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Language Testing for Im(Migration): In(Validity) and Ir(Relevance)

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ABSTRACT

Linguistic proficiency has emerged as one of the key conditions for the granting of permission to stay and for naturalization in an increasing number of European as well as non-European countries. A survey in 2002 showed that 4 out of 14 countries (29%) had language conditions for citizenship; the 2007 follow-up survey revealed that five years later this number had grown to 11 out of 18 countries (61%). These tests are often used for a variety of undeclared and covert purposes, other than just 'measuring knowledge'. These 'Language tests' enable governments to use them in the context of immigration, and for the purpose of gate-keeping to regulate and restrict the entry of immigrants. (Spotti & Van Avermaet 2009:14). This article offers a wide range of possible answers, their in(validity) and ir(relevance), social desirability and level of detail required.

Keywords: Language; Proficiency; Nationality.

1.0 Introduction

The Gileadites took the fords of the Jordan toward Ephraim. When any of the fleeing Ephraimites said, "Let me pass," the men of Gilead would say to him, "Are you an Ephraimite?" If he answered, "No!" they would ask him to say "Shibboleth." If he said "Sibboleth," not being able to give the proper pronunciation, they would seize him and kill him at the fords of the Jordan. Thus forty-two thousand Ephraimites fell at that time.

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 past few years have witnessed a rapid change in immigration policies all over the world (Beabock 2006). Not only have the 'classical'

countries of immigration, such as Australia, Canada and the United States, strengthened or reintroduced stringent tests for migrants, 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 in the immigration policies. According to a survey conducted by the Association of Language Testers in Europe, in 2002, only 4 out of 14 countries that were included (29%) had language tests for citizenship.

A second survey in 2007 showed that 11 out of 18 countries (61%) had language requirements for citizenship.

The aim of my research is to contribute to greater understanding of those on the receiving end of the Government's immigration policies.

They pay very little attention to the 'immigrants'. There is no research on immigrants and what happens to those immigrants who have given up applying. Lack of work at this level is noted by Rutter et al (2008), who write:

".....in the little research that exists about migrant integration, migrants are presented as rather passive recipients of advice and other interventions designed to integrate 'them'. Indeed, most research on migrant integration seldom analyzes the voice of migrant populations". (Korac 2003)

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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*”.

The question is not merely how much more demanding the new tests are in content and format but, rather, whether the introduction of new and more demanding tests is accompanied by more and better resources for preparation.

Do they take into account the intelligence and receptive levels of immigrants? If rejected, do they come into the country illegally, or do they wait for years before they can join their families? Can immigrants be sanctioned if they fail the test or do not fulfill the contract?

Are courses/ tuition programmes officially offered? What is the language level range of the course? Do the authorities consider the variables such as age, background, literacy and learning opportunities?

To solidify my research, I have selected a few extracts from a large corpus of policy documents, newspaper articles, the Home Office data, BBC news, court cases and legal texts dealing with the issue of language testing for naturalization.

2.0 Language Proficiency Test

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 obtaining citizenship and permanent residence.

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. For example, immigrants to the Netherlands have to pass all the three stages of testing policy:

- i) *Toelating*: admission to the country
- ii) *Inburgering*: integration
- iii) *Naturalisatie*: citizenship

3.0 National Ideologies about Immigration

Before we can do a detailed study of this language testing legislation, it is important to have a brief outline of their national ideologies which form the very basis of these testing regimes.

3.1 National ideologies in europe

3.1.1 One language, one nation

In Europe, while the monarchical empires that preceded the modern nation had been multilingual politics (e.g., the Habsburg Empire), nations are founded on the ideology of ‘One Language, One Nation’ (Ingrid Piller).

Van Avermaet reviews language testing regimes in European countries and concludes that language policy is often ‘two sided’- on the one hand, in International contexts, governments argue in favour of the added value of multilingualism, while at the same time, at national level, demanding the use of one national language.

Pujolar (2007) demonstrates that multilingual practices and skills have had an uneasy fit in the national and linguistic order. “*Multilingual reality comes up against national ideologies of monolingualism and homogeneity*” (Mayor and Martin Rojo 2007)

3.1.2 The failure of multiculturalism

To contextualize these national ideologies, I have quoted a few texts which were all produced in the British political discourse within the period of December 2006 to February 2007. These texts relate to:

- (i) A speech by the Prime Minister, the Rt. Hon. Tony Blair, on the subject of multiculturalism, December 2006
- (ii) A radio interview with Rt. Hon. David Cameron, the leader of Her Majesty's Opposition and a speech by David Cameron, 29th of January, 2007

3.2 Speech by the prime minister tony blair

In his speech on the nature of multiculturalism in Britain, Tony Blair contextualizes the debate as a response to "the terrorist attacks in London".

Many of his statements refer to debates about languages. In a Prime Ministerial address, Tony Blair made the following statement:

"There has been a lot of concern about a minority of visiting preachers. It would be preferable for British preachers to come out of the community rather than come in from abroad.

Where they are recruited internationally, we will require entrants to have a proper command of English and meet the pre-entry qualification requirements."

3.2.1 Media campaign

Tony Blair here indirectly refers to a famous media campaign to prosecute the leading cleric Abu Hamza who was found guilty of eleven charges of soliciting to murder and stirring up racial hatred. The Prime minister also refers to the Government's intension to raise the language requirement for visiting preachers from IELTS Level 4 ("limited user") to IELTS Level 6 ("competent user").

3.2.2 BBC radio interview and speech by david cameron

On 29th of January 2007 the Leader of the Opposition, David Cameron, delivered a speech in Birmingham, 'Bringing down the barriers to cohesion', which addressed what he described as the "failure of multiculturalism".

Giving example of 'failed multiculturalism', David Cameron says:

"Multiculturalism sounds like a good thing: people of different cultures living together. But ...it lies behind the growth in the translation of public documents and signs into other languages. ...What ought to be about helping people to access essential public services has in some cases become an end in itself, making it less an incentive for people to learn English and participate fully in our national life.

All of these things just create resentment and suspicion."

Both politicians argued that the public presence and visibility of some minority languages (e.g. preaching) other than English are associated with radical extremism, social segregation, resentment and suspicion, and thus pose a threat to social cohesion.

The leader of Opposition argued that "multiculturalism" has failed, and should be stopped, citing as examples the amount of bilingual support in school classrooms, publicly funded translation and interpretation services for immigrants.

The impact of these debates on citizenship legislation in the UK (2007)

- a. The Prime Minister introduced new legislation which extended existing English language testing requirements for citizenship to those applying for indefinite leave to remain in the UK.
- b. At the same time he introduced an extension which requires visiting preachers to demonstrate their proficiency in English in their professional capacity before coming to the UK.
- c. Based on these political debates, the Commission for Integration Services for Immigrants published an interim report which argued that translation services prevent integration and cause suspicion, while the Chair of the Commission gave a speech in which he argued for a further extension to language testing legislation, to include testing of potential migrants before they arrive in the UK. In his speech, Darra Singh argues, "What happens when brides and grooms who do not speak English arrive in families for whom English is already a second language?" He considers that this 'breaks the chain' towards universal use of English, and 'the language barrier is resurrected'. "But perhaps we could be braver, and expect spouses to have learned English before they arrive here".

Table 1: This is an Interesting Study on the European Public Discourses on Ethnicity and Nationality-

| Europe | |
|---------------|--|
| 1. | In the European context, immigrants are seen as a threat to national identity. |
| 2 | In the European public discourse, immigrant minority groups are referred to as ' <i>foreigners</i> ', ' <i>estrangers</i> ' in France, or ' <i>Auslander</i> ' in Germany. |
| 3 | It is a common practice to refer to immigrant groups in terms on 'non-national resident', and to their languages in terms of 'non-territorial', 'non-regional', 'non-indigenous' or 'non-European'. |
| 4 | In Europe, immigrant groups are often referred to by their country of origin instead of the target country of which they hold the nationality, resulting in such linguistic terms as 'Turks' instead of 'Turkish Dutch'. |
| 5 | The Border and Immigration Agency is now the UK Border Agency, removing the word 'immigration' completely. |
| 6 | Large scale immigration is a much more recent phenomenon in the European countries. |

Table 2: Recent Amendments in the UK Immigration Policy

| The UK | |
|---------------|--|
| 1. | The Government launched the concept of 'Earned Citizenship', which is modeled after the Australian point-based system, in the 2008 consultation document "The path to Citizenship: Next step in reforming the immigration system" |
| 2 | With three stages of (a) temporary citizenship, (b) probationary citizenship & (c) permanent citizenship, the 'active citizens' will 'earn' the right to stay on the basis of points gained by working hard, obeying the law and speaking English. |
| 3 | Applicants will be tested twice before being granted citizenship. |
| 4 | The first test, at the "probationary citizenship" stage, will be at the level of current language test (B1), while the second, at the "British citizenship" stage, will be at an undefined "higher standard of English". |
| 5 | In addition, the government has announced its intention to introduce a pre-entry English language test in 2011 for people coming to the UK to join their British spouses. |
| 6 | BBC News: One in three applicants fail the citizenship test, (published: 2010/5/27). Home figures show that a third of foreigners wanting to make Britain their home failed their citizenship test in 2009, with a pass rate of 70.9%. |
| 7 | UK has a formal, consistent and objective language testing. The level of the language proficiency is defined in specific linguistic terms. |
| 8 | UK has made use of available technology in developing and administering their tests. Prospective citizens of the UK can do soonline at approved testing centres. Test questions are randomly generated by computer from a large bank of questions. Test results are able to be 'marked' electronically with results being immediately available. |
| 9 | The EU member states maintain provisions that make the deprivation of citizenship easier for naturalized citizens. |
| 10 | The Government relies too heavily on tests. |
| 11 | The concept of 'probationary citizenship' has increased the residence requirement from 5 to 8 years. The period of 'probation' used to be 1 to 3 years. |
| 12 | Traditionally, nearly all continental European citizenship laws have been exclusively based on <i>ius sanguinis</i> . The most pronounced liberal trend concerns the introduction of <i>ius soli</i> . |
| 13 | The UK proposal of language testing for marriage visa violates the concept of family reunification which means that even a husband and his wife may be forced to spend many years apart. |

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