YOU ARE NOT WELCOME: The 'Shibboleth' Story of Language Testing for Immigration

Bharti Shokeen

Abstract

The Biblical story of 'Shibboleth' in The Book of Judges has been repeated over the centuries in cultures all around the world in the context of language tests which play a role in the exclusion and inclusion of people in various social groups. In this story, the way the word shibboleth was pronounced was used to detect a 'friend' from 'foe', resulting in the deaths of many defeated troops trying to 'pass' as friendly non-combatants. This phenomenon is part of the universal use of language tests for distinguishing social groups. Though the modern language tests are supported and refined by considerable technical sophistication, the very formal and scientific character of language tests can be useful in masking their social purpose of inclusion and exclusion. The paper presents a brief overview of language testing regimes across various nation states and their impact on immigration and vulnerable immigrant groups.

Keywords: Shibboleth, Immigration, Language Tests, Citizenship

Introduction:

The 'Shibboleth' Story and Language Tests

> *"Then Jephthah mustered all the men of Gilead and joined battle with Ephraim, and the men of Gilead routed Ephraim... . Then Gilead cut Ephraim off from the fords of the Jordan, and whenever an Ephraimite fugitive said ''Let me cross,'' the men of Gilead asked him, ''Are you an Ephraimite?'' If he answered ''No,'' they said, ''Then say Shibboleth.'' He would say ''Sibboleth,'' since he could not pronounce the word correctly. Thereupon, they seized and slaughtered him by the fords of the Jordan. There perished in this way forty-two thousand men of Ephraim."* (Judges, 12, 4.6 (The Jerusalem Bible translation))

This Biblical story of Shibboleth in *The Book of Judges* has been repeated over the centuries in cultures all around the world in the context of language tests which play a role in the exclusion and inclusion of

people in various social groups[1]. In this story, the way the word *shibboleth* was pronounced was used to detect a 'friend' from 'foe', resulting in the deaths of many defeated troops trying to 'pass' as friendly non-combatants. This phenomenon is part of the universal use of language tests for distinguishing social groups. Though the modern language tests are supported and refined by considerable technical sophistication, the very formal and scientific character of language tests can be useful in masking their social purpose of inclusion and exclusion. Research is now beginning to focus on the role of language test in controlling access to right to asylum, residence and citizenship.

The Times of India report 'YOU ARE NOT WELCOME'

"*The world is in shutdown mode. Country after country in North America, Europe, the Gulf Emirates and the Pacific is revamping its immigration policies with the aim of keeping out classes of immigrants it considers a liability*" TOI, dated July 17-23, 2010.

David Cameron: "*We would like to see net immigration in the tens of thousands rather than hundreds of thousands...That's the sort of figure it was in the 1990s and I think we should see that again*."

Julia Gillard: "*I don't support the idea of a big Australia with arbitrary target, say, 40 million strong Australia or a 30 million strong Australia. We need to stop, take a breath and develop policies for sustainable Australia*."

The past few years have witnessed a rapid change in naturalization provisions of immigration in countries all over the world (Baubock 2006). Not only have the 'classical' countries of immigration, such as Australia, Canada and the United States, strengthened or reintroduced stringent tests for migrants to become citizens, but the countries of Western Europe have also turned to testing regimes. One feature that many of these national amendments share is the introduction of an additional language proficiency test for integration & immigration. According to a survey conducted by the Association of Language Testers in Europe, in 2002, only 4 out of 14 countries (29%) that were included had language tests for citizenship. A second survey in 2007 showed that 11 out of 18 countries (61%) had language requirements for citizenship. In 2009 survey, 23 out of 31 countries (75%) had linguistic requirements as part of integration process and in 2018 survey of ALTE, 32 out of 41 (78%) countries had formal language requirements for citizenship[2].

[1] McNamara, Tim (2005). 21st Century Shibboleth: Language Tests, Identity and Intergroup Conflict. Language Policy 4(4):351-370

[2] https://www.coe.int/en/web/lang-migrants/surveys

Literature Review

There is a lot of research on the increased saliency of language tests and the reasons behind the stricter language requirements for immigration and integration purpose. I shall briefly discuss some of the major reasons cited in scholarly literature.

Language testing for immigration and integration purposes is a recent but immensely growing field of research and has become a highly debated issue in scholarly literature. Over the last decade, a number of critical studies and edited volumes have emerged based on the analysis of these integration policies and testing regimes such as Hogan-Brun et al (2009); Oers et al (2010); Adami & Leclercq (2012); Extra, Spotti & Avermaet (2009); Slade & Mollering (2010) etc. In addition, a number of journals and reports are also published concerning the issues of immigration & language testing e.g. EUDO Citizenship Observatory, EUI Working Papers (Baubock & Joppke, 2010)[3], International Journal of Multicultural Studies, Language Assessment Quarterly etc. In Europe, these issues of Immigration, integration and language testing have become serious concern in public and political discourse and the governments and other inter-government institutions like Council of Europe and ALTE have organized major events like International Conferences and surveys among the nation states. Official mandated reports of these surveys are available for reference[4] e.g. Extramania & Van Avermaet, 2010: results of two surveys conducted on behalf of Council of Europe; Little, 2010: A Report concerning the Linguistic Integration of Adult Immigrants commissioned by the Council of Europe; Balch et al (2008). However, all these research studies are mostly limited to the immigration policies and practices in Europe and include a few other countries namely the USA, Australia and Canada. Similarly, there is good amount of research on immigration and integration policies in traditional immigration countries like USA, Canada & Australia e.g. Holland (2010); Cox (2010); McNamara (2009a); Hargreaves (2010).

Social, Political & Economic Factors:

A number of political, societal and institutional events account for the change in immigration policies. Hogan-Brun et al (2009a) observe this shift in language & integration policies in Europe around the year 2004 and relates it to factors such as expansion of European nation, increased migration from poverty stricken African countries. However, some others (Van Avermaet, 2009; Slade 2010a, Hargreaves 2010) attribute this change to social, political and economic factors, globalization, terrorist attacks in London, New York and the riots in Paris. The events of September 11 also had a great impact on the representation of

[3] For more information, see the web site at http://eudo-citizenship.eu.

[4] https://www.coe.int/en/web/lang-migrants/surveys

immigration (Huysmans and Buonfine 2008).These incidents led to a climate of insecurity, apprehension and 'Islam fear', as Modood (2003) calls it, and stimulated a negative attitude towards immigration and immigrant groups.

However, according to Hogan-Brun et al (2009b), this effect was more observed in European countries and many nation states reacted with immediate immigration reforms that include stricter immigration policies, language requirements, KOS test, and the notion of 'earned citizenship'.

3.0 **Language Testing Regimes & Immigration**

The term 'Language Proficiency Test' refers to a policy which is implemented in a growing number of countries, especially in Europe and America, requiring immigrants to pass language tests in the national language of the state as a major condition for immigration and integration. These 'Language Proficiency Tests' have been developed for three categories of newcomers/ immigrants: (i) for the purpose of immigration, (ii) integration and (iii) citizenship. The ramifications of this language test policy lead to termination of residence, deportation, or maybe the denial of major rights and benefits, such as health care, employment or education. The formats of these tests vary. Sometimes the tests are conducted in the home country of the applicant and the prospective newcomers are expected to acquire and demonstrate linguistic skills prior to their arrival to their desired country.

3.1 Proliferation of Language Requirements:

A *proliferation of integration tests are spreading across Europe through policy emulation* (Foblets, Himmet, Wets & Yanasmayan, 2008). Over the last decade, language requirement has become a core aspect of immigration and integration policies in Europe. The language conditions are not only introduced in more and more countries, but have also been extended to more stages of immigration and immigrant's journey (Saville, 2009). Based on the two surveys on language and integration policies in many European countries by the Council of Europe, Extramania (2012) observed a considerable increase, from 57% in 2007 to 69% in 2002, in the number of countries imposing language requirements as a condition for permanent residence.

Similarly, in a fewer countries, recently, the language requirements were also established as a condition for entry/admission (Extra & Spotti, 2009). According to Michalowski (2010), In Netherlands and Germany, this restrictive measure was taken as a response to increased family immigration. Based on the two surveys, Extramania (2012) observed an increase in the number of countries, from 19% in 2007 to 26% in 2009, imposing language requirements for admission/entry purposes. These pre-entry language requirements become an indirect means of controlling

or limiting family immigration. Pre-entry requirements have been criticized (Goodman, 2011; Kostakopoulo, 2010) on the basis of the argument that integration process can start only when a person can physically join the host country and thereby getting a chance to interact with host community. Goodman (2011) states, '….Pre-entry integration requirements mandate a degree of integration while the applicant is physically and conceptually- vis-a-vis legal status- outside the state'. (Goodman, 2011; p237)

3.2 Standardized Language Tests:

Along with the increasing language requirements for immigration, the use of formal and standardized language tests has also become quite an increasing trend (Van Avarmaet, 2009). Based on the 2007 survey by ALTE in 19 European countries, Van Avarmaet (2009) observes that 9 countries out of 11 with language requirements for citizenship implemented a formal test whereas 6 out of 8 countries having language requirements for permanent residence administered a formal language test. The same trend has been observed for admission to the country as 7 out of 9 countries with language requirement for entry purpose instituted a formal language test.

It has also been observed that in some countries, the earlier forms of language assessment have been replaced by standardized tests (Hogan-brun et al 2009b). Bocker and Strik (2011) have cited the case of former naturalization procedure in Denmark and the Netherlands where language skills were informally evaluated by an interview with visa officer. However, after 2000, both the countries introduced formal standardized tests for citizenship.

4. ALTE Surveys: The Council of Europe in association with ALTE has carried out 4 surveys, in 2007, 2009, 2013 & 2018, among its member states to map the language and knowledge of society (KoS) requirements for migrants for the purpose of immigration: admission, permanent residence and citizenship. The reports of each survey is available on Council of Europe website[5].

I shall briefly discuss the 2018 survey report and its findings and also review some of the major changes and developments in language & integration policies for migrants from 2007 to 2018 survey.

Report on the 2018 Council of Europe and ALTE survey on language and knowledge of society policies for migrants

The 2018 survey is the most comprehensive survey and larger in scope as compared to the previous surveys of COE. The survey provides an

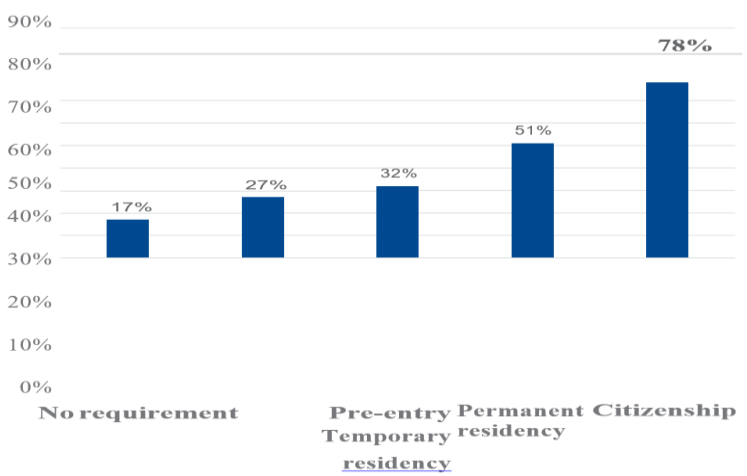
[5] https://www.coe.int/en/web/lang-migrants/surveys

overview of major policy trends in member states and the changes that occurred between 2007 and 2018. The 2018 report covers 47 Council of Europe member states and many of them responded to the survey. The Council of Europe conducted similar surveys in 2007, 2009 and 2013 which serve as a benchmark to report major trends and changes in language policies over time. The purpose of the 2018 survey was to map the language and KOS requirements across the Council of Europe member states and to see whether learning opportunities are provided to vulnerable groups of migrants. The invitation to participate in the survey was sent via email to the government officials of immigration affairs of the 47 Council of Europe member states. Out of the 47 member states, 41 government officials responded to the survey.

4.1 Language Requirements for Immigration in 2018 survey:

87% of Council of Europe member states (41 out of 47) responded to the survey. As per the 2018 survey, 83% countries (34 out of 41) had language requirements for one, some or all stages of immigration- entry, permanent residence & citizenship. 78% (32 out of 41) countries had formal or KOS requirements for citizenship, 51% (21 out of 41) member states for permanent residence and 27% (11 out of 41) member states demand certain level of proficiency in the language of the host country even entering the country.

Figure 2: Council of member states setting language requirements for immigration (in percentages)



Source: the 2018 survey report of Council of Europe and ALTE

Vulnerable Groups & Exemptions: Language tests for work & study purpose are mostly taken by immigrant groups which are homogeneous in nature with regard to their educational background or professional skills whereas language tests for citizenship cover a whole range of possible immigrant groups including poor, low literate or disadvantaged people.

Similarly, there is a lot of lot of difference in the language learning abilities of all migrant groups. A specific level of language proficiency may be reached in a very limited number of hours of language instruction by some literate adult, but the same level might require considerably more efforts and longer time for others with low literacy (Dorney and Skeham 2003; Allemano 2013). Such groups of migrants are, therefore, more vulnerable, disadvantaged and engendered than other migrant groups when these language and integration (KOS) requirements are imposed on them as part on immigration process. These migrant groups have a more pronounce and specific need for tailor made language and KOS courses and even exemptions from such requirements. UNESCO reports that there are more than 750 million people at the global level who cannot read or write[6].

Though language courses addressing the needs of migrants are provided in many Council of Europe member states, very few countries provide exemptions to vulnerable groups from language requirements, additional hours of language instructions or free or government funded training.

The Table lists the number of member states that allow exemptions from language and KOS requirements to vulnerable groups. The table shows that low literate and refugee migrant groups receive the fewest exemptions as compared to minors (10% & 15% respectively) from citizenship tests. In case of KOS test also, the same trend is observed (low literate 5% and refugee 10%).

[6] See https://en.unesco.org/themes/literacy-all

Table 1: Exemptions from language and KOS requirements for vulnerable groups

	Minors	**Low-literate learners**	**Refugees**	**(*n*)**	**Minors**	**Low-literate learners**	**Refugees**	**(*n*)**
	Language				KoS			
Citizenship	7	2	3	(33)	4	1	1	(16)

Like few exceptions from citizenship tests, the vulnerable & low-literate migrants are not provided additional free of charge hours of instruction to reach the required level.

Table 2 – Hours of language tuition provided free of charge for low-literate learners

	General	**Low-literate learners**
0 – 250	11	13
250 – 500	8	4
500 – 1000	4	2
1000 – 1500	1	2
2000 – 3000	0	1
3000+	0	0

Increase in the level of language requirement for citizenship from 2007 to 2018:

In addition to the increase in the number of countries setting language requirements, the Table, given below, shows that the language requirements are also becoming stricter. In 2007 & 2009 survey, the level A1 was mostly required by the nation states while in 2013 & 2018, not even a single country has set A1 level of language requirement for citizenship. Moreover, in 2013 & 2018, 8 out of 19 countries (42%) have set B1 level of proficiency for citizenship. In 2007, only one country had B2 level required for citizenship, but in 2018, this number has increased to 4.

Table 3. Language Levels required for Citizenship over time (19 member states)

Country	2007	2009	2013	2018
Austria	Unspecified	A2	B1	B2
Belgium (Fl.)	No	No	No	A2
Belgium (Fr.)	No	No	No	A2
Czech Republic	Unspecified	A2	B1	B1
Denmark	B2	B2	B1	B2
France	Unspecified	Unspecified	B1	B1
Germany	B1	B1	B1	B1
Greece	A1	A1/A2	A2	B2
Ireland				
Italy	No	No	No	B1
Luxembourg		A1	A2/B1 oral	A2/B1 oral
Netherlands	A2	Unspecified	A2	A2
Norway				A2 oral
Poland	No	B1	(B1)	B1
San Marino				
Spain		No	Unspecified	A2
Sweden				
Switzerland		Unspecified	A2/B1	A2 written B1 oral
UK	B1	B1	B1	B1

In addition to the increase in the number of countries setting language requirements, the data shows that the language requirements are also becoming stricter. The survey data also shows that though language courses addressing the needs of migrants are provided in many Council of Europe member states, very few countries provide exemptions to vulnerable groups from language requirements, additional hours of language instructions or free or government funded training.

INTEC Research Study:

INTEC (Strik et al., 2010)[7] is another larger research study that examines

[7] INTEC study (Strik et al., 2010) addresses the different stages of the immigration process: admission to the host country, settlement and naturalisation. This study not only provides a detailed overview of the testing regimes in each of the countries analysed; it also collected data of the impact of such language tests by means of informal interviews with different stakeholders, with the aim of identifying their point of view on the practices and their consequences.

the actual practice of testing regimes and their effects in nine European member states namely Denmark, Australia, Latvia, Belgium, Hungary, the Netherlands, Austria, France and the United Kingdom. The study analyses the statistical data based on the number of grants of permits and refusals. It also presents qualitative data of the impact of these testing regimes by means of 329 interviews with different stakeholders including immigrants, language teachers, NGOs and official staff.

For a few counties such as Denmark, Germany and the Netherlands, the statistical data on naturalization reveals a considerable decline in the number of immigrants granted citizenship after the language requirements were raised and tightened. In the Netherlands and Germany that introduced pre-entry language test, the INTEC study revealed a significant decrease in the number of applicants applying for family reunification. Similarly, in Denmark, the number of refusals of citizenship increased in 2002-03 after the introduction of formalized language tests and again in 2007-09 when the level of required language proficiency was raised(from B1 to B2). Oers (2008) also observes a significant decrease in the number of applicants for Dutch citizenship in the year 2004 immediately after the naturalization test was introduced.

The INTEC study also analyzed how the immigrants themselves perceive the effects of these testing regimes. So far as the naturalization tests are concerned, the respondent from Germany, Austria, Denmark, Latvia and the UK were very skeptical of some positive or future impact of these tests on their life, employment and social integration. The immigrants, on the other hand, attributed their integration to different factors. Moreover, some immigrants, on the negative side, felt a lot of stress and anxiety that these tests exerted on them due to their high stake results that would have great impact on their life. The integration courses are also criticized as being time consuming, irrelevant and incompatible with job requirements.

The INTEC Study, in a few cases, also reported positive effects. In Austria and Germany, for example, some female respondents reported that the compulsory language and integration courses had a relieving impact, 'emancipating effect', constituting an opportunity for them to socialize outside their families. In addition, a number of immigrants who had completed the course one year earlier and could not find employment following the language course shared that the language and integration course was not useful in getting a job or gaining access to employment.

Similarly, the interview with employers and job providers also revealed that certificate of language and integration course is not of much significance and that the language skills of immigrants are only informally assessed at the time of interview. The study shows that certificates provided after the successful completion of the course has little or no significance in the job market.

Based on the analysis of statistical data and interviews with 329 different stakeholders, the INTEC Study (Strik et al 2010) reports mostly negative or no positive outcomes of these language and integration courses.

Overall, there seems little evidence in scholarly literature to support and back the claims of policy makers about the beneficence of the stricter language requirement and cultural knowledge.

Case Study on testing policy in the Netherlands:

The computerized admission test was implemented in 2006 and, can be taken at about 140 Dutch embassies abroad. The test related all information is available on the website in Dutch and English. The txt consists of two parts. The first part requires a good knowledge of Dutch society, consisting of a series of photos based on a film about the Netherlands. The film, called Coming to the Netherlands, and the photo album containing 100 photos are available in 14 different languages as a tool for preparation for the test. This film deals with living in Netherlands, Dutch politics, work, healthcare, education and history. This is accompanied by 30 questions. All questions are in Dutch and all answers have to be given in Dutch. This first part of the test is actually a hidden language test.

The second part of the admission test is a computerized phone test that requires both listening & speaking skills. The phone test consists of five sections that deal with repeating sentences, and repeating two different short stories. All exercises are presented over the phone and the answers are assessed automatically by a speech sensitive computer, also in terms of quality of Dutch pronunciation.

Testing policy for immigrants in Netherlands-

Type of test	Max. score	Pass score	In %
1 **admission test** (*toelating*) -knowledge of Dutch society -Oral skills in Dutch	 30 80	 21 16	 70% 20%
Integration test -knowledge of Dutch society -oral skills in Dutch -written skills in Dutch.	 36 80 Not available	 28 37 Not available	 78% 37% Not available

Oers (2006) has shown that in Netherlands, after the introduction of citizenship test in April 2003, naturalization rate decreased up to 50%[8].

[8] The numbers reached an all-time low in 2004 and 2005 (14,752 and 14,893 naturalisations respectively), when more than 50% fewer persons were naturalised compared to 2002 (29,299 naturalisations), the year before the revised Dutch Nationality Act, introducing the

From April 2003 to September 2006, a little more than 50% applicants who registered to appear in the tests could pass it. Similarly, the pass rate of the "Life in the UK" test, on an average, is 73%[9] and a significant number of applicants (more than 25%) failed the test for naturalization and permanent residence[10] (Ryan 2008: 313).

Impact of Language Tests on Immigrants:

Migrants do not have the option of disregarding language integration requirements. They cannot engage in dialogue with the relevant authorities about their content or the attributes they believe to be important for citizenship capacity, nor can they contest their terms, put forward alternative suggestions, and so on. They are expected to play no other part apart than complying with the already existing requirements. They are subjected to the disciplinary power of the state, coupled with the mandatory, test-based and sanction-oriented character of integration tests. These tests are imposed with little consideration for those being tested. Broadfoot (1996**)** emphasizes that the combination of technology and bureaucracy leads to the growing *"powerlessness of the individual to resist the effects of increasingly intrusive state machinery".*

Elena Shohamy on Testing Regimes:

Shohamy (2006) criticizes the language testing regimes as unethical, discriminatory and infringement of an individual's fundamental rights. According to Shohamy, refusing to grant citizenship on the basis of deficient language proficiency is a violation of their personal human rights. Her argument is based on the rationale that "there is no indication that being proficient in the national language necessarily creates better citizenship' (Shohamy, 2006:148). Shohamy (2009) even questions the state's legitimacy in imposing a language on an individual through language policy:

"One wonders whether the acquisition of 'national languages should not be a choice of people who can make their own best rational decisions as to the language they need to know and use in a multilingual, transnational world" (Shohamy, 2009:49).

Shohamy considers the language testing regimes as unethical,

naturalisation test, entered into force. The total number of naturalisations in 2008 is still 44% lower than the level reached in 2002.

9 The Advisory Board on Naturalisation & Integration (2008), *Final report*, p. 31.

10 The passing of the 'Life in the UK' test has since 1 April 2007 also been a requirement for indefinite leave.

undemocratic and illegitimate. She believes that people are born 'into' languages and imposition of a specific language leads to the violation of human rights and freedom of expression. As Cameron asks: is the impulse "to meddle in the matters of language" legitimate? (Cameron 1995: vii).

Invalidly & Irrelevance

(1) These 'language proficiency tests' overlook variables such as age, background & learning opportunities **(Scovel 2000; Lightbown and Spada 2006**). The research shows that this process of acquiring a new language lasts between seven to ten years even in situations where the new language served as the medium of instruction (**Thomas and Collier 2002; Levin and Shohamy 2008**).

(2) **Adrian Blackledge (2005)** argues that there is a broad consensus in the academic world that current language testing for citizenship processes are predicated on ideological assumptions that are discriminatory. With a focus on recent legislation to extent the existing range of language testing for immigrants to Britain, he proposes that such requirements amount to a racialisation of language, which contributes to monolingual and monocultural ideology in multicultural Britain.

(4) One's linguistic repertoire is mutable unlike skin color. But the nation-states follow a 'sink-or swim' approach towards these 'Language Proficiency Test'. In 1906, Congress approved a major change in U.S. naturalization policy; citizenship would hence forth be denied to immigrants unable to speak English. In Austria the law governing foreigners was revised and implemented in 2003, imposing compulsory language test on all new migrants from countries outside the European Economic Area. This carries an emphasis on sanctions through fines and a non-renewal of the residence permit if the time allowed for completion is exceeded.

(5) While immigrants tend to develop bilingual, multilingual and hybrid varieties, these language tests are based on monolingual constructs and norms. There is no recognition of the widely used varieties or languages that immigrants use.

(6) Many immigrants can not read and write in their own languages, are not familiar with test-taking procedures, and do not obtain test accommodations that can facilitate their success in passing these tests (**Abedi 2004**)

People are born 'into' languages; this is not a choice and changing these languages poses great difficulties that often can not be met.

10. Conclusion and Further Directions:

1. Some Universal rights activists like **Soysal** agrued that the right to grant citizenship should be taken away from the states. The claim is that states require their immigrants to give up their language, culture and basic identities in order to become citizens, and this implies loss of personal and human rights. The adoption of universal rights, she argues, will allow greater freedom for immigrants to maintain their own cultures as citizenship claims will be based on 'personhood' rather than on 'nationhood'.

2. These Language tests should not be based exclusively on a standard variety but, rather should also incorporate other language varieties, acknowledging the normality of bi-and multilingualism and other hybrid varieties.

3. The tests should include tasks that are centered around content and incorporate L1 skills and knowledge of negotiation; they should be based on realistic language that immigrants use and attain. In a research study that examined the role of home language, it was found that the first language continues to play a significant role in academic performance, and its use increased the test scores of immigrants. When the questions were presented in bilingual (Hebrew/ Russian) form, students performed better than the control group who received the questions in Hebrew (the new language) only. **(Levin, Shohamy and Spolsky 2003; Shohamy 2006).**

For all these reasons, there is a strong case for rejecting the use of the category of 'language' as a condition for integration and immigration. The use of this policy leads to illegitimacy, discrimination, marginality and violation of human rights. A veterinarian explained: "*They set up these ridiculous prerequisites in order to discourage us from pursuing our line because they see foreigners as a viable competition to American graduates."*

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