy has come far, the EU has enough to deal with illegal immigration matters. But a better explanation would be that legal immigration is actually the only part of the immigration that the member states actually have managed by themselves. And because the pact is only a political document with no legal commitments, the best solution was to only give directions that all the Member States are addressed to follow, depending on their capacity.

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<sup>14</sup> An EU agency tasked to coordinate the operational cooperation between Member States in the field of border security.

According to the framing model, there are two solutions to be found within the *Eurocentric frame*: to attract highly qualified labour to the European Union by offering various benefits and facilities and to retain the Member States sovereignty in legal immigration matters. Also in this case, the problem is related to illegal immigrants while legally resided immigrants, i.e. high-skilled persons are more than welcomed.

To sum up, four different frames had been identified in the draft; each of them more or less dominating over the other. Starting with the *Illegal frame*, the identified source to the immigration problem are the immigrants illegally residing within the EU, the use of the designation illegal immigrants gives the impression that we are dealing with criminals, and the solutions offered are ensuring of return, expel, expulsion. The *Security frame*, apart from pointing out illegal immigrant as main source to the problem, it also implies a lack of resources to effectively manage immigration, the public opinion tends to equate illegal immigrants with increased criminality, and the solution is considered to be a more effective border security and an advanced cooperation with third countries along with the attraction of high-skilled workers to the EU. The *Economic frame* sees immigrants as economic source and proposes temporary or circular migration to resolve the problem. Last but not least, while the *Eurocentric frame* shares the same source with the other frames, the moral judgments and the solutions suggested differ; here, qualified and highly qualified labor force are mostly welcomed, and the solutions suggested are the increased ability to attract high-skilled workers along with intergovernmentalism in legal migration issues.

	<b>Illegal</b>	<b>Security</b>	<b>Economic</b>	<b>Euro-centric</b>
<b>Definition of problems</b>	Illegal immigration	Illegal immigration	Illegal immigration	Illegal immigration
<b>Diagnosis of causes</b>	Illegal immigrants	Illegal immigrants, poorly managed migration	Illegal immigrants	Illegal immigrants
<b>Moral judgments offered</b>	Illegals are criminals	Illegals are dangerous, to be feared	Economic source	Only high-skilled labour welcomed
<b>Remedies suggested</b>	return, expel, expulsion	Efficient border security, cooperation, attraction of qualified labour	Circular or temporary immigration	Selective migration; inter-governmentalism

**Table 1 : Summary**

## 5 Conclusion

In this thesis, I have analyzed the European Pact on Immigration and Asylum and examined how the immigration as a problem is framed. All the efforts implementing policies to try to manage illegal immigration demonstrates well that the European Union has lost the control over immigration. The fight against illegal immigration has occupied EU's agenda over the last ten years. Public opinion toward illegal immigrants tends to reflect the attitude of the political elite; illegal immigrants are generally feared and perceived as a problem. According to the analysis, it has shown that the two main frames in the text are the *Illegal frame* and the *Security frame*. It is well supported by the fact that the pact includes eight propositions on illegal immigration and nineteen propositions on security matters. Evidently, illegal immigrants are not welcomed; they shall be expelled and returned to their country of origin or to the transit country. By cooperation with third countries and an even more effective border security, illegal immigrants will be kept outside of the European Union's territory.

As long as we still talking about illegal immigrants in the same context as security matters, we can not expect any change. Attitudes towards illegal immigrants have to take a different direction if the illegal immigration is expected to be seen as an opportunity rather than a problem. Since the aim of the pact is to prepare the framework for the policies of the next multiannual programme, the conclusion we can draw from this thesis is that the focus of successor to the Hague Programme will probably lay on illegal immigration and border security.

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