

## IMMIGRANTS AND THE EUROPEAN UNION: THE CURIOUS CASE OF THE UNITED KINGDOM

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### Abstract

*Europe has become a home for the immigrants since the end of the World War- II. Higher immigration has led to the increasing attention and treating immigration as an increasing concern for the society. The concerns about immigration and its impact have reached at an unparalleled height in the United Kingdom(UK) since the last decade with the enlargement of the European Union when ten new members were added as members in 2004 which flooded the UK labour market with migrants from the Eastern European countries. The UK who was always a “reluctant member” of the European Union presents a curious case regarding its involvement with the Union. With the high influx of refugees from the Mediterranean countries, there are increasing cases of xenophobia amongst the local people and there is a rise of right winged parties like United Kingdom Independence Party (UKIP) leaders which resulted into the recent exit of the UK from the European Union. This paper will look into the case of the UK regarding its policies towards the immigrants and how it always had a little different approach in comparison to the other members.*

**Keywords:** *Immigration, United Kingdom, European Union, Migrants, Europe.*

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### Introduction

The month of June saw the historical referendum as to whether the UK wants to stay in the EU or not and the result was when the UK left the EU bloc. The United Kingdom (UK) and the European Union (EU) always had a rocky relationship with each other. The long hostilities between the UK and the other European powers have resulted in the British view of suspicion towards the European powers. In the post World War –II period, the British influence over the world politics was minimal as allegiances shifted and the modern view suggest that Britain had to stand alone as its own best friend and only USA as its only guardian.

### History and the European alliance

Since the end of World War –II brought a lot of alternation in the balance of power; the European continent was put as a component between the politics between the USA and the USSR. The shift of power politics made Europe as just as a part of the global politics rather than being in the centre of the politics. In order to cope up with this new scenario and make its mark once again in the international scenario, France decided to make a move. The French Foreign minister Robert Schuman proposed the set of an economic institution- the European Coal and Steel Community (ECSC) which would place the trade industries of the Western European power like France, Germany and others under international control (Kenealy 2016). This was to make the industries which are war based to be under international control which would make it less likely for a power to wage war against the others. Although the then Prime Minister of UK Winston Churchill fully supported the idea, as he proposed, “a structure under which it can dwell in peace, in safety and in freedom ..... a kind of United States of Europe”.

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But when the ECSC was forged in 1951, Britain was stayed away and rejected the offer to join the six founding nations of the European Economic Community (EEC) in signing the Treaty of Rome in 1957 (Wilson 2014). After its initial denial, Britain later saw France and Germany showing strong signs of recovery in the post World War economy as it formed a powerful alliance. As such, Britain wanted to join in the bloc but it was vetoed by Charles de Gaulle who was worried about English being the most dominant language in the continent and he accused Britain of hostility towards the European countries and having a special relationship with the United States (Wilson Web). It was only in 1973 that the Conservative Prime Minister Edward Heath led Britain to the EEC after General de Gaulle left the office. But immediately within two years in 1975, questions were being raised for referendum whether the UK wanted to stay back in the EU or not where 67% of the people voted in favour. But the Conservative party under Margaret Thatcher was in favour of the UK being an integral part of the EU. Even the biggest leap of the EU which was the signing of the Single European Act in 1986 was supported by the Thatcher government. The Schengen Agreement or the Single European Act emphasized on the “four freedoms” of movement (goods, services, and capital and labour). Member states share central powers and responsibilities with the supranational institutions of the EU and the European Commission now has the power to adopt legislative initiatives. The free movement of workers forms part of the four freedoms upon which the European Community was found. The Schengen Agreement, because of its emphasis on the freedom of movement of people, goods and services, ensured the creation of a borderless zone among the countries where territorial boundaries became less important day by day and movement of labour, goods and services became a normal affair.

### **The Curious Case of the UK**

The case of the UK is very curious since it has always been a reluctant member of the EU zone. The UK is not a member of the Schengen area, nor is a member of the Eurozone and does not use the Euro as its currency. Being a country which is outside the zone of Schengen area, the usual rules which apply to the countries belonging to this zone naturally does not apply to the UK. Yet a huge number of migrants move to the UK every year inspite of not having an easy access in comparison to the countries of the Schengen area. With the enlargement of the EU in the year 2004 and 2007 when ten new countries from the Eastern

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Europe joined the Union, the migrants from the Central and Eastern European Countries (CEE) countries have mainly migrated to Western Europe where the UK has seen highest influx of migrants compared to the rest of the EU 15 countries. The UK labour market has been flooded with workers from East Europe. This resulted in the UK adopting strict measures which stated that the workers would require a work permit but permitted full freedom of establishment and service provision for the following accessions from Bulgaria, Romania and Croatia. These arrangements apply to only workers and not the service providers and those establishing businesses which give them unlimited access to social welfare provisions.

Regarding the status of the UK in the EU, opinions among the ruling governments differ. The Labour government is more supportive of the UK having strong relations with the CEE countries. Prime Minister Tony Blair was of the view that Britain should be a leading partner in Europe although the UK continued to resist the adoption of new EU social regulation. The government saw the building of strong diplomatic relationship with the CEE as a priority task for the UK. The government followed the policy of free movement and therefore supported the EU enlargement whole-heartedly. The Conservative party and its government, on the other hand were skeptical of the stand taken by the Labour party. The Conservative party although supported the EU enlargement, they were against the unrestricted and free movement of migrant workers from the Eastern Europe. They were of the opinion that the workers should have permits for at least two years showing that they had worked in the UK. This resulted into a permit based system which displayed their need in the workforce (Clark and Hardy: 3-23).

It has been observed that a majority of the people in the UK wanted David Cameron to seek to end the right to free movement as part of his proposed renegotiation of the United Kingdom's relationship with the EU during the elections in May 2014. The UK Independence Party (UKIP) supports and wants the UK to withdraw from the European Union in order to restore the full national sovereignty over migration flows. Withdrawal from the EU however will be a hugely conservative step for the UK. However, imposing any fundamental restrictions on free movement within the EU is likely to leave pro-European politicians in Britain with much more work to do to make the case of free movement positive.

Migrants get an easy access to live permanently in the UK. The development of free movement of people has been considerably wider within the EU as compared to the other

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regions. Directive 2004/38/EC stated the rights of free movement of people and citizenship of the EU. For example, under this Directive, EU citizens can travel to another member state secure and their family could stay with them, as long as they remain independent and working or economically active. These rights are also extended to non-EU national family members of EU nationals. Migrants should exercise these rights for atleast five years before he/she gains a permanent right of residence, whatever may be their economic situation after that. This provision is chiefly important to the concerned EU migrant because it is this provision that leads someone to naturalize as a British citizen after they have lived in the UK for five years and had permanent residence for these years (Brannan: 1).

Since the Eastern enlargement the UK saw a change in the attitude of the people. Initially the UK was an enthusiastic supporter of EU freedom. In fact, Britain was one of the only countries in the EU who allowed immediate access to the UK labour market for citizens of the A8 countries that joined the Union in 2004. But this opinion soon shifted. While the Romanians and Bulgarians were restricted from working in the UK for a long time under EU law, but the Croatians are at present are subjected to restrictions of the greatest length. In January 2014, Labour shadow business secretary Chuka Umunna recommended that free movement of labour in the EU should be restricted to workers with only firm job offers (Brannan: 1).

Intra-European mobility is necessary for the successful functioning of the European single market. This has shaped a 500 million-strong pool of labour for employers to recruit from, which has allowed a lot of them to increase their businesses into other countries and to employ people with diverse language or any other expert skills. It has resulted into innovation and competition. It has also increased the pressures related to unemployment in the countries experiencing economic difficulties, by providing them with opportunities in other European labour markets, and compensating for gaps in skills and shortages in others (Clark and Hardy: 3-23).

The significant level of EU migration since the last decade has influenced intensely the migration debate in the UK. It has changed the economic and social dynamics in many parts of the country which was not previously been experienced during the levels of immigration which gave rise to concern about the effect of such rapid change in population upon jobs, public

finances and services. These fears have been strengthened by constant negative campaigning on the issue by UKIP and other anti-European voices, and by the failure of the other parties to articulate an alternate answer to it.

The EU directive 2004/38/EC formally opened the UK border to any states of the EU. This had led the EU citizens to come to the UK to work, live and settle here. The EU law apart from the right to reside and work also gives them access to housing and benefit system which has always been one of the most easily accessible in the world. In 2014, the floodgates were opened to almost 29 millions of the Bulgarian and Romanian migrant while the government refuses to estimate the actual figure. According to ILO report of 2012, the wages in Britain is five times higher than the average wage in Bulgaria. Apart from these, the Romanian and Bulgarian population enjoys several inward benefits like child benefits and tax benefits immediately after accessing in the UK (YouTube Video accessed on 20th July, 2015). Thus it can be seen that it is the EU which ultimately dictates the immigration policies to the UK.

A majority of the British citizen names immigration as its top concern. This comprises 90 per cent of those in favour of UKIP, whose increasing popularity pressurize to turn over the political establishment. The Conservatives are not the only party who are working against on this issue. Labour has invented a strategy to force the employers to hire a local trainee every time they take on a non-EU worker. But the very range of concerns calls for a careful listening exercise. Voters feel in a different way “about foreign students, businessmen on a temporary post, reunited family members and asylum seekers although all these falls under the same category of ‘immigrants’. Well-founded fears and wide misapprehensions are often intermixed into one general objection. The facts are seldom one-sided. Foreign workers are very important to the National Health Service; however immigrants may still put undue pressure on public services in parts of the country” (The Financial Times Limited website ).

### **Syrian Crisis and the European Response**

With the Arab spring which began in 2011 with the toppling of the Tunisian President Zine El Abidine Ben Ali and the Egyptian President Hosni Mubarak, the protests later spread to Syria as well when 15 boys were detained and tortured as they made graffiti paints in the wall in favour of the Arab Spring. The Syrian President, Bashar al-Assad responded to the protests by killing the protesters and the demonstrators. This resulted in the rebels to announce

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the formation of a Free Syrian Army which aimed to overthrow the government and slowly, Syria went into civil war (AlJazeera website).

The Syrian crisis has triggered the world's largest humanitarian crisis since the World Wars. It has resulted in the largest displacement of population and people are increasingly deprived of the basic necessities like food, shelter and education. An entire generation of children has been scarred of the images of evil and violence and their innocence lost due to the constant ravages of war (European Commission Web). The conflict has caused major displacement within the country and in the entire region, with Lebanon, Jordan, Lebanon and Turkey sharing the maximum burden. The Syrian refugees from the year 2014, started to take asylum outside the region where mainly Europe is the major destination as borderless zone adds to the advantage and Germany, Sweden, France and the UK are the most sought after countries (Ostrand: 258). The EU, being the largest contributor in the world has been actively involved in trying for political solution in Syria. There are two main routes for the Syrian refugees to the European continent by land- via Turkey to Greece and Bulgaria or by sea to Greece and Italy. The European continent is giving contrasting reactions when it comes to the Syrian crisis. While the Western nations are treating the refugees in a positive way, the Eastern part of the continent through which the Syrian refugees are mainly trying to access in the continent are increasing their surveillance and border controls. More number of refugees and unsafe boat journeys to Europe has increased significantly in 2013 and 2014. As such, Frontex, the European border management agency has increased its operation regarding the rise of the irregular migration mainly from Syria (Orchard and Miller: 34).

The response from the European countries to the European countries can be divided into three categories- the liberal response which is mainly portrayed by Germany and Sweden which consists of open door policies where the refugees are welcomed whole heartedly, the moderate response portrayed by Italy consists of policies which depend upon the assistance from the European Union and lastly, the restrictive response, portrayed by Hungary which is based upon xenophobia and anti immigrant feeling against the refugees. It may be noted that the division between the countries of the Eastern and the Western Europe has become wider with the refugee crisis and the existence of European Union is being questioned as the less

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developed countries of Eastern Europe feel that the policy of burden sharing is unfair (Hoel: 49).

### **The Case of Brexit and after**

The UK has been considered the most skeptical member of the European Union. The British leaders felt that too much sovereignty was given to Brussels and as such the UK was not a member of the Eurozone or the Schengen movement area and it chose the justice and home affairs as much it chose to participate. With the Syrian crisis, there has been rise of xenophobia in the UK as the locals feel that they are losing all facilities to the outsiders. The wide spread hostility against the outsiders and the anti-immigrant sentiments has resulted in the rise of far right winged parties like the United Kingdom Independence Party (UKIP). With the arrival of the Syrian refugees, Islam phobia also became a reality along with xenophobia (Beauchamp 2016). This created a clear division amongst people regarding the membership of the UK in the EU. The EU asked all its member states to take 20, 000 refugees from Syria every year in order to share the burden which was not approved by the UK. In the recent years, the British Prime Minister, David Cameron faced political pressure increasingly from the Euro skeptical people both from within his party and from other parties. Accordingly, Prime Minister Cameron decided to find out the response through the deciding the membership conditions through a referendum which was held on 23<sup>rd</sup> June, 2016. The rise of Euro- skeptic parties, most of which are leaning towards the far right on the political spectrum and they call for an end to the Eurozone or the end of the EU itself (Archick: 5).

The referendum on 23<sup>rd</sup> June, 2016 decided the UK to be out of the EU after which there have been endless speculations regarding the fate of the UK in the absence of an umbrella organization called the EU. The impact of the Brexit would be felt as trade regulations will increase and the UK might become less attractive for the investors. London might lose its importance as international financial centre. The other members of the EU would also feel the impact as the Union would lose an important and influential member which would shift the balance of power in the EU (Irwin 2015:4). The Brexit has also led to the debates of Frexit, Nexit and Oexit and right winged parties in the respective countries are demanding referendum in their countries and this has heightened the fear of the disintegration of the Union itself. More

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countries want the sovereignty restored and the EU should interfere less in the internal matters of the respective states.

### Conclusion

The UK has always been a reluctant member in the European Union. It tried to reap the benefits without following all the policies of the Union. It was not a part of the Eurozone or the Schengen area yet it had positive trade relations with them. The UK also had its own border controls and it did not follow the common currency of “Euro” inspite of being a member of the EU. The Eastern enlargement in 2004 followed by the mass influx of cheap labourers from the erstwhile Communist countries and the recent influx of the Syrian refugees in the UK has changed the scenario in the nation which was one of the most appealing and influential nations to the labourers. The wide-spread hatred towards the outsiders had sealed the fate of the UK on 23<sup>rd</sup> June, 2016 when it exited from the EU. Analysts speculate that Brexit will undermine the EU project itself and it will lead to disintegration of the Union. It depends upon what policies the UK adopt towards the EU countries. But the UK will cost much more as lower trades will have more negative aspects than what it will gain. It is only with time that the future of the UK as well as the EU can be understood.

### Works Cited:

- AlJazeera, website. “*Syria's Civil War Explained*” Web. 24 May 2016 <<http://www.aljazeera.com/news/2016/05/syria-civil-war-explained-160505084119966.html>>
- Archick, Kristin “*The European Union: Current Challenges and Future Prospects*” Congressional Research Service (2016): 1-16. Print.
- Beauchamp, Zack. “*Brexit isn't about economics. It's about xenophobia*”. Web. 24 June 2016. <<http://www.vox.com/2016/6/23/12005814/brexit-eu-referendum-immigrants>>.
- Bidinger et al. “*Protecting Syrian Refugees: Laws, Policies, and Global Responsibility Sharing*” Boston University School of Law (2014): 1-118. Print.
- Biswas et al. “*International and Intra-Regional Labour Mobility: The UK Experience*” Working Paper. ISSN 1749-8368. (2009): 1-9. Print.

- Bond et al. *“Europe after Brexit Unleashed or undone?”* Centre for European Reform (2016): 1-15. Print.
- Brannan, David (2014), *“EU uncertainty – the impact on migrants in the UK, Halsbury’s Law Exchange”*, Web.19 July, 2015<<http://www.halsburyslawexchange.co.uk/eu-uncertainty-the-impact-on-eu-migrants-in-the-uk/>>
- Clark, Nick and Jane Hardy. *“Free Movement in the EU: The Case of Great Britain”* Friedrich Eberto Stiftung (2011): 3-23.Print.
- Costello, Dr. Cathryn and Emily Hancox. *“The EU, UK Citizenship and Free Movement of Persons”* The Migration Observatory. (2014): 2-6.Print.
- Dhingra et al. *“The Consequences of Brexit for UK Trade and Living Standards”*. Centre for Economic Performance PaperBrexit02 (2016): 2-10. Print.
- Fernández, Haizam Amirah. *“Brexit and the EU’s Syrian Bill”* Elcano Royal Institute (2016): 1-2. Print.
- Glencross, Andrew. *“British Euroscepticism as British Exceptionalism: The Forty-Year “Neverendum” on the Relationship with Europe”* *Studia Diplomatica*, LXVII (4) (2014). 1-9. Print.
- Glennie, Alex and Jenny Pennington. *“Europe, Free Movement and the UK: Charting a New Course”*. Institute for Public Policy Research (2014): 2-30. Print.
- Gower, Melanie and Ben Politowski. *“Syrian refugees and the UK response”* House of Commons Library Number 06805 (2016): 3-20. Print.
- Gower Melanie and Hannah Cromarty. *“Syrian refugees and the UK”* House of Commons Library Number 06805 (2016): 3-16. Print.
- Halkyard, Graham. *“Brexit – And Life Goes On”* Director’s Briefing (2016). 1-5.Print.
- Hoel, Maria. *“The European Union’s response to the Syrian refugee crisis An analysis of the response of Member States and EU institutions”* Master’s thesis. Norwegian University of Science and Technology. 2015. Print.
- Irwin, Gregor. *“BREXIT: the impact on the UK and the EU”* Global Counsel (2015): 2-39. Print.
- Jenkins, Brian Michael. *“The Dynamics of Syria’s Civil War”* RAND Corporation PE-115(2014): 1-22. Print.

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- Kenealy, Daniel. “How Did We Get Here? A Brief History of Britain’s Membership of the EU” Web. 13 September, 2016 <<http://www.europeanfutures.ed.ac.uk/article-3278>>
- Lee, Timothy B. “Brexit: a short, simple explanation” Web. 24 June 2016, <<http://www.vox.com/2016/6/24/12024560/brexit-a-short-simple-explanation>>
- Mohammad, Taghrid. “Syria Crisis” *ECHO Factsheet European Commission* (2016): 1-3. Print.
- Möller, Almut and Tim Oliver, Ed. “What would a “Brexit” mean for the EU and other States around the World?” *DGAPanalyse* 16 (2014): 1-108, Print.
- New Statesman. “What are the Consequences of Brexit for the Refugee Crisis” Web. 29 June 2016 <<http://www.newstatesman.com/politics/uk/2016/06/what-are-consequences-brexit-refugee-crisis>>
- Oliver, Tim. “A European Union Without the United Kingdom: The Geopolitics of a British Exit from the EU” *LSE Ideas Strategic Update* 16.1 (2016): 2-15. Print.
- Orchard, Cynthia and Andrew Miller. “Protection in Europe for refugees from Syria” *Refugee Studies Centre Forced Migration Policy* 10 (2014): 7-77. Print.
- Ostrand, Nicole. “The Syrian Refugee Crisis: A Comparison of Responses by Germany, Sweden, the United Kingdom, and the United States” *Journal on Migration and Human Security* Volume 3 Number 3 (2015): 255-279. Print.
- Peet, John. “The Reluctant European” *Britain and Europe. The Economist* 17 October 2015: Print.
- Perisic, Bojana. “Britain and Europe: a History of Difficult Relations” *Institute for Cultural Diplomacy* (2010): 1-10. Print.
- The Financial Times. “Sanity must be restored to the debate on UK immigration” Web. 21 July, 2015 <<http://www.ft.com/intl/cms/s/0/577eafd0-64e6-11e4-bb43-00144feabdc0.html#axzz3gV3vVyCH>>
- The Guardian. “UK is failing to take 'fair share' of Syrian refugees, says Oxfam” Web. 29 March 2016 <<https://www.theguardian.com/uk-news/2016/mar/29/uk-is-failing-to-take-fair-share-of-syrian-refugees-says-oxfam>>
- The Telegraph. “Britain's 40 year relationship with the EU” Web. 16 June, 2016 <<http://www.telegraph.co.uk/news/2016/06/16/britains-40-year-relationship-with-the-eu/>>

J  
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Wilson, Sam. “*Britain and the EU: A long and rocky relationship*” BBC News 1 April 2014 .  
Online.

YouTube video. “Lost to the EU: The True Facts on UK Immigration, Europe of Freedom and  
Democracy” Web. 20 July, 2015 <[https://www.youtube.com/watch? v=HZt75  
v6vuRA](https://www.youtube.com/watch?v=HZt75v6vuRA)>

