Politics of migration and Human Rights Development in Denmark

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Abstract

The migration of people worldwide has an impact on many nations. Denmark, not being the exclusion of this phenomenon has struggled to distance itself from recognizing the need of many persons who seek asylum and a better life quality which they will not achieve in their home land.

On the right wing there is the Danish People's Party which has a strong standing point away from immigration as they argue for the unfairness to the natives the arrival of foreigners who take advantage of the welfare system.

The development of immigrant rights in Denmark has resulted in the negligence of family rights, as well as perceived discrimination towards immigrants who are striving to integrate in the Danish society.

Key words: Immigration, Right Wing Politics, Denmark, Human Rights

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1. Introduction

1.1 Research Question

When it comes to human rights, most of the Western countries strive to improve the life conditions of their citizens and to maintain human rights standards for them. Denmark is not an exception; however it is problematic that human rights are taken as citizen rights and not as the rights of every human being. An introspective analysis should be done in Denmark hence human rights appear to be experiencing a backward development.

Why is there a marked difference of human rights protection in Denmark concerning Danes or not Danes?

How has the political discourse in Denmark regarding immigration changed in the last decades? Here a special focus on The Danish People's Party.

When did the misunderstanding of the meaning 'human' take place and why?

1.2 Delimitations

The main aim was to focus on immigration in Denmark as it is of interesting to see how Denmark, despite its small size aspire to isolate themselves from the other countries regarding their immigration policies.

To make the essay achievable in a short time span there were several delimitations. It was overwhelming to study all political parties' development and how the dynamics of the social situations and events shaped the political discourse, even though it would have been highly interesting, there was lack of material to go into the matter and the outcome would be more extend than the purpose of a bachelor thesis.

Moreover, a comparison between Sweden and Denmark would have been interesting as well hence their policies differentiate greatly despite their common background.

1.3 Theory

One of the underlying theories is the polarization of the world by Immanuel Wallerstein's book "World-System Analysis: an introduction". His theory explains how the world has been polarized due to historical events and ideologies. Colonialism is responsible for the gap between

the periphery and the core, and capitalism has widened and strengthened it. In the case of Denmark, it has to be remarked that despite there participation and sovereignty over foreign lands such as Greenland and the Faroe islands, Denmark did not possess colonies in countries that are considered failed states currently. However, they consolidate with the rest of the Western World that are referred to as the core. Capitalism is claimed by Wallerstein to have the responsibility of the differences of wealth in the world. Denmark has had a social capitalism, where wealth is controlled within the country by taxation policies to even out the disparities between citizens. However, it does not extend to the international system.

Regarding the difficulties in integration of immigrants, Samuel P. Huntington would be the ground of argument for the right wing political parties which support the idea that Muslim culture is incompatible to the Danish, as they do not share the same values. "The Clash of Civilizations?" expands this though into a theory of incompatibility of western cultures and the Muslim world.

Furthermore there is national chauvinism and cultural nationalism to support the belief of superiority by native Danish people towards immigrants from non-western countries and thereby the production of policies undermining the aliens' value.

Jürgen Habermas with "Inclusion of the Other: Studies in Political Theory" supports the moral responsibility from developed countries to make up for their wrong doings during colonial times; furthermore, he explains the moral claim people thereby have to immigrate in industrialized countries. He is one of the most influential philosophers of the time according to the Standford Encyclopedia of Philosophy and in the context of this thesis, his theory of Morality, Politics, and Law.

1.4 Methodology and Material

The recollection of relevant material was a big task, specially hence many of the researches and acts on immigration policies are only available in Denmark and are restricted to library use. Furthermore, there were few relevant researches on the topic and thereby the quantity of the material was limited. For this reason, much of the material was attained through the internet.

This does not mean however, that the quality is worse as nowadays most of the publications are available through this mean of communication and the sources are reliable.

Cultural nationalism and national chauvinism were the parting point for understanding how popular nationalistic parties come about their ideals against immigration. In order to understand them and study them from another perspective, it was necessary to study the political movements from the inside and that was done by gathering information from their web-sites which contained manifestos, propaganda and their principles targeted towards their supporters. Moreover, there are research institutes such as Academy for Migration Studies in Denmark (AMID) and The Rockwool Foundation Research Unit which have conducted special qualitative researches on migration and has had several publications since the 1980s. Furthermore, The Danish Institute for Human rights gave an overview of the situation human right problematic Denmark has been facing as well as Human Rights Watch.

From the governmental institutions, sources such as the ministry of justice gave access to law enactments. The ministry of integration provided a close look at the rules required for immigrants, and asylum seekers to legally enter Denmark and gain residence status.

To study radicalism and the right wing political parties, Tor Bjørklund who is a professor at Oslo's University Institute for political sciences and Jørgen Goul Andersen who is professor at Aalborg University Department of Economics, Politics and Public Administration were of great help. Their joint paper on" Anti-immigration Parties in Denmark and Norway: The Progress Parties and the Danish People's Party" constituted a sound reference to the immigration policies by The Danish People's Party and the Progress Party.
Furthermore, René Karpantschof's "Højreradikalismen i Danmark - en politik model på historisk-sociologisk grund" gave a general overview of the anti-immigrant trend in Denmark

2. Differences within Forced Immigrants

The meaning of the terms used through this thesis is important to understand in order to avoid misconceptions. In the legal spectrum the definition is of crucial importance as it can change the rights of the person and the obligation of the state.

2.1 Asylum seekers

According to the UNHCR definitions, the term 'asylum seeker' is a person who has left their country of origin, has applied for recognition as a refugee in another country, and is awaiting a decision on their application.

2.2 Refugees

There is a comprehensible wording in the 1951 Refugee Convention of what the term refugee bears. Article 1.A.2 says that a refugee is a person who:…owing to well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

Refugees are forced to move in order to save lives or safeguard their freedom. They have no protection from their own state; on the contrary their government is usually the one posing the threat to their life and freedom and persecutes them. Refugee is thereby necessary to protect their lives (UNHCR).

It is important to note, that a Refugee is a displaced person who through seeking asylum has been granted the permission to stay in the country where asylum was sought.

2.3 Economic migrants

3. Three spheres of focus: Global, Regional, National

The aim of this section is to have an overview of the levels of the problematic and the consequences it has in the different spectrums. The impact migration has on Denmark and how Denmark is influenced by the migration phenomenon and how other factors such as regionalization have significance in decision making on migration politics.

3.1 A Global perspective on migration

As the globalization process has taken place at a high speed, with means of communication and transportation that interconnect the world making it virtually smaller, changes in societies have come about along with the need to regulate them. The process is circular as regulation molds society and rules have to come about from the results from such regulations.

The policies created by the governments to regulate their citizens can create conflict in their society and in some cases, due to unbearable conditions people are forced to leave and migrate in order to secure their wellbeing. However, the movement of people from country to country is not that simple and tensions have come about between the word's spheres. As better life conditions are offered in developed countries, they become attractive options for persons looking for better life conditions. Nevertheless, immigration of such people is not always welcome in the developed countries.

In the theoretical arena there are theories that entitle the immigration of foreigners from third world countries into the first world countries. One of them has been developed by Jürgen Habermas who believes that the immigration to first world countries is justified thus these countries were the ones who inflicted damage in the third world under the colonial era and, thereof should they act responsible assuming burden which can be argued they contributed to. He furthermore studies the question of "Who has the right to immigrate?" from a moral and legal parting point. Furthermore, Habermas illustrates how the European continent has always benefited from the global movement of people. For this reason, the politicians in the European

countries should have a more liberal and open barriers for immigrants based on moral grounds (Habermas 1998: 230-233). Despite the constant claim from the European nations of their lack of responsibility towards other nations due to the incompetence of the failed state's local governments, the moral claim persists.

The European demographics have been decreasing and Habermas states that politics of migration could be seen as a solution to adjust to this in the long run hence there will be need of others to hold a working and stable society (Habermas 1998: 230-233).

Many of the countries where there is a high percent of poverty have weak institutions and many of them have had internal or international violent conflicts which have not only hampered the development but also revert it. Conflicts destroy infrastructure and institutions which are expensive to restore and time consuming. Furthermore, it is believed that 40% o the post-conflict countries will relapse into conflict within 10 years time (The World Bank). It is furthermore recognized by Denmark that the increasing number of economic migrants has increased alarmingly in the 1980s, and the flow of people on those grounds is very high. The gap between North and South has stretched. Moreover, the increase of population in the South will worsen the situation (Justitsministeriet 1991: 11).

Due to this hopeless situation many people find themselves in, where they cannot provide for themselves a plausible solution is to migrate to a stable country where their survival is certain. When we take a theoretical look at the world's situation, where many die of starvation because of the lack of resources whilst far above those standards, stand the developed countries with welfare and good life conditions for its citizens. We can ask the question of: How are resources to be distributed justly globally? If the means are globally owned, then they should be redistributed to the people equally regardless of their origin, and a balance of this should be sought. According to the liberal approach, it is individuals who move the economy and thereby the goods that should be distributed should be done in an individual basis rather than one based on nations. Unfortunately, it is the state that has the duty of redistributing justly to their citizens and therefore, in the system of nation states, the gap between poor and rich spheres of the world exists. (Andersen 2004: 3)

People have migrated since the beginning of time, however, with the international system of nation states migration should be matter of concern of every country, in particular when it comes to forced migration. It is a global problem and every nation is therefore responsible for the people who, by circumstances out of their control are forced to migrate.

3.2 European Regionalization and Denmark

In 1949 the Council of Europe was born asserting the will of state cooperation in Europe. It began with France, Great Britain and the Benelux countries. From there, economic improvement in the whole region has been the drive to make agreements between countries. The next leap of the process was in 1956 when the European Economic Community was formed by the France, Great Britain, the Benelux countries (Belgium, The Netherlands and Luxembourg) and Italy (Europa, Gateway to the European Union).

On the other hand, the European Free Trade Association (EFTA) convention was signed by Austria, Denmark, Norway, Portugal, Sweden, Switzerland and the United Kingdom. This treaty was followed by many more agreements between European countries, where cooperation and unification were the aim (Ibid). It is not until August 1960 that Denmark applies to join the European Economic Community and gaining access in 1972, when after the acceptation of Denmark into the community; national elections on the matter are held with a majority for joining the EEC and officially becoming a member in January 1973. The unification served primarily economic agreements such as the 1962 joint efforts in the control of food production with the 'common agricultural policy' and later on in 1968 the customs duties were removed allowing free trade inside the European Economic Community (ibid).

Symbols such as the flag began to be used in 1986, at the same time when talks about political amalgamation began to be set on the agenda with the aims of achieving them by 1992. However it was not until 1993 that the Maastricht Treaty consolidated the unification of the European countries by compiling the previous treaties which had had this purpose. Furthermore, it would be tangent hence the common currency, Euro, would conceal the economic amalgamation (The European Institute).

The European Union shift of interest and there had been skepticism in some countries regarding the level of sovereignty and self-government.

The level of amalgamation with the EU created a concern for many Danes who thought regionalization posed a threat to their small nation, since legislation would be synchronized with the European and the control of migration was not only in their hands as it had been before. This concern was captured by The Danish People's Party who used it in their politics to support anti-immigrant policies.

3.3 Denmark and Migration

Migration is a phenomenon every country knows. Since nation state became the international system, the national citizens and the movement of people has been controlled, even though not to the same extend and obviously not under the same circumstances.

There are three spheres that have to be looked upon in order to understand migration; the international and the national levels. Denmark is subjected to national law, regional and international. These spheres work dynamically between them as they are overlapping each other, and for that reason the international and regional level were explained above.

3.3.1 Immigrants from third world countries vs. European and Nordic Countries

In the national level, Erik Holstein distinguishes between the different types of migration and the consequences they have had in the Danish society. According to him, before 1960s immigration was based on people from neighboring countries with similar cultures, German, French, Hungarian and Sweden amongst others, and the number of immigration was insignificant compared to the number of immigrants in the last decades who have different origin than European and come in large numbers (Holstein 2002: 19). As it can be remarked it is not only the number of immigration which is significant, the origin he claims, makes a difference as well as his book supports the idea, that there is a clash of cultures. In this sense he supports the theory of the clash of civilizations which Samuel P. Huntington shaped.

The immigrants in the 1960s and 1970s were motivated by the Danish government to go to Denmark hence cheap labor was needed for unskilled jobs, inviting people from Turkey,

Pakistan and Yugoslavia, to come to Denmark as 'guest workers'. Holstein sustains that these immigrants had the goal to adapt to Danish society and to live by the Danish norms. For this reason they were not percieved as a problem to the Danish public opinion (ibid: 21).

The number of guest workers in that period, between 1965 and 1967 was below 500 from each group. By 1974, there were 6779 citizens from Yugoslavia, 8138 from Turkey and 3733 from Pakistan in Denmark. As the growth in number of immigrants was alarmingly high, and the demand of job was covered and decreasing due to the oil crisis, there was a general stop on migration policies by 1973 (Nannestad 2004: 757).

This stop on migration would affect migrants coming from outside Europe and Nordic countries, as in the same year the European Union was born as a regional agreement facilitating not only economic trade of goods but the movement of people within its borders as well. Denmark became a member in 1973, thereby the laws on migration changed. First law regarding migration and the European Union had unofficial acceptance nr. 346 in June 1973. Changes were also amended to residence permit of members of the European Union were accepted in May 1980 (Justitsministeriet 1982: 268).

In this context, there were only two ways to migrate legally to Denmark, either by family reunification or by seeking asylum according through the Geneva Convention (1954) Denmark had ratified. This convention includes the rights of refugees and gives the right of asylum if claims are legitimate: paragraph 2, section 2 of the 1952-aliens law states the right of asylum seekers not to be deported by the police if their claim was legitimate and leave the case to the Justice Ministry (Justitsministeriet 1982: 268-269).

The result of the mass migration in the 70s has been that nowadays, economic migrants are not granted a residency in Denmark unless they are specialized in an area where there is demand. Such as Academic work, IT and telecommunications, sales, purchase and marketing, transport and logistics, teaching, healthcare and the like (nyidanmark.dk: positivlisten), furthermore, other prerequisites are requested which hinder persons without ties to Denmark to enter the country to work. This is seen by Habermas as a disadvantage for the development of nonwestern countries as the skilled people leave their land creating a brain drain. Using a global perspective he

proposed that in order to be globally responsible, quotes can be agreed upon other requirements which could benefit both parties (Habermas: 233)

Even though the first immigrants mentioned here were encouraged by the Danish government as a solution to their high job supply in the 1960s, due to international conflict immigrants from other countries arrived to Denmark.[1] Due to the Gulf war, asylum seekers from Iran and Iraq arrived, and Lebanese sought refugee due to the Lebanese Civil war which took place in the same decade, beginning in 1975 and lasting throughout the 1980s (Wikipedia: Lebanese civil war) In the table below the groups mentioned previously are highlighted.

	1980	1985	1989
Yugoslavia	7126	7617	9149
Poland	970	1424	3861
Turkey	14086	18806	26072
USA	4271	4110	4202
Iraq	102	178	1733
Iran	215	857	7715
Lebanon	156	124	2070
Pakistan	6400	6692	6454
Sri Lanka	181	207	4338
Vietnam	1286	3583	3375
Stateless	965	319	4800

Asylum seekers from violent conflict
Economic migrants

Further more, in this decade Denmark was the country being the second least in percentage of immigrants received in relation to the countries population. Norway was the one which received the least with 2.8% of immigrants of their population. On the other hand, Luxembourg received 26.4% and Switzerland received 15.0% being the European countries which received the highest

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[1] Danmarks Liberale Parti Venstre. *Udlændinge I Danmark: Et Debatoplæg fra Venstre om Udlændingepolitik.* 1989. Table 2 page 10.

percentage of immigrants. However, the type of immigration is not specified, it can therefore it is not limited to refugees or forced migration.

3.3.2 Welfare System and migration

The biggest challenge in the Danish society regarding migration is the welfare system thus high taxes are paid by natives and redistributed to social benefits such as education, health and culture. It is therefore important that newcomers can supply for themselves and be a part of the labor market as soon as possible so the balance of benefits and taxes even each other. Despite its benefits, it is recognized that the benefits given by the welfare system can have the opposite effect into getting people in the labor market, specially for migrants coming from countries where their incomes was not as high as the social help they are granted by the state (Nannestad 2004: 759).

The attitude towards the labor market and the social welfare make a difference between immigrants from different countries. Integration in the labor market is seen as an assimilation of Danish norms hence, it is highly important for Danes to be respectable citizens contributing with their taxes so the system functions as it is supposed to. They have been enjoying the benefits of the welfare system and are expected to use their working years contributing to the system. The group of immigrants that are less active in the labor market are the Somalis and the Palestine in contrast to the Polish and Vietnamese which are the most active. However, the percentage of unemployed and the gap of people that receive social economic benefits from nonwestern countries and the native Dane is significant and thereby immigrants from non-western countries are often seen as an economic burden for the Danish society (Nannestad 2004: 761-763).

However, taking in account that refugees have no network, are unable to speak the language and are alien to the culture it can be concluded that they are set on a disadvantaged situation. Political right wing rhetoric emphasizes the comfortable life refugees have. According to the Rockwool Research Unit, the disposable income for refugees is very and thereby their living standards. The government entitles a refugee with a yearly income of DKK 23.528 (in 2003) including labor at the refugee center, this payment is insignificant compared to an average industrial worker who in the same year are estimated to earn DKK182,589 after tax (Hansen 2006: 13); This shows a

perspective which is not seen by many Danish people and that refutes the right wing's argumentation.

3.3.3 Social processes and Identity politics

In welfare systems, social developments regarding movement of people seed conflicts in politics of redistribution and recognition. In this context, there are theoretical questions that lead to changes. The ones that exemplify the best the concepts re-questioned in Danish society are the concept of equality, diversity and difference. The movement of people of different backgrounds and ethnicities challenges the national political sphere into dealing with the treatment, rights and opportunities of these people relating to the terms mentioned above (Andersen 2004:1).

In the national sphere the politics that emerge from social changes and at the same time politics influence these changes by setting rules to them. There are identity politics which have the role of the self-consciousness of persons believed to belong to a group, with the interaction of the persons with each other helped by the influence of identity politics, a common identity moves to social transformation (Phillips in Andersen 2004: 36).

Nationalistic movements claim the homogeneity of their population, their right to be in the country and decide thereby. However Europe has been formed out of centuries of migration and displacement, but the process has speeded up enormously over the last fifty years, and no country can now pretend to ethnic or religious or cultural homogeneity (ibid: 39)

In politics there is a common group identity formation, ideas and concepts of common interest come into sight which however silences the most disadvantaged. The power is given to actors that take care of the agenda which is taken for granted by the big majority. In this process then, the individuals belonging to the minority group do not identify themselves as part of the majority which is being represented and their identity is not questioned, it is established as a deductive process. The immigrants are silenced by the majority of the population which identify themselves as Danes through the identity politics.

The exclusion from citizenship limits the person's ability to participate in the political process which would enable their situation to be heard, and in a democratic process perhaps changed (Young in Andersen 2004: 19). As many immigrants lack political rights in their countries, they

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relay on international conventions such as the Geneva Convention on the Status o Refugees to protect their right to seek asylum and their rights as human beings.

4. Theories of superiority

Cultural nationalism

This type of nationalism refers to a group of persons who share the same history and culture, find it very significant and for that reason tend to adhere to it in order to preserve it through generations. So the national culture is the aim and the state is the means to achieve it (Gans 2003: 7). It is contrary to Habermas' ideology of civic society that forms a community which devotes loyalty to constitutional principles (ibid: 11).

Cultural Nationalism can be political hence it seeks political protection for national cultures. The state should be responsible thereby of protecting this interest. The reason why politics should do so, is that the people want to keep their culture because it is part of their identity. It is believed by many that nationalism will disappear as a component of identity since there are other identities which are not attached to the customs of a specific country an example of this development is cosmopolitan identity (ibid: 16, 39, 44).

Furthermore this nationalist ideology intends not only to secure the nations future, but the past history as well. These endeavors are not personal and individualistic, they are claimed to be public duties upheld in the political sphere (ibid: 49, 58)

Chauvinism

Another theory that can explain the shift of migration politics in Denmark, apart from cultural nationalism is Chauvinism.

What does *chauvinism* mean?

According to Oxford dictionary, the term comes from Nicolas Chauvin who was a Napoleonic veteran who was extremely patriotic. It is used for exaggerated or aggressive patriotism. Or excessive or prejudiced support for one's own cause, group, or sex.

In this paper this term has relevance as it relates to patriotism and the prejudiced support for a nation, Denmark.

In the practical context, it can be said that Danes are chauvinistic hence they believe that Denmark is 'objectively' better than other nations. The belief that others countries would be better off if they applied the Danish welfare system; regardless of their culture, background and differential conditions reflect superiority among Danes which could be translated as an exaggerated patriotism and support for their country.

What is called the 'Danish pride' is a feeling of superiority to other cultures and it has blossomed in a period of changes where unfamiliarity to new situations is perceived as threats (Haahr P.2).

If we take a look at the significance of pride, according to the Oxford dictionary means: a feeling of deep pleasure or satisfaction derived from achievements, qualities, or possessions; a cause or source of such a feeling; the consciousness of one's own dignity; and/or the quality of having an excessively high opinion of oneself. In the Danish context it can be derived to be the satisfaction of being better than others which in its turn results in satisfaction from the perceived inferiority of others.

When something is being exalted because it is Danish, then the term Danish is being equaled with good, right, high quality, democratic, and so on. With this process, an identity is being formed where being Dane is definitively positive. Thereby in the dichotomization process what is not Danish equals the opposite of Danish which results in negative perception: bad, wrong, low quality, not democratic... (ibid: 3)

What should be reflected is if this overestimation of the Danes is a result from their insecurity and their fears in what they perceived as an uncertain time when changes are not showing clear results for the individuals belonging to a small nation (ibid: 4).

5. Right wing political parties

5.1 The target group

The right wing political parties are popular parties which are usually followed by low educated people, retired people and workers (Karpantschof 2002b in Karpantschof 2006: 27). It has been found that the more educated a person is, the least likely they will exclude others on ethnic basis (Coenders 2003: 314) There are certain patterns in the profile of people that support the Danish People's Party. To begin with, there are a high percentage of men, old men specially, they are working people mainly with lower educated than the left wing parties (Bjørklund 1999:10,20)

5.2 Progress Party (Fremskridtpartiet)

This political party had racist ideals and declared a fight for a 'Mohammed free Denmark'. However, the leader, Mogens Glistrup, of this political party had too bold xenophobic statements and principles, therefore had to step back after the 2001 elections (Karpantschof 2002a). The emphasis was however; to free Denmark from the Muslims which illustrates the desired alienation of Muslims by the extreme right movement. The dichotomization is West vs. not-Western world (Karpantschof 1999:132 in Karpantschof 2003:34). However I would dare to say the dichotomy is rather Danes and Western countries on one side, vs. the Muslim world.

5.3 The Danish Association (Den Danske Forening)

The Danish Association with 3000 members became the only association with relevant significance. However, as part of a strategic tactic, they were closed down in 1997 and decided to support The Danish Association and The Danish People's Party instead of spreading their efforts as their ideals and principles where very similar, if not the same. The main actors of The Danish Association were Søren Espersen, Søren Krarup and Jesper Langballe. They all became

key actors in The Danish People's Party later on (Karpantschof 1999:132 in Karpantschof 2003:34)

5.4 The Danish People's Party (Dansk FolkeParti)

With the disintegration of the mentioned above parties, The Danish People's Party got the opportunity to be created with a strong base by integrating the best candidates and ideas that had been posed by Progress Party and The Danish People's Party which had come to an end. The Danish People's Party used the same method to engage the populous by sympathizing with them by affirming their fight against the elite, the intellectuals, the socialists and their aim to protect the nation from globalization, multiculturalism and European integration. They illustrated how the world looked with their enemies and thereby created a unified identity of the common Dane (Karpantschof 2003:35).

The support they have gained has significance hence, despite their lack of majority to rule, they are strong enough to be desired for support or alliance with the elected governments. This has been the case since The Danish People's Party was born in 1995.

The policies of the Danish People's Party have gone far from addressing the immigration issues, their policies are increasing extremism against immigration. They demand a small quote for immigrants receiving residence permit, they want to abolish the civil right of voting after three years of residence in Denmark, they argue for immigrants with a criminal sentence to prison to be expelled, and refugees should be confined in refugee camps.

The arguments used for the restrictions on immigration were economic at the beginning, emphasizing the economic on the Danish society the immigrants would cost. However, as years have passed, the arguments have turned to the 'clash of civilization' and the opposition towards a multiethnic society (Bjørklund 1999:8).

Xenophobic attitudes are not directly related to the proportion of immigrants. It is common that intolerance is very sensitive to the media focus on immigration problems in places where there are not many immigrants present. Before the Danish People's Party was conformed, the Danish Progress party had gained high support from rural areas, surprisingly in 1997 elections; The

Danish People's Party got high support in urban areas which proved the lack of coherence between xenophobic attitudes and the exposure to immigrants (Togeby in Bjørklund 1999: 10). Nevertheless, these attitudes have shown to have close relation to the level of education of people.

In a questioner asking if immigration constitutes a threat to national culture, 60 % of the people with 9 or less years of primary school answer it was, 43% of the people with high school studies, and 17% of the people with higher education. It furthermore decreased the higher the education was as it was only 6% of the people who had further than university level who considered immigration to be a threat to the Danish Nation (ibid: 22, see table) (Coenders 2003: 314)

In order to formalize any policy into a concrete law and regulation, the parliament (folketinget) has to approve the proposal. Even though the Danish People's Party is not a majority in the parliament, they have a strong number of representatives apart to the similar views on migration with the conservative and liberal parties (Bjørklund 1999: 18). The approval by the parliament depends on a majority voting after three sessions where issues regarding the proposal are brought to the parliament and questions and reforms are done o it. Nowadays, the parliament is comprised by the following number of members from the representative political parties as seen in the following table[2]:

The Left, Denmarks Liberal Party (Venstre)	V	47
Social Democrats (Socaildemokratiet)	S	45
Danish People's Party (Dansk Folkeparti)	DF	25
Socialist People's Party (Socialistisk Folkeparti)	SF	23
The Conservative People's Party (Det Konservative Folkeparti)	KF	18

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[2] (Folketinget>
http://www.ft.dk/Folketinget/~/media/Pdf_materiale/Pdf_publikationer/Informationsark/Folketingets_medlemmer/hvem_er_hvad%20pdf.ashx)

The Radical Left (Det Radikale Venstre)	RV	9
The Red-Green Alliance (Enhedslisten – De Rød-Grønne)	EL	4
Liberal Alliance	LA	3
Inuit Ataqatigiit	IA	1
Siumut	SIU	1
Tjóðveldisflokkurin	TF	1
Sambandsflokkurin	SP	1
Uden for folketingsgrupperne	UFG	1
Total Members		179

As seen in the table, the majority is comprised by The Left, Denmark's Liberal Party and thereby the prime minister is the leader of this party. What we have to focus on, is the policies this political party has towards immigration in order to appreciate the influence the Danish People's Party has on the governmental decisions and law enactments regarding immigration and integration.

As the leader of the Danish People's Party, Pia Kjærsgaard has been able to make her party a coalition partner of the Conservatives and the Liberals (ibid: 24).

Political construction of 'the immigrant'

The public opinion is affected by the information it is given to them. In political campaign it is important to gain support from the people who will eventually vote so the party's views and ideals can be set into laws and social norms.

The Danish People's Party has taken the opportunity of addressing the worries of their target group which generally are persons worried about changes and because of this, or this reason they illustrate the possibility of a static Denmark.

Minorities become part of the social consciousness in circumstances of nationalism. They are often seen as a n embarrassment to the nation's image of purity and fairness and are usually used as escape goats (Appadurai 2006: 42-43)

Furthermore, by dichotomizing between us and them, identities are formed. The majority tends to confront their identity by focusing on the elimination of the minority and base their identity on national belonging. These types of identities usually argue for the outgrowing number of the minority and how that constitutes a threat to them. They are extremely dangerous if they achieve to mobilize hence they will intend to attain nation purity (ibid: 52-53).

There is a construction of the world where the self-image of the persons in order to belong to an 'us' which happens in interaction with others.

To create a common vocabulary, symbols and a collective understanding of the discourse of what the problems are methods to attain a goal or a political social importance (Karpantschof 2006: 28) There are actors that systematically produce knowledge and meaning and the production of new knowledge depends of social movements' resources such as organization and networks as context where there is an internal communication.

Because there was a high flow of refugees from the Middle East and Sri Lanka in the 1980s politicians changed the immigration law and in this process there was a creation of an image of 'comfortable immigrants'

6. The Last Decades

6.1 Shift of policies and support

The previous governments had different policies and problems to focus on during their periods apart from migration. It was not until the electoral campaigns or the change of government in 1998 that immigration became a central debate issue (Bjørklund 1999: 29).

 1993-2001 the prime minister was Poul Nyrup Rasmussen as the leader of the Social Democrats. It was under his regime that The Danish People's Party gained increased support. Anders Fogh Rasmussen followed by Lars Løkke Rasmussen From the Left, Liberal People's Party and during these last governments there have been close cooperation with The Danish People's Party.

During Poul Nyrup Rasmussen's government The Danish People's Party gained support as there had been violent episodes in the biggest cities and there were several integration problems. However, the dismissal of the minister of interior who was responsible for refugee policies tranquilized the population and the public opinion support for The Danish People's Party decreased again (Bjørklund 1999: 25).

The media attention in the 90s to the immigrant problematic certainly had a consequence on the people's opinions. In the electoral campaigns, immigration was one of the bigger focuses (ibid: 26). In the Eurobarometer public opinion study of 1997 surveyed the degree of expressed racism in Europe, Denmark ranked as the highest among the Scandinavian countries (Horsti 2008: 278).

6.2 Period 2001-2009

The changes on immigration policies during the current government are the following:

The current government has a tight migration law, with the aims to receive less people and focus more on integrating them. The number of residence permit in Denmark has decreased one third compared with 2001.

Marital reunification has an age minimum of 24 years of age supposing that it will hinder arranged marriage by families with foreign spouses. Since 2001 the number of Danish immigrants with residency in Denmark marrying a foreign spouse has fallen from 63% to 31%.

Before, immigrants were given the same amount of economic help as any other Danish citizen in case they could not provide for themselves. During the current government's regime, this amount of money has been decreased to immigrants. It is now called 'start help'. It is grounded on the reason that immigrants in this way are pushed faster into the labor market (Venster.dk).

7. Analysis

Internationally it is clear that the existing imparities of the world can not be covered and ignored. The world is interconnected and it is apparent hence globalization has surpassed the national barriers. Even though it has been tried to be controlled by states, the movement of people in despair happens under the most incredible circumstances and methods hard to believe human can resist. Smuggling people has been difficult to control and therefore, Western states have to deal with irregular migration even if they would not like to.

Even though there are many economic migrants looking for a better life opportunity, or persons that lack any social and economic opportunities to have a decent life, many of the refugees and asylum seekers are pushed by violent conflicts, even some international conflicts where Denmark has contributed to as in Iraq 2001(U.S Department of State: 2006). It is responsibility of the states that contributed to the social chaos caused in Iraq to amend the wrongdoings which have had terrible consequences in society.

However, even before, with other wars and crisis, moral principles should persist and thereby the opportunity of other human being to live a life without fearing death on an everyday basis. In the last decades, the number of persons fearing for their lives persists in high quantity and thereby the responsibility towards human beings should be prioritized.

One of the policies regarding refugees is the prefers to repatriate and reintegrate refugees as a long term solution, on this subject there is a Danish Act on Repatriation which came into force in the year 2000 (Bak 2008: 1) However, one should understand that asylum seekers are people in difficult situations and may have difficulties adjusting to life in the refugee camp, waiting time. Afterwards if refugee is granted, it is difficult to adjust to a culture which is alien to them with new social norms, values, climate and language. As the Danish government encourages them afterwards to return to their homeland, the reintegration becomes another hard process for them as evaluated by the UNCHR report on repatriated Iraqis from Denmark (Bak 2008).

The state responsibility does not end after the repatriation as there should always be a state being responsible for a persons basic rights and it is controlled under the conditions of the international agreements. In the protection of refugees the Geneva Convention on the Status of Refugees is the

main international legal document. Furthermore, it is according to the Universal Declaration of Human Rights by the United Nations, that it is a human right to have a nationality, according to art. 15. Basing the logic on the dynamic between states and people, states having responsibilities and obligations and human beings as rights holders of such.

Repatriation of refugees is not a breach of human rights as long as there is an assurance that the government in the homeland takes responsibility for the person's life and in no way the person is threatened to suffer torture or caused death upon their return. This principle of extradition is supported by many of the UN conventions which act as international legal agreements and thereby would constitute a breach of international law if states do not sustain them. Denmark is subjected to the following provisions: the prohibition of torture in article 7 of the ICCPR would thwart the intention of extradition to a person who can be subjected to such treatment in their home country; the European Charter of Fundamental Rights article 19 explicitly prohibits the extradition of a person that will encounter torture, death penalty or degrading treatment or punishment; and the European Convention on Human Rights which under article 4 of the Protocol No. 4 prohibits the collective expulsion of aliens. The last article intends to forbid the expulsion as a mean of discrimination.

Negative discrimination towards immigrants is the area where the Danish government's weakness is. If we continue on the provisions of the Geneva Convention on the Status of Refugees, on the chapter IV on welfare there is incoherence with Danish Laws on integration. In the Convention there is an underlying principle that refugees should be granted the same treatment as Nationals. However, in the economic aid that is given to them called 'star help' is significantly less than the one given to the Danish nationals, making daily life even harder for refugees. Furthermore, in the research on refugees done by the Bak and Nielsson (2008) the common reason to voluntarily choose to repatriate was the harsh economic situation many experienced while living in Denmark. The government sustains their position with the implementation of 'start help' as a way to motivate immigrants in general to become a part of the labor market and thereby society in general. However, this makes life even harder for immigrants who lack a network and language skills to find a job. The possibilities thereby would be that they will rely on the other refugees and persons of same origin to find the network necessary to eventually find an occupation and thereby probably staying in a circle of foreigners with

difficulties to integrate. However, the start help package is provisional for a seven year span before immigrants are allowed the same status as nationals and under these circumstances, article 24 of the Convention on the Status on Refugees is confined. Seven years is a long time to make a life in a foreign country with no contacts and scarce resources, furthermore many encounter obstacles when they return and therefore repatriation is either a long term solution or an easy task for these people.

However, it is not problematic in the legal scope to repatriate a person if they do not run a risk of torture or death. The principle of non-refoulement is one basic principle of international law. This principle is set out in the 1951 Refugee Convention, article 33.1 which states that "No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his or her race, religion, nationality, membership of a particular social group or political opinion" that is a core of the Geneva Convention. Denmark received many refugees from the Middle East where authoritarian regimes will not uphold the rights of their citizens and therefore should, according to Human Rights Watch, send working groups that ca assure repatriated persons that they won't be submitted to torture or death penalty. At the moment, Denmark relays on diplomatic assurances which are not enough to secure the repatriated person's wellbeing and life (Human Rights Watch 2008)

There are still many areas where nowadays the Danish governmental policies are discriminating foreigners. The report on human rights conditions written by the Danish Institute for Human Rights in 2007 affirms that there are many areas where the Danish government needs to intervene in order to assure equal treatment between people. According to index on Migrant Integration Policy, Long-term residence the areas of family reunification, access to nationality, political participation and the labor market access need improvement (Danish Institute for Human Rights 2007: 143). Furthermore, the results of the integration survey clearly demonstrate that immigrants' perceived state of health is markedly worse than among the Danes in general. The survey also shows that immigrants generally have work that is burdensome, both physically and emotionally. (Danish Institute for Human Rights 2007: 143)

Many immigrants feel discriminated if they follow a religious path, even though the freedom of religion is not only guarded by international human rights, but sits in the core of the Danish constitution. However they feel discriminated because of their choice on religion according to The results of the integration survey which proves that religion still takes up considerable space in the life of immigrants, particularly the younger age groups state that they are highly religious. (Danish Institute for Human Rights 2007: 143)

Family reunification is another aspect where Denmark has been noted to conduct harsh restrictions towards immigrants, even against the universal right to family which is recognized to be the core unit of society and thereby a right of every person. Yearly there are many cases of violation of the right to family hence there are expulsion of family members from Denmark and thereby splitting families, as noted in the yearly status report from the Danish Institute for Human Rights. Even in the last report it was remarked that the Ministry of Integration had obstructed the changes in the family reunification practice to the public opinion which would have enabled pensioners to bring a foreign spouse easier to Denmark than it had been before.

One can say that the outcome of social and political changes cannot be foreseen. Nevertheless it has been because of this that history has been written with the purpose (among many) to remind us of outcomes by showing examples of atrocities and successes. Even though the conditions of each context cannot be repeated in the exact same way, the main characteristics of a happening can be deducted will have a certain impact on society.

To begin with, it should be pointed out that the new existing regime of the United Nations has been created for a proper reason. Through history, the repetition of atrocities committed on persons who do not pose a real threat to others, has lead to a rational agreement between nations on the need of instruments to hinder perpetrators to commit these crimes.

Discrimination's purpose is to weaken persons and promote the idea of a decreased value of such people amongst a majority which holds full rights to the society where discrimination is practiced.

However, nowadays it is commonly known that persons do not differ in their potential and capacity. This does not mean that there are not behavioral differences; on the contrary, there are

different cultures with different norms and values, however, these differences are not fundamentally enough to claim the value of a person is less than the other.

Human rights are fundamental rights which are granted to every human being, they are grounded on the basic conditions a person should have to be able to live a decent life and thereby fulfill their potential as human beings. They recognize that human beings are social beings and therefore norms of social rights are included, the same as political ones. Persons should be able to have a saying to the way their society is managed and regulated.

In the case of Denmark, there is emphasis on civil rights rather than human rights. There is furthermore, a nationalist movement created and supported by the Danish Peoples Party, where chauvinism is in focus emphasizing on the superiority of the Danish society and thereby the inferiority of the others; and as a result, discrimination towards persons coming from third world countries appears to be common.

The extreme right political party has a strong influence in the governmental decisions and the enactment of laws and for this reason a shift on the image of the foreigners from third world countries.

It is interesting to question if discrimination and the shift in politics is due to national chauvinism. The parliament should represent the population and thereby it could be deducted that the majority agrees to the hard immigration policies and the changes coming from the government. However it has been argued that the Danish People's Party represents a segment of the population which forms judgments from the media and not scholar qualitative studies. Can it then be said that the elite have a chauvinist attitude towards immigrants? Or is it the low educated population that believes their superiority on race and nation belonging over the unknown people carrying foreign cultures?

Furthermore, can one consider in the immigration problematic, the possibility of the prisoners dilemma. If there is cooperation between states to solve the problematic of refugees, everybody would be better of. In the case of each country closing its borders to immigration, there will be a win- lose situation.

8. Conclusion

There are many injustices in the world, among many others, the migration of people due to fear of death, torture or situations of despair. Globally, it is recognized that there is a pattern where people from third world countries flee to Western countries with the hope to enhance their life quality.

Denmark took profited in the 1960s and 1970s from the need of persons to cooperate with the lack of unskilled work force needed in the national labor market. This was a win-win situation which shifted in the 1980s with the oil crisis, the decrease of job supply and the increase number of persons fleeing from violent conflicts and dreadful life conditions. Since then, Denmark has closed its border to immigrants, resulting on a decrease human right protection for some. Thereby not sustaining human rights or all humans hence it became selective. It is a matter of time to see how sustainable these policies are in the long run. As mentioned previously, Human Rights Conventions have been created to prevent the wrongdoings of humanity that tend to repeat themselves and therefore should be taken very serious to value people's lives and minimum conditions provided in these international legal provisions.

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