

Migrants' political rights and participation in Denmark

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>>>Very preliminary draft, referencing incomplete, please do not quote<<<<

Introduction:

Over the past 6 years Denmark has gained a reputation as having one of the most restrictive immigration political regimes in Europe. The crisis of the Mohamed cartoons in the winter of 2006/7 exposed the long-standing conflictive atmosphere surrounding the role of Islam in Danish public space to a global audience. This paper focuses on one of the few aspects where Denmark remains at the inclusive end of the spectre of migrant incorporation political regimes: the extension of political rights to foreign citizens in local elections. It highlights the findings on the extent to which third country nationals make use of their political rights (electoral as well as non-electoral) as voters and representatives. And it analyses the debates both inside and outside of Parliament as to whether local voting rights should be restricted to Danish citizens only. These debates centre on issues of integration and migrants' understanding and acceptance of 'Danish democratic norms'.

1. Introductory data

Denmark is not a new immigration country, yet immigration from non-western countries continues to have a high profile in public debates on almost every aspect of public policy. As of 1 January 2007 the population of migrants and what in Danish statistics is categorized as 'descendants', was 477,000 which is 8,8 % of the total population (Ministeriet for Flygtninge 2007).¹ Within this group 2,7 % are from 'western' countries and 6,1 % are from non-western countries.² The total group of migrants and descendants has increased from 330,292 to 477,700 over the last decade which is an increase of 45%. Yet, the annual growth of migration has declined over the last decade from an increase of 7% in 1997 to an increase of 3,1 % in 2006. The largest single national group of migrants and descendants are from Turkey (56,140) followed by Iraq (27,370), Germany (26,928), Lebanon, Bosnia-Herzegovina, Pakistan, Yugoslavia (those who arrived before the civil war), Poland, Somalia and Norway. The non-western migrant/descendant population in Denmark is concentrated in urban areas with 13,9 % in Copenhagen and more than 20% in some of municipalities to the west of Copenhagen.

¹ A migrant is someone born outside of Denmark. A descendant [*efterkommer*] is someone born in Denmark whose parents do not possess Danish citizenship. Descendants account for 0,3% of the western migrant/descendant group and 1,8 % of the non-western migrant-descendant group.

² Non-western countries are all countries outside of the EU, Scandinavia, USA, Canada, Australia, New Zealand, Andorra, Liechtenstein, Monaco, San Marino, Switzerland and the Vatican State. A descendant is classified as non-western if the mother is from a non-western country.

2. Political and institutional framework

The current political system in Denmark mainly originates in the constitution of June 1849 which granted free suffrage to all citizens except those under 30, servants, women, and those receiving public financial assistance. The constitution has since undergone three important revisions of which the two most important are: In 1915 when the women (and servants) were granted suffrage, and in 1953 when, among other things, the current one chamber parliamentary system was introduced. Parliament consists of 179 members, 175 of which are elected in Denmark, two in Greenland and two on the Faroe Islands.³ The Danish electorate system is characterized by a fairly complex type of proportional representation aimed at securing maximum representation. The threshold is 2% at the national level.

Local elections (city and municipal councils) are held every 4 years on the 3rd Tuesday of November. The last election was held on 15 November 2005. Local administration has undergone a huge reform coming into effect 1 January 2007. The number of municipalities have been reduced from 271 to 98, and the 11 counties have been replaced by 5 regions (Indenrigs-og-Sundhedsministeriet 2005). The first elections to the new administrative systems were held in November 2005 so it is still early days to judge the consequences for local democracy and, importantly in this context, migrant participation and representation. Because a number of smaller municipal councils have become joined, the number of local councillors has declined from 4597 to 2520. At the same time, the municipal councils are now bigger and have been delegated more competence and responsibility. There is no fixed threshold for entering local government as on the national level. Basically, the larger the council the lower the threshold understood as percentage of votes from the municipal electorate. However, since these electorates are now bigger, the councillors need more votes in absolute numbers (Indenrigs-og-Sundhedsministeriet 2005).

3. Migrant status and policies of integration

It is beyond the scope of this paper to do justice to the complex developments in migration policies over the last 3 decades in Denmark. There is not one unambiguous model of integration. Rather, there

³ Denmark prides itself with being the oldest Kingdom in the world. It is a constitutional monarchy which together with the self ruling Faroe islands and Greenland form the Kingdom of Denmark.

has been, especially since the 1990s, a fairly dramatic level of politicization of the lack of a model leading to more restrictive policies of migration and more demands on the part of the migrants to integrate into Danish society. Migration and migrant integration policies have become more restrictive since especially 2001, when the right wing government headed by Anders Fogh Rasmussen of the Liberals came into power. The key themes of the preceding election campaign was migration and migrant integration policies with a special emphasis on issues of family reunification, asylum seekers, migrants as a strain on the Danish welfare state and the lack of integration of second generation migrants. To no ones surprise the anti-migrant Danish People's Party, upped their number of mandates. They did not become part of the government but the government relies on their support. As a result the Danish People's Party has managed to fulfil most of their electoral promises in the preceding 5 years.

Notably policies on family reunification have become more restrictive and the difference in social rights of migrants and citizens has increased (Østergaard-Nielsen 2003). Indeed, especially over the last decade Denmark has distanced itself from any type of official multiculturalism. At the same time there are discrepancies between national debates and policies and local practices as has been observed in other countries (see (Ireland 2004; Pajares 2006) Martinello and Peninx, 2006). As commented by Hedetoft (2006) Danish national policies are largely assimilatory, but often local policies are 'closet street-level diversity policies' (Hedetoft 2006). However, in the following I will focus on the national level issues of a) access to citizenship in Denmark, and b) political rights and the differences between citizens and migrants and their descendants in Denmark.

Citizenship and naturalization:

Danish citizenship can be obtained at birth, by declaration or by naturalization. In Denmark the main principle for acquisition of citizenship is *jus sanguinis* meaning that a child with Danish parents born anywhere in the world automatically qualify for Danish citizenship while a child born in Denmark to parents without Danish citizenship does not automatically qualify for Danish citizenship.⁴ It has been argued that citizenship in Europe has overall become more inclusive because of the stronger element of *ius soli* (Joppke and Morawska 2003). However, Denmark is not part of this trend. Indeed, apart from

⁴ Danish citizenship is passed down through the mother, meaning that a child born out of wedlock to a father with Danish citizenship and a mother without Danish citizenship only qualifies if born in Denmark.

the case of descendants of Nordic parents, there is no recognition of birthplace for the naturalization of children of foreign citizens born in Denmark.⁵ Since 2004, children under 18 with non-naturalized parents will automatically get Danish citizenship if one of their parents naturalize. But otherwise they can only naturalize if their parents qualify (see the criteria below) and they themselves have no criminal record. After the age of 18, they can acquire citizenship if they comply with the same criteria as any other migrant.

Naturalization is a decision by parliament based on an assessment of each individual case. The criteria for obtaining naturalization have been tightened in 2002 and further in 2005. The most recent guidelines, which are a result of an agreement between the Liberal Party, the Conservative party and Danish People's Party came into effect in January 2006. According to these guidelines the criteria for naturalization are:

- To give a loyalty declaration to 'Denmark and the Danish society' stating the intent to keep the law and respect fundamental Danish legal principles.
- To declare all criminal offences (including speeding tickets) in Denmark or abroad.
- To give up previous citizenship because dual nationality is not accepted (although there are many exceptions to this rule).
- To have resided in Denmark continuously for 9 years after obtaining the first residence permit.
- To not be currently charged with any criminal offence or have been condemned for any criminal defence of a certain degree of seriousness.
- To have no debt to the public authorities (e.g. not paying the Kindergarten or taxes or the like).
- To be self sufficient, that is to not have been receiving any public assistance (except a study grant or a pension).
- Finally, to document a passed Danish test according to fixed minimum standards and to document knowledge of Danish society, culture, history and politics by having passed the new naturalization test (Ministeriet for Flygtninge 2006).
- The fee for submitting the application is approximately 130 Euros.

⁵ Those born in Denmark to Nordic parents without Danish citizenship can obtain citizenship through declaration after the age of 18 and before the age of 23. The Nordic countries are, besides Denmark, Sweden, Norway, Finland and Iceland.

So while it is not impossible to gain Danish citizenship through naturalization the criteria have become more restrictive in recent years. Indeed, naturalization rates over the last decade reflect the tightening of the requirements for naturalization in 2002 and 2006 by dropping sharply from 2001 to 2002 (from more than 9,000 to less than 2,000) and again falling after 2006 although not as dramatically (Insert figure 10.1 from Tal and Fakta).

The requirements for gaining a residence permit have likewise been tightened for the two major inflows of migrants: family reunification and asylum-seekers. Especially the very strict new rules of laws on family reunification (e.g. the 24 year old rule) have drawn international attention. Until summer 2002, a permanent residence permit was granted to anyone with a residence permit of more than three years, but after the Foreigner Law of 2002 it is only granted after seven years and a number of the same criteria as applied to the naturalization process also apply to those wishing to obtain a permanent residence (no debt, no criminal offences of a certain gravity, knowledge of Danish etc.). Until they gain permanent residence migrants do not have the same social rights as Danish citizens. Most notably the Foreigner Law of 2002 has restricted the access to economic support for migrants (less is paid out) until permanent residence is obtained (Østergaard-Nielsen 2003).

Political rights:

However, the one area which has remained untouched during the changes in Danish migration policies over the last decade is the political rights of migrants. With the constitution of 1849 all residents, no matter their citizenship have enjoyed the same liberal civic rights to free speech, association, membership of unions and political parties, and the formation of associations who can put demand on Danish authorities (Togebj 2003).⁶ In 1977, citizens of the Nordic countries were given the right to suffrage in local and regional Danish elections and in 1995 EU citizens were granted this right as well. With the implementation of voting rights for EU citizens in 1995, the 3 year minimum residence requirement for Nordic citizens was abolished. Thus there is no particular minimum period of residence required for participation of both Nordic and EU residents.

⁶ By now the Nordic countries not in the EU are only Iceland and Norway.

In 1981 (following Ireland and Sweden) Denmark granted the right to vote and be elected in local elections to migrants from outside the Nordic countries who had resided for a minimum of 3 years of residence. Already in 1975 a working group under the Ministry of Social Affairs had proposed this, but not until the entry of the Social Democratic government of Anker Jørgensen, did the idea resurface to follow the Swedish example of granting suffrage to migrants in local elections. A committee under the Ministry of Interior, which was already in the process of revising the electoral laws, was asked to include this issue and in 1980 they recommended that foreigners be granted the right to vote. In 1980 the social democratic Minister of Interior, Henning Rasmussen proposed the Law of Changes to Local Elections, which besides extending voting rights to migrants also included a number of other changes to the law. In the first parliamentary debate the Minister of Interior argued that the right to participate in local elections would strengthen migrants' sense of belonging to Danish society. At the same time, the 3 years minimum residence requirement would ensure a reasonable affiliation with Danish society. A fellow social democrat added that those migrants who have contributed to Danish economic growth with their labour, should be considered equal residents and given political influence and in this she was echoed by the Liberal Left and the Socialist People's Party. Arguments against the proposal came from the right wing parties. The Liberals argued that migrants, after only 3 years of residence, do not have enough knowledge of Danish society, the Christian People's Party found that voting rights should not be separated from citizenship and hence only foreigners with Danish citizenship should qualify. Finally, the Progress Party (a party of which the Danish People's Party is an off shoot) argued that it was a devaluation of local politics not to demand that voters speak, read and understand the Danish language.⁷

The new law was approved in March 1981 with 80 votes for, 61 against and 6 abstentions. The votes against came from the right wing parties: the Conservatives, the Liberals and the Progress Party. Some of these parties, however, explained that they voted against primarily because of the other more procedural changes to the local electoral law, not the fact that migrants were being granted suffrage (Andersen 1989). Outside of parliament, there was not much debate surrounding voting rights to non-citizens and the migrant associations themselves only put forward the demand to vote in November 1980 -- at a time when the process was already well under way (Togeby 2003).

⁷ http://folketinget.dk/Samling/20021/lowvforslag_som_fremsat/L215

Thus the law states that ‘Everyone who on election day is 18 years of age and has permanent residence in the municipality and county has the right to vote for municipal councils and county councils [...]’⁸

Since then the Progress Party and the Danish People’s Party have repeatedly proposed that voting rights in local elections should be reserved for Danish citizens only, but each time they have not had the support of any other party. The two parties have proposed this in the parliamentary assemblies of 1987-88, 1988-89, 1991-92, 1992-93, 1995-6 and 2003-4. The argument of the Progress Party in 1996 was that giving voting rights to third country citizens entails a loss of sovereignty for the Danish people. They further argued that because the political leadership in many municipalities rest on a small majority, then third country citizens can exercise a big influence on the electoral outcome. Given that such migrants may organize themselves around other interests than their fellow Danish citizens this is a ‘dangerous experiment with democracy’. There is a lack of documentation on the effects of leaving important political decisions to other than the country’s own citizens.⁹

In the most recent debate in April 2003, the arguments of The Danish People’s Party were that the number of third country citizens with the right to participate in Danish local elections has almost quadrupled between 1981 and 2001. And with the expectations of an increasing population of third country nationals in Denmark this means these voters will have a ‘disproportional large influence’ on municipalities in Denmark. This is not only related to the argument that migrants who are not as knowledgeable on Denmark should not have the quantitative same influence on local politics as the natives. Also, The Danish People’s Party argued that taking away the right to vote from third country nationals would be a positive influence on their integration because it would be an incentive to qualify and apply for Danish citizenship.¹⁰

In its answer, the right wing coalition government rejected the proposal for the following two main reasons: First, that you cannot take away democratic rights once they have been extended. Secondly,

⁸ Law nr. 143 of 30 March 1981.

⁹ Proposal for change of law on municipal elections,
http://www.folketinget.dk/Samling/19971/lovforslag_som_fremsat/L5.htm

¹⁰ http://www.folketinget.dk/samling/20021/lovforslag_som_fremsat/L215

that the right to participate in local elections is an important means of local integration. Especially at a point in time when the government is putting more emphasis on the obligations of third country citizens, is it important to emphasize that they have rights too. In the ensuing parliamentary debate these arguments for voting rights were repeated by all political parties with a strong emphasis on the positive influence on local integration. To take away the voting rights would, as pointed out by the speaker of the Christian People's Party be 'to send a signal that they do not have to take any responsibility for the society they are a part of [...] voting rights is not just a right, it is also a duty.

It is worth noting that compared to the earlier parliamentary debates, the 2003 debate had a much shriller tone and makes more explicit reference to third country nationals in Denmark as Muslims. Thus, provoked by a comment by the Danish People's Party there was a debate as to whether citizens from less developed Muslim countries qualify for participation in the more developed Danish democracy founded on Christian principles. Also it was commented that that since democracy means 'the people's rule', it presupposes a common identity and a common culture, because without common ground there can be no trust between government and opposition and hence there should be no political opportunities for Muslim groups who may want to introduce the Sharia law in some municipalities. As stated by one representative of the Danish People's Party: '[...] they [third country citizens] should not come up here and [...] influence our society in a direction which we have discovered does not work hundreds of years ago'.¹¹

However, overall, the Danish parliamentary debates on migrant voting rights have largely centred on the issue of whether or not third country citizens 'belong' enough to have a say in local politics and whether voting rights are a means or an end to the migrants' process of integration. That is, whether voting rights further the process of integration or should be something that migrants 'earn' after a successful integration is rewarded by naturalization.

Participation rates of non-citizens from outside the Nordic countries and the EU:

¹¹ [http://www.folketinget.dk/Samling/20021/salen/L215_BEH1_94_37_\(NB\).htm](http://www.folketinget.dk/Samling/20021/salen/L215_BEH1_94_37_(NB).htm)

Given the longstanding right of non-EU migrants to vote in local elections there are surprisingly few studies of how this extension of the Danish local democracy has worked in practice. Moreover, there are no available analyses of the participation in the local election of 2005 meaning that the studies of the local election in 2001 are the most recent. This is unfortunate since the political climate on issues of migration and migrant incorporation has been very different since the change of government in 2001. Moreover, the electoral participation in 2001 was higher than usual because the local elections were held on the same day as the national election.

In her analysis of the 2001 local elections, Togeby (2003) shows that rates of participation in local elections are related to country of origin and citizenship. In a survey of 25 municipalities the participatory rate of Danish citizens of Danish origin was highest (85%), followed by Danish citizens of EU, Nordic countries or the North America (81%) and then by citizens with origin in a third country (68%) (Togeby 2003). Among the foreign citizens, the participatory rate among those originating in the EU or the Nordic countries compared to those originating in third countries were practically the same (approximately 40%). On the national level Togeby concludes that the participatory rate of Danish citizens originating in a third country is 71% while it is 47% among foreign citizens originating in a third country. Among the different migrant groups the Turkish citizens have the highest participatory rate with 53%, and the Lebanese the lowest with 21,9 %. Other groups with a high participatory rate are the Somalis and Pakistanis (Togeby 2003).

These rates of participation of foreign citizens is higher than in other countries with local voting rights for non-citizens from third countries. According to several studies, this is related to relatively open Danish electoral system and not least the fact that it is possible to vote for a specific person and not just on a party list (Østergaard-Nielsen 2002; Togeby 2003). This makes it easier to elect representatives of the different migrant groups and hence increases migrants' incentive to vote (Togeby 2003). The social capital hypothesis linking networks of ethnic minority associations with political electoral participation (Fennema and Tillie 199) seem highly relevant in the Turkish case (Østergaard-Nielsen 2002; Togeby 2003).¹² It is, however, not easily applied to all migrant groups in Denmark (Togeby 2004).

¹² Politiken, 14/11 2005: Kommunalvalg: Netværk kan få nydanskere valgt.

To what extent are ethnic minorities with migrant background running for candidate and being elected? Data on this issue is not easy to come by because while we know exactly who runs and gets elected they are not listed with their ethnic background. Togeby (2003) has made an estimate based on various sources and also screening of foreign names on lists of candidates. In 2001 two members of parliament with ethnic background were elected for parliament for the Socialistisk Folkeparti and the Radikale Venstre. At the local level the figures are not surprisingly much higher. The number of elected persons with background in third countries has risen from 3 in 1981 to 51 (out of 188 candidates running for office) in 2001.¹³ These figures seem low but in reality they are geographically very unevenly distributed meaning that ethnic minorities from third countries are underrepresented in some municipalities and overrepresented in others, including Copenhagen (Togeby 2003). Moreover, the difference between candidates and elected persons with third country background is not so big when distributed on municipalities. In the local elections in 2005 a total of 67 candidates with 'migrant background' were elected (of which the 30 were from Turkey). Thus in Århus and one of the migrant intensive western suburbs of Copenhagen (Høje Tåstrup) there are now a 20% third country origin representatives in the municipal councils. In Ishøj, traditionally the Copenhagen suburbs with one of the highest rates of resident migrants from especially Turkey 25% of the municipal council is of Turkish origin.¹⁴

Among the reason why a relatively large number of candidates with third country background are elected is that the electorate have a great influence on who gets elected in local elections. First, because there is proportional representation and secondly because of the possibility of giving a personal vote, meaning that a candidate can get elected despite having a low rank on the list. And this often happens to third country origin candidates. In 2001 31 out of the 51 candidates 'burst the list' meaning that they got elected on personal votes despite having a ranking on the list that would not have secured their election according to the number of votes received by the party (Togeby 2003).Some studies

¹³ In the county elections the figures are much lower. The first third country background candidate was elected in 1989 and in 2001 two were elected. A distinction between those with or without Danish citizenship is not made.

¹⁴ Politiken 19/11 2005: *Godt valg for indvandrere*.

demonstrate that these candidates largely get their personal votes from areas with a high concentration of third country origin voters.

Migrant origin candidates are predominantly running for the Social Democrats and other leftwing parties. In the 2005 election 38 out of the 67 of the elected third country origin candidates were social democrats. However, it is worth noting that left wing parties no longer have a monopoly on migrant origin candidates, there were also 11 representatives for the right wing Liberals, 3 from the Conservative Party and 3 from the Liberal Left which is a center party with a history of coalitions with both rightwing and leftwing governments.¹⁵ In 2001, 9 candidates ran on special migrant party lists but since 1981 only two such candidates have been elected. This is arguably because the local electoral system does not favour small independent lists (Togebly 2003). Just like different ethnic group have very different rates of participation they also have different number of candidates and elected representatives. With 61 candidates and 24 elected in 2001, the Turks are by far the largest group and are significantly overrepresented despite being the largest migrant group in Denmark (Togebly 2003). The profile of candidates is generally that of an employed, well-educated representative who often already have some sort of relation with the local administration through work with migrant related issues (interpreter, project assistants, bilingual teachers or the like) (Togebly 2003). More and more candidates and representatives are descendants or second generation migrants who arrived as children. Thus in the 2005 elections around 20% of the elected candidates were less than 30 years old.¹⁶

The strong growth in third country nationals in local politics proves those political parties right who argued that local voting rights improve local engagement. However, these candidates and representatives have also been scrutinized in terms of their 'Danish democratic values'. Most frequently, there have been repeated accusations of 'vote-bargaining', where candidates, often via local ethnic migrant associations 'buy' votes by promising special favours for the ethnic minorities in question. At the time of a qualitative survey of Turkish local and transnational political engagement in Denmark we did not find any instances this, but we did find that one of the left-wing parties which had attracted a high proportion of migrant origin candidates, held seminars for such candidates in order to

¹⁵ Politiken 19/11 2005: *Godt valg for indvandrere*

¹⁶ Politiken 19/11 2005: *Godt valg for indvandrere*.

avoid that they ‘represent their ethnic group to a larger extent than the party’ (Østergaard-Nielsen 2002).¹⁷ Indeed, several rounds of polemics surrounding Muslim candidates in local and especially national elections questioned their democratic values and strategies as incompatible with ‘real Danish democratic way of thinking’ (Kehlet 2002).

The demand for adherence to Danish democratic values has mainly surrounded candidates and representatives in the Parliament, as in the case of a female candidate for the Liberal Left who found it hard to denounce her support for the death penalty. But such instances have also surfaced at the level of municipalities. In the election of 2005, one of the most high profile cases was that of Wallait Khan, a Pakistani origin representative elected for the Liberals to the Copenhagen city council. Khan had started his career as a migrant origin representative by being elected on a special migrant list in 1994, in 1998 he changed to the Socialist People’s Party and then in 2002 to the Liberals for whom he was elected. However, a few days later he left the party and joined the left-wing coalition at Copenhagen city hall. Because of a fairly tight electoral outcome, this move cost the right wing coalition the post of Mayor and the Liberals were furious. Apart from his changing party affiliation Wallait Khan faced opposition because he had simultaneously run for vice mayor in his home-village in Pakistan and therefore had not attended very meetings in the city council of Copenhagen, and because he had supported Hizb-ut-Tahrir, an in Denmark very controversial Muslim organization. Shortly after Khan had deserted the Liberals, the Municipal spokesperson of the Liberals aired the idea that only migrants with citizenship should be allowed to vote in municipal elections. This idea was rejected by all other parties than the Progress Party, especially since it was so clearly based on a single standing case.¹⁸

Indeed, although they attract a lot of media attention, these cases are few and far in between. Moreover, arguably the primary actors who are strategically using third country candidates to attract the ‘ethnic vote’ are the political parties who typically make them run in areas with a high concentration of migrants and descendants. Some migrant origin representatives have explained how a series of political parties have send out feelers to attract their candidacy. As stated by Hanna Ziadeh, chairman of the integration council in Copenhagen: ‘The [political] parties are so desperate to get migrant candidates

¹⁷ See, among others, Information, 26/11 2005: Wallait Khan-sagen: Sørgmunter farce I København.

¹⁸ Fyens Stiftstidende, 23/11 2005, V vil tage stemmeret fra nydanskere.

that they just open the door to anyone that knocks [...] These candidates sometimes come from very conservative Muslim environments and that is why we experience that they speak with two tongues. They have to both represent their base of support and their party. [...] Instead these parties should do more to contact young migrants and get them involved in the political work from an early stage.’¹⁹

Alternative means of participation:

As mentioned third country citizens enjoy much the same civic rights as Danish citizens. Migrants can thus participate in all the local types of governance that are quite important in Danish local democracy. These include school boards, parents’ councils in day care institutions, boards of housing committees etc. Moreover, Denmark, as is the case of a number of other EU memberstates have set up a special integration councils as a means of consultation with migrant representatives.

The integration councils

With the integration law of 1999, Danish municipalities were given the opportunity to set up so-called integration councils. The aim of these councils, as in the other countries where they have been introduced, were to include migrants further in local governance. However, parallel to the discussions in other EU member-states, the idea of these councils was criticized on several points including that they had no real competence or influence and that they were a way of continuing to view migrants as a special group with special interests. The competences of the integration councils are fairly limited and were further reduced with the migration law in 2002. Still, by 2006 there were 63 integration councils which were reduced to 53 when the municipalities were joined due to the afore mentioned municipal reform implemented January 2007 (Rådet-for-Etniske-Minoriteter 2006). With a total of 98 municipalities this means that little more than half of the municipalities have integration councils.

The rules for participation in the integration councils have been fairly vaguely defined. In paragraph 42 of the Integration law, it is stated that it is the municipal council which appoints the members of the integration councils (Rådet-for-Etniske-Minoriteter 2006). This means that it is up to the individual municipal councils to decide whether they want to hold elections or merely appoint the representatives.

¹⁹ Politiken, 28/4 2007: Partier vilde efter at få indvandrerkandidater.

Already in 1999 did the Council for Ethnic Minorities recommend that members be elected through some kind of ballot. In those municipalities with voting procedures it has been difficult to determine who should have the right to vote and stand for election. Should it be only third country nationals without Danish citizenship or all third country nationals? Should it be all migrants or only migrants from non-western countries? No matter which criteria there have been protests. Some descendants, when included in the electorate find it somewhat strange to be classified as 'migrants'. Some have been decidedly offended (Sønderborg-Kommune 2007). So while some municipalities, like Copenhagen define the integration councils as representing non-western migrants and descendants, others, like Århus, choose to include everyone who are, or whose parents, are born outside of the Nordic countries (Rådet-for-Etniske-Minoriteter 2006).

During autumn 2005, the Council for Ethnic Minorities urged municipalities to hold elections for the integration councils and also to do it with a common election date on 7 March 2006. The idea behind this was that joint elections would give the integration councils a higher profile nation-wide. 10 municipalities participated, including some of the largest municipalities with also the largest proportion of migrants such as Copenhagen (19,3% migrants) and Århus (12,4%). The integration councils here decided to hold elections because this would strengthen the legitimacy of the councils and secure the best possible representation of ethnic minorities in the municipality (Rådet-for-Etniske-Minoriteter 2006). In 6 of the 10 councils who held elections in March 2006 these were more in the form of an electoral meeting where the candidates presented themselves. In the other 4 the elections were in the form of more 'traditional' elections where votes could be cast 14 days up to the election. In two of the municipalities, København and Århus votes could be cast electronically via the Internet, telephone or letter.

Despite the joint effort, only two integration councils found that the elections were a success. The main cause for disappointment was the low rate of participation in the elections. Århus had the highest participatory rate of 19,5, Gladsaxe (municipal suburb west of Copenhagen) had the lowest with a participatory rate of 0.1. Copenhagen was among the 3 municipalities with a participatory rate above 10%, but the rate of 13,8 % made several migrant representatives question the mandate of the council as 'voice' for the migrants. 'The council is without purpose because the support is too low' was the

verdict of the Social Democrats in Copenhagen'.²⁰ The Council for Ethnic Minorities concluded that in a negative interpretation the low participatory rate is a signal from the migrants that they find the councils irrelevant or uninteresting. And admittedly the councils do not have much in the way competence. In a positive interpretation the low participation is because the majority of migrants are so well integrated that they do not see the need for a separate council to take care of their interests. Such interests are better represented through general institutions such as political parties, unions, associations etc. (Rådet-for-Etniske-Minoriteter 2006). A recent series of conferences organized by the Council for Ethnic Minorities and the integration councils during Spring 2007 revealed a series of problems in terms of the visibility, effectiveness and influence of the councils²¹

Associational life:

Besides participating in institutions, councils and boards set up by the Danish local or national authorities, all migrant collectives have ethnic or religious associations, and sometimes even nation wide federations who can represent them vis-à-vis local and national administration and policy makers (Hussain 2002; Østergaard-Nielsen 2002). There are also a number of multi-ethnic umbrella organizations. Such associations and their network are clearly important for all sorts of social, cultural and religious reasons. However, it is the common conclusion of most academic studies that the organized interests of the migrants have been marginalized in the political decision making process (Hammer and Bruun 2000; Hussain 2002). Hammer and Bruun argue that this is mainly due to the migrants' lack of insight in how to influence democratic processes (Hammer and Bruun 2000), while Hussain points to institutional factors like cooption by the state, lack of access to national media and the like. The various consultative platforms or sustained dialogue with umbrella organizations are in this analysis evaluated as mainly 'window-dressing' (Hussain 2002). Similarly, Togeby (2003) comments that 'it is surprisingly rare' that ethnic minorities have been included in consultations surrounding preparatory work for migrant related legislation and that migrant organizations are generally included less in the political process than other interest organizations like environmental organizations (Togeby 2003),p. 150.).

²⁰ Denmarks Radio: 'Lidt flere valgte alligevel at stemme til integrationsråd', 9/3 2006.

²¹ Rådet for Etniske Minoriteter: Dialogkonferencerne – Hvordan styrker vi integrationsrådene?, April 2007.
<http://www.rem.dk/sw8421.asp>

Conclusions:

Danish policies on migration and migrant incorporation have undergone a series of changes towards restricting immigration, and putting more demand on migrants in the integration process. Importantly in this context, access to citizenship and permanent residence has become restricted for both first and second generation migrants. However, political rights to foreign citizens at the local level, granted in 1981, have not been touched, although this has repeatedly been proposed in Parliament by the Danish People's Party. Debates on this within Parliament and in the Danish media centres on whether voting rights are a means or an end to integration. Apart from the DDP all political parties agree that voting rights for third country citizens are an important factor for their local integration. And, as argued by the government in one of the most recent debates, voting rights is one of those institutions that it is impossible to roll back once it has been granted.

There are a number of other channels for political dialogue with third country nationals through migrant associations or, indeed, the integration councils which have been set up in more than half of the municipalities in Denmark. However, research shows that migrant associations are marginal in political decision making processes and the integration councils have been criticized for their low support among their third country migrant constituencies. Thus the right to vote and be elected stand out as an important institution for inclusion of and dialogue with third country migrants and descendants. This is arguably especially important at a time where the legal and normative dimensions of their integration process is being scrutinized by the government. The available data on participation of foreign citizens in local elections is limited, but does indicate that participation is relatively high in a European context. Certainly the number of third country origin migrant representatives in local politics has continued to increase, even securing a proportional representation in some of the larger municipalities and those municipalities with a high proportion of migrants.

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