

Denmark

The geography of (anti-)racism and tolerance: local policy responses, discrimination and employment in Denmark

Tina Gudrun Jensen, Mette Kirstine Tørslev, Kathrine Vitus, Kristina Weibel

The Danish Centre for Social Research (SFI)

PART I: EMPLOYMENT CONDITIONS FOR ETHNIC MINORITY YOUTH IN DENMARK

Summary

Although ethnic minorities' participation in the Danish labour market has increased over the last years, a strong focus rests on particularly young ethnic minority men, who tend to drop out of school and have lower labour market participation. Danish research reveals different barriers to the labour market for ethnic minority youth; e.g. lack of language skills; lack of knowledge about the labour market; professionals' clientelisation focusing on problems rather than on skills, discrimination and expectances of discrimination.

In 2010 the Ministry of Integration launched a new 'Action plan on ethnic equal treatment and respect for the individual' focusing on information disseminating campaigns and monitoring of discrimination. The municipality of Copenhagen aims at counteracting discrimination and improve equal opportunities among citizens, focusing on three areas: documentation, information and handling of cases of discrimination. Authorities distinguish between objective/factual discrimination and subjective/experienced, but they remain reluctant to acknowledge subjective discrimination referring to it as a matter of feelings.

The young ethnic minority men in this case study tell about job-seeking and being confronted with stereotypes of ethnic minority men as violent, criminal and dangerous, and they experience a need to perform better than everybody else in order to get a job

or get accepted. Thus, they indicate experiences of what can be labelled 'Everyday racism' that connects structural forces of racism with routine situations in everyday life. While the social street workers also see discrimination and racism as a barrier to employment, they view the young men's social marginalization and lacking knowledge about cultural and social codes on the labour market as the main barrier. Not knowing basic written and unwritten rules at the workplace is, according to the social street workers, a common cause of conflicts and misunderstandings, and the youth tend to be 'over sensitive.' The professionals thus recognize that structural discrimination exists, but they seem to perceive discrimination as potential self-inflicted. This ambiguity reflects the general caution with defining and recognizing problems as related to discrimination. Thus, diverse perceptions and understandings exist and a continuously discursive struggle goes on: are ethnic minorities objectively discriminated against at the labour market, or do their difficulties in finding and keeping a job rest on self-inflicted reasons like their attitude/behaviour or lack of education and relevant networks? In these struggles it becomes a matter of arguing for the authenticity of one's own subjective experiences and accounts of race relations, while de-legitimizing the truthfulness of other discourses.

Introduction

One of the main themes in Danish public debates on immigration and integration is employment. Immigrants and refugees tend to be seen as economic burdens for the Danish society and particularly the welfare system because of its associations with historical staples of political, cultural and economic homogeneity and equality (Hedetoft, 2006). Policy practices on immigration and integration is therefore generally about education, labour market integration and immigrants being economically self-supporting. Discursively the debate and policies on integration revolve around values, tradition and culture often based on a notion of the nation state and national identity. The polarization of 'us' and 'them' is prevalent and the question of exclusion and inclusion is central. Inherent to this question is the role of (anti)discrimination, (anti)racism and tolerance.

In this paper we analyze different reactions and responses by informants to questions about possibilities and barriers for ethnic minority youth at the Danish labour market and the prevalence of racism or discrimination in this regard. Based on empirical data, discourses on (anti)racism, discrimination and tolerance are analysed in order to discuss how ethnic minority youth are positioned within these discourses and which social strategies they (can) adopt. The paper consists two parts. The first part

maps national and local efforts against discrimination and analyze dominant discourses within the field, while the second part focuses on how young ethnic minority men view, experience and account for discrimination and racism in the Danish labour market.

1. Numbers and Danish research

The Danish debate on immigration and integration focuses mainly on non-Western migrants and their descendants, who constitute 10 per cent of the Danish population (Danmarks Statistik, 2010), pointing to their low participation in the labour market compared to other citizens. In 2008, 61 percent non-Western immigrants and descendants between 16 and 64 years were employed compared to about 70 percent of the ethnic Danish population between 16 and 64 years. Among young people between 16 and 29 years, 65 per cent were in jobs compared to 74 percent of ethnic Danes in the same age group (Ministry of Refugee, Immigration and Integration Affairs, 2010). The focus has particularly been on young men, who tend to drop out of school, further education, and the employment system (LG Insight, 2007). Especially young men between 16 and 24 years have difficulties maintaining a stable job (Emerek, 2001). They tend to drop out of the social welfare system for several reasons and are at risk of becoming homeless and criminal (Ipsen et al., 2006). Although the participation of non-Western immigrants in the labour market has increased over the last years, the public debate still tends to represent them as people who are problematic and costs for the Danish welfare state. Second generation ethnic minority youth are often seen as problems, as 'marginalised,' 'non-adaptable,' 'disintegrated,' 'dangerous,' 'criminalized,' etc. Research into the unemployment of ethnic minority youth generally focuses on their negative social heritage and 'barriers' to work. The research shows barriers to the labour market such as lacking language skills and lacking knowledge about labour market system, its possibilities, culture, and networking mechanisms (Dahl & Jakobsen, 2005; Ipsen et al., 2006). Other studies point to the social system, such as lack of available guidance for the youth, and professionals' clientelisation of ethnic minority youth focusing on their problems rather than on their skills (Ipsen et al., 2006; Geerdsen et al, 2003; Vitus Andersen, 2005). Some studies focus on discrimination of ethnic minorities in relation to employment, showing various ways that employers discriminate against ethnic minority youth in job-seeking processes (CEPOS, 2008; Goul Andersen, 2008; Hjarnø & Jensen, 1997; Møller & Togeby, 1999). Ethnic minority youth in job-seeking – often expecting to be discriminated against – perceive their ethnicity as a hindrance for getting a job and basically express an 'us versus them' identity (Dahl & Jakobsen, 2005; Geerdsen et al,

2003). Studies on ethnic minority youth in institutions show that professionals generally have negative expectations to the youth and tend to maintain them in roles as problematic and potentially dangerous (Gilliam, 2007; Vitus Andersen, 2005).

2. Methodology and analytical framework

The analysis of employment conditions and possibilities for ethnic minority men is based on empirical data collected in November-December 2010 and April 2011. We have used a combination of qualitative methods; focus-groups, interviews and field work.

The first part of the paper, which maps national and local efforts against discrimination, is based on interviews with representatives from the local and national authorities. We have interviewed two representatives of the Municipality of Copenhagen; one working at the Discrimination hotline and the other at the administration of integration, and a representative of The Ministry of Refugee, Immigration and Integration Affairs. The main purpose was to inquire into the national and local efforts against discrimination and to examine the official authorities' definitions of and perspectives on discrimination and racism.

The second part, which is an analysis of different reactions and responses to questions about possibilities and barriers for ethnic minority youth at the Danish labour market, is based on focus-groups and individual interviews with professional agents and ethnic minority men. We have conducted two focus-groups with key persons within the field; one with social and street workers and another with the project coordinator of *Young Workers* and representatives from the project board. The main purpose was to hear the local professional agents' perspectives on employment conditions for ethnic minority youth and to inquire into their role regarding defining and mediating problems and controversies. Besides, we have carried out nine semi-structured interviews with young ethnic minority men. The purpose of these interviews was to hear their personal experiences with and interpretations of discrimination and racism in relation to employment. The interviews were conducted at the local community centre, in a nearby club and at the project coordinator's office. Furthermore, we spent several afternoons at the community centre, where we had formal and informal conversations with youth and social street workers.

2.1. Analytical framework

The paper is based on a social constructionist approach to the concept of discourse as a specific representation of reality; i.e. a way of understanding and talking about the

world. Discourses are in this sense understood as social praxis which on the one hand is shaped and constrained by social interaction and social structures and on the other hand is social constitutive (Fairclough, 1992). Subjects are positioned within discourses due to existing power relations but they are at the same time 'capable of acting creatively to make their own connections between the diverse practices and ideologies to which they are exposed and to restructure positioning practices and structures' (Fairclough, 1992: 91). The degree of possible creative agency depends, however, on the hegemonic character of the discourses; i.e. the stability of the dominate relations (ibid).

In the paper we use different theoretical concepts and models as analytical tools in interpreting how informants (both among ethnic minority youth, professionals and government officials) talk about, understand and make sense of experiences of and attitudes towards the role of race and racism/discrimination in Danish society in general and in the process of getting access to employment in particular. The concepts address various levels of analysis, and various aspects of the interview material. James Scott's (1990) concepts public and hidden transcripts provides us with a general analytics framework for understanding dynamics in power relations that may structure the way people interpret and account for race relations and racism/discrimination. Through empirical investigations on how people of racial (ethnic) minority status experience racism, Philomena Essed (1991) provides us with tools to understand how people recognize situations of racism even in non-racial actions. That is how they make sense of different events and 'read' them as racist or not. Furthermore, her notion of everyday racism is useful in understanding how racism is continuously, and often unconsciously, reproduced in everyday practice. Finally the concepts of double bind (Bateson, 1956) and (de-)legitimatization provide us with analytical tools for uncovering some of the dynamics that structure interactions and talk in power laden situations, for instance about the role of race and race relations in access to social possibilities.

2.2. Main theme: legitimization – a discursive struggle

In interactions and experiences of racism, the question of legitimization is central. A continuously discursive struggle takes place about ethnic minorities and their relations and conditions at the labour market, where discourses are (re)produced through implicit de-legitimization of the truthfulness of other discourses. Thus, a word game goes on about defining the objective reality/story about race relations, at the same time as arguing for the authenticity of one's own subjective experiences and accounts of race relations. This is an on-going rhetorical battle about whether ethnic minorities are objectively discriminated against at the labour market (given lesser chances due to

discrimination on the basis of skin colour, ethnic, racial, cultural or religious background), or whether their higher unemployment rates rest on lower skills or bad attitude/behaviour. Inherently this is a negotiation of whether the employment situation of ethnic minority youth is a result of harm from others (employers) or is self-inflicted (bad behaviour). Within this struggle it is discursively negotiated who the initiator of negative dynamics is: Do employers' negative expectations, when giving jobs to ethnic minority youth, mean that they treat these young people in degrading and discriminating ways compared to ethnic Danish youth? Or, are the ethnic minority youth 'over sensitive' (Essed, 1991:145) and read discrimination into all actions against them?

The main objective of this paper is to look into how discrimination/racism is discursively legitimized. In order to examine this we focus on three issues: 1) Which agents are included and how are they positioned? 2) Which positions dominate the field? 3) How is discrimination addressed, verbalised and explained from these positions? The analysis and discussion thus revolves around the question of who has the authority to account for what really goes on in terms of race relations, racism and discrimination at the labour market (at workplaces, and around questions of applications, job interviews, drop out etc.).

3. Mapping discourses: National and local efforts against discrimination

3.1. National level: Ministry of Integration

As part of the FN world conference against racism in 2001, The Ministry of Refugee, Immigrant and Integration Affairs issued an 'Action plan to further equal treatment and diversity and combat racism in 2003' (Danish Government, 2003). In 2010 the Ministry launched a new 'Action plan on ethnic equal treatment and respect for the individual' (Actionplan2010, Danish Government, 2010). The main activities in the Actionplan2010 are information disseminating campaigns and developing methods to monitor discrimination in the population. Actionplan2010 focuses on seven areas, concerning the support of dissemination of knowledge about Danish democratic rights, values, and access to institutions of complaint, and of diversity in public and private enterprises combating prejudice and discrimination (unequal treatment) through knowledge. Other areas are: combating anti-semitism, analyzing the amount and character of unequal treatment, and participation in society.

When it comes to ethnic minority youth in the labor market specifically, Actionplan2010 has initiatives to support 'diversity on the workplace' (p.19) (initiated in 2007, rerun from 2009) with 21 projects about easing recruitment and workplace integration of ethnic minorities of all ages (p.20-24). The Ministry of Integration's policy area is the integration of ethnic minorities from third world countries into the Danish society. Thus, policies and initiatives against discrimination is directed against this part of the Danish population rather than against all Danish citizens. Furthermore, rather than directing policies against groups of ethnic minorities, individuals are targeted. The reason for this is, as explained by the ministerial representative, that the ministry does not want to contributing in constructing group identities. However, some groups among ethnic minorities are seen as more vulnerable than others, in relation to the labor market elderly ethnic minority women and young men are more vulnerable.

In Actionplan2010 and in general rhetoric about the issue of racism and discrimination, the Ministry of Integration uses the term 'equal treatment' instead of 'racism' or 'discrimination.' This term is chosen in order both to create a positive rhetoric about the issue, as a representative of the ministry explains: 'We try to formulate something positive: if there is equal treatment there should be no racism.' But also because the ministry finds the term 'discrimination' problematic, he continues:

'[Discrimination] is a problematic concept, because we have very arbitrary knowledge about it. Some have explored how many legal cases are run, others have asked how many people experience discrimination, and with very different numbers as results. Therefore we need to develop methods to create our own numbers, measured continuously in order to see a development. At the Board for Equal Treatment we can follow how many cases about ethnic discrimination are run, and it is very few that are won. In 2009 four out of 22 cases were won.'

The ministry distinguishes between 'factual' and 'experienced' discrimination. While factual discrimination has been settled by a court, experienced discrimination is considered as equally as dangerous, because:

'it makes people refrain from participating in society on equal terms with others, because they feel people assume they do not have the same possibilities. This is very much about feelings, and many have the feeling that discrimination is the reason why they have no job, but the reasons could be many.'

The ministry does not acknowledge the term structural discrimination: 'fundamentally there are no structures in Denmark that are discriminating. Single people or actions may be discrimination, but we do not have a discriminating education system, for instance.'

3.2. Local level: municipality of integration

Since 2006, the administration of integration at the municipality of Copenhagen has aimed to 'counteract discrimination,' to 'improve equal opportunities' among citizens

and reduce crime (Integration Policy of Copenhagen Municipality, no. 7, 31-32). The municipality has inaugurated a series of initiatives (pilot studies, campaigns, conferences) targeting several groups according to age, gender, sexual orientation, ethnicity and religion. The activities include a quarterly survey among citizens, aiming at monitoring the degree of 'integration' in the city, with measures including citizens' experiences of discrimination, inclusion and safety (Integrationsbarometer). The administration of integration collaborates with the town councillor, which since 2004 has had the function of an Ombudsman who deal with complaints, e.g., on racism. Furthermore, various NGO's working with racial, ethnic, religious, gender, sexuality, age, and handicap collaborate with the Municipality of Copenhagen. The Municipality has launched two citizen initiatives against discrimination: a Discrimination hotline from 2009 that provides telephone access to help, guidance and counseling as well as information about rights and ways of filing complaints of discrimination and a Register discrimination service on the municipal's homepage as a means of overviewing discrimination in Copenhagen.

The municipality's anti-discriminatory initiatives for ethnic minority youth comprise placement with mentor arrangements for ethnic minority pupils 'in need for developing Danish language and culture skills,' and mentor arrangements for newly employed ethnic minorities. Other similar initiatives focus on teaching them democratic values. The municipality has several others efforts targeting unemployed ethnic minority youth, such as job patrols in vulnerable public residential areas that offer consultations on job seeking, etc. In 2007, the municipality did a pilot study test on anonymising job applications from ethnic minorities, yet it failed for several reasons. Besides, the municipality's efforts for 'youth in danger' include a specific focus on ethnic minority youth in the street, a 'street plan effort' consisting of a special corpse of social workers.

Although the Municipality's anti-discriminatory initiatives target all eight reasons for discrimination, they primarily focus on ethnic groups, partly because the administration of integration handles the effort against discrimination. As indicated, the municipality does not emphasize terms such as 'racism' but rather 'discrimination' and 'anti-discrimination'. They define discrimination as 'irrelevant differential treatment' that is forbidden by law, differing between experience and documentation (by judgment) of discrimination. The municipality's efforts on discrimination comprise three focus areas: documentation, information and handling of cases of discrimination. Interviewed official authorities particularly point to documentation as a problematic area. According to the municipality's measuring of discrimination, about 60.000 people in Copenhagen experience being discriminated against. The majority of those who use the Discrimination hotline involve cases of discrimination related to race and ethnicity. Still,

only 300 continue with filing a case, and only a few cases are relevant according to the municipality's definitions. The interviewed official authorities speak about the 'dark numbers' that predominate the documentation of discrimination. This challenge of documentation thus indicates an overall problem of legitimizing discrimination.

According to the interviewed official authorities, one of the main challenges with working professionally with discrimination is the overall societal consensus about the inexistence of discrimination in Denmark. This consensus tends to pull NGOs in the opposite direction, making them use a very strong rhetoric on the existence of racism. The strong contrasts in the different statements about the in/existence of discrimination reflect the highly contested nature of and the overall struggles with legitimizing racism. One of the interviewees argues that this proclaimed inexistence of discrimination is related to the general notion of discrimination as a mortal sin:

'We almost consider discrimination as a mortal sin, a fear of contact. Nobody ever admits that 'what we did was discriminatory,' because then we would incriminate ourselves horribly. Discrimination is often represented as sheer wickedness, also in the Media. And it doesn't have to be, often it's lack of thoughtfulness and understanding'

This association of discrimination as a mortal sin is very likely related to the general emphasis of equality and sameness that predominates civic culture in Denmark (Jensen, 2010).

The Municipality distinguishes between 'experienced' and 'factual discrimination' (Redegørelse for Københavns Kommunes Indsats mod diskrimination 2008) or between direct and indirect – i.e., structural and institutional – discrimination which is not directly visible but is expressed in ways of doing things. The issue of experienced discrimination thus contains the general challenge in legitimizing discrimination. An interviewed official authority thus directs this challenge:

The big dividing line is between the ascertained and the experienced discrimination. Because for somebody like me, I would say that an ascertained case of discrimination, that is when an independent instance has assessed it to be discriminating and forbidden. But there are lots of incidences where people experience discrimination, which either cannot be proven or may not be differential treatment. Consequently, where its neither direct nor indirect, but a behaviour that is interpreted as discrimination

3.3. National and local approaches to discrimination and racism – similarities and differences

Both the Ministry of Integration and The Municipality of Copenhagen distinguish between objective/factual discrimination and subjective/experienced discrimination and describe them as equally important/dangerous. However, whereas the Municipality acknowledges subjective discrimination, The Ministry seems somewhat more reluctant to do so, referring to it as a matter of feelings. While acknowledging that discrimination should be taken serious, at the same time the Ministry warns against overestimating

the problem and being 'over sensitive.' Thus, the Actionplan 2010 specifically addresses, what is termed, 'negative thinking', which is described as a tendency to interpret everything as acts of discrimination or racism.

Although The Ministry and the Municipality have somewhat different perceptions of and approaches to subjective discrimination, they seem to agree that it may affect people's integration/participation in society. They also both stress that documenting and measuring it represents a great challenge. It becomes a discussion of whose experiences and accounts are the most subjectively authentic and representative of objective reality, and consequently who has the authority to define what is objective and what is subjective. This challenge of documentation indicates an overall problem of legitimizing discrimination.

As an attempt to create a positive rhetoric about the issue of discrimination and racism, The Ministry of Integration prefers to talk about 'equal/differential treatment' rather than discrimination. Although, equal/differential treatment is also part of the vocabulary of The Municipality of Copenhagen, discrimination seems to be the preferred concept. Both institutions seem to avoid the term 'racism,' which illustrates the highly contested nature of racism in Denmark. Danes only reluctantly speak of racism and when they do, it's usually with a historical reference to either Nazism/anti-Semitism or to the oppression of black Americans in the USA. The historical connotations of the concept racism, combined with general notions of equality and having equal possibilities and rights, implicitly lead to a denial of the existence of racism in Denmark (Hervik, 1999). As one of the interviewed official authorities states, discrimination and racism are considered mortal sins, and therefore nobody will ever admit to having acted in a discriminatory manner.

The Ministry of Integration hesitates with acknowledging structural discrimination, and refers to discrimination as individual events and actions done by individual people. In this way, discrimination is explained as isolated incidents rather than as repetitive, structurally embedded patterns. Furthermore, their focus on the victim's knowledge about their rights as the primary way to fight discrimination means that the problem becomes more a matter of ethnic minorities' lack of knowledge about their rights, than of discriminatory acts committed against them. Thus, responsibility – or blame – implicitly rests on the discriminated part. The Municipality of Copenhagen does recognize that structural discrimination exists, and the municipality's initiatives for ethnic minority youth reflect an awareness of lacking cultural capital and potential vulnerability to discrimination in jobs. However, part of this concern includes a focus on culture and social relations of ethnic minorities and lacking Danish language and culture skills as an obstacle to their participation in Danish society. In this way, their

difference is seen as potential self-discriminatory and inhibiting equal opportunities to societal participation. When it comes to questions of defining the unemployment of ethnic minority youth as an act of racism or discrimination, one of the interviewed policy officers hesitates, and points to lack of school education instead as the primary reason why ethnic minorities have problems finding jobs.. His response reflects the general caution with defining and recognizing problems as related to discrimination.

For The Ministry of Integration the agents in focus of policy for equal treatment are individual migrants from the third world countries. They do not want to contribute in constructing group identities and, therefore, do not direct policies against groups of ethnic minorities. This reflects the general approach to ethnic minorities in Denmark, that 'does not base itself on the recognition of minorities and only in exceptional cases makes juridical or political allowance for minority rights and cultural claims based on minority status' (Hedetoft, 2006a:403). The Municipality of Copenhagen focuses on challenges and barriers rather than specific ethnic and religious groups, but like the Ministry, they also see some groups as more vulnerable than others. Although both institutions have initiatives against discrimination that are directed against all Danish citizens, the primary target groups are ethnic minorities. Once again, the problem is placed with the ethnic minorities, who need guidance and training in regards to their rights, the Danish culture, the Danish language etc.

4. 'Young workers'

In this part, we will examine the principal controversies and problems regarding ethnic minority men's employment conditions and possibilities and analyze how racism is experienced, interpreted and explained by the young men. The analysis is based on a case study, which was carried out in Copenhagen in an area where a large proportion of the population is composed by ethnic minorities. The main frame of the case study is a youth employment-creating project and a local community centre housing different activities for the youth.

4.1. About the project

The employment-creating project *Young Workers* was initiated in January 2005 and is financed by different departments within the Municipality. The project aims at preventing crime amongst the youth in the area, and its stated objective is to ensure that young people, who are marginalised or are at risk of becoming so, are socially and culturally integrated into Danish society and the Danish labor market. The target audience is primarily young people aged 13-18 years, who, for various reasons, have

trouble finding a job on their own. The project aims at both ethnic Danes and ethnic minority youth, but the majority of the participants have an ethnic minority background. The project is managed by a board composed by local representatives from the business sector, the police and the school system, while a part time employed social worker is responsible for the daily operation of the project.

Some of the youth participating in the project also join the free sports and leisure club called *Stedet* ('The Place') funded by the municipality. It's typically boys and young men who have difficulties adapting to more regular youth clubs and organizations. The main objective of *Stedet* is to engage local youth in sports activities thereby keeping them from hanging in the street getting into trouble. *Stedet* is managed by a coordinator, who arranges daily activities for the youth. The coordinator also works as social street worker. During summer afternoons they play sports outside while they during winter play at the local community centre. Everyone is free to come and no registration exists.

Young Workers and *Stedet* are part of a joint effort by local authorities supporting vulnerable youth in the area; among other things the authorities have developed an intensive street level effort during the last years as part of Copenhagen Municipality's 'street plan effort'. This effort is carried out by a number of social street workers – male and female – who spend most of their working time in the street where the youth hang out. The majority of the youth in the street is young men, and some of the social street workers have known them and their parents since they were young kids. Many come from socially vulnerable families who need different types of social support from local authorities. The social street workers have different professional backgrounds and different approaches to their job. Some describe themselves as 'professional homies', indicating a balancing act between meeting the youth at their level and keeping a professional distance. For others, it is important to maintain a strictly professional relationship upholding clear boundaries between job and leisure time.

There is a close cooperation between the different agents in the area; social workers, street workers, policemen, teachers, functionaries within the different departments of the municipality etc. They all play a role in the young people's lives, but on different levels and in different ways. Likewise, there are significant differences amongst the different agents when it comes to approaches to and perceptions of the youth.

4.2. About the young ethnic minority men

The ethnic minority men in our case study are between 16 and 22 years. Some are born in Denmark and have never lived anywhere else, others have moved to the

country with their families at a young age either as refugees or immigrants. They all have non-western backgrounds with parents coming from: Iraq, Senegal, Gambia and Somalia. The majority is Muslim, but to judge from the young men's stories, it varies greatly how big a role religion plays in their lives.

With a few exceptions the ethnic minority men in the case study comes from, what the professionals define as, socially vulnerably families. The parents are either unemployed or employed in unskilled jobs, have limited Danish language skills and are mentally and/or physically ill. According to the professionals and the young men themselves, they have had a severe and irregular school attendance with numerous defeats, conflicts and changes of school. At the time of the study, some of the young men are enrolled in high school or different kinds of vocational training, while others are about to begin an education. Some of them have been involved in different kinds of criminal activities, and are well known by the police and the social authorities. Most of the young men have or have had jobs after school, primarily in supermarkets and kiosks. In some cases they have gotten the job through family and friends; in others by sending a regular application. Some have gotten the job through the project *Young Workers* or with help from the social workers.

5. Controversies and problems

What are the principal controversies and problems regarding ethnic minority men's employment conditions and possibilities according to the professional agents and the young men themselves? How do they define the main barriers? And do their definitions of the problems coincide? We will examine these questions in the following.

When asked about the main barriers to employment most of the young men start out by mentioning the financial crisis, the general unemployment situation and their criminal record. However it doesn't take long before experiences of discrimination are brought up. They have all experienced being confronted with the common stereotype of young ethnic minority men as violent, criminal and dangerous, and find it frustrating to be judged as a group based on the actions of individuals. One of the young men explains how he once experienced being mistaken for a robber, when he was looking for a job in a supermarket, and another tells how he, during a job interview, was asked if he lived in a 'ghetto area' and if he had a criminal record. The young men mentioned having an Arabic sounding name as another barrier to the labour market. Various studies show how ethnic minorities are discriminated against in the hiring process; how employers base their decisions not only on the CV, application and qualifications of the applicant, but also on their priors concerning unobservable characteristics that are

assumed to be correlated to ethnicity as identified by observed names, skin color etc. (Hjarnø & Jensen, 1997; Arai et.al, 2008; Jensen, 2004; Vikkelsø Slot, 2008).

According to Essed, this tendency to categorize ethnic minorities as one homogenous group and to assign them certain common (biological and cultural) characteristics based on presumptions and prejudices can lead to discrimination and what she defines as 'everyday racism' (Essed, 1991). 'Everyday racism' involves systematic, recurrent, familiar practices. It connects structural forces of racism with routine situations in everyday life, which means that racism is defined as inherent in culture and social order and at the same time seen as a process that is routinely created and reinforced through everyday practices. In this way, everyday racism counters the view that racism is an individual problem or an exceptional case (Essed, 1991; 2-3).

The notion of everyday racism can be a useful tool for understanding how racism is continuously, and often unconsciously, reproduced in social interactions. This is e.g. the case when young ethnic minority men are categorized as troublemakers based only on prejudices and the negative male immigrant stereotype. The interviewed young men feel that they have to perform ten percent better than everybody else in order to get a job or get accepted. 'It requires an 'extra' effort for me to achieve the same as a 'normal Dane', as one of the young men explains. This is also the professionals' impression. They believe that ethnic minorities and especially ethnic minority men have to be exemplary in order to get a job. Because they are seen as representatives of a certain problematic group, they are up against a number of prejudices and expectations in relation to how they are/think/act. Low expectations to their abilities and language skills and prejudices about them as troublemakers mean that they have to perform better than the majority in order to achieve the same. Essed describes this tendency to underestimate ethnic minorities' abilities as a particular form of everyday racism, since it impedes their efforts to succeed whether it comes to finding a job, completing an education or something else (Essed, 1991).

In their daily work the social street workers experience how employers are more reluctant to recruit a young person with an ethnic minority background because of former bad experiences and prejudices about young male immigrants. Some employers are very explicit about their preferences to recruit ethnic Danes, but in most cases discrimination takes place indirectly and sometimes unconsciously.

Thus, both the young ethnic minority men and the professional agents point to discrimination and racism as barriers to employment. However, according to the professionals one of the primary barriers is the young men's social marginalization and their lack of knowledge about cultural and social codes on the labour market. Not

knowing the basic written and unwritten rules at the workplace is mentioned as a common cause of conflicts and misunderstandings, and it is the professionals' impression that the youth can be 'over sensitive' (Essed, 1991:145) and read discrimination into all actions against them. Sometimes a 'wrong look' or a feeling of being given the 'slave-tasks' can be enough. Therefore, in order to avoid these conflicts and misunderstanding the young ethnic minority men must learn how 'to behave' and how to play by the rules.

One of the professionals points to the young men's culture and religion as a particular challenge in regards to their integration on the labour market, and describe their 'otherness' as problematic. He argues that because 'they' are different from 'us' it takes some time for them to become 'good employees'. The implicit assumption in this argument seems to be that in order to be a 'good employee' one must know the rules of the game and play by them. In other words one must become like 'us' to be accepted and included.

Furthermore, the professionals stress that many of the barriers the boys meet in relation to finding and keeping a job have to do with their social background and their lack of social capital. In this way, the problem is as much defined and explained as a consequence of social marginalization as a matter of ethnic background and discrimination. Thus, on one side the professionals define and recognize the young men's barriers to employment as related to discrimination, but on the other side, they hesitate with defining it as the primary barrier. They do recognize that structural discrimination exists, but still they seem to perceive discrimination as potential self-inflicted. This ambiguity reflects the general caution with defining and recognizing problems as related to discrimination.

As such, the professionals and the young men have somewhat different understandings of the problem, and a rhetorical battle goes on about whether the young men are objectively discriminated against at the labor market or whether their difficulties in finding and keeping a job primarily rest on self-inflicted reasons like their attitude/behaviour or seemingly neutral factors like their lack of social capital and relevant networks. It becomes a question of legitimization.

6. Discourses on equality and difference

Notion of equality and sameness indicate uneasiness with difference and disagreement (Salamon, 1992), e.g. with people who have different cultural backgrounds. This is among other things manifested in a tension between universal ideas about equality – that we are all equal – and the recognition of cultural differences, i.e. a tendency to

treat everybody alike despite cultural differences. While there is a general public discourse that praises cultural diversity, in practice the room for difference is very limited, and debates on immigration and integration emphasise assimilation, i.e. that foreigners should become like us if they want to settle in Danish society (Hedetoft, 2004; Mouritzen, 2006a; Jensen, 2009). Philomena Essed describes this as cultural oppression or 'ethnicism', which is 'an ideology that explicitly proclaims the existence of 'multiethnic' equality but implicitly presupposes an ethnic or cultural hierarchical order' (Essed, 1991: 6). In this process of cultural oppression 'the discourse of tolerance plays an important role, since it conceals the emptiness of the promise of cultural pluralism' (Essed, 1991: 6).

The interviewed young ethnic minority men feel a pressure to assimilate culturally; a pressure which operates both overtly and covertly. In the Media and the public debates they are constantly reminded that they have the wrong name; that their skin has the wrong color; that their culture is backward and that their religion is problematic. In order to 'fit in' they feel that they have to change who they are, how they look and what they believe in, and even so they would still not be perceived as 'real' Danes. In this way, they seem to be trapped in a double bind situation (Bateson, 1956; see also Vitus Andersen, 2005) where no matter how they act they are caught in the exact situation that was designed for them at the outset.

Most of the young men explain how they feel a pressure to renounce their culture and values in order to be conceived as fully integrated into Danish society.

They see this as giving up on who they are, as losing their identity, which they are not willing to do. To explain their point, some mention examples of famous ethnic minority actors and politicians in Denmark, whom they believe have gone too far in their attempt to become Danish. They find this despicable and untrustworthy.

However, this pressure to assimilate and to appear as 'Danish' as possible does seem to affect the strategies applied by the young men in the job-seeking process and at the workplace. One example is a young Muslim, who is training to be a waiter. In his job he is expected to know the different wines of the restaurant, which implies having tasted them. Even though it is against his religion and he usually doesn't drink alcohol, he chooses to do so to avoid problems. In another case one of the young men explains how he avoids telling a potential new employer that he is Muslim, because he fears being associated with a terrorist. This pressure to assimilate culturally can be conceived as one way of marginalizing and excluding ethnic minorities (Essed, 1991).

One of the professionals argues that it can be a challenge to employ someone with an ethnic minority background. However, a clear distinction is made between ethnic minorities that look, talk and think like the majority of the Danes (like Swedes and

Norwegians), and ethnic minorities that are conceived as different from the majority (Muslims in particularly). The perception seems to be that problems arise when the differences in values, culture, customs, traditions, religion etc. get too big. This uneasiness with difference is reflected in the job interview situation, where studies have shown that employers tend to choose the ones that look, talk and act like the majority. Not as deliberate racism or discrimination, but simply because it seems easier (Hjerrild, 2005).

7. Positioning and social strategies

When is something an act of discrimination or racism? And how do the young ethnic minority men interpret and respond to discrimination? In the following, the young men's accounts and reactions are analysed. While the stories about discrimination and racism may derive from individual experiences, they also communicate cultural assumptions and habits of thinking that transcend the individual and idiosyncratic. As such the stories can be seen as a bridge between individual experience and social patterns and relations (Bell, 2003:4).

Adnan comes over and introduces himself. He asks me if I work here. I tell him that I'm here because we are doing a study on youth employment. We sit in silence for a short while observing the football game and then Adnan tells me that if I had come a few years ago I wouldn't have been able to sit here and talk to him. 'I couldn't control myself', he explains; 'if anyone said anything I just lost it – I exploded'. I'm curious about what changed for him, and he continues his story about how he in 4th grade elementary school attacked a teacher for calling him 'perker' (equivalent to the word 'nigger'). 'I was doing some stuff and at some point it just got too much for the teacher', he explains. After this incident Adnan was sent to another school, and this was according to himself the turning point. 'At first I thought the teacher was stupid, but then I thought about it. And it probably wasn't that clever done by me'. Adnan then learned to control himself, and now he wants to help some of the younger boys staying out of trouble. During our conversation I ask him how his friends thought about him, back when he just 'exploded' at anyone speaking to him. He answers: 'We grew up here together. We are alike – they are like me so we understand each other. We are together'. [Extract from non-recorded informal interview during field work]

Adnan's story is interesting looking at the contextualization. Why does he up front tell a researcher doing a study on employment about his temper and this racist incident? And to what extent does he perceive it as racism? Retrospectively he takes the blame, explaining the incident by his temper and him making trouble in class, but does he see racism as the initiator? Or did he before 'he thought about it'?

Essed investigates how people of racial (ethnic) minority status experience racism. That is how they make sense of different events and 'read' them as racist or not. In analyzing how people comprehend racism, two modes of thought that characterizes different strategies of comprehension of everyday events (in terms of racism) may be relevant. One strategy is 'contextualization' – placing racism events in

topical, temporal and historical perspective - and the other is 'morselizing' – treating racism events as isolated incidents (Essed, 199:119). Adnan's story can be categorized as morselizing, as the teacher in question 'just' seems to respond to a provocation. The question is which options Adnan has had evaluating the incident; that is, which positions (and explanations) have been available to him within hegemonic discourses of society? That he is a boy responding to a racist comment uttered by a representative of a public teaching institution? Or, that he is a socially vulnerable boy, with serious behaving issues?

The young ethnic minority men express ambiguity in regard to experiences of discrimination and have very different ways of coping with these experiences; reactions span from violent attacks, over 'small pushes' to a resigning shake of the head. However, the different reactions seem to communicate the same defeatist attitude as the young men rhetorically ask 'what can you do'? The complexity is great; the young men understand why employers hesitate hiring ethnic minority youth, but they will not accept being devalued based on their skin colour.

When speaking in general about how and when the young men experience racism and discrimination, they explain how they sometimes experience to be treated differently, getting odd looks or stupid comments on the street. They also explain that they usually do nothing about it since there's no point in reacting; 'that's just the way it is in Denmark'. Some of the young men analyze the situation saying that if they react violently or by shouting something back they will only confirm the prejudices against ethnic minority men. However, when asked about concrete experiences of discrimination and reactions to it, the young men explain that they do react. An 18 year old tells how he once pushed an old lady in the bus because she gave him 'a look' and pushed him a little. He didn't want to do it and only did it by reflex because it's annoying constantly to experience 'this attitude.' Likewise several of the young men describe how they have quit their jobs because of 'a look' or because they were given the 'slave-tasks.'

According to Scott and Lyman accounts generally take form of two types: Excuses, in which someone admits doing wrong but denies responsibility, and Justifications, in which someone accepts responsibility but denies the pejorative quality associated with the act (Scott and Lyman, 1968:47). Many accounts refers to sudden impulses and can be categorized as an excuse appealing to biological drive (Scott and Lyman, 1968:49) – such as the above mentioned push by reflex – often followed by an explanation of how the young man according to himself just can't control his temper, because that is the way he is. Other accounts have character of justification; e.g. when a young man

describes how he in protest left a business dinner because he experienced inferior treatment due to his ethnicity.

7.1. Public and hidden transcripts

The young men act and react in a social world where they expect discrimination and interpret their experiences with reference to these expectations; many have grown up with socially marginalised parents, they have personal experiences of being discriminated or marginalised and they are constantly reminded (through Media as well as the abundant social initiatives targeting marginalised ethnic minority youth) that they are positioned at the outskirts of society. Thus the young men's accounts of discrimination and racism are to a high degree contextualized and an expression of hegemonic discourses. James Scott's (1990) concept of public and hidden transcripts are useful as analytical tools for understanding the dynamics in power relations (re)producing discourses. Inspired by Goffman's concept of 'front stage' and 'back stage' and the idea of a performative self as fundamental to social interaction (1959) Scott presents a dramaturgical model of interactions between dominating and dominated groups in society.

Scott's main point is that the interaction between people in dominating vis-à-vis subordinate positions follows particular scripts – with particular roles, lines and actions - depending of the audiences that the interactions takes place before. The public transcript is the interaction that takes place as 'open interaction' (front stage) between subordinates and those that dominate, where the dominating party controls stage and audience (Scott, 1990:2). The public transcript is based in a fundamental pattern of opinions and expectations from each party and the interaction often takes place as a stereotyped, ritualistic cast that is either positively misleading about the relationship between the two parties or at least not telling the whole story: 'It is frequently in the interest of both parties to tacitly conspire in misrepresentation' (Scott, 1990:2-3).

The hidden transcript is the 'off stage' discourse, produced for a different audience and under different constraints, beyond direct observation by power holders. The hidden transcript consists of offstage speeches (of rage, revenge, revolt), gestures (parody), and practices (mocking, or more indirect 'everyday forms of resistance' like passive noncompliance, subtle sabotage etc., cf. Scott, 1985) that confirm, contradict, or inflict what appears in the public transcript. Individuals 'who are affronted may develop a personal fantasy of revenge and confrontation, but when the insult is but a variant of affronts suffered systematically by a whole race, class, or strata, then the fantasy can become a collective cultural product' (Scott, 1990: 9). Hidden transcripts are thus often collectively produced (Scott, 1990: 10). Also, while the hidden transcript

may result from a situation of exploitation or oppression it is often articulated through an individualized discourse of dignity and reputation; a hidden transcript of indignation (Scott, 1990: 7).

The public transcript is verbalized by the ethnic minority men when saying 'that's just the way it is.' Discrimination against the young ethnic minority men are in this sense expected and accepted – by majority as well as minority – because some of them do make a lot of trouble, which legitimize that employers don't want to hire them. When the young men publicly react to an (experienced) discriminative act the account is excusive and the tempered young man takes/gets the blame. Thus, fighting back in public doesn't challenge the hegemonic discourse of equality and a non-discriminative society; instead it reproduces and confirms it. Thus, the young ethnic minority men are positioned in a double bind situation (Bateson, 1956, see also Vitus Andersen, 2005) where no matter what they do they are caught in the exact position as was designed for them at the outset. However, the young men state that they will not accept being less valued due to their skin colour or ethnic background, and they manifest this through subtle revolts or hidden transcripts (Scott, 1990, p.10); e.g. refusing to seek jobs or wearing the cap or jacket that they know is associated with being a 'gang'-member.

Returning to Adnan's story, the question of why he tells a researcher this particular story remains open. Within the framework of public and hidden transcripts his story can be seen as part of a contextualized public as well as hidden transcript in the interaction between researcher – representing majority – and Adnan – representing minority. The interaction is staged within hegemonic discourses when Adnan represents himself as the tempered trouble-maker. Meanwhile, the fact that he chooses to tell the story emphasizing his personal development indicates a subtle revolt against dominating discourses and stereotypes. Adnan experienced a racist remark but instead of succumbing to dominating discourses, he represents himself to the researcher as a changed man, who now is in control of himself and his temper wanting to help other kids. Thus, subverting the stereotype in this context becomes a hidden transcript aimed at this particular public transcript formed by the interaction between researcher and ethnic minority youth.

Hidden transcripts take various forms, and it's obvious to analyze the particular group identity among that the young ethnic minority men as one. Several studies argue that marginalised groups identifying with minority communities – religious or ethnic – can be seen as a social strategy dealing with the experience of social exclusion (Mørck, 2006:193, Haseki, 2002, Shakoor, 2008). In this case study some of the young ethnic minority men identify with a community and group, defined by living and hanging out in this specific neighbourhood. As a group they are identified as tough, trouble-

makers and more or less criminals, but they also identify themselves and each other in terms of being 'rough' and part of a 'gang.' Their social identity is to a very high degree defined at borders (Barth, 1969) in opposition to others; e.g. groups from the other side of the street, the police, 'the system' and the rejecting society in general. Notions of 'us' against 'them' are very prevalent in their everyday life.

A qualitative study made among often problematized ethnic minority boys in a Danish elementary school shows how 'trouble' has become 'practical reason' (Bourdieu, 1998) among the boys because their identity as 'boys' is so closely related to the position as bullies of the school and society that they have a very hard time escaping this position (Gilliam, 2008, 2009). Gilliam argues that the boys have given up on the game on cultural capital within the school field, where capital is won by performing well, being diligent, listening to the teacher etc. Instead they have created a counter culture, inverting school logic, where 'making trouble' and 'being bad' creates cultural capital among the boys (Gilliam, 2008:28). The (re)production of the counter culture is strategic as a reaction to the dominating discourses and the inherent stereotypes. However, Gilliam argues that the performance of 'trouble' has become such a strong norm among the boys that it's not only a question of struggle over power. The boys subjugate a hegemonic masculinity prescribing 'toughness' which limit and discipline the boys through eviction from the 'boy-category' and thus the group (Gilliam, 2008:29). In this sense, the boys are 'caught' in a counter culture partly because of the positioning as immigrants, foreigners, trouble-makers etc., and partly because they are withhold in a power struggle related to cultural capital in terms of 'toughness' and 'trouble'.

The counter culture that some of the young men in this case study have created in the neighbourhood can be seen as hidden transcript; 'the shared community is based on shared marginalization', as a street level social worker puts it in his analysis of the street community. Other studies shows likewise how the feeling of not being wanted in society can be a catalyst in creating criminal street communities as a way of hitting back at the unwelcoming society (Prieur, 1999, Wellendorf and Cakmak, 2007, Sandberg and Pedersen, 2008). Gilliam's above mentioned analysis shows that this type of counter culture is ambivalent and limits the young men. This is for example expressed in the case study where a street level social worker explains how good grades in school gives no credit in the group while getting into a fight in the street will get you good points. Several of the young men also express ambiguity towards the group and how they are identified as a group; they are 'brothers' and alike but at the same time many of the young men talk about the group identification and 'gang-life' as limiting and something they don't want to be part of (any longer). The fact that the

accumulated cultural capital within the group cannot be transferred to surrounding society makes it difficult though because in the group they have power and a strong identity, while they outside the group are 'no-one' (Qvotrup Jensen, 2002).

7.2. Room for inclusion?

The sports and leisure club *Stedet* is very popular among the young ethnic minority men and they have build up a trusting relationship to the adults working at the club including the street level social workers. Most of the young men have frequented the club for several years and they like the place because they can 'be who they are', it's fun and their friends are there. They play football but also have informal talks with the attending social street workers and receive guidance about problems they might face in regard to job, school, housing situation etc. The young men are friendly and have fun – often in a rough jargon with very tough language where it can be hard to tell the difference between 'just messing around' and regular conflicts/small fights. When necessary the street level social workers mediate the conflicts, but they point out that 'being expelled' is not a sanction. This is illustrated one day when the highly respected social street worker takes the bench during a conflict filled football game, stating that he will not participate due to the fighting and shouting. He doesn't throw anyone out but clearly manifests what he considers to be appropriate behaviour and what is not. He plays along on the tough jargon but demonstrates that there's a line not to be crossed. The social street workers have a mediating role towards the young ethnic minority men and society; the street workers shift between being a representative of majority – the social worker – and being 'one of the guys'. They are 'professional homies', as one puts it. Thus, the interaction between the young men and the social street workers takes place as hidden as well as public transcripts.

The inclusiveness of the club *Stedet* plays a significant role to its success among the young ethnic minority men, for whom exclusion has been common during their upbringing; by being expelled from school, other youth clubs, jobs etc. As mentioned earlier the young men state that in order to truly integrate and be 'Danish' you have to 'give up on your values and who you are'. In *Stedet* they can be who they are without being kicked out. In this way *Stedet* and the social street workers have a positive impact on the lives of the young ethnic minority men who receive guidance, concrete help and friendship. However, being part of *Stedet* also contribute in reproducing dominant discourses by positioning the young men as (potential) trouble-makers. A dilemma thus exists when initiating special efforts targeting 'youth in danger' because – regardless of positive effects – the young people are maintained in the position of being a 'problem', a (potential) criminal and disintegrated (Vitus Andersen, 2005).

Controversies about the location of *Stedet* furthermore cement the marginalised position of the ethnic minority men. Some of the local cultural and social institutions have reservations towards the club and the youth attending, and controversy about the youth making noise, disturbing and not cleaning up after themselves, seems to leave the group partly unwelcome. Furthermore the summer playing field which belongs to *Stedet* is currently about to be used for a kindergarten instead and once again the ethnic minority men get the feeling of being thrown out. In other words, they fit into a special club but the club does not in praxis fit into local community and Danish society.

8. Discussion / conclusion

The main objective of this paper has been to examine how discrimination/racism is discursively legitimized, focusing on who has the authority to account for what really goes on in terms of race relations, racism and discrimination at the labour market.

The analysis shows how a word game goes on about defining the objective reality/story about race relations and about determining whether the employment situation of ethnic minority youth is a result of harm from others (employers) or is self-inflicted (bad behaviour). The Ministry of Integration and The Municipality of Copenhagen play an active role in this negotiation. They both distinguish between objective/factual discrimination and subjective/experienced discrimination, and describe them as equally important/dangerous. However, they also stress that measuring and documenting experienced discrimination represents a great challenge. It becomes a question of whose experiences and accounts are the most subjectively authentic and representative of objective reality. Besides, The Ministry warns against overestimating the problem and interpreting everything as acts of discrimination or racism. By doing so, the Ministry implicitly contribute to de-legitimizing subjective/experienced discrimination.

When it comes to addressing and verbalizing discrimination, various agents often refer to discrimination as individual events and actions done by individual people, hesitating to acknowledge structural discrimination. Anti-discrimination efforts initiated by the Ministry and the Municipality focus on victims' knowledge about their rights as the primary way to fight discrimination, thereby indicating that if ethnic minorities have sufficient knowledge on rights and possibilities to take legal action the discrimination will be minimized. Likewise, the social street workers talk about experienced discrimination as a result of misunderstandings based on the ethnic minority men's lacking knowledge of social and cultural codes at the labour market as well as their tendency to be over-sensitive. Thus responsibility – or blame – implicitly rests on the

discriminated part. In some cases discrimination is explicitly referred to as self-inflicted when the ethnic minority men's bad behaviour/attitude is put as an explanation of experienced discrimination. This discursive construction of discrimination is hegemonic and (re)produced among all agents; also among the young men whose accounts of discrimination and racism are contextualized and an expression of hegemonic discourses. This is reflected in the young men's public reaction to (experienced) discriminative acts, which is often excusive (they end up blaming themselves and their temper) and the experiences are treated as isolated incidents. Because some ethnic minority men do make a lot of trouble, it becomes somewhat legitimate that employers don't want to hire them. However, the complexity is great, since the young men also act and react in a social world where they expect discrimination and interpret their experiences with reference to these expectations. They construct their own counter culture and their own discourses about what goes on in terms of racism and discrimination at the labour market, and manifest their resistance to the hegemonic discourse through subtle revolts or hidden transcripts. However, fighting back in public only reproduces and confirms the hegemonic discourses, and in this way they are positioned in a double bind situation, where no matter what they do, they are caught in the exact position as was designed for them at the outset.

Thus, the different agents have somewhat different understandings of the problem and a continuously discursive struggle takes place about whether ethnic minorities are objectively discriminated against at the labour market or whether their difficulties in finding and keeping a job primarily rest on self-inflicted reasons like their attitude/behaviour or seemingly neutral factors like their lack of education and relevant networks. In these struggles it becomes a matter of arguing for the authenticity of one's own subjective experiences and accounts of race relations, while de-legitimizing the truthfulness of other discourses.

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PART II: EMPLOYMENT CONDITIONS FOR EASTERN EUROPEAN MIGRANT WORKERS IN DENMARK

Summary

Migration patterns in Denmark have changed during the past two decades, not least due to the increased migrant movements from Eastern Europe after the EU enlargement in 2004. The arrival of the so-called 'new migrant workers' from Eastern Europe has resulted in new challenges for Danish society and labour market. Most Eastern European migrant workers are employed within the construction industry, service industry, agriculture, horticulture and in cleaning. As EU citizens the Eastern European migrant workers may stay freely in Denmark for up to six month if seeking employment. Longer stays require a registration certificate. Since July 2010 EU citizens have been included by the Act of Integration, which means that all newly-arrived EU citizens with legal stay in Denmark must – by the municipality – be offered an 'Introduction Course' including Danish language teaching. The Ministry of Integration offers no efforts of integration targeted this group of immigrants.

The Eastern European migrant workers are a diverse group, and their working and living conditions vary depending on migration status, sector and conditions of employment, length of stay etc. According to the labour unions, migrant workers posted in Denmark by foreign employer/company or employed according to the foreign company's terms of employment, are the most vulnerable to exploitation. However, what the Eastern European migrant workers seem to share across differences is their marginalised position in Danish society and at the Danish labour market. They tend to be segregated in unskilled, low-paid jobs; they are often paid less than their Danish colleagues, they have more physical demanding work, less influence on their own work and limited possibilities of advancement. This has led some to talk about the migrant workers as a new outsider group on the Danish labour market; both in regard to marginalization and as positioned in a grey zone in terms of irregular migration. However, ambiguities as well as differing perceptions and understandings of the Eastern European migrant workers' position on the Danish labour market feed into a rhetorical battle on whether the migrants are objectively discriminated against or whether their poor wage and working conditions primarily rest on self-inflicted reasons like their lack of knowledge about norms and rules on the Danish labour market or seemingly neutral factors like lower qualifications and seniority. Thus, it becomes a question of who has the authority to define what really goes on in terms of discrimination and racism at the labour market.

Introduction

Migration patterns in Denmark have changed significantly during the past two decades, not least due to the increased migrant movements from Eastern Europe after the EU enlargement in 2004. The arrival of the so-called 'new migrant workers' from Eastern Europe has resulted in new challenges for Danish society and for the Danish labour market in particular. The migrant workers' status as EU citizens and the perception of them as temporary migrants mean that they are perceived and addressed differently than other migrants; they are for example not included as target group of state level efforts of integration and inclusion. However, the eastern European migrant workers are visible as a new migrant 'group' in Denmark, where public debates primarily revolve around the migrant workers' wage and working conditions and whether or not they pose a threat to the collective agreement system regulating the Danish labour market. In these debates the migrant workers tend to be portrayed in stereotypical ways; either as victims of ruthless employers or as disloyal, incompetent and criminal (Stenum, 2010). Inherent in these debates is the question of whether or not the migrant workers are objectively discriminated against or whether their poorer wage and working conditions are potential self-inflicted.

This paper discusses employment conditions for European migrant workers in Denmark considering the complex set of circumstances concerning legal and social terms of their stay and employment. The question of exclusion and inclusion is central to this discussion, and this paper explores the role of (anti)discrimination, (anti)racism and tolerance as well as discourses on Eastern European migrant workers contributing to legitimizing discrimination against them. The paper consists of three parts. The first part presents the new migrant groups, main legislation in the field and local initiatives targeting migrant workers. The second part focuses on the migrant workers' working and living conditions in Denmark, while the third part discusses their vulnerability to discrimination and racism.

1. Methodology and analytical framework

The analysis of employment conditions of Eastern European labour migrants in Denmark is based on data at different levels. Interviews are applied at both meso and macro level, whereas documents such as policies are used as macro level data. The empirical data are collected in April - June 2011. Data consists of 3 focus-group and 11

individual interviews. The interviewees in the focus groups are experts and key persons within the field: representatives of labour unions and associations (BAT, LO and 3F) and Danish Ngo's. Individual interviews are conducted with representatives of local authorities, trade, local initiatives of integration and Polish Ngo's. Furthermore, we have interviewed two representatives of the Municipality of Copenhagen; one working at the Discrimination hotline and the other at the administration of integration, and a representative of The Ministry of Refugee, Immigration and Integration Affairs.

1.1. Analytical framework

In this paper we use different analytical concepts to discuss existing challenges concerning Eastern European migrant workers. This type of migrants is at risk of slipping into grey zones concerning legal/illegal and social terms of stay and employment. Moreover they are in an 'in-between' position, where they on the one hand hold equal rights as EU citizens (and therefore are not target group of integration and anti-discriminatory efforts) and on the other hand are a marginalised group. To unfold and understand these issues we use a terminology of irregular migration and we discuss the question of legitimization of discourses on (anti)discrimination and (anti)racism.

Irregular migration is usually focused on irregular entry, irregular residence and irregular activity. Differences in defining and measuring irregular migration often occur due to various intersections of elements of entry, stay and activity (Ghosh 1998, Thomsen 2010: 33). A migrant can enter a country legally under specific conditions, but when these conditions are non-complied the migrant turns illegal. Definitions can be ambiguous and the migrant easily hits a grey zone. To grasp the positioning of migration in this grey zone, Anderson & Ruhs (2005) use the concept of semi-compliance. The concept can be analytically placed on a level between compliance (legal entry, stay, activity) and non-compliance (illegal entry, stay, activity) thus facilitating a nuanced approach to irregular migration by addressing 'a situation [semi-compliance] where the migrant has the right to reside but is working or engaged in violation of some of or all the conditions attached to the migrant's immigration status' (Thomsen 2010: 35).

To explore irregular migration Thomsen also introduces the concept illicitness to complement the concept illegal; 'illegality is defined as the type of meaning that is produced by the effect of the criminalised object's movement between political, social, cultural and economical spheres. Illicit, on the other hand, depends on the normative recognition that is given to certain activities within a social network or group' (Thomsen 2010: 36).

In interactions and experiences of racism, the question of legitimization is central. A continuously discursive struggle takes place about immigrants and their relations and conditions at the labour market, where discourses are (re)produced through implicit de-legitimization of the truthfulness of other discourses. Thus, an ongoing rhetorical battle takes place, about whether immigrants are objectively discriminated against at the labour market (given lesser chances due to discrimination on the basis of skin colour, ethnic, racial, cultural or religious background), or whether their higher unemployment rates – and getting the lousy tasks – rest on lower skills or bad attitude/behaviour. Inherently, this is a negotiation of whether the employment situation is a result of harm from others (employers) or is self-inflicted (bad behaviour) (Essed 1991).

2. The ‘new’ migrant workers in Denmark

Labour migrants have travelled to Denmark for many years. In the 1960s ‘guest workers’ migrated to Denmark from primarily Turkey, Pakistan and former Yugoslavia and following the fall of the Eastern Bloc in 1989 many people from Eastern Europe migrated to Denmark and other western European countries. The expansion of the European Union in 2004¹ led to an opening of the Danish – and other western European labour markets – to citizens from the new Eastern European member states. Since 2004 until 2009 more than 63.000 eastern European workers have been registered in Denmark², constituting approximately two percent of the Danish labour force (Hansen & Hansen 2011). In 2010, 25.361 new EU/EØS citizens received a registration certificate (Danish Immigration Service, 2010). The significant increase in migrants from these countries have resulted in addressing the eastern European migrant workers as the ‘new migrant workers’ (Hviid et al 2010, Hansen & Hansen 2011), also considering that they are defined by their (right to) mobility as much as their status as immigrants. Thus, the label ‘new’ refers to a new visibility – not a new existence – of this type of migrants, since Eastern European migrants have been working in Denmark for decades; e.g. within agriculture (Aastrup Jensen et al 2007).

The number of Polish workers in Denmark has in particular increased since the 2004 expansion; the number of work related residence cards issued to Polish citizens was in 2007 9.394 compared to 363 in 2002 (Hviid et al. 2010: 9). Today, Polish

¹ EU10: Czech Republic, Estonia, Cypress, Latvia, Lithuania, Hungary, Malta, Poland, Slovakia and Slovenia. Eight of the countries were submitted to a transitional scheme concerning the rules of free movement within the EU: Czech Republic, Estonia, Latvia, Lithuania, Hungary, Poland, Slovakia and Slovenia (EU8). In 2007 Romania and Bulgaria were included in the EU and also submitted to the transitional scheme.

² Moreover an unknown number of eastern European workers have been working in Denmark as posted workers by foreign companies or have for other reasons been working without registration.

workers compose the largest groups of migrant workers from the new EU8 member states but the number of migrants from the other EU8 countries has increased as well. In 2007 the number of issued work related residence cards was 3.168 for Lithuanians, 1.403 for Latvian and 757 for Estonians. The eastern European migrant workers are mainly employed within the construction industry, service industry, agriculture, horticulture and cleaning (Hviid et al 2010: s.9). Among Polish workers 55 percent are younger than 30 years, 67 percent are married or live with a partner, 44 percent have vocational education and 32 percent have higher education (Hansen & Hansen 2009).

Eastern European migrant workers are typically referred to as temporary migrants. Many are seasonal workers, some are foreign contract workers while others are foreign posted workers and not officially included into Danish labour market and society. According to the municipalities and the Ministry of Integration few of the migrant workers from Eastern Europe stay, but studies indicate that many of these migrant workers wish to settle in Denmark. A study among Polish migrant workers in Copenhagen shows that 72 percent of the questioned workers state that they live permanently in Denmark (Hansen & Hansen 2009). Likewise a survey, made by UgeBrevet A4 among manufacturing industrial companies employing eastern European workers, concludes that many migrant workers choose to stay in Denmark (Ugebrevet A4 2008).

2.1. Rules for residence and work in Denmark – EU citizens and EEA nationals³

EU citizens and EEA (European Economic Area) nationals may stay freely in Denmark for up to three months, and if seeking employment they may stay up to six months. If EU citizens and EEA nationals wish to stay longer they must apply to the Regional State Administration for a registration certificate under the EU rules. As opposed to a residence permit issued under the provisions of the Danish Aliens Act, a registration certificate is merely a proof of the rights already conferred on a Union citizen/an EEA national under the EU rules on free movement of persons and services. The registration certificate can be issued when the applicant is in paid employment, is self-employed, provides services in Denmark, is retired, has been seconded, is a student or disposes of sufficient means to support him/herself in Denmark.

Until May 2009 a transitional scheme existed concerning employees from Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia. According to the transitional scheme employees from these countries

³ EEA nationals are nationals of Iceland, Liechtenstein and Norway. Nationals of Switzerland are covered by the same rules as Union citizens and EEA nationals.

were required to hold a work and residence permit to stay and/or work in Denmark in order to ensure pay and working conditions equal to Danish employees and to keep the Danish labour market stable.⁴ Today, citizens of the new EU countries can move as freely to Denmark (and most other EU countries) as citizens from the old/western EU countries. Yet, the new EU citizens differ significantly from migrant workers from western European countries due to differences in socio economic conditions in eastern and western European countries in regard to for example salary and unemployment rates (Hansen & Hansen 2011, European Foundation for the improvement of Living and Working Conditions 2007). These difference can influence incentives for labour migration (European Commision 2008: 8), as well as be contributory factor in marginalizing eastern European workers in the Danish labour market. Partly because they might feel forced to accept poorer working conditions and salary than Danish workers and partly because they might even be satisfied by it because the conditions and pay are above the level in their home country (Hansen & Hansen 2011).

2.2. Conditions of employment

EU migrant workers submit to different labour market rules depending on conditions of employment. The EU migrant workers can be divided in following four groups: a) foreign workers employed in Denmark by Danish employer/company, b) leased/hired workers (*indlejet arbejdskraft*), c) foreign workers posted in Denmark by a foreign employer/company and d) seasonal workers.

- a) Foreign workers employed in Denmark by a Danish employer/company: When a Danish employer is part of a collective agreement the EU (and EEA) migrant workers will be employed according to these agreements. If the employer isn't part of a collective agreement the EU (and EEA) migrants can be employed under other circumstances. Regulations on health and safety at work, equal pay and right to vacation must be complied with, but no law on for example minimum pay exists in Denmark besides collective agreements.
- b) When a Danish company provides work for foreign workers who are employed by a foreign company, and the work is done in Denmark under instruction and responsibility of the Danish company, the labour migrant is categorized as leased workers. The migrant is employed according to the foreign company's terms of employment (Danish regulations on health and safety at work, vacation etc. must be complied with). However, if the Danish company is part of a collective agreement the Danish company is responsible of ensuring pay

⁴ East Agreement (*Østaf-talen*), December 2003.

according to these agreements, and the Danish company can be held responsible if the foreign company doesn't comply with these collective agreements.

- c) Foreign workers posted in Denmark by a foreign company to do a service are subject to the EU directive concerning the positioning of workers implemented in Danish legislation.⁵ This means that EU companies posting workers in other EU countries must comply with labour market rules and regulations of the host country; e.g. in regard to working environment and tax. To ensure compliance the foreign companies posting workers to Denmark must notify the Register for Foreign Service Providers (RUT) of their activities in Denmark. A person is posted as soon as he begins working in Denmark. Therefore the company must register the posting in RUT from the time of work/service commencement.
- d) EU seasonal migrant workers can stay and work in Denmark for a period of up to three months without permit or registration. After three months they must obtain a registration certificate.

19 percent of the Polish migrant workers in Denmark are employed by foreign companies and not officially included by the Danish labour market and its regulations. Based on Danish legislation, workers in Denmark employed by foreign employees are ensured most labour market rights for employees. However, the legal status of this type of migrant workers can be ambiguous and several studies have revealed that Eastern European migrant workers have very poor working conditions (Hansen & Andersen 2008, Hansen & Hansen 2009).

The Danish agricultural trainee programme allows young foreigners to work for minimal wages on Danish farms for a maximum period of 18 months, provided that it can be documented that their stay has an educational purpose. Trainees coming from a non-EU and non-Nordic country have to apply for a residential permit as trainees under the Aliens Act., whereas trainees arriving from an EU country are subject to the EU rules on free movement of persons and services. In 2009 1.259 Ukrainian trainees were granted a residence permit, which makes them the largest group of foreign agricultural trainees (The Danish Immigration Service 2010).

⁵ Directive 96/71/EC of the European Parliament and of the Council, of 16 December 1996, concerning the positioning of workers in the framework of the provision of services (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31996L0071:EN:HTML>)

3. Integration and inclusion of European migrant workers

The Danish Parliament agreed in 2010 on a law reform, which included an expansion of persons included by the Act on Integration. This means, that since July 2010 all newly arrived foreigners, including EU citizens with legal stay in Denmark, must be offered an 'Integration Program' (refugees/immigration based on family reunification) or an 'Introduction Course' (EU citizens/ labour migrants). The Program/Course includes Danish language teaching and a course on Danish society, history and culture. The municipality is responsible for offering and financing the Introduction Program and Course with partial State reimbursement. Foreigners entitled to participate in the Introduction Program are under obligation to do so (cf. DK WP1.2). The State refunds up to 50 percent of expenses in relation to courses, pays a 'basic amount' pr. foreigner, and gives an 'effect bonus' (resultattilskud) when the foreigner finds a job or succeed the language course (Act on Integration §45). The Introduction Course – targeting EU citizens and other labour migrants – is an offer to the foreigner, who has no obligation to participate. The municipality is responsible for offering and financing the course, while the State will refund up to 50 percent of the related expenses. No 'basic amount' or 'effect bonus' is possible in regard to the Introduction Course (Act on Integration §45). These subsidies are not given municipalities in regard to EU citizens and labour migrants because: 'The Introduction Course concerns a group of foreigners who typically have more social resources and by arrival have established contact to Danish society; e.g. by contact to workplace and colleagues'.⁶ In this context, the municipalities are not expected to perform an extensive effort towards this group of immigrants.

A representative of the Ministry of Integration explains that efforts of integration are in general directed at settling immigrants from third world countries, while efforts directed at EU (im)migrants are difficult because of these people's status as EU citizen: they are entitled free movement in member states and they can come and go as they please. The effort is thus limited to the offer of Danish language course, which is the responsibility of the municipality. In regard to efforts against marginalization and discrimination of EU labour migrants similar circumstances apply; because they are EU citizens and not categorized as target group of integration, the responsibility of anti-discrimination efforts lies within the department of Justice. In this context discrimination and marginalization is considered criminal incidents that must be dealt with legally and it is thus dismissed as a structural problem or challenge.

⁶ Ministry of Integration, Refugee and Integration Affairs: Letter of information and orientation to municipalities, July 1 2010 (Concerning law reforms).

3.1. Local efforts of integration

While the migrant workers cannot be targeted as a group in relation to integration and anti-discrimination efforts at national level, efforts are initiated by local government and at regional level. Furthermore, collaborate projects have been initiated to promote diversity management, intercultural understanding at workplaces and integration; e.g. 'Welcometo.dk'⁷ initiated by the Confederation of Danish Employers (DA), The Danish Confederation of Trade Unions (LO) and Local Government Denmark⁸ (KL) and 'Midtjysk DialogForum' (Regional forum of dialogue in Jutland). The target group of these initiatives is not European migrant workers in particular but labour migrants in general. Some initiatives, however, are directed at the eastern European migrants; e.g. information material in Polish distributed at local workplaces and 'arrival-meetings' held in Polish. However, a representative of a participating municipality explains that several of the activities targeting eastern European workers have been cancelled because few signed or showed up. The reasons are, that the eastern European workers are either here for a limited period of time (and have no interest in integration) or they work too long hours to participate in social activities.

While the national and regional initiatives are characterized by their external and/or separate funding and as temporary projects, few integration initiatives are anchored within the municipalities' general integration efforts. As mentioned above the municipality has an obligation to offer a Danish language course to migrant workers, but participation seems to be limited. Local efforts of encouraging participation in language courses or social activities are likewise limited; as long as the migrant workers are economically self-sufficient the municipalities have no economically driven incentives to direct integration efforts towards these migrants.

3.2. Labour unions

Labour unions play a significant role in the Danish labour market. Labour unions and associations work actively on behalf of their members – including migrant workers – providing information, counseling and perhaps direct intervention (e.g. workplace visits) in regard to labour rights, work environment, safety at work etc. In general union density is high in Denmark. However, since no registration of labour union membership distributed on nationality exists, it is difficult to get a comprehensive view on the degree of EU migrant workers' participation in the unions. According to the labour unions the general tendency is that the eastern European workers do not join the unions. A study

⁷ The project has now ended but information material is available on the website: www.welcometo.dk

⁸ Local Government Denmark (KL) is the interest group and member authority of Danish municipalities.

on Polish labour migrants in Denmark also shows that only 12 percent of 500 interviewed Polish migrants are union members compared to 68 percent of the Danish population.

No statutory minimum wage provision exists in Denmark, and pay – as well as working conditions – is usually regulated by a series of collective agreements negotiated by labor unions. Employers can sign for the collective agreement through an employer organization or directly with the labour union. It is not mandatory that companies are members of an employer organization and they are under no obligation to sign a collective agreement. If they aren't part of a collective agreement, they can make individual contracts concerning pay and working conditions (some regulation exists; e.g. on safety at the workplace). The degree of trade union membership and the density of employer organizations in Denmark are relatively high in a European perspective. Thus, 83 percent of all the employees are employed in a company that is member of an employer organization (Confederation of Danish Employers, 2009). However, not all sectors have the same high organizational density, and it is worth noting that a relatively large share of employers in the agricultural sector is not covered by collective agreements. In theory, this means that they can remunerate their employees as they please without breaking any rules.

4. Eastern European migrant workers' employment and living conditions in Denmark

What are the principal controversies and problems regarding Eastern European migrant workers on the Danish labour market? How are their employment and living conditions? And what are their vulnerability to racism and discrimination? We will examine these questions in the following.

When asked about the main challenges regarding the employment conditions of Eastern European migrant workers the interviewed labor union representatives point to low wages, poor working conditions, long hours of work and job insecurity. However, they stress that a distinction must be made between different groups of migrant workers, since employment and living conditions to a large extent depend on sector, migration status, conditions of employment and length of stay.

The EU migrant workers submit to different labour market rules depending on their conditions of employment, and how they are employed seems to affect their working conditions. It also makes a difference whether or not the employer is member of an employer organization. The labor union representatives see the biggest challenges

when the migrant workers are posted in Denmark by a foreign employer/company or when they are employed according to the foreign company's terms of employment. These workers are in particular vulnerable; while their employment is legal – leaving intervention complicated – their terms of employment might be more or less illicit, positioning the workers on the outskirts of social acceptable employment.

Specific rules in relation to work and residence permits applies to trainees in agriculture, and specifically for trainees coming from non-EU/non-Nordic countries, who have to apply for a residential permit under the Aliens Act. Since their residence permit is tied to their work permit losing their jobs has severe consequences. This means that they are extremely vulnerable to exploitation by employers and recruitment agencies. A study on Ukrainian trainees identifies different recruitment processes that can either be legal, semi-legal or illegal. Most of the interviewed trainees have been recruited through semi-legal networks, while very few have entered via legal organizational recruitment in which the employment relationship is safeguarded by legal contracts. The most vulnerable to exploitation are those trainees, who enter illegal and have bought their work contracts and documents in Ukraine through agents (Hviid, 2010).

4.1. Working conditions

Eastern European migrant workers in Denmark tend to be segregated in unskilled, low-paid jobs that offer limited possibilities for up-ward mobility. They often have long and irregular working hours, working evenings or nights, doing shift work or work during weekends (Hansen & Hansen, forthcoming; European Foundation for the Improvement of Living and Working Conditions, 2007:34). A study of Polish workers in Copenhagen shows that they more than twice as often as Danes, work at night and that the number of Poles, who work Saturdays and Sundays is significantly higher than the number of Danes working during weekends. Thus, while 64 percent of the Polish workers work on Saturdays; this is merely the case for 18 percent of the Danish workers (Hansen & Hansen, forthcoming). At the same time studies indicate that the migrants' working hours vary greatly by industry and type of job. Thus, while the average working week comes close to the standard 37 hours, twice as many Poles as Danes are working less than 36 hours per week and twice as many are working 49 hours or more per week (Hansen & Hansen, forthcoming; Hansen & Andersen, 2007).

According to the union representatives the migrant workers experience being at the bottom of the workplace hierarchy, which means that they take up the most hazardous, physical demanding and unhealthy tasks that no one else wants:

'What they experience is that they are the lowest link in the chain. Frankly, they always get the shitty jobs. When they work at a Danish company that has an agreement and on the surface seems fine and well-organized, then it is always them who do the donkey work'.

This tendency is reflected in studies showing that Eastern European migrant workers have more physical demanding work, less influence on their own work and limited possibilities of advancement (Hansen & Hansen, forthcoming). Furthermore, when Danish company owners are asked about the main advantages of hiring Eastern European migrant workers they emphasize their flexibility in regard to working hours and their willingness to undertake the heavy and less popular work (Hansen & Andersen, 2008). The interviewed union representatives acknowledge that this kind of unequal treatment exists, but at the same time they argue that it might also have something to do with lack of qualifications, and that an unskilled ethnic Dane will most likely get the same type of assignments.

Various studies point to serious working environment problems among migrant workers from Eastern Europe in Denmark, and statistics show a high number of work injuries among them (Hansen & Andersen, 2008; Arbejdstilsynet, 2007; Statens Institut for Folkesundhed 2007).⁹ In a study among Polish workers in the Copenhagen area about 9 percent indicate that they have had a work injury within the last 12 months. In comparison less than 1,5 percent of all employed in Denmark reported a work injury in 2007. Even though there might be significant difference between officially reported and self-reported injuries, the numbers indicate an overrepresentation of Polish workers in the work injury statistics (Hansen & Hansen, forthcoming).

Part of this can be explained by the high concentration of migrant workers in sectors where the number of work injuries is generally high. However, this does not seem to be the only explanation (Hansen & Hansen, 2009). Regulations are in some cases violated, leaving working conditions of the migrant workers illicit or even illegal. But who is to blame? A rhetorical battle is taking place, about whether the bad working conditions can be blamed on the employer or are self-inflicted. According to the union representatives the main responsibility for the high number of work injuries lies with the employers, who are responsible for ensuring that security precautions are respected and complied with. Employers on the other hand point to problems of communication and the migrant workers' lack of knowledge about the existing security precautions as the primary problems. Moreover, they argue that the migrant workers themselves can have a more loose approach to security issues. The union representatives partly agree, but at the same time they stress that the migrant workers might sometimes feel pressured by employers to compromise with the safety requirements.

⁹ Due to problems of registration it is not yet possible to determine if the overall number of work injuries is higher for immigrant workers than it is for ethnic Danes.

4.2. Wages

Studies show that the average income of migrant workers is lower than that of nationals, and that the wage gap is particularly pronounced in some sectors such as construction and agriculture. Thus, the above mentioned study of Polish migrants in the Copenhagen area reveals that a Pole on average earns 32% less than a Dane (Hansen & Hansen, 2009). Another study of Eastern Europeans in agriculture shows that they are paid only 74% of the minimum salary for native workers in the same sector (Jensen et.al. 2007). Wage is also mentioned by the labor union representatives as one of the largest challenges in regard to the migrant workers' working conditions in the Danish labor market. Some common problems are that the migrant workers are paid less than agreed or below the accepted norm in the trade or that they are not paid at all.

However, wage differences related to migrant status may also depend on socio-demographic factors such as sector, occupation, type of contract, age and sex. Thus, part of the wage gap between ethnic Danes and migrant workers can be explained by differences in educational level, work function and seniority. However, analysis controlling for at least some of the above-mentioned socio-demographic factors still point to a direct effect of migrant status in certain sectors such as construction (Hansen & Hansen, forthcoming; European Foundation for the Improvement of Living and Working Conditions, 2007:34).

At the same time, it should be noted that wage and employment conditions seem to vary according to employment terms and type of contract. Thus, a study of wages in the construction sector shows that employment in Danish enterprises in most cases follows the collective agreements. Nevertheless, minimal salary has a tendency to become the actual salary, since the migrant workers might not always be aware of the regular level of salary or their right to negotiate their salary (Thomsen, 2010b; Hansen & Andersen, 2008). They might also fear to be fired if they complain, and according to one of the interviewed union representatives this is not without reason. There are plenty of other Eastern Europeans to choose from, who are willing to accept the poor wage and working conditions, and a demanding employee can therefore easily be substituted. This job insecurity and the asymmetric relationship between the employer and the employee make it very difficult for the migrant worker to make any demands. This extreme dependence on their employer makes them potentially vulnerable to exploitation and discrimination (Thomsen, 2010b). According to the above mentioned study the wage differences and the employment conditions are even worse among the expatriate and the temporary workers, who are not covered by collective agreements on wage (Hansen & Andersen, 2008).

Employers explain the wage differences with reference to the migrant workers' poorer qualifications, lower seniority, that they are less efficient and have less responsibility. However, according to Jens Arnholtz Hansen and Søren Kaj Andersen (2008) this explanation does not correspond well with the employers own statements about advantages and disadvantages by employing migrant workers. Consequently, they interpret this ambiguity and the seemingly inexplicable wage gap as an indication of the migrant workers' marginal position in the Danish labor market.

4.3. Knowledge of rights

According to the union representatives one of the main challenges is the migrant workers' lack of knowledge about the Danish labour market and their uncertainty of employment rights. This makes them potentially vulnerable to discrimination and exploitation. In some cases, the migrant workers are isolated from the other employees and kept away from the union representatives, to avoid that they are informed about their rights. Furthermore, studies on labour migrants in Denmark show that many of them never have been in contact with a labour union even though they see clear advantages of joining. The reasons for not joining are according to the interviewed Polish workers expensive membership, fear of losing their job by joining and the opinion that Danish labour unions are not concerned with the problems Polish labour migrants might face (Hansen & Hansen 2011). This lack of contact with the labour unions means that they stand more or less alone in negotiation with the employer when problems or misunderstandings occur in relation to employment, long working hours or salaries (Hansen & Hansen, 2011; Hviid, 2010).

The vulnerability of migrants is often increased by the fact that they do not know the local traditions and cultural codes on the labour market (OECD 2010). Some of the interviewees explain how this can cause conflicts and misunderstandings in the workplace, for example when some migrant workers perhaps out of fear or pride hesitate with asking for help or guidance.

4.4. The language barrier

The language barrier is highlighted by most of the interviewees. The inability to communicate in Danish not only impedes interaction between migrant workers and Danish employees it also leads to misunderstandings and conflicts between them. In some cases the language barrier is handled by using a third language as English or German or by using an interpreter. However, studies indicate that this might not always be enough. Consequently, Danish and Migrant workers often work in separate team, which means that contact between them is limited (Hansen & Andersen, 2008).

Linguistic problems might also increase the migrant workers' dependence on the employer, agencies or others, which makes them potentially vulnerable to exploitation.

A representative from a NGO taking care of immigrants at the labour market perceives Danish as the key to the Danish labour market and argues that it can be problematic if the migrant workers do not learn the language. Especially, when the migrant workers come from third countries as Ukraine:

'If they do not learn Danish, their stay in Denmark is on borrowed time. And that is just another thing when we talk about the Ukrainian agricultural workers; many of them are in fact well educated. They work as agricultural workers or interns, but many of them are engineers. And they have no mobility and are trapped.... One does not use the qualifications they have. The labour market is not open and Danish is the key to get out'.

Some companies try to overcome the language barrier by arranging language courses for the migrant workers within working hours or in their leisure time. However, this still seems to be the exception rather than the rule. Language is also a barrier to the migrant workers' integration in society as such, and their inability to communicate in Danish does not make it any easier to understand the Danish system. To ease the integration process, some municipalities have translated relevant information on Danish society and the Danish labour market to Polish, Ukrainian etc. and the front desk staff have been trained to handle migrant workers; for example by receiving Polish language courses and intercultural training.

4.5. Living conditions and the risk of being socially isolated

Stories about migrant workers living under inhumane housing conditions frequently appear in the Danish Media. The stories most often involve migrant workers in agriculture or in the construction sector, who live in shared accommodations without any possibility of privacy and with insufficient hygienic facilities. They are charged an unreasonable high rent - often several times as high as the going rate - and in some of the worst cases employer and landlord is the same person (Thomsen, 2010a). This places the migrant workers in a particular difficult situation, since they not only risk losing their job but also their accommodation if they have a disagreement with their employer (Andersen, 2008; Birkemose, 2008). To illustrate the poor housing conditions a union representative recounts:

'As an example, I visited seven Polish workers, who lived in the basement under a villa in Lyngby. There were no windows; the room was narrow and humid. They slept on some mattresses, and it clearly smelled of oil, because there was an oil burner in the basement. There was a toilet, but here it flowed with pots of paint. The house was owned by the Poles' employer, and instead of paying rent, the Poles renovated the house in their spare time; that is after a six day week with 10-12 hours every day' (union representative in Andersen, Iver Houmand, 2008).

Similar stories exist about migrant workers in agriculture. Such cases illustrate how activities can be positioned in a grey zone area between legal and illegal, licit and illicit. While they may be viewed as illicit in terms of the employer being in non-compliance with socially accepted conditions, they are not necessarily in non-compliance with legislation. Of course, these are some of the more extreme cases, and they do not necessarily reflect reality for all migrant workers in Denmark. However, since they are not exceptional either, they contribute to illustrating core challenges in relation to Eastern European migrant workers' working and living conditions in Danish society.

Some of the interviewees emphasize the importance of focusing not only on the employment and working conditions of the migrant workers, but also on their leisure time and social integration in the local community. It is their experience that some migrant workers feel solitary and isolated. Some argue that blame lies with the 'cold Danes', who are represented as reserved and hard to get into contact with. Others seem to see the migrant workers' social marginalization as potential self-inflicted, since they group themselves and do not show a real interest in being integrated in Danish society. According to some of the interviewees another barrier to the migrant workers' social integration is the long working days that do not leave much time for socializing. In case of the agricultural workers, the isolation of living at the workplace far away from the city constitutes another barrier to creating social networks (Hviid, 2010).

4.6. Eastern European migrant workers as an outsider group on the Danish labour market?

The Eastern European migrant workers are a diverse group, and their working and living conditions vary depending on migration status, sector and conditions of employment, length of stay etc. However, what the Eastern European migrant workers seem to share across differences is their marginalised position in Danish society and at the Danish labour market. Thus, they tend to be segregated in unskilled, low-paid jobs; they are often paid less than their Danish colleagues, they have more physical demanding work, less influence on their own work and limited possibilities of advancement. This has led some to talk about the migrant workers as a new outsider group on the Danish labor market (Thomsen 2010b; Hansen & Hansen, forthcoming). Even though the majority of the migrant workers from the new EU countries complies with both the legal and licit aspects of the migration they are still potentially vulnerable in terms of linguistic problems, job insecurity, unawareness of their rights etc. (Thomsen 2010a). Furthermore, there is still a relatively large share of the migrant workers, who are either in non-compliance or semi-compliance with the migration

policies. While a main concern is the vulnerability of migrants involved in irregular (or illicit) migration as they are more exposed to exploitation, there is also a need to move beyond dichotomies of 'documented' and 'undocumented' or 'legal' and 'illegal' migration. Dichotomies which from a sociological perspective relates to a perception of the 'unknown', 'dangerous' stranger as a threat to social and political order (Düvell 2008, Thomsen 2010: 30). That is, dichotomies that recurrently position the migrant workers in the margins of society; legally as well as socially.

The migrant worker's status as more or less temporary migrants might contribute to this outsider position, since neither the migrants themselves nor the Danish authorities, employers and others might necessarily have a real interest in ensuring their integration in the Danish labour market. In certain contexts or regulatory spaces, their status as migrants might even be used as a means of legitimizing that they are not treated on equal footing with the Danish workers (Hansen & Hansen, forthcoming). Regulatory spaces are zones dominated by a particular set of norms and rules produced by either the state or in social relations (Van Schendel and Abraham, 2005). Within these spaces there might be different interpretations of what is licit/illicit or legal/illegal, which means that a social practice might be considered socially acceptable in one context or in one regulatory space, but not in another (van Schendel and Abraham, 2005). The wage discussion is a good example of, how a social practice can be experienced as licit by some and illicit by others.

5. Discrimination and Racism: Exploitation and Modern Forms of Slavery?

Anti-discrimination efforts initiated by the Ministry of Refugee, Immigrants and Integration Affairs do not target EU migrants. As EU citizens they are perceived differently than other immigrants and they are in many regards not treated as an immigrant group to be integrated and included into Danish society. Still, a policy officer from the Ministry of Integration answers affirmatively to the question of whether this group is an object of discrimination: 'I think they do [experience discrimination] because they are not conscious about their rights, and they get exploited. But it's not something I work with.' In this way, the ministry indicates the hidden existence of this form of discrimination of this group which is vulnerable because of not belonging to the category of potential discriminated; the 'traditional' immigrants from third-countries. A representative from a NGO taking care of immigrants at the labour market thus describes their position as 'in between' categories: 'The eastern workers fall between

because they are neither traditional migrants, nor are they taken care of like the highly skilled migrants.' Thus, the Eastern European migrant workers seem to be caught in a no man's land. Due to their status as temporary migrants and EU citizens they are at the same time everybody's and nobody's responsibility.

Representatives from Polish NGOs speak in different ways of their experiences of being discriminated against. One interviewee says about Polish migrants: 'They are often considered second-rate employees. They are not equalized.' Other interviewees with Polish descent speak of underpayment and their fight for acquiring the same rights as ethnic Danish employees. Still, their voices are in contrast to many of the other interviewees; e.g. Danish civil servants. When asked about the existence of discrimination against these immigrants, civil servants tend to deny differential treatment by emphasizing equality and relate discrimination to exceptional individual cases. One of the interviewees, a director of employment in a municipality in Jutland, thus insists on the inexistence of difference:

'Here at the job center we don't relate having ethnic [minority] descent as something that requires work. We look at the competences people have, we make the best match. In that case we don't really treat people differently'

Likewise, when asked about what the municipality does to combat discrimination, the director of employment in a municipality says:

'I don't really experience discrimination as a problem, neither in cultural life nor in leisure life. I don't. So it hasn't been a political issue at all. And I don't really know where it should come from because one of the mantras that we have in [this city], is that when the crisis strikes, then we pull together, and that goes all the way through. When you live in [this city], you are part of the local community, and you are accepted, and that's it. ... There is a strong local feeling here. If you become recognized as one of ours, then there's not so much to fall behind with... there may be some single [cases of discrimination], but nothing that takes up a lot of space in the public debate... And when there's no problem, why make it a problem?'

When arguing against the existence of discrimination, the interviewee thus points to local collective identity as mechanisms of inclusions. Still, this requires that immigrants are recognized as making part of the local community; the interviewee does not explain what it takes to become recognized as 'one of ours'. In that way, he indicates the asymmetric and simultaneous mechanisms of inclusion and exclusion that characterize ethnic Danes attitudes toward foreigners (Mouritsen 2006). In this picture, cases of discrimination are seen as exceptional, singular and implicitly self-inflicted.

Even though the civil servants insist on equal treatment and the non-existence of discrimination, they also tend to see immigrant culture as an obstacle to their integration into Danish society, expressing a cultural fundamentalism (Stolcke 1995) that creates a hierarchy of 'foreign cultures' according to their degree of compatibility with 'Danish culture.' In this hierarchy, they generally place non-Western people more foreign and difficult to integrate at the labour market integration than migrants from

Eastern Europe. This perception of migrants from Eastern Europe as people who do not stick out as different in any ways contribute to their general vulnerability, particularly to discrimination.

The case of Eastern European migrant workers illustrates the problem of legitimizing racism and discrimination due to contesting discourses. The perception of equality and strong local identities does not include discrimination; in particular not against fellow European citizens. The refusal to acknowledge that challenges exist, in regard to the inclusion of eastern European migrants, becomes a contributing factor to marginalization.

A recurrent issue among the interviewees is the underpayment of Eastern European migrants. Interviewees tend to both pity this underpayment – recognizing that Danes exploit the migrant workers – and to justify this underpayment by emphasizing that the migrant workers earn more in Denmark than in their countries of origin. However, far from all relate this underpayment to acts of discrimination. Interviewees who represent trade unions generally relate various forms of discrimination against East European migrants and point to the existence of unequal conditions such as different wages for respectively Danes and immigrants:

‘...discrimination is taking place because Danes, probably for various reasons, are far better at raising the wage than foreign labours. Foreign labours get de facto what can be termed the minimum wage, a minimum rate. And that makes our system of minimum wage a system of normal wage to them. And that, I think, is clearly discrimination. Because they have not the possibility to make use of the collective agreement. That’s a problem.’

Contrary to other interviewees, the interviewees representing trade unions emphasize the existence of differential treatment:

‘We have seen some examples of employers, who have made a great effort to isolate them (the Polish construction workers) from the Danes in order to keep them away from anything that is Danish...The reason is that they work for an absolute minimum wage and they (the employers) do not want them to be integrated. They wish to keep them as cheap labour in a corner. The employers have no interest in treating them on equal terms as everybody else. On the contrary they have an interest in the lowest common denominator’

The tendency to pay Eastern European migrant workers less than their Danish colleagues compromises the Danish principle of equality that guarantees equal pay for equal work. It might not necessarily be illegal and in non-compliance with rules and regulations, but as sociologist Trine Lund Thomsen states, it might still be perceived as illicit in a normative sense by the people, who are directly or indirectly involved in the activities. In this way one might talk about a situation of ‘semi-compliance’ (Thomsen 2010a).

Some migrants are positioned in a grey zone, where they have the right to reside, but are in one way or the other engaged in violation of the conditions attached to their immigration status; working hours, pay, safety at the workplace etc. This is another

situation of 'semi-compliance'. The migrants might not always be aware that they are violating the existing rules and regulations, because of their lack of knowledge about their rights and obligations. This uncertainty about their rights is among the things that according to the interviewees keep the immigrants in a bad situation. The Danish employees contribute to this detainment by keeping them isolated from the trade unions:

'We often see that the employer, both if it is a Danish or a Polish employer, at the keep their employees in a dark place. They are not allowed to speak to us, and they almost forbid them to speak with the trade-union movement, because if we talk with them, then we tell them that they should be paid so and so much per hour, and that they have right to this and that'

By keeping the employees in 'a dark place', the employers hold them isolated from Danish society and trade unions, thereby obstructing their possibilities to acquire knowledge about their general rights to live and work in Denmark. This lack of knowledge may cause general insecurity among migrants, e.g. about whether or not they break any rules due to their stay, and thus make them even more isolated and fragile. The lack of information and knowledge thus represents a form of power that the employers may exercise over their employees.

According to representatives of the trade unions and NGO's, employers in that way discriminate through fraud, underpayment and by obstructing their mobility at the Danish labour market. One of the representatives from the trade union describes the conditions of the migrant employees as a form of 'modern slavery' with reference to their dependence on the employer, their status as second range citizens and their poor working and living conditions:

'A lot of this is modern slavery. And we try as much as we can to make up with it. But we don't get so much help... We see that they don't get the money they are promised. We see that they get cheated from the last two wages, we see that they pay excessive sums for their living and transport and everything else.'

Factors contributing to the characterization of the conditions of new labour migrants as 'modern slavery' sums up issues of traffic in human beings, exploitation, for the winning of other's sakes without any human considerations for those who are exploited. This 'new' existence of Eastern European migrant workers thus represent some of the newest forms that make part of the map of racism in Europe (Goldberg 2006).

5.1. Discourses on Eastern European migrant workers

The interviewees have different understandings of the Eastern European migrant workers' position on the Danish labour market, and a rhetorical battle goes on about whether the migrants are objectively discriminated against or whether their poor wage and working conditions primarily rest on self-inflicted reasons like their lack of

knowledge about norms and rules on the Danish labour market or seemingly neutral factors like lower qualifications and seniority. Thus, it becomes a question of who has the authority to define what really goes on in terms of discrimination and racism at the labour market.

While the representatives from Polish NGOs speak about repetitive experiences of being discriminated against, the interviewed official authorities hesitate with acknowledging any form of structural discrimination. Instead they refer to discrimination as individual events and actions done by individual people, and in this way, discrimination is explained as isolated incidents rather than as repetitive, structurally embedded patterns. Furthermore, most of the interviewed focus on the victim's knowledge about their rights as the primary way to fight discrimination, which means that the problem becomes a matter of the migrant workers' lack of knowledge about their rights, more than a matter of discriminatory acts committed against them. Thus, responsibility – or blame – implicitly rests on the discriminated part.

The union representatives do recognize that structural discrimination exists, and point to the migrants workers' potential vulnerability in terms of linguistic problems, job uncertainty, lack of knowledge about their rights and being taken advantage of by employers and agencies. However, hesitating to define racism and discrimination as the only reasons, why migrant workers are paid less and get the worst jobs, they point to seniority and lack of qualifications as equally important explanations. In this way, they express some ambiguity in regard to defining the problems and conditions of migrant workers as related to unequal treatment and discrimination.

5.2. Media and public image

The Eastern European labour migrants are often portrayed in stereotypical and negative ways in the Media and in the Danish public debates. They are either depicted as victims of ruthless employers or as disloyal, criminal and undermining the collective agreements (Stenum, 2010). Either way, the image contributes to retain the migrant workers in a marginalised position, and illustrates a certain discourse on this particular group of immigrants. A recent study of the processes of labour migrants from Poland to 'old' EU countries focuses on motivations and strategies in relation to the migration process and the influence of policies and structural opportunities. The study identifies various ways in which migrant workers are stigmatized and discriminated against; for example by way they are portrayed in the Media and in the political discourse, which 'has made it difficult for Polish workers to obtain symbolic capital in terms of gaining social recognition' (Thomsen 2010b:173).

The negative image of the migrant workers is to some extent reflected in the statements of the interviewees. Most of the interviewees seem to perceive the migrant workers as a closed and inaccessible group that prefers to socialize with other migrants from Eastern Europe and is not really interested in taking part of Danish society. One of the interviewees explains that the migrant workers are difficult to include in the workplace community, because they are 'gregarious animals' that stick to their own. In this way, the migrant workers' marginalization on the workplace seems to be perceived as potential self-inflicted.

Furthermore, the migrant workers are portrayed as nomads that travel from one place to another without really belonging anywhere. Talking about the migrant workers in construction, one of the local authorities says: 'There was something very nomad-like about them, they kept to themselves'. This image of the migrant workers as nomads might contribute to legitimizing the passive or non-existing effort of integration of Eastern European labour migrants in Denmark. The argument seems to be that since they are only here for a short time, it makes no sense to make an effort to include them. Moreover, this position seems to be justified by arguing that the migrant workers themselves have no interest in being integrated. According to one of the interviewees, this indifference in regard to the migrant workers is reflected in the Danish workers' lack of interest in talking about their Polish colleagues' wage and working conditions: 'They do not give a damn about, how it goes'. The negative portrayal of the migrant workers is also reflected in the use of the term 'pólakker', with the stress on the initial syllable, which is a degrading term of abuse for Poles.

By referring to the migrant workers as nomads, gregarious animals or the like a distinction is made between 'us' and 'them', the national and the non-national workers. This categorization of the 'other' not only creates stereotyping of different ethnic groups, it might also lead to discrimination and increased inequalities between native Danes and migrant workers (Jenkins 2004). The construction of the discourses on Eastern European migrant workers is surrounded by negative connotations. This might reinforce their vulnerability to exploitation and discrimination and lead them into further irregularity and insecurity (Thomsen, 2010a). At the same time, the negative image of migrant workers (re)produced within the dominating discourse to some extent contributes to legitimizing acts of discrimination committed against them.

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