

Troubled Transnationalism
Diverging National and EU-Level Social Partner Preferences in Immigration Policy

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I. Introduction

The last decade has brought significant changes to the landscape of Western European immigration policy, especially with respect to labor migration provisions. Countries such as Germany and the UK, which had been satisfied with their modest and undirected labor permit schemes, came to recognize that in particular sectors labor shortages could manifest themselves more suddenly and severely than could adequately be addressed through the existing individualized labor certification processes. Picking up on these domestic trends, the European Commission saw an opportunity to pursue its agenda for the creation of a common European Union immigration law. However, as of yet, the Commission has been unable to convert its initiatives into a formal policy endorsed by the EU Council. Reasons for the failure to move forward include the slower growth in key sectors that once experienced the sharpest growth and the diversion of attention to security and border controls that resulted as an aftermath of 9/11 as well as the recent eastern enlargement of the EU. Nevertheless, the failure of the Commission to press on these issues should also be traced back to the lack of support that it was able to generate on the part of those business interests that have always been crucial allies of integration during previous expansions into new policy realms. Rather than discussing recent developments in EU immigration policy, this paper examines why the social partners that have been so crucial in advancing domestic policy failed to duplicate this resolve at the European level.

This paper presents research concerning social partners' EU immigration policy preferences and lobbying activities against the backdrop of recent developments in labor migration policy in Germany, the UK, and to a lesser degree, Austria and the Netherlands. Integrating media reports, annual organizational reports, press statements and individual interviews with representatives of government, trade unions and employers' and trade

associations (see Appendix B for full interview list). It argues that the development of labor migration policy at the European level has been stunted by the fact that the crucial actors in advancing policy – domestic-level social partners – find their interests at the European level are represented neither as effectively nor along the same sectoral lines as is the case at home.

The paper begins by presenting a framework based on the assumption that labor migration policy is driven in large part by social partner preferences, in particular those of business. Their demands have become more vocal and pointed as a result of changes in the labor force, such that certain service sectors frequently experience labor shortages. The paper then examines the literature on interest representation in the EU and argues that the more general research on business interests is better suited for analyzing the preferences of the social partners than the small body of work dealing with the EU-level mobilization of immigrant rights organizations. A brief survey of the state of EU immigration law prepare us to examine the preferences of the social partners and question what interests drive their strategies. The analysis uncovers a lack of interest and mobilization that stem from a lack of immediacy on the part of the policy and a disjuncture between national preferences and EU-level representation that explains why European social partners - and member state governments - have not yet embraced the cause of a common European immigration policy in a meaningful manner.

II.1 The determinants of preferences on labor migration policy

While scholars disagree as to the exact determinants of immigration policy in Europe, in the more limited policy realm of labor migration, the key factor in analyzing policy development is the involvement (or not) of the social partners. Predominantly, research has centered on the role of trade unions (Castles and Kosack 1973, Katznelson 1993, Kühne 2000). Unions are seen as wanting to protect the domestic labor market from immigration due to its potential for

lowering wages and furnishing an alternative labor supply in the case of disputes (Zolberg 1989, Haus 2002). However, in recent years the labor movement has actually become more open to immigration (Avcı and McDonald 2000, Haus 2002, Watts 2002).

Business preferences remain under-specified in the literature, that has portrayed employers as uniformly supporting immigration due to the propensity of migrant workers to lower wages, keep the labor market de-regulated, and divide the labor movement (Castles and Kosack 1973, Piore 1979, Goldthorpe 1984). Little consideration has been given to the changing nature of the labor force such that employers might also have a raised interest in retaining their skilled workers, so that opening up certain labor markets to foreign labor could destabilize the regulated conditions under which employers currently refrain from poaching each other's workers. Labor migration can play an important role in helping industries remain internationally competitive because it allows firms to satisfy certain labor needs without moving production abroad where a particular type of labor is plentiful. This permits certain industries to continue benefiting from the comparative institutional advantages that they are accustomed to domestically (Katzenstein 1987). In this light, rather than simply viewing migration as a symptom of globalization, it can also be seen as an economic policy tool for mediating the effects of globalization, because it is easier to control flows of people than flows of capital (Weiner 1995).

Employers' associations offer particularly well-crystallized depictions of employer preferences. Sometimes more than the state itself, they independently seize the initiative in identifying the area and magnitude of policy needs (Traxler 1999, Culpepper 2003). As opposed to individual firms that are less certain of the effects of change and the costs of advocacy, private associations are better positioned to assess the ramifications of a given policy and to facilitate cooperation in the execution of that policy. Finally, in an area such as the labor market policy

where benefits are concentrated within certain producer groups yet costs remain diffuse, employers are unlikely to encounter much resistance beyond that of organized labor. However, in contrast to trade unions whose interest in this area lies in preserving the status quo, employers actively identify labor needs and forward policy proposals (Schneiberg and Bartley 2001).¹

The Formation of Policy Preferences

Labor migration policy preferences result from employers' flexibility concerns that reflect changes in the labor market, as well as the degree that sectoral regulation allows employers to pursue labor migration as an option. Employers' imputed preoccupation with flexibility is not merely the product of economics and management literature touting the benefits of externalizing training and labor costs that were traditionally the responsibility of the firm. To a large extent this self-identified need for flexibility is rooted in structural shifts in production away from manufacturing and toward the service sector. De-industrialization has not only ushered in the diminishment of the manufacturing workforce, but changes in the production process have rested upon a retreat from mass production and unskilled workers toward more flexible production schemes that rely on a poly-functional and adaptive workforce. Labor market shortages in the service sector have led sectors such as hospitality and information technology push aggressively for foreign labor. Likewise, this preference for labor migration liberalization is most pronounced in the less-regulated service sectors such as information technology, agriculture, and hospitality.

However, these flexibility preferences do not immediately translate into employer policy positions due to the intervening effects of domestic institutions such as industrial relations and

¹ This argument of employer-centrality is limited to the issue of labor migration policy. In other policy areas (for instance, the integration of foreign workers) governments, trade unions and public and private interest groups are the driving force behind policy formation, and even in the area of labor migration there are certainly other interested actors.

vocational training. Only those sectoral employers that can pursue policy independently from the status quo bias of their overarching confederation and that do not face solid union opposition will propose labor migration liberalization. Similarly, employer participation in vocational training schemes also militates against their resort to foreign labor. Finally, the success of a sectoral initiative is also tied to its ability to avoid being linked to larger immigration debates in which issues of national identity tend to crowd out economic rationales.

The application of this framework to Germany, the UK, Austria and the Netherlands in sectors such as information technology, construction, hospitality and the metal industry reveals patterns that are less national than sectoral.² The question that this paper seeks to answer is whether ‘European’ considerations also enter into the strategies of the social partners, and if not, why not? Despite the high level of activity by the social partners at the domestic level and the degree to which employers have been successful at advancing their policy wishes, at the European level, change has yet to occur. An examination of the considerations and strategies of the social partners reveals that these have remained grounded at the national level. Before presenting data on the preferences and activities of the social partners on EU immigration, it is necessary to examine the literature on interest representation in the EU generally, as well as the promotion of specifically pro-immigration and migrant agendas.

II.2 Interest representation in the European Union

In the neo-functional theorizing of Ernst Haas (1964) integration involved the evolution of policy authority from the national to the supranational level. Once a policy area came under the control of Commission, interest groups once focused on influencing national policy-making would transfer their attention and loyalties to the level at which decisions were being made. While there certainly has been a great deal of movement by pressure groups in the

² A more extensive discussion of these sectoral variations can be found in Caviedes (2010).

direction of Brussels since the 1960s (and even continuing during the slowdown of integration in the late sixties and seventies), the transition has not been smooth and is far from complete. Since the Council is still involved in most decision-making processes, national pressure groups can choose to exercise influence at the national or supranational level, or even both. A survey of over 200 British associations revealed that even on European issues (Bennett 1997) their first course of action remains to contact national ministers and officials. This is due in part to the recognition that even where decision-making occurs at the European level, implementation rests in the hands of local actors who can still be targeted by interest groups (Grant 1993).

The decision to target Brussels is dependant on several factors, the most important being whether or not the issue is constitutionalized, meaning whether it falls under an area governed by the European Community and therefore subject to legislation or some other form of regulation or coordination (Streeck and Schmitter 1996, Aspinwall and Greenwood 1998, Cowles 2002). Changes in the decision-making process have led to a shift in the balance of power between EU institutions such that the European Parliament has become a more interesting partner (Pedler 2002), yet the Commission remains the primary target of lobbying (Mazey and Richardson 2001). This is due in part to the fragmented directorate structure of the Commission that offers many points of access, and to the fact that the Commission is rather small and under-resourced to perform the multitude of tasks with which it has been assigned. In its search for allies and information, the Commission has been an active agent in the formation and coordination of pan-European interest groups and has actively solicited input through formal institutionalized structures (Aspinwall and Greenwood 1998, Mazey and Richardson 2001). However, since the Commission's nature is closer to that of a technocratic body than a political one, it is also important for interests to become involved early in the policy-making process. Rather than

focusing on swaying the deliberation on choices, a successful lobbying approach focuses on gaining access at a stage when information is still being gathered and evaluated (Greenwood 2003).

Most research has focused on formal European interest groups.³ In terms of formal interest groups at the European level, business interests constitute roughly two-thirds, far outnumbering those representing unions or the public interest (Aspinwall and Greenwood 1998). Since over two-thirds of these business groups are federated structures (meaning associations of associations), there is less of a collective action problem at the European than national level, since far from being free-riders, most of the members are already active at the national level (Greenwood 2003). Instead, the greatest challenge facing European associations is the difficulty in distilling common policy directives from the heterogeneous preferences of entities that already encapsulate a multiplicity of preferences. Those domestic associations that are already heterogeneous - as is the Confederation of British Industry (CBI) whose membership includes both associations and firms - naturally pose greater potential for discord. Firms or sectors that already operate multi-nationally are comfortable working in multiple regulatory environments, which often leads to effective European lobbying (Aspinwall and Greenwood 1998, Michalowitz 2002). However, the wider a European-level group casts its membership net, the greater the risk that not every member prioritizes such transnational concerns. For this reason, there is a heightened attraction to associations reflecting tightly marked sector divisions such that there is less of a danger of coming into competition with members from other sectors with divergent interests (Michalowitz 2002). Rather than spending time and resources to merely reach

³ This is probably due to the fact that it is difficult to analyze the lobbying activities of all domestic interests at the EU level, since these include individual firms or informal initiatives. While it is possible to focus on a wider group of participants if the focus is limited to a particular issue or sector (witness the case-study formats of Pedler's *European Union Lobbying* (2002) or Greenwood's *The Effectiveness of EU Business Associations* (2002)), this approach has yet to yield a great deal in the way of theory.

compromises with business interests from other member states, large firms often send their own representatives straight to Brussels to voice unilateral concerns (Grant 1993). Thus, there is a tension and possible tradeoff between breadth and coherence for firms or national associations when they seek representation at the European level.

Synthesizing the insights of the literature presents an image of peak level European organizations that are often too broad to adequately reflect the firms or sectors with specific needs and too closely tied to the Commission to seize the initiative swiftly. Certainly, these are critiques that are generally leveled against the Union of Industrial and Employers' Confederations of Europe (UNICE) and the European Trade Union Confederation (ETUC), the European-level peak organizations for business/employers and trade unions, respectively. Given the inability of the European-level social partners to occupy the same position in policy formulation and wage and working conditions bargaining as they do at the national level, they are reduced to serving as information clearing houses and lobbyists (Streeck and Schmitter 1996, Streeck 1998). As a result, when business interests do choose to lobby Brussels they frequently make their interests known independently or through European-level associations that are organized by more narrowly defined sectors.

II.3 The transnational mobilization of immigration interests

The study of interest groups and their lobbying efforts at the European level in the realm of immigration and migration is a relatively new field since EU competence in this area is only emerging presently. Research has been more focused on the mobilization of migrant rights groups than on the various lobbies that might have an interest in the other dimensions of immigration. This literature documents the activities of highly visible, immigrant rights groups such as the Starting Line Group and the European Union Migrant's Forum that field the concerns

of immigrants and foster further debate as to the need for a European immigration policy, yet whose overall success record makes for sober reading (Van der Klaauw 1994, Ireland 1996, Favell and Geddes 2000, Guiraudon 2000). Since migrant groups themselves are not established lobbies at home, it is often difficult for them to project influence to the European level. Moreover, it would be artificial to treat immigrants as a single homogenous entity. Instead, given the differing situations governing the entry of, legal rights, and position on the labor market of immigrant groups, one would not presume that it would be easy for organizations representing Turks in Germany, Algerians in France, and Pakistanis in the UK to find a common ground.

Nevertheless, there is a suggestion in the literature that the European level holds the promise of creating a more level playing field for interest groups that are new or less integrated into the domestic policy-making process. For this very reason, the established social partners might also be expected to show caution before advancing a European agenda. National social partners are often already entrenched in the existing domestic decision-making process, so there is less incentive for them to open up a new policy-making arena where they would risk being crowded out by new players or even excluded entirely (Caviedes 2004). When such a desire to organize does exist, it should be highest in cases involving trans-frontier problems, such as migration, that are increasingly difficult to solve at the national level (Mazey and Richardson 2001). The recent flurry of liberalization in domestic labor migration policy adds an additional incentive to coordinate in order to minimize the negative externalities that a competition between policies could trigger. To suggest that the free movement of labor within the Single European Market renders this issue irrelevant ignores the fact that in nearly every country, the number of foreign workers from non-EU countries exceeds that from fellow member states (Lahav 2004).

In Germany and the UK, the reliance upon on-EU foreign workers is between one-and-a-half times to twice as high as for EU workers with freedom of movement (See Appendix C).

The decision to subject a particular policy area to the Community's supranational jurisdiction has historically pursued the market-building logic of the economic community (Geddes 2008). Policies such as gender equality or social inclusion have often only been addressed in as far as they are attached to greater economic or labor market concerns. Similarly, future European immigration policy will have to develop in accord with those labor market mechanisms that are established and are being further developed within the EU.

Given these parameters, immigration is clearly a policy area that is ripe for the involvement of the social partners. However, with UNICE and ETUC displaying limited interest in advancing immigration policy in the absence of Commission authority (Watts 2002), the question arises whether the domestic social partners feel the need to address these issues. The factors affecting the decision whether or not to lobby and at what level are often the same as those mentioned previously that govern European-level interest representation more generally (i.e., constitutionalization of the issue, specificity of the European association). These considerations overshadow those that operate at the national level, where sector-specific preferences predominate. Before reviewing the actions of social partners and answering why these have been so limited in scope, a brief survey of EU immigration policy will serve as a brief initiation into the state of policy (or lack of it) and the particular realms that currently occupy the Commission's attention.

III. European Union Immigration Policy

Within the EU, the free movement of workers is mandated. However, the status of workers from third countries remains the prerogative of the nation-state. Prior to the 1986 Single

European Act, there was no EC policy toward third country nationals, and even in its wake, cooperation with regard to visa recognition and border controls remained ad hoc and voluntary in nature (Kostakopolou 2000). After Maastricht and the Treaty on European Union, immigration policy was limited to cooperation in the areas of asylum and reciprocal recognition of transit visas under the Justice and Home Affairs pillar where decisions require member state unanimity and the European Court of Justice cannot rule on the validity of provisions nor act to enforce them. The Treaty of Amsterdam introduced Title IV on ‘Visas, Asylum, Immigration and Other Policies Related to the Free Movement of Persons,’ which transferred these areas to the ‘first pillar’ in 1997. Beyond immigration and asylum, this includes external border controls, visas and other rights of third country nationals. During the first five years, member states and the Commission shared the right of initiative, while the European Council still had to make the final decisions unanimously. Since 2003, the member states can decide whether any of the areas in Title IV will be further “Europeanized” and subjected to the qualified majority voting procedure, but as of yet, there has not been a profound qualitative break from the existing EU immigration paradigm, though most of the choices looming in the future would suggest an ever increasing supranationalization of immigration policy is inevitable (Stetter 2000).

At the conclusion of the Tampere European Council in 1999, the Presidency announced that creation of the EU’s new “union of freedom, security and justice” would require a common asylum and immigration policy.⁴ The policy was mapped out into four separate elements: partnership with countries of origin, a common European asylum system, fair treatment of third country nationals, and management of migration flows. The commission was rapid to respond with a general statement on immigration policy and asylum (Commission 2000), and the following year suggested that in the field of immigration European policy be advanced through

⁴ SN 200/99 (Presidency Conclusions of the Tampere European Council 15 & 16 October 1999).

the soft-law coordinative process known as the open method of coordination or OMC (Commission 2001). The intention was to create a European immigration regime based on coordination, absent the imposition of binding external conditions or quotas. The proposed areas included cooperation with countries of origin and the pooling of information to hinder flows of illegal migration, but the real carrot was intended to be the economic migration component that contemplated the establishment of a coherent and transparent procedure for accessing the labor market allied to the European employment strategy (Caviedes 2004).

The failure of the Council to act on this communication led to years of inaction regarding labor migration, with the most successful initiatives on migration being those that are restrictive in nature (Moraes 2003, Givens and Luedtke 2004). The publication of a Green Paper on managing economic migration indicated that the Commission was still interested, and that it had been attentive to national trends, since it proposed introducing sectoral programs or common fast-track procedures to admit migrants in cases of specific labor or skills gaps (Commission 2005). The Commission's current and most concrete initiative goes by the name of the Blue Card, and picks up the latter logic from the Green Paper. While it does not provide entry for highly skilled foreign nationals, it does provide for intra-EU mobility and the ability to apply for permanent residence after five years (Council 2009). Far from replacing or superseding national policy it simply adds an additional track that is designed to make migration to Europe more attractive through the possibility to move throughout the EU. The initially ambitious provisions were watered down considerably following sessions in the EP and before the Council, so that now applicants must have a contract for a minimum salary of 1.5 times the national average requirement, and must wait 18 months before attempting to move to another EU country. More substantial addenda allow individual countries to set overall quotas and to deny applicants from

other member states if national labor market problems exist. Thus, control remains at the level of the member states.

With the Commission eager to press ahead, and in control of setting the agenda, what is puzzling is not simply the tepid pace of policy development and its modest results, but the absence of strongly articulated pressure from those key stakeholders at the national level: the social partners.

IV. EU immigration policy: not a riveting concern

In general, the national social partners view European immigration policy with marked detachment. Corroborating the scholarship on interest representation, nearly every association surveyed confirmed that its first course of action when dealing with European matters is to contact the appropriate ministries within the national government. Also in line with the literature, the absence of an existing EU policy has kept interest muted. Clearly, the logic behind lobbying Brussels remains: “if you build it, they will come,” but the converse does not hold true. The EU’s lack of a sectoral orientation in immigration policy and the social partners continuing focus on national policy and policy-makers have substantially curtailed the degree of resource mobilization and enthusiasm devoted to this issue.

Policy Preferences at the European Level

The topic of migration bears unique salience for the European-level social partners. It was the movement of workers within the European Community beginning in the late 1960s that served to highlight the necessity for a body of common regulation, or at least policy coordination at the European level, and this helped fuel the creation and growth of ETUC. However, the UNICE remains less captivated by the discourse over a common immigration policy, and this has disrupted the semblance of a consensus between the European social partners.

While the UNICE and its national-level members are supportive of the in-migration of third-country nationals, they are skeptical of any European policy that does not reflect their understanding of subsidiarity.⁵ In its response to the Commission's 2005 Green Paper on an EU Approach to managing economic migration, the UNICE argues that regulations governing the number of migrants, their requisite types of qualifications and skills, and their country of origin fall under the competence of the member states (UNICE 2005). While there is agreement that policies to bring in third-country nationals can contribute to increasing the working age population and address shortages at both skilled and unskilled levels, the UNICE points out that the actual logistics must be left within the ambit of member state policy. Fast-track procedures in particular branches, or points systems that take into account experience, education, language skills, the existence of work offers and labor shortages, or the presence of family members in a particular member state, are all applauded as progressive and positive programs, but ones which the member states, and not the Commission, should be drafting (UNICE 2005). Instead, the EU should busy itself with the mission of permitting employers to make better use of the foreign labor that is already in the EU. This statement might sound like it should emanate from within the labor movement, but in exposing the plight of resident migrants the UNICE is not crusading to support the mobility of long-term unemployed foreigners between member states.⁶ This is a plea to facilitate the admission of intra-corporate transferees, contract service suppliers, business visitors and trainees, who the UNICE argues: "do not enter the regular labor market" (UNICE

⁵ The principle of subsidiarity, as laid out in Article 5 of the Treaty of Rome Establishing the European Community, is that if a particular policy area falls outside the exclusive competence of the Community, it should act "only if and insofar as the objectives of the proposed action cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or effects of the proposed action, be better achieved by the Community."

⁶ Indeed, the UNICE argues that the Commission pays sufficient attention to integration initiatives, and that it should not interpret its legislative mandate to go beyond such measures for the time being (UNICE 2005, 9).

2005). According to the UNICE, the realm of common policies should be limited to those mandating rapid, transparent visa procedures with a minimum of bureaucratic red tape.

Somewhat surprisingly, it is the ETUC that has been the more receptive of the EU-level social partners toward a common immigration framework. The ETUC's initial enthusiasm for a common policy, which ensued following the Commission's communications on a common framework, (ETUC 2001) has not ebbed, but since then, the ETUC has become a more discerning supporter of Commission policy. In its response to the Commission's Green Paper, the ETUC continues to insist that restrictive policies and attitudes are a thing of the past. It goes so far as to link the persistence of illegal immigration to the prevalence of zero-migration policies for the low-skilled, foreshadowing the primary element of contestation. The ETUC worries aloud that the Commission's initiatives are solely targeting the high-skilled, while access for other classes of workers is ignored and the potential skills sets of asylum seekers also fail to be taken into account (ETUC 2005). With regard to the Blue Card, the ETUC supports a common policy, but again criticized the particulars of the initiative for "splitting off 'those we want' and 'those we do not want'" (ETUC 2007). It also voices reservations about the program's potential to lower existing worker standards or inhibit investment in worker training.

The ETUC's main desires are that a common EU policy be rights-based, mandating the adoption of ILO resolutions, and that the social partners have a major say in developing a policy that is closely attuned to specific, current labor market needs. In accord with the UNICE, it also presses the Commission to guarantee the free movement of all EU citizens and third-country nationals, but with the reservation that such legislation honor domestic collective agreements and labor regulations (ETUC 2005). It is quite critical of the Commission's employer-friendly suggestion that there might be groups of workers who come to the EU in the framework of a

services contract and therefore do not actually ‘enter’ the EU labor market. It warns against exempting short term or seasonal workers from making social security contributions (ETUC 2005). Like the UNICE, the ETUC is not enthusiastic about sectoral policies. However, while the UNICE opposes any type of common policy, the ETUC would welcome a common framework, as long as it is horizontal, meaning that it should provide an equal scope of opportunities and benefits for the low-skilled as for the high-skilled. If the Commission were to outline such a policy, the ETUC claims that it would be prepared to support measures to standardize both work and residence permits and to simplify the procedures for attaining them (ETUC 2005, 2007).

The crux of the disagreement between the European social partners over the role of EU policy comes down to different visions as to the purpose behind such a policy. For employers, migration is viewed as source of labor mobility and flexibility, so the UNICE is supportive of measures that reduce barriers within the EU, but it is concerned that horizontal measures may visit obligations upon employers in terms of number and type of migrants that they are not subjected to as long as they utilize national labor migration programs. For the ETUC, labor migration is an issue that must also evince a concern for equality, and therefore policy must avoid creating a hierarchy amongst migrants such that only the highly-skilled are relatively free to enter and move about the EU. However, the willingness of the ETUC to contemplate liberalizing migration flows both from outside the EU and within, provided that there is no discrimination amongst those who enter and that national social regulations are being honored, is still the source of acrimony among the ETUC and those national-level trade unions that would prefer to keep policies restrictive at a time when many of their members languish in unemployment. This has meant that the ETUC not only suffers from being unable to agree with the UNICE, but that it also lacks the full support of all of its constituent members. The extent of

disagreement and its underlying motivations becomes evident by surveying the various positions on the issue amongst the social partners within the four countries under observation.

Sectoral Preferences?

The pronounced sectoral differences characterizing preferences on national immigration policy are not reproduced in equally defined policy preferences on EU immigration. This is somewhat puzzling, since sectors remain an important cleavage at the European level. Most of the sectoral social partners admit that they maintain closer ties to their respective sectoral European-level associations than to the European-level confederations. For instance, Germany's IT trade association, BITKOM, voiced its concerns over skills shortages in the IT industry to the European Information and Communications technology Industry Association (EICTA) rather than contacting UNICE (Blank 2002). When questioned as to how they lobby Brussels, Austria's HGPD in hospitality and the German HDB, IGB and British UCATT in construction mentioned the European Federation of Trade Unions in the Food, Agriculture and Tourism (EFFAT), the European Construction Industry Federation (FEIC) or the European Federation of Building and Woodworkers (EFBWW) before ETUC or UNICE were referenced. This confirms the perception that UNICE is inadequately equipped to represent particular sector interests (Cowles 2002, Blank 2002). Reflecting Grant's observation concerning the go-it-alone propensity of larger confederations (1993), the BDI and BDA in Germany and the UK's CBI maintain permanent offices in Brussels that are their first resort when gathering or disseminating information, before conferring with the UNICE (Interviews BDI, BDA, CBI).

The problem behind maintaining a closer affinity toward European-level sectoral associations is that unlike national policies that are often differentiated by sector, EU policies covering non-EU workers are general, so sectors are not a useful category. Sector-specific

programs at the national level serve to create lines of differentiation and comparison between industries such that there is greater competition for similar treatment once one sector receives special consideration. For instance, in Germany, calls for a separate program for hospitality workers became more strident once such a program was instituted for IT workers (DEHOGA 2001). At the European level there is no parallel cooperation or competition between sectors, which has led to lower levels of interest and mobilization over immigration issues in particular.

The sector exhibiting the most crystallized and proactive preferences on migration is the construction industry. Rather than displaying the general apathy for the issue that characterizes the social partners in other sectors, this branch has focused its attention on preventing the expansion of Community authority into the area of labor migration through lobbying peak-level federations. They have avoided pressuring the Commission due to the perception that the Commission has already committed itself to the expansion of immigration policy and would be unsympathetic to the concerns of the construction sector (Interviews IGB and HDB) This heightened awareness is due to battles that the various construction industry federations have already waged with their national governments on the issue of imposing national wage and benefit structures on posted workers from fellow member states. Their efforts led to the re-regulation of foreign workers, to counter the functioning of the EU directive that allows foreign workers to be hired under the terms and conditions of their home countries rather than those of the countries where they worked (Bosch and Zühlke-Robinet 2000, Menz 2005). These sectorally motivated preferences do not serve to promote the expansion of EU migration policy; instead the agenda is limited to minimizing future developments. The absence of concrete policy advancement in this area has kept this from being more than a promise to obstruct, but the

lobbying of this branch has been more forceful and direct with regard to stalling the free movement of labor from the EU's new Central and Eastern European members.

Capital/Labor Cleavages?

The division between capital and organized labor on the issue of labor migration policy remains relevant. These are divisions that became hardened during the 1970s when unemployment became endemic, and which continue to shape the debate. However, recent national policy developments are a testament to the ability of labor and capital in certain branches to agree on the need for temporary labor migration programs to counteract skilled worker shortages or on the need to stem the flow of foreign workers in branches such as construction (Kolb and Hunger 2003, Caviedes 2010). As mentioned above the differences between the preferences of sectors on the issue of EU immigration law have not come to the fore. The issue is similarly non-divisive between capital and labor.

The general consensus is that attaining a EU immigration law is not a pressing matter. Even employer confederations that lament a shortage of workers when confronting their national governments, such as the IV, VNO-NCW, BDA or the CBI insist that these are problems that should continue to be addressed at the domestic level. The most pronounced difference is that while employers and unions both remain adamant that the determination of demand must occur at the national level and not be delegated to the EU, some employers such as the Dutch VNO-NCW are more willing to entertain the idea of a common, unified European framework to prevent the competition that might ensue between EU member states on the basis of having different waiting time and costs among the respective national labor permit procedures (Interview VNO-NCW). A joint appraisal by the central German business associations praised the labor market impetus of the OMC, but warned that coordination is only welcome as long as it

takes the form of best-practices and benchmarking. They warned that policy should not advance to the level of setting common goals or controlling migration streams, since this is best regulated at the individual nation-state level where particular needs and circumstances can be accounted for (BDA, BDI, DIHK and ZDH 2001). Despite the already cool attitude of the UNICE toward a common policy in its response to the Commission's 2005 Green Paper, the BDI and BDA went out of their way to note that there is no current need for a common framework (UNICE 2005). While the issue of labor migration in general remains a source for debate and opposition between labor and capital, both sides agree that this is best carried out at the domestic level.

Countries Still Matter

The highest degree of differentiation on the issue of whether there is a need for a EU immigration law is that found between countries. The Austrian social partners exhibit the least enthusiasm for EU level policy. This is reflective of the high degree to which the social partners are already involved in the domestic labor migration policy formation process and its implementation (Bauböck and Wimmer 1988, Gächter 2000, König and Stadler 2003). Furthering a new forum for the formulation of and debate over migration policy risks losing control through the introduction of new actors into the process. One might expect that the minimal degree of involvement of the British social partners in domestic labor migration policy might spur them to embrace a new policy arena, but here a mixture of satisfaction with the domestic regime and Euroskepticism (or obliviousness) conspire to render both business and labor ambivalent. Employers in particularized industries such as IT confess that they are either uninvolved at the European level (Interview Intellect) or that such European organizations cannot appreciate the unique position of British industries. Given the British IT branch's degree of international penetration both outwards and inward, this is not an idle claim. For instance, the

Professional Contractors Group bemoans the fact that so much attention is focused upon immigration when it wants to publicize that the ‘off-shoring’ of IT jobs is a far more imminent threat. Beyond the TUC’s feeling that EU immigration policy is unnecessary, there is a sense that the issue cannot be advanced so long as the DGB and ÖGB continue promoting a restrictive agenda (Interview TUC). Even among those social partners that are not as frustrated by national differences there is a sentiment that due to the British penchant for Euroskepticism, attention is best focused on the home-front government before endeavoring to reach a consensus among social partners at the European level, many of whom are justifiably suspicious of the conviction and motives of British interests (Interview UNISON).

Of the countries under consideration, the Netherlands displays the greatest optimism for cooperation at the European level. Looking every bit the part of ‘good Europeans,’ Dutch unions acknowledge that while they focus on national policy and believe that is currently the appropriate venue for immigration policy, they support any ETUC initiatives to press for expanded coordination (Interview FNV). Employers are even more open to the idea and have pushed UNICE to support a European immigration policy, but the VNO-NCW feels that the restrictive stances of the German unions not only hamper this, but also set a bad example that the Dutch unions might be tempted to emulate (Interview VNO-NCW). Clearly, Katzenstein’s logic for why small countries adopt corporatist practices helps explain why social partners in the small and extremely interdependent Dutch economy would feel that coordination with other larger economies could benefit efforts to stave off the unknown (Katzenstein 1985). While the Dutch social partners are not opposed to forming a vanguard, the small size of the Netherlands inhibits their influence, as well the perception that Dutch optimism and pro-activity fail to take into account the realities of industrial relations in other countries (Interviews ver.di and ÖGB).

The frequent mention of the intransigence of German unions is not entirely unwarranted. Despite being surprisingly supportive of the new domestic immigration law, the DGB, with its broad constituency, has criticized the ETUC for focusing solely on the benefits of recruiting high-skilled foreign workers without considering that other sectors might prefer preserving existing restrictions (Interview DGB). The IGB, on the other hand, laments that the ETUC's policy prescriptions are far too general, and that its particular policy goals are best advanced at the local level without the incursion of the ETUC's distracting rhetoric (Interview IGB). Finally, the service sector union, ver.di, points out that while smaller countries within the ETUC might be receptive to coordination in immigration as promised by the OMC draft proposal, it does not believe this is in the best interest of its members (Interview ver.di). Employers also feel that immigration is best addressed domestically, but are receptive toward coordination in a fashion that evokes the sentiments of the Dutch on this issue (BDA, BDI, DIHK and ZDH 2001; UNICE 2005). In light of Germany's high minimum salary requirements for high skilled foreigners seeking a work permit, German employers warmed to the idea of the Blue Card, whose prescribed minimum level is considerably lower (Kafsack 2007; "Drei Maßnahmen..." 2008). However, even here employers invoked the Blue Card in the discourse more as a means for critiquing national policy, than as an honest backing for a European solution.

Overview: Social Partner Attitudes toward a Common European Immigration Policy

	<u>Employer Position</u>	<u>Union Position</u>
Austria	Opposition: Even the IV believes this should remain a national competence	Opposition: ÖGB satisfied by domestic situation where social partners are already in control
Germany	Apathy: BDI & BDA remain cool - Support benchmarking and sharing of information - Invoke Blue Card instrumentally	Opposition: DGB says sectoral differences too complex to reconcile effectively IGB policy fails to recognize construction's vulnerability
Netherlands	Support: VNO-NCW would like to see a coordination framework to help Dutch businesses adjust	Support: FNV supports ETUC activity, as long as national labor regulations are not derogated
UK	Skepticism: CBI prefers national policy, since it is satisfied with current policy Intellect uninvolved	Opposition: TUC insists that this will remain a national policy area, since national confederations generally oppose

Clearly, the social partners and business in particular do not play the same role in initiating labor migration policy at the European level as they perform in the domestic setting. The table above testifies that with the exception of the Dutch, there is a virtual consensus that the national level is where immigration policy should be decided. For this reason, support for the Europeanization of this issue area remains muted. There has been no alliance at the sectoral level to try to initiate a sector-specific European immigration. Even more surprisingly, despite showing a greater interest in coordination than the labor movement, employers and business also agree that policy should remain at the national level. Expectedly, this desire to maintain the status quo is even more pronounced in those countries where the social partners already possess a great deal of control over the policy-making process, and this remains the greatest obstacle confronting a common European immigration policy.

V. Conclusion: The Missing European Dimension

This brief survey of the preferences and lobbying activities of the domestic social partners with regard to the creation of a common European immigration policy confirms many of the observations that have already been made concerning lobbying and the representation of interests at the EU level. Policy-makers and officials at the domestic level remain the first recourse for these organizations for several reasons. The absence of a sectoral dimension to the EU policy debate has meant that the preferences that are important focal points for mobilization at the national level do not figure yet at the European level. Instead, due to the general nature of the policy debate, the UNICE and ETUC assume roles the most appropriate interlocutors by default, but their inability to reconcile sectoral or national differences renders their positions too general and often either too tame or too aggressive depending upon the country or sector of the individual social partners. In either case, this situation leaves most national social partners feeling inadequately represented.

The single greatest impediment to the active involvement of the social partners is the absence of a concrete policy governing the issue area. Clearly, when the effects of a given policy are vague and speculative, there is not the same incentive – quite different from the case of eastern enlargement where impending changes have elicited a protectionist response by the social partners in countries like Germany and Austria who would otherwise be proximate to the largest numbers of foreign workers.

What is clear for the moment is that with regard to the national policy preference formation process of the social partners, European considerations do not warrant designation as an important intervening variable. Until there is a more concrete policy at the European level, the bias toward national policy-making is understandable. Moreover, until the institutions entrusted

with the representation of EU-level interests are better able to represent the particular interests of the national social partners, there will not be a potent partner for the Commission to advance its agenda. This leaves the onus for initiative in the hands of the national governments, and returns the analysis back to its starting point, namely: the domestic level.

Appendix A

List of Abbreviations

AK	Arbeiterkammern Wien (Austrian Chambers of Employees)
Amicus	Manufacturing, technical & skilled persons' union
BDA	Bundesvereinigung der Deutschen Arbeitgeberverbände (Employers' Confed.)
BDI	Bundesverband der Deutschen Industrie e.V. (German Confederation of Industry)
BITKOM	Bundesverband Informationswirtschaft, Telekommunikation & Neue Medien e.V. (German Information Technology Industry Association)
CEEC	Central and East European Countries
CBI	Confederation of British Industry
DEHOGA	Deutscher Hotel- und Gaststättenverband e.V (German Hospitality Federation)
DGB	Deutscher Gewerkschaftsbund (German Trade Union Confederation)
DIHK	Deutsche Industrie- und Handelskammer
EFBWW	European Federation of Building and Woodworkers
EFFAT	European Federation of Trade Unions in the Food, Agriculture and Tourism
ETUC	European Trade Union Confederation
FEIC	European Construction Industry Federation
FNV	Federatie Nederlandse Vakbewegung (Dutch Trade Union Confederation)
FNV Bouw	Federatie Nederlandse Vakbewegung Bouw (Dutch Construction Trade Union)
HDB	Hauptverband der deutschen Bauindustrie (German Builders Federation)
IG BAU	Industriegewerkschaft Bauen-Agrar-Umwelt (German Construction Trade Union)
HGPD	Gewerkschaft Hotel, Gastgewerbe, Persönlicher Dienst Industriellen Vereinigung (Austrian Hospitality Trade Union)
IV	Industrielle Vereinigung (Austrian Confederation of Business)
NGG	Gewerkschaft Nahrung-Genuß-Gaststetten (German Food & Hospitality Union)
PCG	Professional Contractors Group
ÖGB	Österreichischer Gewerkschaftsbund (Austrian Trade Union Confederation)
OMC	Open Method of Co-ordination
TUC	Trades Union Congress
UCATT	Union of Construction, Allied Trades and Technicians
UNICE	Union of Industrial and Employers' Confederations of Europe
UNISON	UK Public Service Union
ver.di	Vereinte Dienstleistungsgewerkschaft e.V. (German Service Sector Union)
VNO-NCW	Verbond van Nederlandse Ondernemingen - Nederlands Christelijk Werkgeversverbond (Confederation of Netherlands Industry and Employers)
WAGA	(Dutch) Law concerning Labor Conditions
WK	Wirtschaftskammern Österreichs (Austrian Chambers of Commerce)
ZDB	Zentralverband Deutsches Baugewerbe (German Construction Federation)
ZDH	Zentralverbands des Deutschen Handwerks

Appendix B

List of Interviews

Austria

Arbeiterkammern Wien (AK)	Wien	November 13
Bundesinnung Bau	Wien	November 7
Gewerkschaft Hotel, Gastgewerbe, Persönlicher Dienst (HGPD) - Hotel and Restaurant Directorate	Wien	November 12
Industriellen Vereinigung (IV)	Wien	November 7
Österreichischer Gewerkschaftsbund (ÖGB)	Wien	November 12
Wirtschaftskammern Österreichs (WK)	Wien	November 7

Germany

Bundesverband der Deutschen Industrie e.V. (BDI)	Berlin	October 30
Bundesverband Informationswirtschaft, Telekommunikation und Neue Medien, e.V. (BITKOM)	Berlin	August 21
Bundesvereinigung der Deutschen Arbeitgeberverbände (BDA)	Berlin	October 22
Deutscher Gewerkschaftsbund (DGB)	Berlin	August 14
Deutscher Hotel- und Gaststättenverband e.V. (DEHOGA)	Berlin	August 29
Gesamtmetall	Berlin	October 28
Gewerkschaft Nahrung-Genuß-Gaststetten (NGG) (tel.)	Hamburg	November 25
Hauptverband der deutschen Bauindustrie (HDB)	Berlin	October 31
Industriegewerkschaft Bauen-Agrar-Umwelt (IG BAU)	Frankfurt a.M.	December 2
Industriegewerkschaft Metall – Berlin Regional Office	Berlin	December 3
Vereinte Dienstleistungsgewerkschaft e.V. (ver.di)	Berlin	September 8

Netherlands

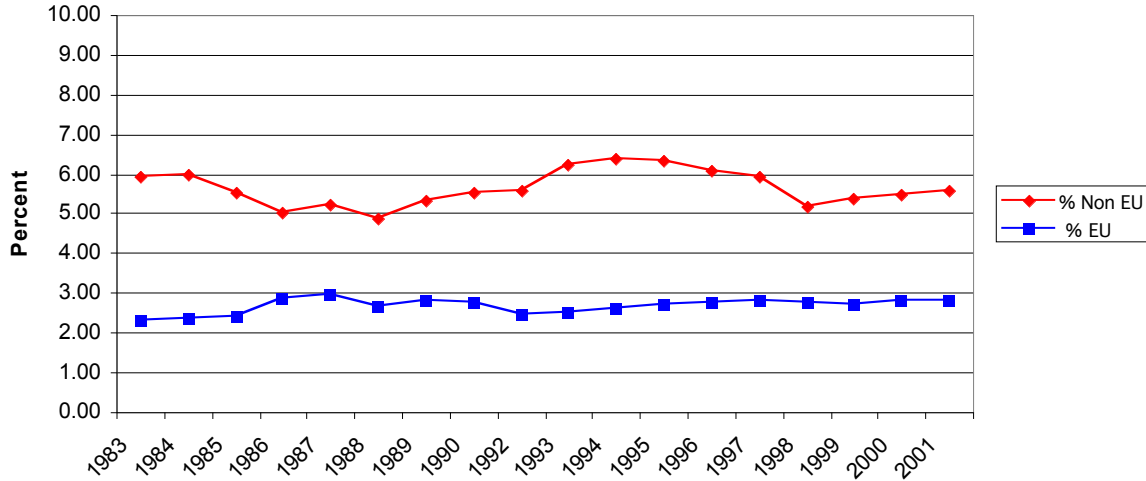
Federatie Nederlandse Vakbeweging (FNV)	Amsterdam	November 28
FNV Bouw	Woerden	November 26
VNO-NCW	Den Haag	November 25

UK

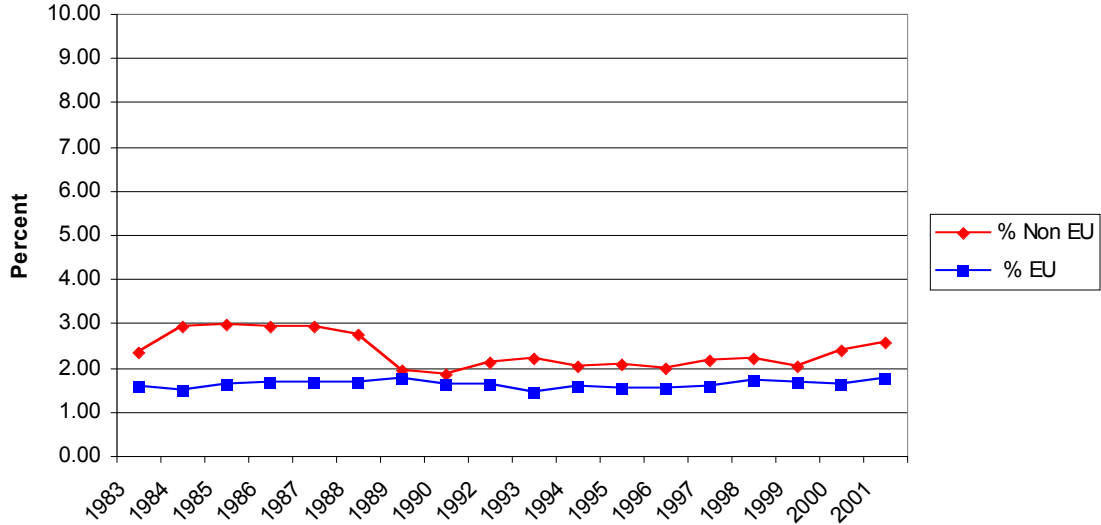
Amicus	London	December 11
Confederation of British Industry (CBI)	London	December 13
Intellect	London	September 29
Professional Contractors Group (PCG)	Uxbridge	December 10
Prospect (telephone)	London	September 25
Trades Union Congress (TUC)	London	October 1
Union of Construction, Allied Trades and Technicians (UCATT)	London	October 1
UNISON	London	December 9

Appendix C

EU vs. non-EU Foreigners in the German Labor Force



EU vs. non-EU Foreigners in the UK Labor Force



Source: Eurostat, *Labour Force Sample Survey* (Luxemburg: Statistical Office of the European Communities).

References

- Aspinwall, Mark and Justin Greenwood, 1998: "Conceptualizing collective action in the European Union: An Introduction," in Justin Greenwood and Mark Aspinwall, eds., *Collective Action in the European Union: Interests and the new politics of associability* (London: Routledge): 1-30.
- Avci, Gamze, and Christopher McDonald, 2000: "Chipping Away at the Fortress: Unions, Immigration and the Transnational Labour Market," *International Migration*, 38(2): 191-213.
- Bauböck, Rainer, and Hannes Wimmer, 1988: "Social partnership and 'foreigners policy': on special features of Austria's guest-worker system," *European Journal of Political Research*, 16: 659-81.
- BDA, BDI, DIHK and ZDH, 2001: *Gemeinsame Stellungnahme von BDA, BDI, DIHK und ZDH zu der Mitteilung der Kommission über eine Migrationspolitik (KOM(200)757) ...*, June, 2001.
- Bennett, Robert J., 1997: "Trade associations: new challenges, new logic?" in Robert J. Bennett, ed., *Trade Associations in Britain and Germany* (London: Anglo-German Foundation): 1-11.
- Blank, Oliver, 2002: "The Impact of Changing Sectoral Definitions upon Associability: the Convergence of Business Interests in the Information and Communication Technology Sector in Europe," in Justin Greenwood, ed., *The Effectiveness of EU Business Associations* (New York: Palgrave): 115-21.
- Bosch, Gerhard and Klaus Zühlke-Robinet, 2000: *Der Bauarbeitsmarkt: Soziologie und Ökonomie einer Branche* (Frankfurt: Campus Verlag).
- Castles, Stephen and Godula Kosack, 1973: *Immigrant workers and Class Structure in Western Europe* (London: Oxford University Press).
- Caviedes, Alexander, 2004: "The Open Method of Coordination in Immigration Policy: A Tool for prying open Fortress Europe?" *Journal of European Public Policy*, 11(2): 289-310.
- , 2010: *Prying open Fortress Europe: The Turn to Sectoral Labor Migration* (Lanham, MD: Lexington Books).
- Commission of the European Communities, 2000: "Communication on a Community Immigration Policy," COM (2000) 757 final, 22 November.
- , 2001: "Communication on an Open Method of Co-ordination for the Community Immigration Policy," COM (2001) 387 final, 11 July.
- , 2005: "Green Paper on an EU Approach to Managing Economic Migration," COM (2004) 811 final, 11 January.
- Council of the European Communities, 2009; "Council Directive on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment," 2009/50/EC, 25 May.
- Cowles, Maria Green: 2002: "Large Firms and the Transformation of EU Business Associations: a Historical Perspective," in Justin Greenwood, ed., *The Effectiveness of EU Business Associations* (New York: Palgrave): 64-78.
- Culpepper, Pepper D., 2003: *Creating Cooperation: How States Develop Human Capital in Europe* (Ithaca, NY: Cornell University Press).
- DEHOGA, 2001: "Stellungnahme des Deutschen Hotel- und Gaststättenverbandes e.V. gegenüber der unabhängigen Kommission 'Zuwanderung'," March 1, 2001.

- “Drei Maßnahmen,” *Süddeutsche Zeitung*, January 26, 2008, p. V2/12.
- ETUC, 2001: “Towards a European policy on immigration and asylum,” Resolution adopted by the ETUC Executive Committee in their meeting held in Brussels on 11-12 October.
- , 2004: “Trade Union Memorandum to the Irish Presidency of the European Union,” January 13. At <http://www.etuc.org/a/398>.
- , 2005: “ETUC Response to the Commission’s Green Paper on a EU approach to managing migration COM (2004) 841 final.”
- , 2007 “ETUC demands more opportunities for European workers coupled with equal treatment of migrants,” October 23. At <http://www.etuc.org/a/4157>.
- Favell, Adrian and Andrew Geddes, 2000: “Immigration and European Integration: New Opportunities for Transnational Mobilization?” in: Ruud Koopmans and Paul Statham, eds., *Challenging Immigration and Ethnic Relations Politics: Comparative European Perspectives* (New York: Oxford University): 407-28.
- Gächter, August, 2000: “Austria: Protecting Indigenous Workers from Immigrants,” in Rinus Penninx and Judith Roosblad, eds., *Trade Unions, Immigration and Immigrants in Europe, 1960-1993* (New York: Berghahn Books): 65-89.
- Geddes, Andrew, 2008: *Immigration and European integration: Beyond fortress Europe?* 2nd ed. (New York: Manchester University Press).
- Givens, Terri and Adam Luedtke, 2004: “The Politics of European Union Immigration Policy: Institutions, Salience, and Harmonization,” *The Policy Studies Journal*, 32(1): 145-65.
- Goldthorpe, John, 1984: “The End of Convergence: Corporatist and Dualist Tendencies in Modern Western Societies,” in John Goldthorpe, ed., *Order and Conflict in Contemporary Capitalism* (Oxford: Clarendon Press): 315-43.
- Grant, Wyn, 1993: “Pressure Groups and the European Community: An Overview,” in Sonia Mazey and Jeremy Richardson, eds., *Lobbying in the European Community* (New York: Oxford University Press): 27-46.
- Greenwood, Justin, 2003: *Interest Representation in the European Union* (New York: Palgrave-MacMillan).
- Guiraudon, Virginie, 2000: “European Integration and Migration Policy,” *Journal of Common Market Studies*, 38(2): 251-272.
- Haas, Ernst B., 1964: *Beyond the Nation State: Functionalism and International Organization* (Stanford: Stanford University Press).
- Haus, Leah, 2002: *Unions, Immigration, and Internationalization: New Challenges and Changing Coalitions in the United States and France* (New York: Palgrave Macmillan).
- Ireland, Patrick, 1996: “Asking for the Moon: The Political Participation of Immigrants in the European Community,” in George A. Kourvetaris and Andreas Moschonas (eds), *The Impact of European Integration: Political, Sociological, and Economic Changes* (London: Praeger): 131-49.
- Kafsack, Hendrik, 2007: “Dem Zuwanderer die Blaue Karte,” *Frankfurter Allgemeine Zeitung*, December 22, 2007, p. C4.
- Katzenstein, Peter J., 1987: *Policy and politics in West Germany: a semi-sovereign state* (Philadelphia: Temple University Press).
- Katznelson, Ira, 1993: *Black Men, White Cities: Race, Politics and Migration in the United States, 1900-30, and Britain, 1948-68* (New York: Oxford University Press).
- Kolb, Holger, and Uwe Hunger, 2003: “Von staatlicher Ausländerbeschäftigungspolitik zu internationalen Personalwertschöpfungsketten?” *WSI Mitteilungen* 4/2003: 251-56.

- Kostakopoulou, Theodorai, 2000: "The 'Protective Union': Change and Continuity in Migration Law and Policy in Post-Amsterdam Europe," *Journal of Common Market Studies*, 38(3): 497-518.
- König, Karin, and Bettina Stadler, 2003: "Entwicklungstendenzen im öffentlich-rechtlichen und demokratiepolitischen Bereich," in Heinz Fassmann and Irene Stacher, eds., *Österreichischer Migrations- und Integrationsbericht. Demographische Entwicklungen – sozioökonomische Strukturen – rechtliche Rahmendbedingungen* (Vienna: Verlag Drava Klagenfurt/Celovec): 226-60.
- Kühne, Peter, 2000: "The Federal Republic of Germany: Ambivalent Promotion of Immigrants' Interests," in Rinus Penninx and Judith Roosblad, eds., *Trade Unions, Immigration and Immigrants in Europe, 1960-1993* (New York: Berghahn Books): 39-63.
- Lahav, Gallya, 2004: *Immigration and Politics in the New Europe: Reinventing Borders* (New York: Cambridge University Press).
- Mazey, Sonia and Jeremy Richardson, 2001: "Interest groups and EU policy-making: Organisational logic and venue shopping," in Jeremy Richardson, ed., *European Union: Power and policy-making*, 2nd ed. (New York: Routledge): 217-37.
- Menz, Georg, 2005: *Varieties of Capitalism and Europeanization: National Response Strategies to the Single European Market* (New York: Oxford University Press).
- Michalowitz, Irina, 2002: "EU Business Associations: Meeting the needs of Europe's Service Sectors?" in Justin Greenwood, ed., *The Effectiveness of EU Business Associations* (New York: Palgrave): 131-42.
- Moraes, Claude, 2003: "The Politics of European Union Migration Policy," *Political Quarterly*, 74(4): 116-31.
- Pedler, Robin, 2002: "Introduction: Changes in the Lobbying Arena: Real-life Cases," in Robin Pedler, ed., *European Union Lobbying: Changes in the Arena* (New York: Palgrave): 1-10.
- Piore, Michael, 1979, *Birds of passage: migrant labor and industrial societies* (New York: Cambridge University Press).
- Schneiberg, Marc and Tim Bartley, 2001: "Regulating American Industries, Markets, Politics, and the Institutional Determinants of Fire Insurance Regulation," *American Journal of Sociology*, 107(1): 101-46.
- Stetter, Stephan, 2000: "Regulating migration: authority delegation in Justice and Home Affairs," *Journal of European Public Policy*, 7(1): 80-103.
- Streeck, Wolfgang, and Philippe C. Schmitter, 1996: "Organized Interest in the European Union," in George A. Kourvetaris and Andreas Moschonos, eds., *The Impact of European Integration: Political, Sociological, and Economic Changes* (London: Praeger): 169-99.
- Streeck, Wolfgang 1998: "The Internationalization of Industrial Relations in Europe: Prospects and Problems," *Politics and Society*, 26(4): 429-59.
- Traxler, Franz, 1999: "The state in industrial relations: A cross-national analysis of developments and socioeconomic effects," *European Journal of Political Research*, 36(1): 55-85.
- UNICE, 2001a: *UNICE Position Paper: Commission Communication on a Community Immigration Policy*, June 13, 2001.
- , 2001b: *UNICE Position Paper: Communication on an Open Method of Coordination for the Community Immigration Policy*, October 19, 2001.

- , 2005: *UNICE Position Paper: Commission Green Paper on an EU Approach to Managing Economic Migration – UNICE Response*, May 13, 2005.
- Van der Klaauw, Johannes, 1994: “Amnesty Lobbies for Refugees,” in Robin Pedler and Marinus Van Schendelen, eds., *Lobbying in the European Union: Companies, Trade Associations and Issue Groups* (Brookfield, VT: Dartmouth): 258-82.
- Watts, Julie, 2002: *Immigration Policy and the Challenge of Globalization: Unions and Employers in Unlikely Alliance* (Ithaca: Cornell University Press).
- Weiner, Myron, 1995: *The Global Migration Crisis: Challenge to States and to Human Rights* (New York: HarperCollins).
- Zolberg, Aristide R., 1989: “The next waves: migration theory for a changing world,” *International Migration Review*, 23(3): 403-30.