European values and the asylum crisis

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The inclusion of the far right Freedom Party of Austria (FPÖ) in a government coalition in January 2000 prompted widespread protest in Europe, and the unprecedented measure on the part of EU states of breaking off bilateral political contacts with Austria.[1] The extreme nature of this reaction suggested that more was at stake than domestic developments in a comparatively small EU state. It reflected a more deep-seated anxiety at the growth in support for far right movements, and at rising racist and anti-immigration sentiment in many European countries. The self-proclaimed liberal democratic and human rights-based values underpinning the European project were being threatened by the resurgence of exclusionary forms of nationalism and ethnocentrism. Hence the calls by many for a reassertion of fundamental liberal values, and the continuing attempts to draft a European Charter of Rights.

The threat to liberal universalist values is particularly apparent in the area of asylum and immigration. Recent debates on the integration of immigrants have questioned the ability of liberal democratic states to provide adequate scope for cultural diversity, or to recognize problems of socio-economic inequalities between different ethnic groups.[2] These critiques challenge the supposed 'neutrality' and universality of the liberal model, and its practical capacity to address the contemporary problems of multicultural European states.

While these questions are important, this contribution will focus on a second, arguably more serious challenge to European liberal values. This threat concerns the practical feasibility of the liberal universalist model as the basis for defining asylum policy. Doubts about the practical adequacy of this model have been generated by the significant rise in the number of asylum-seekers in Europe over the past two decades.[3] Public perceptions of the 'costs' of assisting

[1] Statement of the Portuguese Presidency of the EU on Behalf of XIV Member States, 31 Jan. 2000.

[2] For a selection of literature on debates about multiculturalism, see Amy Gutmann, *Multiculturalism: examining the politics of recognition* (Princeton, NJ: Princeton University Press, 1994); Will Kymlicka, *Multicultural citizenship: a liberal theory of minority rights* (Oxford: Clarendon Press, 1995); Andrew Geddes and Adrian Favell, eds, *The politics of belonging: migrants and minorities in contemporary Europe* (Aldershot: Ashgate, 1998); Tariq Modood and Prina Werbner, eds, *The politics of multiculturalism in the new Europe: racism, identity and community* (London: Zed, 1997).

[3] For detailed statistics, see Jeff Crisp/UNHCR, *The state of the world's refugees: a humanitarian agenda* (Oxford: Oxford University Press, 1997); for detailed statistics, see pp. 184–7.

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asylum-seekers and refugees have triggered a strong backlash against asylum applicants, and increasingly restrictive measures on the part of EU states. Many of these measures—such as carrier sanctions for airlines, accelerated asylum procedures, and concepts of safe countries of origin or third countries—are already, arguably, inconsistent with standards of international refugee protection. Yet the apparent inability of states and the EU to manage the problem has led some commentators to question more fundamentally the continued relevance of international refugee law. Given the high level of refugee flows, it is argued, the universalist rights-based principles on which refugee law is premised may no longer be feasible. This would imply replacing the postwar liberal refugee regime with a more restrictive, quota-based system, or other measures to 'contain' refugee flows in countries of origin.

Such a retreat from the liberal universalist model would clearly have a negative impact on asylum-seekers and refugees, as many refugee and human rights campaigners have observed.[4] However, the focus of this article will be on the less immediate question of what such a retreat might imply for Europe's self-identity as the proponent of liberal human rights values. For the issue of asylum goes to the heart of how European states define membership, and thus has important implications for conceptions of European identity. In an important sense, refugee policy establishes the criteria for inclusion and exclusion in EU states. As such, it carries a high degree of cultural and moral symbolism, both for EU citizens and for those outside Europe. The explicit abandonment or revision of the liberal universalist ideal in defining membership could arguably be an important indicator of shifting conceptions of citizenship and belonging in Europe. And if this is the case—if the liberal universalist approach is to be revised or abandoned—it becomes vitally important to assess what sorts of values or beliefs might replace this ethical standard. On what criteria—economic, or geographical, or perhaps even ethnic—will Europe define membership with reference to its refugee policies?

This article will examine the challenge to European values generated by the asylum crisis and the possible alternatives to the liberal universalist approach. The first part will trace the emergence of the liberal universalist conception, and the recent challenge to its feasibility posed by the asylum crisis. In the second part I shall consider the beliefs and arguments that shape or justify the critique of existing liberal universalist approaches to asylum—especially welfare-based and ethno-centric arguments. After outlining the origins of these arguments in European political thought, I shall examine the conditions under which they have shaped responses to refugees and consider the extent of their influence today. Finally, in the third part of the article I shall outline three possible

[4] There is extensive literature on these issues. See e.g. James Hathaway, 'New directions to avoid hard problems: the distortion of the palliative role of refugee protection', *Journal of Refugee Studies* 8: 3, 1995, pp. 288–304; Frances Nicholson and Patrick Twomey, eds, *Refugee rights and realities* (Cambridge: Cambridge University Press, 1999), esp. the contributions by Jens Vedsted-Hansen and Guy Goodwin-Gill. For a review of this book, see this issue of *International Affairs*.

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scenarios for European responses to refugees, and examine the implications of each for European conceptions of membership.

It is not my intention in this article to deify the liberal model or to claim that refugee policies since the Second World War have been shaped predominantly by liberal ethical considerations. Indeed, I shall argue that both welfare-based and nationalist or racist views have pervaded discourse and influenced policy on refugees since the problem first emerged in its modern form in the 1880s. What is different about the current crisis, however, is the combination of high numbers of refugees, unemployment in receiving countries, and the impact of globalization on notions of both identity and state legitimacy. This configuration of socio-economic and political conditions is challenging the prevalent liberal universalist model, and renders the future direction of asylum policy in Europe highly uncertain.

The liberal universalist model

Emergence and codification of the liberal universalist approach

What I term the 'liberal universalist' approach to asylum is the individual rights-based concept of refugee protection, as codified in the 1951 Geneva Convention on the Status of Refugees. The Convention defines a refugee as a person outside their country 'owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion'.[5] States party to the convention—of which there are 137—are obliged not to expel or send back (*refouler*) refugees to countries where their 'life or liberty' would be at risk, creating a right to *non-refoulement*.[6]

The approach is rights-based in that it defines refugees on an individual basis, according to criteria linked to human rights violations. It is liberal in that it is grounded in a commitment to individual freedom from persecution or threats to 'life and liberty'. And it is universalist in the sense that it is impartially applicable to all refugees, regardless of nationality, race or other characteristics that liberal theories generally consider to be morally arbitrary.[7]

The convention was initially intended to apply solely to refugees in Europe, but was extended by a 1967 protocol to cover refugees from all countries.[8] This liberal individualist approach was until fairly recently widely accepted by west European governments, and has guided national and regional responses to refugees. Almost all states have integrated the Geneva Convention into domestic law and have established institutional mechanisms for assessing individual applications for refugee status, and for granting asylum to those whose claims are successful. For several decades, the rights-based approach was accepted almost

[5] Article 1A, Convention Relating to the Status of Refugees, Geneva, 28 July 1951.
[6] Ibid., Article 33.
[7] The classic contemporary statement of this form of rights-based liberalism is found in John Rawls's *Theory of justice*.
[8] Protocol Relating to the Status of Refugees, New York, 31 Jan. 1967.

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unquestioningly by western Europe as the prevalent framework for responding to asylum-seekers.

The liberal universalist approach is of course grounded in a particular conception of individual rights that has its origin in European political and moral thought. The Geneva Convention's definition of 'refugee' codifies a theory of negative liberty that values the individual's freedom from illegitimate encroachment by the state, and propounds the equal distribution of this right regardless of race, religion or political conviction. It is a theory that has its explicit origin in medieval natural law and took a distinctively modern form in eighteenth-century social contract theory and American and French revolutionary ideology.[9] This form of rights-based liberalism influenced European responses to political exiles in Europe in the nineteenth century, and also informed the arguments of those who criticized restrictive refugee policies in the 1930s.[10]

Nonetheless, it was not until after the Second World War that the liberal universalist conception was institutionally codified in the form of international refugee law. As explained below, European refugee problems in the interwar years had been dealt with through a combination of population exchanges or transfers, large-scale repatriation or resettlement to the New World. By contrast, the regime that emerged from 1946 onwards was based on a concept of individual rights, rather than group (national, ethnic or religious) characteristics. It was oriented towards permanent resettlement in countries of asylum, rather than repatriation or transfer *en masse*. This emphasis on individual rights and resettlement can be understood as motivated in part by outrage at Nazi atrocities and the failure of European states to provide protection for the large numbers of Jewish and other refugees before 1939. But it must also be analysed in the context of the emerging Cold War ideological conflict. The post-Second World War definition of 'refugee' focused on the sorts of political and civil rights violations that were considered by the West to be violated in the Soviet bloc. There was no recognition of the sorts of social or economic needs that were codified in other postwar human rights instruments.[11] The emphasis on resettlement also implied granting permanent residence rights or citizenship to refugees from eastern Europe and the Soviet Union, again seen as a powerful ideological symbol of the superiority of Western societies.[12] So while the regime clearly

[9] For an excellent overview, see Ian Shapiro, *The evolution of rights in liberal theory* (Cambridge: Cambridge University Press, 1986).

[10] Writing in 1939, Sir John Hope Simpson urged west European states to admit refugees from Germany and Austria, using familiar liberal universalist rhetoric: 'There will always be politically active opponents of a regime, who to save life and liberty must seek sanctuary in other countries . . . It would be a humiliating degeneration of political practice if these persons, after release or escape, could not find asylum in another country while those conditions persist that threaten their lives and liberty in their own countries'. *The refugee problem: report of a survey* (Oxford: Oxford University Press, 1939), p. 546.

[11] Universal Declaration of Human Rights, 10 Dec. 1948; International Covenant on Economic, Social and Cultural Rights, 16 Dec. 1966.

[12] On the emergence of the 'exile bias' and the East–West conflict over the question of repatriation, see John George Stoessinger, *The refugee and the world community* (Minneapolis: University of Mineapolis Press, 1956), pp. 61–8; Kim Salomon, *Refugees in the Cold War: toward a new international refugee regime in the early postwar era* (Lund: Lund University Press, 1991), pp. 220–1.

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drew on the liberal tradition, it was arguably a selective reading, based on an eighteenth- and nineteenth-century theory of negative liberty that seemed especially well equipped to respond to East–West refugee flows in the 1950s.

At the time of its drafting there were some anxieties about the potential scope of the obligations imposed by the convention. During negotiations, France, Italy, the Netherlands and West Germany all argued that the terms of the convention should apply to individuals rather than in situations of mass influx.[13] Nonetheless, the convention sets no restrictions on the refugee's right not to be sent back to a country where their life or liberty would be at risk (the right to '*non-refoulement*'), other than in the extreme case of a refugee being expelled 'on grounds of national security or public interest'. Even in this case the refugee has the right to appeal.[14] As it turned out, these concerns about mass influx were not borne out by events in the 1950s. Apart from the flight of around 200,000 Hungarians following the revolution of 1956, East–West flows were highly restricted and remained limited in number. More importantly, there were serious labour shortages in most west European states. Postwar reconstruction and economic growth in the 1950s and 1960s ensured a continued demand for immigration—whether in the form of refugees from communist countries, *Gastarbeiter* from Turkey and southern Europe, or immigrants from Commonwealth countries.

The liberal universalist approach under attack

The feasibility of maintaining liberal refugee policies in Europe only began to be seriously questioned in the 1970s. The post-1973 recession created high unemployment in Europe, and concerns about race relations in the UK and other countries were used as a further argument for tightening provisions. By the late 1970s most European states had introduced legislation that largely halted immigration flows. With restricted possibilities for immigration, many people from developing countries turned to the remaining routes for entry into industrialized states: family reunification, illegal immigration and asylum. By the 1980s, European asylum systems were 'overwhelmed' with applications, triggering what has been termed an asylum crisis.

Faced with large numbers of asylum-seekers they had little obvious economic or political incentive to accept, industrialized states found their international duties to refugees difficult to fulfil. Two rather different but related problems emerged. One was the administrative and legal difficulty of sorting through large numbers of cases to sift out *bona fide* from non-genuine or what are now frequently termed 'bogus' applicants. This problem, and the perceived costs of

[13] Indeed, the Dutch delegate 'wished to have it placed on record that the Conference was in agreement with the interpretation, that the possibility of mass migration across frontiers or of attempted mass migrations was not covered by Article 33 [the principle of non-*refoulement*]': Paul Wis, *The Refugee Convention, 1951: the Travaux Preparatoires analysed* (Cambridge: Cambridge University Press, 1994) , p. 335.

[14] Convention Relating to the Status of Refugees, Article 32 (1).

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assisting asylum-seekers for the duration of the process, triggered a series of policy measures to reduce access of 'economic migrants' to the asylum system, 'streamline' the procedures for determining status, and enforce the return of asylum-seekers whose claims were rejected. These attempts were partly effective in deterring or speeding up the processing of applications, and may in the future manage to eliminate backlogs and create a truly 'streamlined' system (although probably to the detriment of refugee rights).

Less easy for European states to control was the second problem of the high number of *bona fide* refugees. Even assuming the most reliable and swift procedures, the number of those genuinely in need of international protection will remain high—or at least, higher than popular opinion in European states seems willing to tolerate at present. Instability and communal conflict in the CIS, Balkans, and parts of Africa and south Asia, the economic impacts of globalization on developing countries, not to mention the opportunities for mobility provided by improved communications, transport and increasingly sophisticated trafficking networks—all of these factors are likely to translate into continued or increased levels of influx.

One way of addressing the problem has been for European states to establish forms of 'temporary protection'. When the Croatian and Bosnian conflicts occurred at the height of the asylum crisis, western Europe responded with various ad hoc measures to provide a form of provisional protection, pending resolution of the conflict. The temporary protection approach may well become the norm for responding to future situations of *en masse* flight from conflict situations in nearby countries. But the approach carries its own problems, and in any case does not bypass the requirement under international law to assess the large number of individual applications from people who are fleeing for other reasons, or from further afield.

The other main development of relevance to liberal approaches to asylum in this period has been the attempt to harmonize refugee policies at the EU level. The first meaningful steps towards integration were initiated in the early 1990s after the Maastricht Treaty established a legal basis for adopting common approaches on asylum and immigration. EU states adopted a number of measures in the areas of temporary protection and illegal immigration and asylum. The measures were criticized as overly restrictive by refugee campaigners, although the limited EU legislative capacity in the area also meant that they were not legally binding. Integration was given new impetus by the abolition of border controls between countries party to the Schengen Agreement in 1995, and the ensuing need for 'flanking measures' to protect external borders. Similarly, the Amsterdam Treaty's goal of creating 'an area of freedom, security and justice' was again considered to generate a need for more stringent measures to protect the EU area from an influx of unwanted immigrants. The treaty set out a five-year timeframe for introducing measures on, *inter alia*, minimum standards for recognizing asylum-seekers and on procedures for granting refugee status, an agenda which was given further impetus by the Justice and Home Affairs Council at Tampere in

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October 1999. But commentators widely agree that progress on immigration and asylum has been disappointing, and that measures have been based on a 'lowest common denominator' approach to integration.[15]

In sum, both national and EU responses to the asylum crisis represent a partial retreat from the principles underlying the postwar regime. Continued pressure on asylum systems, negative media coverage and growing public antipathy towards asylum-seekers suggest that the future of the liberal universalist approach is far from assured. After its codification in international law and a remarkable period of European compliance with the regime lasting for almost four decades, the liberal refugee regime today appears to many to be outdated and unworkable.

Welfare-based and ethno-centric forms of nationalism

If the current liberal model is under threat, what are the alternative principles or goals that could guide refugee policy in Europe? Criticisms of the liberal universalist approach tend to converge on the claim that the current system is no longer practically feasible. The individual rights-based model is unable to cope with current levels of influx, and its generous provisions impose an excessive financial and social burden on receiving countries. But beyond this, one can discern different strands in justifications for introducing increased restriction.

I shall argue in this section that two strands are especially prevalent in the discourse on restriction. The first is a liberal welfare-based argument that is primarily concerned with defending the socio-economic benefits of nationals in liberal democracies. This type of welfare-based claim is used to justify restrictions on access to welfare benefits or employment rights for asylum-seekers, or on access to asylum systems themselves, in order to protect the social and economic interests of current citizens. Second, there is what I shall call an ethno-centric argument for restricting influx, based on claims about the significance of racial, cultural or ethnic characteristics. This second type of argument tends to underlie discriminatory measures to deter specific groups of asylum-seekers or immigrants: tighter visa controls on countries with non-white populations, or preferential immigration schemes for Europeans. In practice, both sets of justification for restriction are often combined in a single nationalist approach. But the relative emphasis on either welfare-based or ethno-centric nationalism does vary in different social and historical contexts. And, as I shall argue, it matters a great deal which type of argument is likely to emerge as the prevalent framework for justifying restrictive asylum policies in Europe.

[15] Cornelis D. de Jong, 'Is there a need for a European asylum policy?', in Nicholson and Twomey, eds, *Refugee rights and realities*.

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The origins of ethno-centric and welfare-based nationalism

The influence of ethno-centric and welfare-based approaches in Europe is not new. While I emphasized in the last section the influence of liberal universalist ideas on refugee policy, notions of nationalism—in both its welfare-based and ethno-centric forms—have influenced responses to refugees over the past hundred years or more. The liberal universalist conception, after all, was not legally codified until after the Second World War. And even in the postwar decades its ascendance was contingent on a specific configuration of political and socio-economic conditions. So what sorts of assumptions and beliefs shaped European responses to refugees in the first half of the twentieth century, and how far do they continue to influence the contemporary debate on asylum? In short: what lessons can be learned from previous responses to refugees that are relevant to the contemporary asylum problem?

The most significant challenge to the liberal universalist conception in the last century has undoubtedly come from what I shall broadly classify as 'nationalist' theories and movements. Nationalism in its various forms has had a profound influence on refugee issues in Europe, both in generating refugee flows, and—more pertinent to the current discussion—in shaping responses to refugee influx. Understood in its loosest sense, nationalism is a doctrine that ascribes special moral and political significance to nationality. The assertion of the relevance of nationality has been used by states or nationalist movements to justify a variety of political strategies and claims—to non-intervention, secession, self-determination or military expansion. It has also been used as a justification for the exclusion of non-nationals from residence or citizenship.

This notion of the political and moral relevance of the nation has its historical origin in the process of state consolidation in Europe from the fifteenth century onwards. The centralization of administrative control and taxation, and the imposition of education and a national language in a number of European states, both engendered and was in turn facilitated by the development of a sense of national identity.[16] Until the late eighteenth century, national loyalty was predominantly a hierarchical concept, usually defined in terms of loyalty to the sovereign. More populist doctrines of nationalism are generally considered to date from the French Revolution, and the identification of national self-determination with democratic resistance to absolutist rule. The French conception of nationality was essentially a liberal democratic doctrine, with a political rather than an ethnic or linguistic criterion of citizenship.[17] However, the popular uses of nationalism were given a more culturalist slant in nineteenth-century Romantic thought. National liberation and unification movements in Europe, as well as political elites seeking legitimacy, highlighted the distinct linguistic or ethnic characteristics of nationalities in order to mobilize support

[16] These forms of state consolidation 'from above' largely resulted from the need to levy taxes, recruit soldiers and ensure support for international conflict.

[17] Rogers Brubaker, *Citizenship and nationhood in France and Germany* (Cambridge, MA: Harvard University Press, 1992).

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for weak or aspiring states. The use of such ethno-centric notions of nationality in the cause of state-building and consolidation was to be a major cause of refugee flows from the late nineteenth century onwards. The persecution of Jews in Russia from the 1880s onwards, Armenian flight from genocide in 1915, and the oppression of minority groups in the Balkans, central and eastern Europe, Turkey and Greece all generated massive flows of refugees before the First World War and throughout the interwar period.[18] Nazi massacre of Jews in Europe can also be seen as the culmination of the ethno-centric nationalist project.[19]

Historically, the growing importance of the nation-state and nationalism had profound implications for the treatment of refugees. For states whose populations had been politically mobilized through ethno-centric concepts of nationality (such as Germany, Austria, Italy, Poland, Hungary, Bulgaria, Greece, Yugoslavia and Turkey), the exclusion of non-nationals tended to be justified on ethnic grounds.[20] But as refugee flows in Europe increased from the end of the nineteenth century onwards, similarly exclusivist forms of nationalism also began to emerge in the refugee policies of more liberal or republican democratic states. As the state's jurisdiction over its population and territory was expanded, the criteria of membership and thus the distinction between citizens and non-citizens assumed more relevance. The increasing democratization of nation-states generated demands by European labour movements for an expanded role for the state. In response to these demands, states became increasingly responsible for ensuring social welfare. As the perceived social and economic benefits of citizenship increased, citizens became more reluctant to share finite resources with non-nationals who had not been engaged in the struggle for expanded socio-economic benefits—especially in times of unemployment and depression. Even if the rights that accrued to citizens in democratic states were ostensibly grounded in liberal universalist values, they none the less had the effect of heightening the relevance of national membership. So while states with ethno-centric conceptions of nationality excluded non-nationals on predominantly racial or ethnic grounds, liberal democracies tended to be motivated by socio-economic or welfare-based reasons.

The dichotomy between welfare-based and ethno-centric forms of nationalism should not be overstated. In historical terms, most states have mobilized national support for state consolidation through emphasizing both shared ethno-cultural characteristics and the socio-economic benefits of membership. Even states with a supposedly 'civic' or welfare-based conception of nationality, such as France and Britain, invoked theories of race in the nineteenth century to justify colonial expansion.[21] And, as we shall see, the two types of argument for

[18] Aristide Zolberg, 'The formation of new states as a refugee-generating process', *Annals* 467, May 1983, pp. 24–38; Michael Mann, 'The dark side of democracy: the modern tradition of ethnic and political cleansing', *New Left Review* 235, May/June 1999, pp. 18–45.

[19] Mann, 'The dark side of democracy', p. 35.

[20] Citizenship was in most cases defined by a concept of *ius sanguinis*, rather than *ius solis*.

[21] Léon Poliakov, *The Aryan myth: a history of racist and nationalist ideas in Europe* (London: Chatto & Windus, 1974).

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privileging co-nationals over outsiders are often conflated in current policy debates on asylum. None the less, as I shall show in the next section, relative emphasis on either conception has had implications for the direction of refugee policy over the past century.

Nationalism and refugee policy in the twentieth century

Both ethno-centric and liberal welfare-based forms of nationalism influenced refugee policies in Europe in the twentieth century. These conceptions emerged as influential in the interwar years, were less dominant in the years after the Second World War, but resurfaced again from the 1970s onwards in western Europe. In order to understand contemporary forms of these ethnic and welfare-based arguments for restricting refugee influx, it is important to examine how similar approaches have shaped responses to refugees in the past. What forms did such arguments take, and under what conditions were they influential in shaping refugee policy?

I have already referred to the use of ethno-centric nationalism as a basis for mobilizing popular support for state formation and consolidation. This pattern of state-building and nationalism had a major impact on European responses to refugee flows in central and eastern Europe in the interwar years. After the First World War, the ethnic conception of membership was given added impetus—and effectively legitimized—by the peace settlement and the League of Nations. The Paris treaties created a series of new and mandatory states in central and eastern Europe, invoking the principle of national self-determination to justify the new borders. The break-up of the old multinational empires into separate nation-states generated the displacement of millions of ethnic and national minorities from Poland, Russia, Ukraine, Hungary, Czechoslovakia, Greece, Turkey and Bulgaria. Millions of other minorities were made stateless by new nationality laws in central and eastern Europe.[22] Far from attempting to prevent refugee movements, the League's new High Commissioner for Refugees positively promoted ethnic 'unmixing', organizing mass transfers and exchanges of minority groups between Greece, Turkey and Bulgaria.[23] Refugees tended to be viewed as an inevitable by-product of the consolidation of new states, rather than as individual victims of persecution. Thus the High Commissioner's mandate covered ethnic *groups* defined on the basis of territory, nationality or religion, rather than on the type of universal individualist definition that emerged after the Second World War.

But mobilization on nationalist grounds was not confined to the process of state consolidation and ethnic 'unmixing'. It was also an important political instrument for ensuring support for national defence and war in Europe. Even

[22] For example, a Romanian citizenship law of 1924 made 100,000 Jews inside Romania stateless, while almost 1 million Russians were stripped of citizenship in the early 1920s.

[23] Michael Marrus, *The unwanted: European refugees in the twentieth century* (Oxford: Oxford University Press, 1985).

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in relatively mature European nation-states, political leaders found it necessary to mobilize national loyalty in response to external threats to security. Mass mobilization in the two world wars required a high degree of identification with, and loyalty to, the national cause. As in the case of mobilization for state consolidation, support for interstate conflict in Europe could be generated around ethno-centric or welfare-based nationalist claims, or in most cases some combination of the two. Welfare-based approaches were important in generating support in many west European societies.[24] Political elites found it imperative to generate political support from working-class and labour movements, in order to mobilize and organize national resources for war.[25] It is no coincidence that the most significant steps in the development of welfare state systems in Europe occurred in the aftermath of the two world wars.

Mobilization along welfare lines was to have a significant impact on restrictionist policies in democratic states in western Europe. The first significant moves towards restrictionism occurred in the 1930s, in response to mass influxes of refugees from civil war and fascist regimes. A combination of economic crisis and international political instability prompted west European liberal states to introduce restrictions on the entry or residence of refugees. In the first half of the 1930s, France, Belgium, the Netherlands, Switzerland, Austria and Czechoslovakia received large numbers of refugees from Germany, Spain and Italy. By 1936, France was estimated to have a foreign population of around two and a half million, prompting claims that it was 'saturated' with refugees. French governments responded by introducing stricter immigration controls. High levels of unemployment and social unrest had led governments to abandon the civic universalist criterion of membership in favour of a more welfare-based nationalism, concerned primarily with protecting the economic and social rights of French nationals.[26]

The British government also introduced its first measures to restrict refugees in the 1930s. An Aliens Bill had been introduced as early as 1905 to limit the entry of 'undesirable and destitute' immigrants. But those facing persecution on religious or political grounds were exempted from these provisions.[27] By contrast, the restrictions introduced in the 1930s covered both immigrants and refugees, and aimed to limit the employment and permanent settlement of non-nationals. Thus, while refugees from fascist regimes were still able to enter the UK, British policy was to provide only temporary residence, pending resettle-

[24] Wolfgang Mommsen, ed., *The convergence of the welfare state in Britain and Germany, 1850–1950* (London: Crown, 1981).

[25] See e.g. Young-Sun Hong, 'World War I and the German welfare state: gender, religion, and the paradoxes of modernity', in Geoff Eley, ed., *Society, culture and the state in Germany, 1870–1930* (Michigan: University of Michigan Press, 1996), p. 349.

[26] As a Chatham House report of 1939 observed, '[e]ven France, which cherishes the right of political asylum as an essential principle of the Revolution, has strengthened frontier control', Sir John Hope Simpson, *Refugees: a review of the situation since September 1938* (Oxford: Oxford University Press, 1939), p. 4.

[27] John A. Garward, *The English and immigration, 1880–1910* (Oxford: Oxford University Press, 1971), pp. 45–6.

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ment in other countries.[28] Only those who were economically self-sufficient were allowed to remain. The rationale for restriction was predominantly welfare-based rather than ethno-centric, reflecting the salience of the socio-economic interests of British nationals over the rights of refugees. As a Home Office official stated in 1933, 'we do not...admit that there is a "right of asylum", but when we have to decide whether a particular political refugee is to be given admission to this country, we have to base our decision...on whether it is in the public interest that he be admitted'.[29]

However, it would be wrong to characterize the refugee debate in liberal west European states as influenced exclusively by welfare-based conceptions of nationalism. Even in liberal democratic states, welfare-based arguments for restriction were often conflated with ethnic or racist views. Thus, although economic arguments seemed to dominate justifications for restriction in Britain and France in the 1930s, in many cases they were tinged with anti-semitism or xenophobia.

One reason for this conflation of welfare-based and ethno-centric arguments is that the former do not in themselves provide a sufficiently robust justification for privileging the claims of citizens over non-nationals. In the liberal welfarist tradition, the socio-economic rights of citizens are usually grounded in a commitment to the equal rights of all human beings. Arguments for economic equality within states tend to invoke justifications that would logically imply a duty to extend these rights to needy foreigners.[30] But in times of economic recession and high unemployment, where states are under pressure to concentrate scarce resources on the welfare of their citizens, other sorts of justifications for privileging nationals need to be evoked. The distinction between the claims of nationals and non-nationals becomes more robust if it is lent some additional relevance—for example on the grounds of different cultural or racial characteristics. Quite apart from its conceptual weakness, the welfare conception also lacks the emotional force of ethno-centric arguments. The ethno-centric conception invokes racial or cultural characteristics that are supposedly integral to the values, beliefs and identity of nationals. Hence emotive claims about 'floods' of immigrants or the 'saturation' of receiving societies with non-nationals can generate more support for restriction than more utilitarian arguments about economic interests.

The tendency to conflate welfare and ethno-centric arguments in liberal states must also be understood in the context of the tradition of race theories in Europe. Even societies that seemed clearly to conform to the liberal democratic model of non-ethnic nationalist mobilization were heavily influenced by nineteenth-century theories of race. While the scientific and ethical legitimacy

[28] Simpson, *Refugees*, p. 68.

[29] Cited in Marrus, *The unwanted*, p. 150.

[30] For theories of international justice that argue along these lines, see Onora O'Neill, *Towards justice and virtue: a constructive account of practical reasoning* (Cambridge: Cambridge University Press, 1996); Henry Shue, *Basic rights: subsistence, affluence and US policy* (Princeton, NJ: Princeton University Press, 1980); Charles Beitz, *Political theory and international relations* (Princeton, NJ: Princeton University Press, 1979).

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of such theories was effectively discredited after 1945, notions of racial hierarchy continued to pervade attitudes to immigrants and refugees from Africa and Asia in the decades after the Second World War. Here it is necessary to look briefly at immigration rather than refugee policies, for until the 1970s debates on race issues and entry revolved around migration and guest workers.

Immigration policies in western Europe after 1945 were initially influenced by mainly welfare considerations. Most west European states recruited substantial numbers of labour migrants from abroad in the 1950s and 1960s. None the less, there was a clear preference for European immigrants. Initially France, West Germany, Switzerland, Belgium, and then (in the 1960s) the Netherlands and Austria introduced immigration quotas to import guest workers from southern Europe, Turkey and North Africa. By 1970, West Germany had nearly 3 million foreign residents, France had 2.6 million, and Belgium 0.7 million.[31] Throughout this period there was a striking absence of anti-immigrant nationalist discourse. Welfare-based arguments militated in favour of importing labour migration, and the large numbers of white, European immigrants did not trigger a significant racist backlash.

The UK followed a somewhat different pattern, receiving substantial immigration from Africa and Asia from 1948 onwards—mainly because of an expansive definition of 'British subjects' that was a legacy of the British Empire.[32] From the outset, there were concerns about the impact of non-European immigration on a British identity that was being challenged by relative economic decline and the break-up of its empire. Racist arguments against Commonwealth immigration influenced the introduction of restrictive immigration legislation in the 1960s and 1971, at a time when there was no clear economic argument for doing so,[33] although most mainstream politicians were reluctant openly to 'play the race card'.[34]

In other west European states, concerns about immigration came to the fore only in the mid-1970s. In West Germany, debates on the perceived costs of immigrants to the welfare state emerged from around 1973, and from the early 1980s onwards increasingly began to revolve around the supposed problem of integrating Turkish and Asian guest workers.[35] In France, immigration became

[31] Heinz Fassmann and Rainer Münz, 'Patterns and trends of international migration in western Europe', in Fassmann and Münz, eds, *European migration in the late twentieth century* (Laxenburg: International Institute for Applied Systems Analysis, 1994), p. 7.

[32] As Coleman points out, Britain has never had an official policy of recruiting or encouraging immigrants—with the exception of the recruitment of 75,000 'European Volunteer Workers' in 1947–50. See David Coleman, 'The UK and international migration: a changing balance', in Fassmann and Munz, eds, *European migration in the late twentieth century*, p. 38.

[33] Christian Joppke, *Immigration and the nation-state* (Oxford: Oxford University Press, 1999), pp. 107–8.

[34] This seems to fit Crowley's observation that 'the political tone has, in most European countries, been set on the right since immigration became a major political issue. Policy, on the other hand, has generally been defined in the centre. This gives rise to a characteristic incoherence, whereby policy tends to be more liberal (or less crudely restrictive) than it claims to be': John Crowley, 'The politics of belonging: some theoretical considerations', in Geddes and Favell, eds, *The politics of belonging*, p. 23.

[35] Karen Schönwälder, 'Migration, refugees and ethnic plurality as issues of public and political debates in (West) Germany', in David Cesarani and Mary Fulbrook, eds, *Citizenship, nationality and migration in Europe* (London: Routledge, 1996), pp. 164–9.

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a prominent issue from the early 1980s onwards, with the National Front winning 11 per cent of the vote in the 1984 European elections.[36] Anti-immigration sentiment, initially triggered by economic recession and rising unemployment, began to take on a more racist slant. Concerns about the re-emergence of far right groups in Europe prompted the European Parliament to establish a committee of inquiry into such movements in 1984, and to an EC Declaration against Racism and Xenophobia (1996).

The question of refugee policy had been almost absent from political debate in west European countries until the 1980s. But with restricted opportunities for legal immigration and rising numbers of asylum-seekers in that decade, concerns about immigration and race relations were transferred to the question of asylum. The asylum route, as outlined in the previous section, was still governed by a relatively generous liberal universalist model, which had not seriously been questioned since the Second World War. But following the exponential rise in numbers of asylum-seekers from the mid-1980s onwards, there was a wave of measures to restrict asylum across western Europe. This triggered the challenge to the liberal universalist model of refugee policy that I discussed above. Concerns about the economic costs of immigrants and anti-foreigner sentiment were increasingly channelled into a critique of asylum systems. This produced a head-on conflict between European human rights values on the one hand, and the racist or welfare-based exclusionary policies of European states on the other. It is a conflict that is highly symbolic for Europe, especially at a time when the EU is struggling to establish a coherent identity in the face of a series of challenges: the emerging post-Cold War international political configuration, the challenge of economic globalization, and enlargement to the south and east.

Responses to the asylum crisis and the implications for European values

Current justifications for restrictions are in many respects similar to those articulated over the past hundred years. So what lessons can be learned from the past, and what does it suggest about the future direction of asylum policy?

I argued in the previous section that both ethno-centric and welfare-based nationalism emerged in the context of state-building and consolidation in Europe, and subsequently came to the fore in the context of mass mobilization for international war or in times of economic crisis. Efforts to mobilize national support by increasing the socio-economic benefits of citizenship, or by invoking shared ethnic characteristics, tend to become most pronounced when the security or legitimacy of the state is under threat. Hence the most significant periods of restriction occurred as a response to economic crisis and political instability in the interwar years, and again following the 1973 recession. Justifications for restriction in western Europe in the twentieth century tended to be oriented

[36] Subrata Mitra, 'The National Front in France—a single issue movement?', in Klaus von Beyme, ed., *Right-wing extremism in western Europe* (London: Frank Cass, 1988), p. 47.

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towards welfare protection, but such arguments were often combined with ethno-centric conceptions. A combination of both forms of nationalism usually occurred where socio-economic privileges were perceived to be at serious risk and in need of a more robust (identity-based) defence; and where there was an established pattern of identity mobilization on ethnic or racial grounds. This historical analysis can offer a number of insights of relevance to the current debate.

First, it has been widely argued that European states are currently undergoing a crisis of legitimacy, linked to the redefinition of the role and functions of the state.[37] Anxieties about the state's willingness and ability to intervene to protect jobs from the pressures of economic globalization, or to maintain current standards of welfare, generate a reluctance to share socio-economic resources with outsiders. Centre-left parties tend to respond by reassuring electorates that their welfare rights will be protected from outsiders. Right-wing and neo-liberal parties advocating a minimal state find they must mobilize support through other types of assurances, including protecting a romanticized national culture from being 'swamped' by foreigners.

These insecurities are exacerbated by a second major upheaval: changing international political configurations since the end of the Cold War, and the resurgence of mobilization around nationalist or ethnic identities. The shift from ideological to ethnic or nationalist groupings is most evident in former communist countries. Here I mean not only the more obvious examples of ethnic conflict in the Balkans or Transcaucasus, but also discrimination against minority groups in central Europe, and violence against asylum-seekers in east Germany in 1993. In western Europe, some countries—notably Germany and Austria—also find that the end of their role as front-line states in the Cold War has created uncertainty about their national identity and international role. Meanwhile, the gradual re-allocation of political competencies to sub-national units (as in Belgium and Britain) or to the EU is further challenging the role and legitimacy of the nation-state. The far right has responded with a strategy of mobilizing ethnic or nationalist identity to resist regional pressures from above, and devolutionary ones from below.

Faced with this configuration of pressures on the nation-state, far right movements in Austria, France, Belgium and Italy—as well as more moderate right-wing parties in many EU states—have responded with a strategy of mobilizing support around forms of exclusionary nationalism. The anti-immigration issue offers a conduit for channelling perceived threats to group values and identities. Since the neo-liberal right cannot respond with promises of welfare security, it mobilizes support around more or less explicit ethno-centric nationalism. Centre-left or 'third way' governments, on the other hand, combine the promise of competitiveness in a global economy with guarantees about cushioning citizens from its adverse effects.[38] The welfare state and labour market need to

[37] See, for example, Gøsta Esping-Andersen, ed., *Welfare states in transition: national adaptations in global economies* (London: Sage, 1996).
[38] Anthony Giddens, *The third way: the renewal of social democracy* (Cambridge: Polity Press, 1998).

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be restructured, but economic growth can create full employment and finance continued (albeit part-privatized) welfare provisions. Faced with the perceived threat of mass influx, anti-immigration policies are justified on welfare grounds. And while European integration is welcomed as essential for competitiveness, it is still the prerogative of the state to protect the socio-economic benefits of national membership from outsiders.

In both cases, the liberal universalist approach is challenged by a restrictive approach to asylum-seekers. But the far right and centre-left justify restriction on rather different grounds. Which approach is likely to prevail, and what are the implications for the European commitment to liberal universalist values? The discussion will consider three scenarios for future responses to refugees: the centre-left restriction on welfare grounds; far right ethno-centric restriction; and the prospects for salvaging a more generous universalist approach.

Scenario I: the far right and ethno-centric restriction

The far right, as we saw, tends to justify restriction using a combination of economic and often explicitly racist arguments. Typically anti-European and anti-devolution as well as xenophobic, it mobilizes support through the quasi-nostalgic invocation of a homogenous society with strong family values, which rejects the need for regional integration. Foreigners are characterized as potential competitors for jobs, as in Le Pen's 1984 slogan 'Two million immigrants are the cause of two million French people out of work'[39] or the current 'Kinder Statt Inder' rallying cry of the more moderate CDU candidate in the May 2000 North Rhine-Westphalia election campaign.[40] But economic concerns often go hand-in-hand with more emotive and culturalist notions of belonging—in the form either of idealizing shared ethnic or cultural characteristics, or of questioning the capacity of different religious or racial groups to 'integrate' or 'assimilate'.[41]

There is certainly fertile ground in many European states for this form of political mobilization. Economic uncertainty and changes in the role and functions of the state have created space for rallying support around new, exclusionary ethnic identities. Supporters of such a far right approach would have few qualms about abandoning the liberal universalist approach to refugees, for the ethno-centric approach rejects notions of cosmopolitan ethical duties, or international human rights obligations.

There would be clear risks for European values if such movements were to gain political influence in Europe. Invoking racial grounds for restriction can have damaging repercussions for race relations, as UK political parties recently found when they attacked Roma asylum-seekers.[42] And it would seriously

[39] Cited in Mitra, 'The National Front in France', p. 51.
[40] *The Guardian*, 13 May 2000.
[41] See e.g. Roger Scruton in the *Financial Times*, 22 April 2000.
[42] See *Asylum-seekers and race relations: the Commission on Racial Equality's view,* 14 April 2000 (on website <www.cre.gov.uk/misc/Asylnote.html>).

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undermine relations with sending countries in Africa, Asia and eastern Europe. However, the predominance of centre-left governments in the EU, and the increasing recognition that parties need to mobilize the support of multiethnic electorates, may suggest that the far right project is unlikely to become a major force in European politics in the near future. Moreover, the acceptance of Turkey as a candidate for EU membership—although clearly driven by political interests—may imply that European states are gradually coming to terms with the notion of a multicultural identity. Arguably, the ethno-centric conception of membership is likely to be progressively marginalized as Europe recognizes the fact of cultural pluralism in most of its member states.

Scenario II: welfare-based restriction and 'non-genuine' asylum-seekers

The second scenario of a centre-left, welfare-based restrictionist policy is more plausible. While centre-left governments have not actively rallied support on an anti-immigrant platform, they have none the less responded to concerns about the 'costs' of asylum-seekers with a series of rigorous measures. These have been explicitly aimed at preventing the 'abuse' of asylum systems by economic migrants or 'non-genuine' asylum-seekers. Measures have focused on cutting welfare benefits for asylum-seekers or replacing them with vouchers, limiting employment rights, and generally restricting access to asylum systems. The introduction of such a two-tier model of welfare provision and rights—a form of discrimination that would normally be unacceptable to liberal and centre-left parties—is defended on the grounds that it is the only means of limiting abuse of asylum systems.

But on closer examination, the characterization of the asylum crisis as exclusively a problem of abuse by 'bogus' applicants is misleading. Many of the restrictive measures introduced by Western governments have been geared towards restricting the definition of who qualifies for refugee status, and so are clearly not intended to target exclusively 'bogus' asylum-seekers. Moreover, similar measures to reduce the financial and welfare 'costs' of refugees were made in the context of European temporary protection regimes for those fleeing conflict in the former Yugoslavia—although there was never any question that these refugees were not genuine. And if, as I suggested earlier, the numbers of 'genuine' refugees increase in the coming years, concerns about the financial and welfare burden of asylum-seekers is likely to be as much directed against refugees under the Geneva Convention as against economic migrants. Cuts in welfare provisions and employment opportunities are better understood as a response to the concerns of a public that for the most part does not differentiate between political refugees and economic migrants.[43]

[43] Consider, for example, media coverage of the Afghan hijacking episode, which focused far more on the costs of accommodation for those seeking asylum than on the types of human rights violations that the applicants might experience on returning to Afghanistan.

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This has two implications for the future credibility of the welfare-based centre-left/liberal approach. First, it is likely to be increasingly unable to combine its aim of cutting costs with a commitment to protecting genuine refugees. Centre-left governments and the EU may stress the compatibility of refugee rights with tougher measures to restrict economic migrants. But in so far as socio-economic concern about the burden on welfare systems is the main motivation for restricting influx, it will be equally directed against *bona fide* refugees.

Second, the stigmatization of asylum-seekers through restricting their socio-economic rights is likely to have repercussions for race relations in European states. Most EU states have large numbers of ethnic minority residents, and face a range of unresolved issues about the differential rights and status of ethnic groups, and continued racial discrimination. This makes the question of how states treat newcomers highly sensitive. New forms of socio-economic discrimination against asylum-seekers are bound to raise concerns about the grounds for such discrimination, and how far they are separable from the types of discrimination against ethnic minorities already resident in Europe.

In sum, the centre-left aim of limiting welfare abuse while protecting the rights of *bona fide* refugees is unsustainable. In terms of its impact on European democratic values it would imply a gradual erosion of refugee protection standards—although the retreat would not be as explicit as in the case of ethno-centric restriction. It would perpetuate an image of the EU as a club for rich states, keen to protect their socio-economic privileges from outsiders. In a sense, this does not sound so different from the current direction of EU policy on immigration and asylum. But it is a form of restrictionism that is likely to become less and less tenable as it fails to meet its central objectives: reducing costs, while simultaneously ensuring respect for refugee rights and the continued support of a multi-ethnic electorate. Centre-left governments cannot solve the asylum crisis through introducing two-tier systems of welfare.[44]

Liberal universalism and European cooperation

Quite apart from its impact on refugee rights and race relations, the welfare protection approach suffers from a third inadequacy. National legislation to restrict influx into individual European states may serve temporarily to shift the burden to neighbouring countries, but it will not diminish the numbers of those entering Europe. Attempts to restrict the socio-economic benefits of seeking

[44] One possible variation on this scenario would be a rise in demand for migrant labour, generated by ageing populations and changing labour market demands in European states. See e.g. 'Europe's immigrants: a continent on the move', *The Economist*, 6 May 2000. However, the thesis is premised on continued economic growth and full employment in Europe, so is therefore not a reliable guarantee for refugee rights. Moreover, the demand is likely to be for specific skills which may not correspond to the profiles of asylum-seekers, and in any case is likely to be met by labour migrants from new EU member states in central and eastern Europe.

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asylum will simply encourage increased 'country shopping' between states.[45] European states are likely to respond by introducing increasingly restrictive measures, in efforts to deter asylum-seekers. This will have two effects. First, it will create substantial fluctuations in the relative numbers of asylum-seekers in different states at different times, as states vy with one another to become the least attractive country of asylum; and second, it will lead to a downward spiral of standards to internationally unacceptable levels.

The EU has recognized the risks of such a scenario, and agreed in the Treaty of Amsterdam to reach agreement on common standards; but this will not be enough. Some states will continue to attract greater numbers, whether because of better employment possibilities, geographical situation, historical ties, or migration networks within their countries. Other states may be able to shift the burden through encouraging illegal transit to neighbouring countries, or not effectively enforcing EU common standards. What is required is more concerted efforts to achieve what the Amsterdam Treaty has rather clumsily termed 'a balance of efforts in receiving and bearing the consequences of receiving' (Article 63(2)(b)). An effective form of burden-sharing of the costs of asylum-seekers would partly mollify those states receiving higher numbers, and could alleviate concerns about costs. Adopting measures to ensure a 'balance of efforts' could address some of the welfare-based concerns of centre-left European governments.

But ensuring a balance of costs *among* European states will not solve the problem of influx into the EU as a whole. Here more creative approaches are required. The EU is still in the process of defining its emerging foreign and security policy; and it is putting forward new initiatives to address problems of regional security, for example through the Balkans Stability Pact. It has an enormous capacity for influencing development and humanitarian action, both through EU action and through coordinating the bilateral efforts of member states. At the global level, European states and the EU are also the most important donors to the UNHCR, the UN Office for the Coordination of Humanitarian Affairs and the United Nations Development Programme, and they play an influential role in international financial institutions. This status provides EU states with a unique opportunity to integrate asylum and migration issues with a range of external policy tools.[46] The EU needs to consider how concerns about influx could shape a new security agenda, aimed at preventing or containing refugee-producing situations; how regional and global financial

[45] There is EU legislation to try to prevent this form of 'country shopping' in the form of the 1990 Dublin 'Convention determining the state responsible for examining applications for asylum lodged in one of the member states of the European Communities'. However, it has proved difficult to implement in practice. See Ben Hall, *Policing Europe: EU justice and home affairs co-operation* (London: Centre for European reform, 1999), pp. 21–2.

[46] There have been limited attempts to integrate these different instruments, especially through the High Level Working Group on Asylum and Migration. The October 1999 Tampere Presidency Conclusions also stress the need to achieve 'greater coherence of internal and external policies of the Union'. But refugee and migration issues remain peripheral concerns in Common Foreign and Security Policy (CFSP) and development policy.

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and development institutions can help mitigate the social and economic upheavals that trigger migration flows; and how humanitarian action can help reinforce and finance the protection of refugees closer to their countries of origin. The concept of addressing the 'root causes' of migration and refugee flows is not a new debate, and it is an approach that is easier to advocate in principle than it is to implement in practice.[47] But the focus now should be on developing EU institutional mechanisms to ensure an integrated approach, and to influence global action. Again, this is a form of European cooperation that should be appealing to current centre-left governments.

Conclusion

Four decades after it was first codified in international law, the liberal universalist approach to refugee policy is under threat in Europe. Faced with rising numbers of asylum-seekers since the early 1980s and economic recession and unemployment in the 1970s and 1980s, European governments and the EU have increasingly retreated from their commitment to this liberal universalist model of refugee protection. The arguments for restriction are familiar from previous periods of the twentieth century. Concerns about protecting the socio-economic rights of European nationals have triggered a series of measures to prevent 'abuse' of welfare systems. The changed post-Cold War international political landscape and the pressures of globalization have undermined previous concepts of national values and identity, encouraging the resurgence of forms of ethno-centric nationalism. Attempts by the far right to capitalize on this crisis and mobilize support for racism and restricted immigration have profoundly unsettled the post-Second World War west European liberal consensus. But, as I have suggested in this article, far right movements may become increasingly marginalized in a multicultural Europe. By contrast, the centre-left project of protecting citizens' welfare rights from 'abuse' by asylum-seekers seems to have gained far wider support in European states. However, this approach is ultimately unsustainable: the attempt to limit the socio-economic rights of asylum-seekers is incompatible with centre-left commitments to equality and good race relations. National-centric approaches to restriction are also likely to be ineffectual in managing influx.

Governments need to acknowledge that they cannot contain the asylum crisis without meaningful regional cooperation. EU cooperation is required both to ensure a balance of efforts between states, and to address the core problem of influx into Europe. The first task of intra-EU cooperation is already on the agenda, although there is still some resistance to effective burden-sharing. Centre-left governments need to convince their electorates that the costs of influx will be contained only through an EU-wide system to promote a balance of efforts

[47] For an overview of the debates, see Christina Boswell, 'The conflict between refugee rights and national interests: background and policy strategies', *Refugee Survey Quarterly* 18: 2, 1999.

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between states. The second task of re-orienting EU external policy is more challenging, requiring a radical review of concepts of security, development and humanitarian relief. But developing an integrated external policy to address refugee and migration flows is the best hope Europe has for managing influx. Linking external policy with migration issues may also provide European states with an additional incentive to invest in humanitarian action, development policy and conflict prevention. In this sense, it is precisely a concern about the costs of asylum-seekers that should prompt European states to make increased efforts to promote development, human rights and security. This type of integrated cooperation on immigration and asylum seems to be the best bet for retaining a robust commitment to European values of refugee protection, human rights and democracy.

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