

Egyptian-Danish Dialogue Conference 16.- 20.aug. 2004

Fredensborg Vandrerhjem

Arr.: CEOSS (Egypt) and Danmission (Denmark)

Identity and Citizenship

Paper presented Thursday the 19th of August 2004

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When I heard about this conference for the first time from one of the Danish organizers, Dr. Lissi Rasmussen, she told me that during the planning of the conference, there had seemed to be a difference in the perspective and expectations of the Egyptians and Danish participants. According to Dr. Rasmussen the participants in Egypt wanted to talk about civil rights and equality in the respective countries, while the participants of the Danish group wished to talk about questions of identity, maybe especially the religious identity. I don't know if this observation still holds, but it is in any case an interesting point of reference.

The question is how the concept of citizenship holds both a perspective of identity and a perspective of rights. This is what I will try to elaborate on in the following. I will first shortly touch upon the historical development of citizenship in Denmark in order to understand the problems of citizenship that the migrants in Denmark have to face to day. Secondly I will argue that the civil rights in Denmark to day are characterized by being dominated by a fight for individual rights while collective rights in the perspective of ethnic or religious rights hold no strong case. At last I will try to give a guess at the future.

Citizenship in Denmark

We have already in an earlier paper today¹ been presented for three principles of citizenship: the civil, the political and the social rights. These are principles which in Europe have been tightly

¹ Sameh Fawzy: Citizenship in the Egyptian Case.

linked to a specific historical development, and so they are in Denmark. By that I want to stress the fact that the three principles are not from the beginning created as a unity or natural trinity.

In Denmark the civil rights in the shape of the rights of liberty were *formally* secured in 1849 as a result of the establishment of a constitutional State, a State governed by law. The civil rights had before this date been slowly developed and propagated since the abolition of the feudal laws in 1788 which enslaved the subject under the power of the King and the aristocracy. The motive power behind the demand for common civil rights had been the growing middle classes of the urban centres, who due to their central position in the emerging mercantile State saw their civil rights being limited by the absolute monarchy.

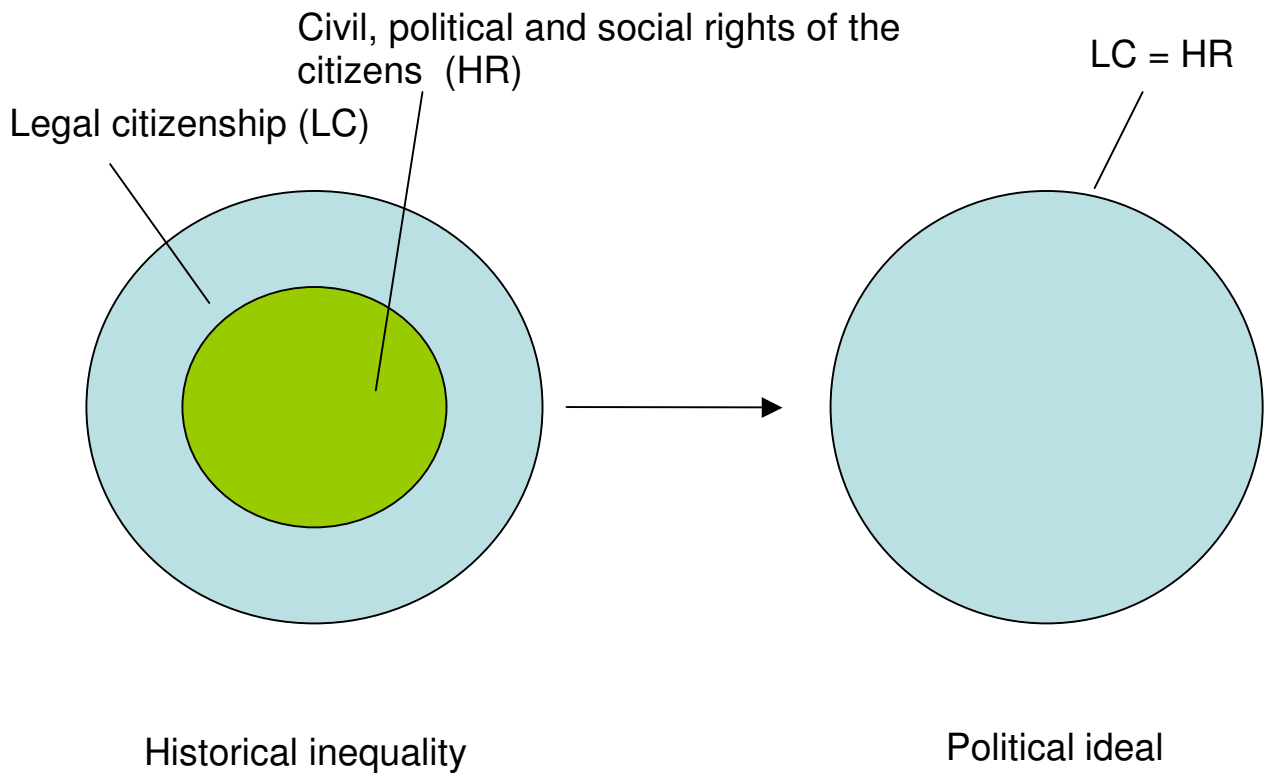
The constitution of 1849 did at the same time secure the political rights *formally*. In reality the political rights were still rather limited, as the right to take part in elections was reserved: “*Men of unblemished reputation with their own household, who did not enjoy or had earlier enjoyed poor relief or who did not have at his disposal his own estate.*”² Not included were thereby: “*Women, servants, poor people, criminals and fools.*”³ Further more the electoral age was thirty years. The consequence of these restrictions was that only 15% of the whole population received the right to vote. In 1901 a Cabinet responsibility was introduced in the true sense of the word. In 1908 women gained access to vote in local elections, and in 1915 servants and women gained universal suffrage to the Danish Parliament. The motive power behind the development was the peasant’s and labour movement in the years around 1900 and the women's movement from 1906.

The right to a minimum of social rights was a principle in the 1849-constitution as well, where poor relief became a constitutional right. It is though important to remember that the consequence of obtaining poor relief was the loss of the right of voting and the loss of the right to marry. In regard to social rights the biggest change occurred in 1933 when the Social Democratic Government with the social minister K.K. Steincke at front passed a new law, which often has been seen as the beginning of the Social Democratic Welfare State. The reform contained a law on unemployment, a law on accident insurance, a law on health insurance, and a law on care for persons such as the mentally deficient, the mentally ill and the disabled. Some will complete the exemplary

² The quotation is from the Danish constitutional law of 1849.

³ Ibid.

implementation of the social rights by referring to the universal retirement pension, which was introduced in 1956. From 1956 one could say that the Danish people have access to equal and universal citizenship, containing civil, political and social rights independent of income, property, abilities, sex, age, religion, ethnicity or ideological conviction. The truth is of course that formal rights are not equal to real rights.



The figure⁴ illustrates how the difference between legal citizenship and the rights of all citizens is historical prevalent compared to the ideal of equal rights to all legal citizens.

The ideal striving after equal access to all fundamental human rights for all citizens can be said to have been fulfilled in Denmark in the nineteen sixties. Why do we then discuss it to day? I believe at least two historical facts must be touched upon to understand the situation of the citizenship in Denmark to day. One is the migration to Denmark since the sixties. Another is the process of globalization which challenge the sovereignty and identity of the national State.

⁴ The figure is presented by Karin Borevi in her book: *Välfärdsstaten i det mångkulturella samhället* (The Welfare State in a Multicultural Society). Uppsala, 2002.

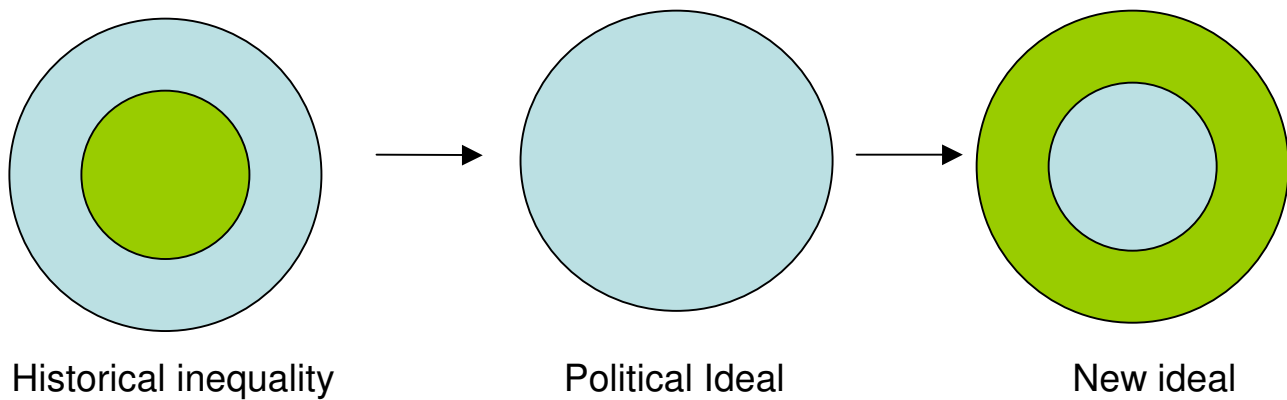
The impact of the migration

At the same time as the universal rights of the citizen were implemented in Denmark, the industry called for immigrants to fill out the lack of workers. In the late sixties immigrants from particularly Turkey, Yugoslavia of the day, Morocco and Pakistan came to work in the industry. In 1973 the Government introduced a freeze on labour immigration, but opened at the same time for immigration of the families of the first immigrants, who mostly had been men. In the eighties the labour immigration had been succeeded by the immigration of refugees from the conflicts all over the world. The consequence is that Denmark now consists of a population, where a relative large part seen in a historical perspective has not been born in Denmark and a relative large part does not have the legal citizenship. January the first the year 2004, 263.541 foreign citizens were living in Denmark which correspond to 4,9 % of the whole population. If one take the whole group of immigrants and their descendants, the number was 442.036 persons, corresponding to 8,2 % of the whole population.⁵

Formally the immigrants have civil, political, and social rights to a great extent, even those who are not legal citizens. This is rights which in a high degree have been implemented due to the development of the human rights. Immigrants are formally equal within the law independent of legal citizenship and the political rights are basically determined by the legal citizenship, for instance the right to take part in national politics and elections. Even so the non-Danish citizens have the right after three years of permanent residence to take part in and stand as candidate in local elections to the municipal council as well as county council. Finally the non-Danish citizens with permanent residence do also have the right to a minimum of economically well-being and security partly due to principles of the European Union.

A new figure must be drawn as a result of immigration and the residence of non-citizens:

⁵ [Http://www.inm.dk](http://www.inm.dk)



The figure shows that the human rights are not anymore limited to the legal citizens of the State, but have been expanded to apply to non-citizens, an ideal which is worth fighting for, but seems to be quite far from reality in Denmark too. Differences between citizens and non-citizens do exist in practice and differences between immigrants, their descendents and the ethnic Danish population seem to exist. Regarding the civil rights immigrants holding another legal citizenship risk extra penalty for the same crime compared to Danish citizens, as far as more and more penalties contain the possibility to expel the criminal from the country after serving of the sentence.⁶ The social rights seem to be threatened when it comes to immigrants, citizens as well as non-citizens, because the government seems increasingly to legitimate to deprive immigrants of economically support pleading that this ignoring of their social rights has the aim to encourage the immigrants to integrate. The concept of integration is a key to understand the Danish politic toward immigrants. The concept refers in the Danish discourse to an idea of newcomers to adapt to their new environment, in political programs often defined idealistic as a reciprocal adaptation between majority and minority, but in political practice almost exclusively a demand on the immigrants to change their cultural, religious, political and linguistic identity.

On the ground of this concept of integration it seems that a large part of the Danish population are ready to sacrifice the harsh won universal rights arguing that you cannot gain the rights before you are like us, the Danish people, before you are integrated!

⁶ For more examples on inequalities see the appendix.

The cultural, religious, political and linguistic differences are not only used to legitimate the politic of suspending basic rights, but are at the same time used to explain the real and comprehensive social inequalities. At several levels you find a systematic difference between immigrants, their descendents and the ethnic Danish population in acquisition of basic human values. That goes for education, employment, and income.

Education (2003): Percentages of people with a Danish qualifying education

Age: 25- 64 years old	Immigrants from third countries	Children born in Denmark by immigrants	Danish origin
male	12%	40%	66%
female	10%	44%	62%

Employment (1. of January 2002): Percentages of people attached to the labour market

Age: 16- 66 years old	Immigrants from third countries	Children born in Denmark by immigrants	Danish origin
male	60%	69%	83%
female	45%	66%	76%

Unemployment (1. of January 2002): Percentages of people attached to the labour market without work

Age: 16- 66 years old	Immigrants from third countries	Children born in Denmark by immigrants	Danish origin
male	11%	6%	3%
female	11%	6%	4%

Income (2002): Average personal income in 2002

Age: from 15 years old and up	Immigrants from third countries	Children born in Denmark by immigrants*	Danish origin
Danish kroner	135.000	108.000	216.000

* This group is still mainly young people

Are you an immigrant your chance to be without a Danish qualifying education, to be unemployed, and to have a considerable lower income than the average of the population, is very high.⁷ Instead of seeing this as a social problem and a consequence of structural and global developments, these social problems are generally seen as a result of the immigrants' dysfunctional and outdated culture and religion. The explanation is in its core a racist one, even though you must consider the historical development, which I will do in a while, to fully understand this model for ethnocentric worldview. The result of that the last circle in the figure has in reality to be seen as abrupt and porous.

Parallel to the negative development of the rights of immigrants, another development follows the same track. The human and universal rights are not only threatened due to political initiatives towards immigrants, the same politics seem to gain support in other contexts as well. It is only half a year ago, a Danish trade union wanted to deprive its members, who were affected by unemployment, their influence on the politics of the trade union. It did not succeed, but I see it as a symptom of a threatening development where rights are reserved for the privileged. The same tendency has been seen since the 11th of September, where human rights have been violated referring to the security of the State.

Why is it that a large part of the Danish population seems to accept this development where a specific part of the population does not face equal treatment and rights? With the ideal of equal rights to all citizens it seems startling that the population accept real inequality. I believe it is here we have to turn to the concept of identity.

The Danish people and their problem with identity

The immigration has together with the globalisation in general questioned the historical constructed Danish identity. In the historical process until the sixties, in the period where the ideal about congruity between citizenship and civil, political and social rights had been constituted, a national identity was created simultaneously. The Danish national identity has since the 1849-constitution been connected to an idea of a homogenous and popular identity. Until then the absolute rule of the King had since the reformation guaranteed the Christian identity of the population, which was now constituted in the national *folk* church, as well as the public *folk* school and the *folk* high school

⁷ Here I have not mentioned the extreme difficult situation the asylum seekers face with violation of their human rights on a daily basis.

were bearers of an ideology of the homogenous Danish identity. The identity of the *folk* was defined on the principles of common language, common religion and a non-elitist culture and education. Some scholars will give Grundtvig the credit for the ideologizing of this national identity and a lot of positive things can be said about this value of *folkness*, but here the negative consequences have to be highlighted, a consequence which partly can be put down to or at least have been supported by the development of the social democratic welfare model as well.

It seems that equality as part of the Danish identity has become equal to likeness. To be equal one has to be *alike* the other Danish people. It means that for the immigrant to obtain *true equality*, and not only *formal equality*, he or she has to become Danish in language, religion, appearance and in social behaviour. This means that the Danish model do not only commit itself to identity between legal citizenship and human rights, but do at the same time commit itself to an ideal of identity between citizenship, basic rights and a specific kind of Danish identity. What does this mean to the immigrant? It means that he and she, who do have the formal rights, in reality is not fully incorporated in the Danish society. The Danish society does not at the moment and according to political practice want to hold multi-ethnic identities. It does not want citizens who do not have an unambiguous loyalty toward the Danish national community; it does not want citizens who might have feelings and emotions towards other national, ethnic, cultural, or religious groups. And if they are religious, the Danish society will accept them only if they are religious in the same manner as the Danish interpretation of Christianity.

It leaves two possibilities for the immigrant:

- 1) "They" – the immigrants – have to become Danish in the Danish popular meaning. This a project which at the moment seems to be impossible, because in the public and political debate the group of immigrants by definition is defined as "outside the Danish community" and "not-integrated", and whatever they do to become Danish, the Danish people will be able find aspects which are not sufficient Danish. As long as the population has an interest in excluding groups of the population, they can do that with reference to another religion and another culture. Even the big difference in yearly income can be explained away referring to the culture of the low income family. A logical and necessary but also partly an unconscious explanation from the Danish side. The consensus on equality for all forms the basis of the Danish society. The Danish people do not like inequality, and when they see the

statistics above that proves that equality is not any longer (if it ever was) reality, the logical explanation is problems connected to the group of newcomers, and not problems connected to the Danish society. The solution to keep up the belief in equality as a national consensus, despite the historical facts, is to define inequality as an aspect of the outsiders, not an aspect of the Danish society.

- 2) We all together redefine what is meant to be a citizen in the Danish society. New principles have to be discussed where equality is not conditioned by likeness and where the society can contain difference. In this process of redefining the society, not only as a consequence of migration, but also as a consequence of globalization, the immigrant has to take part. In this process we could profitably look to other countries with long historical tradition to hold many ethnic and religious identities. Egypt is an example, but also other European countries have other experiences than Denmark.

Identity and citizenship

We are now where we started. The identity question is central in the debate on citizenship in Denmark, because there have been created a historical consensus of alike identity as a condition for equal civil, political and social rights. I believe it is not so much a matter of being muslim or not, as it is a question of Danish identity. The imagined community of the Danish society is of course an ideological concept which content not even two Danish persons can agree on, *except* when we use the foreigner to define what is *not* Danish.

It is now time to realize that globalization and political changes in the world has changed Denmark as well. Instead of lamenting this fact, we much agree on new principles for the distribution of citizens rights. We must give up the idea of alike identity as a condition for citizens rights, not only because the world has changed, but because this condition is a negation of the idea of citizens rights as such.

Appendix: Civil inequalities in Denmark

I. The right to marry the person you want is limited by two important restrictions:

1. the rule of 24 years
2. the claim of attachment to the Danish society

II. The right to decide where you want to live is legally restricted for immigrants the first three years in Denmark. There are local practices of restricting the free choice of housing.

III. The right to legal equality might be limited by lack of professional translation, prejudices and especially by the punishment of expulsion.

IV. The freedom of religion is debatable due to the status of the Danish church and due to prejudices. Examples are for instance: the lack of graveyards and mosques.

V. Asylum seekers suffer from several restrictions on civil equalities.

Political inequalities in Denmark

Rights: *Formally* no restrictions on people with Danish citizenship. People without Danish citizenship can take part in local elections after three years of permanent residence. In some municipalities there are boards of immigrants, but they have very limited political influence.

In practice great opposition from the majority against ethnic or religious based political parties.

Participation:

In the political elections there are great differences between the different ethnic groups in participation. Groups like the Turks and the Pakistani do almost participate in the same degree as the majority.

Representation:

Immigrants are not represented in local or national politics as their number should make them. After the local elections in 2001 **1%** of the members of the local boards were from the ethnic minorities, while their percentages of the population were around **5%**.

After the national election in 2001 **2** politicians with ethnic minority background were elected to the National Parliament (*Folketinget*), that means only a little more than 1% of all the politicians in to the National Parliament.