Normative Systems of Immigration Policies:
Why do Sweden and Japan have Stickier Policies than Denmark?

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Abstract

Why are the immigration policy regimes in Sweden and Japan, in spite of their categorical difference, more stable than in Denmark? This study focuses on the "normative system," which provides a framework for the recognition and provision of the roles and rights of immigrants. In the case of Sweden, all three dimensions of the "normative system" worked under positive depoliticization. In Denmark, the unfixed sets of the "normative system" led to negative politicization and restrictive policies. In Japan, the Ministry of Justice instituted negative depoliticization through its highly restrictive "constitutive norm," which eschews recognition of non-Japanese as permanent residents or fellow members of the society.

Introduction: Normative Systems of Immigration Policy

In terms of immigration policy regime (immigration control and immigrant inclusion policies), the Scandinavian countries and Japan appear to be worlds apart. Regarding the Migrant Integration Policy Index for 2014, Sweden scored 80, Denmark scored 59, and Japan scored 43. The ratios of foreign-born population (including refugees) in 2015 were 16.8%, 10.1%, and 1.6% respectively. A UN Special Rapporteur on the Human Rights of Migrants reported that the Industrial Trainees and Technical Interns Program in Japan involved considerable risk of abuses, which "relate to the payment of very low wages or the confiscation of wages which are paid into an account controlled by the employer, the obligation to perform excessive and underpaid or unpaid overtime, restrictions on freedom of movement and private life." [1]

How can theory explain different immigration policies? At one end of the theoretical spectrum, Brubaker (1992) describes the "cultural idiom" constructed during each nation's idiosyncratic development. At the other end, globalist theories attach greater importance to the liberal convergence of policies than to national difference (Hollifield 2004; Joppke 2010). Structural variables do matter, yet cannot explain the changing patterns of immigration

policies. In many western countries, multiculturalism has been discarded (Vertovec and Wessendorf 2010), while Japan appears unexpectedly to be introducing a new policy that would admit around 350 thousand skilled workers in five years. Therefore, it is desirable to find a theoretical framework to understand both the difference and the change in policies.

The new institutionalism is considered suitable for investigating existing policy regimes, such as that of the welfare state, economic regulation, or immigration. However, all three major new institutionalist approaches—rational choice, historical and sociological institutionalism—are criticized by constructive institutionalists because they cannot explain institutional change effectively (Hay 2006). Instead, Schmidt (2010) introduced discursive institutionalism, which might offer a framework to comprehend dynamic change through ideas and discursive interaction. Boswell and Hampshire (2017) applied Schmidt's discursive institutionalist concepts to investigate changes in immigration policies in the UK and Germany. Nevertheless, discursive institutionalism may easily lose its significance as *institutionalism*, as it can interpret so elastically either stickiness or change in institutions that it is prone to end up as description rather than causal explanation (Bell 2011).

Alternatively, the present paper adopts the concept of normative system, as a relatively independent factor, which constrains the scope and range of policies. Carmo and Jones (2001:265) define normative systems as "sets of agents (human or software) whose interactions can fruitfully be regarded as norm-governed; the norms prescribe how the agents should and should not ideally behave, what they are permitted to do, and what they have a right to do." The normative system as introduced here may well be labeled a subcategory of discursive institutionalism, which the author would not deny, in the sense that it focuses on the power of constructed norms rather than that of externally given interests or rules. But there are several theoretical advantages in this concept. First, it makes a distinction between stable normative systems and unstable ones, which enables a causal explanation of the (im)plausibility of policy change. Second, it shed lights on the significance of the depoliticization as well as the politicization of a policy. When investigating immigration policies, *depoliticization* matters as much as, or even more than, politicization. While Sweden and Japan adopted contrasting policies, the immigration issue remained relatively depoliticized in both countries before it became politicized belatedly in the late 2000s (Green Pedersen and Krogstrup 2008; Higuchi 2014; Tanabe 2011). Last but not least, the normative system as is assumed to constrain ideal behaviors and rights fits well into an investigation of immigration policy that determines the conditions for people coming from abroad to live in a host society.

Normative system theory originated from legal and social studies among sociologists, and it is being further developed in the field of computer science. Göran Therborn, a Swedish

sociologist, has categorized three different dimensions of norms: (1) constitutive, (2) regulative, and (3) distributive. The first dimension defines a system and its membership. The second prescribes expected contributions, performance, or execution of actors' tasks in the system, for example, work norms, family roles, or other social roles. The third specifies rewards, costs, and risks that should be allocated in a given social system (Therborn 2002).

Therborn's framework fits sufficiently well into the study of immigration policy regimes. These dimensions of norms are relevant to this policy area: constitutive (membership), regulative (expected roles), and distributive (rewards and costs). It should be noted that normative systems do not always reflect plural democratic processes. Instead, they are likely to be shaped by elite-led policy entrepreneurship and expert institutions. If these dimensions of norms remain entrenched and/or complementary, their impact on policies is likely to be strong and sustainable (as in the cases of Sweden and Japan until recent years). If one of these dimensions wavers, then its coherence as a normative power weakens (as in the case of Denmark).

The comparison of those distinctive cases below sheds light on how an immigration policy regime is shaped by a normative system of in/exclusion of immigrants, which functions as a gatekeeper between the sociodemographic conditions and the output (including no change) of the public policy.

Case Comparisons

Sweden

Prior to the 1930s, Sweden was a country of emigrants, and a defensive national ideology that embraced homogeneity (and even eugenic social control) prevailed, even after the growth of social democratic hegemony under the emblematic concept of "folkhemmet," or the people's home. During the post-WWII decades, Sweden experienced an acute labor shortage and an influx of refugees and foreign workers. Until the 1960s, the Swedish class-based equality presupposed homogeneity and not multiculturalism, despite the increasing non-Swedish population, which mainly came from Finland, Estonia, Latvia, Hungary, and Yugoslavia.

Nevertheless, there were two specific factors conducive to an inclusive immigration policy regime. One factor was the concern of the LO (the Trade Union Confederation) for equal conditions for both immigrant and Swedish workers (Knocke 2000). The other factor that encouraged an inclusive policy was the perspective of the Finnish community, the largest immigrant group in Sweden, and the Finnish government, which expected mother-tongue education for Finnish-speaking children (Wickström 2015).

The "constitutive" dimension of immigration policy transformed during the 1960s. In 1964, David Schwarz, a Holocaust survivor and a sociology student, provoked debate over the assimilationist presumptions of the Swedish policy in the newspaper *Dagens Nyheter*. He introduced the terms "multicultural society" (*flerkulturellt samhälle*) and "integration" (*integration*) to Sweden. Older generation sociologists Agne Lundquist and Karin Busch argued that "society would perish if particular norms, stemming from particular groups, came into conflict with the inclusive norms coupled to general group (the nation)." However, the concept of assimilation was de-legitimized while that of multicultural integration was legitimized, not least because government officials and experts, such as the head of the immigration board, accepted the latter concept (Wickström 2013).

The Social Democratic government introduced a bill on immigration and immigration policy in 1968, only a few years before the acceptance of foreign workers was suspended in the early 1970s. The bill proposed a controlled immigration and equal standards of living, e.g., housing, education, and social care, for both the indigenous population and immigrants. The new Social Democratic Party leader and Prime Minister, Olof Palme (Prime Minister 1969-76, 82-86), who took over from Tage Erlander (Prime Minister, 1946-1969), pushed forward with the multicultural changes in Sweden.

The 1975 Bill on Immigrants and Minority Policy, which materialized the line of the Public Policy Study Report (SOU 1974), stated;

> *The immigrant- and minority policy should be coined by the effort to engender equality between immigrants and Swedes. Immigrants and minorities should be given an opportunity to choose to what degree they go into a Swedish cultural identity or maintain and develop the original identity. The policy should also aim at build cooperation between Swedes and immigrants so as to enhance the solidarity between them as well as the opportunities for immigrants and minorities to have an influence on decisions that concern their own situation.*[2]

This bill consolidated the "regulative" (role) dimension of the inclusive norm system in Sweden by paving the way to free choice between fully integrating into the Swedish majority model and maintaining one's culture,. The introduction of local suffrage for resident foreigners in 1976 was an extension of the rights of *denizens* (Hammar 1990).

Still, we should note that the positive development of immigrant inclusion remained de-politicized, without party competition or widespread information shared by the public. As Borevi (2012: 44-47) argued, "Immigrants were to be incorporated into the universal welfare system" and "immigration policy seemed to be apolitical in nature." Moreover, inclusive

development of the "distributive" dimension of the norm preceded the "regulative" norm changes. By 1974, programs such as training in Swedish, information efforts, support for religious and other organizations, support for culture, labor market programs, interpreters, training in the mother tongue, and adult education had all been undertaken (Dahlström 2004).

The Swedish normative system spilled from the state into the labor movement. According to Hans Wallengren's study of Landskrona commune, the local trade unions actively committed themselves to invandrarbyrån, that is, the local immigrant services bureau set up by the commune, the social partners, and the ABF (Arbetarnas bildningsförbund, Workers' Educational Association) in the middle of the 1960s. The local unions seized the initiative in the immigrant's social integration not only to ease their integration in the commune and the labor market but also to involve them in the social democratic subculture (Wallengren 2014).

It is not exact to say that Sweden has always been successful in incorporating immigrants. The employment rates of the non-European foreign-born remained below expectations in spite of (or party due to) the support programs for immigrants. The All Sweden Strategy (*Hela Sverige strategin*), which aimed at arranging settlement for new refugees in municipalities all over the country, was inaugurated in 1985 but withdrawn in 1994, not least because of mismatches in the labor market. The All Sweden Strategy is criticized as a policy failure retrospectively.[3] However, it should be noted that most municipalities accepted the non-compulsory assignments with the exception of Sjöbo where a local referendum led to refusals of accepting refugees (Borevi 2012:51-52). The inclusive normative system did not guarantee neither policy success nor unanimity, but had a de-politicizing effect on the Swedish immigration policy regime.

There seems to be a lapse of this effect and belated politicization in the 2010s, when the Swedish Democrats (SD) obtained national parliamentary seats and then took the third place in the 2014 Riksdag election. While all the mainstream parties have excluded any possibility to invite this radical right-wing party to a coalition –i.e. *cordon sanitaire*-, the SD proclaims itself as an authentic heir to Sweden's social democratic and "people's home" tradition (Lodenius and Wingborg 2010). The growing sympathy with the SD among workers may transform the Swedish normative system from below.[4]

The 2018 election reproduced a Social Democratic and Green minority government and the third-largest position of the Swedish Democrats. It remains to be seen if the cordon sanitaire began to crumble among the mainstream parties, not least within the center-right Alliance, which will indicate a decay of the normative system in the Swedish immigration policy.

Denmark

In the aftermath of the Oil Crisis, the Danish government decided to freeze immigration in November 1973. A decade later, in 1983, the Danish Parliament enacted a new Alien Act, which broadened the legal rights of asylum seekers beyond the rights provided under the Geneva Convention. The Alien Act allowed all asylum seekers to enter and remain in Denmark while applications were processed and also granted residence permits to *de facto* refugees. The Alien Act was passed just before a wave of refugees came into Europe from places like Iran, Iraq, Palestine, Somalia, and the former Yugoslavia. The number of asylum seekers soared from 332 in 1983 to 8,698 in 1985, which called for a procedure to sort out manifestly unfounded cases (Pedersen 1999).

The 1983 Act was evaluated as one of the most humane immigration laws in the world. It was passed through a consensus of all parties except for the radical right Progressive Party, and had been prepared by the previous Social Democratic government. The foreword of the Social Democrats' immigration policy program in 1982 stated, "We will continue our political struggle against the forces that oppose reasonable and decent conditions for immigrants and will enhance our efforts for immigrants to be integrated and to obtain living conditions in line with the other Danish people. This must be done in consideration of the respect for immigrants' cultural identity."[5] Denmark also extended municipal suffrage to Nordic citizens in 1977 and to all foreign residents in 1981. However, the inclusive policy did not consolidate either a "constitutive" or a "regulative" norm, which could have prevented the negative politicization from the late 1980s.

In January 1985, at the same time that Queen Margrethe II's New Year message included the statement that "we must not make 'the foreigners' into scapegoats," *Jyllands-Posten*, the conservative paper that would later be criticized for publishing the Muhammad cartoons in 2005, reported the dissatisfaction of municipalities over the Refugee Council's plan to quarter refugees in their town centers (Coleman and Wadensjö 1999). Although the Alien Act was tightened in the 1990s, immigrant-related problems were concentrated around a few specific municipalities, particularly suburbs in Copenhagen such as Ishøj, Albertslund, Farum, and Brøndby. This led not only to the left-right conflict but also to the split and vacillation *within* the Social Democratic Party. The Social Democratic mayor of Ishøj, Per Madsen, voiced criticisms against the concentration of burden, lack of a proper integration policy, and foreigners' indulgence (Jønsson and Petersen 2012:120).

After the Tamil Affair in 1993, when the center-right coalition government broke down over the Minister of Justice's illegal handling of Tamil refugee family reunifications, the new center-left government had to cope with mounting political tension over immigration

policies. The Social Democratic leadership was keen on depoliticizing the immigrant issue as Prime Minister Poul Nyrup Rasmussen strove to balance the idealistic Social Democrats and the Social Liberal Party, on the one hand, and the hardliners, including the Social Democratic mayors, on the other hand. The Integration Act of 1998 endorsed "right and duty," and broke with the universalistic welfare principle by introducing an integration benefit for immigrants that was lower than previous social benefits. While the considerable social benefits that were provided to refugee families had become a heavily debated issue, the center-left government withdrew the Integration Act after facing criticism from human rights organizations (*Ibid*.:127-131).

Thus, some Danish people were concerned with the welfare cost problem that pushed the "distributive" norm in a more restrictive direction. Moreover, they required immigrants to conform to the "regulative" norm to be a fellow citizen ("medborgarskab") (Mouritsen 2013). Immigrants who were not likely to fulfill this norm were seen as undeserving of membership in the "constitutive" dimension and welfare benefits in the "distributive" dimension (Jørgensen and Thomsen 2016).

The Liberal-Conservative (V-K) coalition won the election in 2001 with the support of the radical right-wing Danish People's Party (DF) and moved in a more restrictive direction. With the new stringent asylum regulations, the number of asylum seekers dropped drastically. Among the most controversial regulations were the "24-year rule" that prohibited family reunification of spouses under the age of 24 years, and the "start-help" allowance for immigrants, which was lower than the social benefits for nationals. Moreover, citizen examinations, as well as requirements for "points" in language, education, and work experience were introduced (Holtog 2013; Jønsson and Petersen 2012:136-138). These measures were approved as living up to Danish national values (though not without controversies). Article 75 of the Danish Constitution (unchanged since 1953) states, "(I)n order to promote the general welfare, efforts should be made for every citizen able to work to have the opportunity to work on conditions that secure his existence" (Para.1). Furthermore, the Constitution states, "Those who cannot take care of themselves are entitled to the public support under legal obligations imposed by the law" (Para. 2).[6]

The negative politicization against rights for immigrants was not monolithic. In fact, there were both liberal cultural nationalists. In the course of many-valued politicization, the DF, a typical successful case of "welfare chauvinism," portrayed the European Union and the surge of immigrants as threats to both democratic and cultural values of Denmark (Dansk Folkeparti 2001). In other words, as the state of immigrants and refugees became controversial in the "regulative" dimension (social roles) and the "distributive" dimension

(costs on the welfare state), their membership in Danish society (the "constitutive" dimension) was also questioned.

Although Helle Thorning-Schmidt's center-left government (2011-2015) retraced the course to some extent, Lars Løkke Rasmussen's subsequent cabinets got support from the DF again, and did not hesitate to deal with the refugee crisis through stringent measures, e.g., the so-called "jewelry law" which allowed the authority to confiscate refugees' valuables. The center-left parties won the election in 2019. During the election campaign, the Social Democrats led by Mette Frederiksen stressed not only regeneration of the welfare state but also tough migration policy. Pia Kjærsgaard, the former leader of the DF, suggested to form a grand coalition of the Social Democrats, the Liberals, and the DF.[7] Do these tendencies indicate that Denmark is consolidating a new exclusive normative system? Though it is premature to reach a conclusion, the answer may be yes.

Japan

The citizenship and immigration policies in post-War Japan underwent a drastic change after World War II and the abandonment of all Japan's colonial territories, including Taiwan and the Korean peninsula. As (Hamaguchi 2010) discusses, it was not a parliamentary legislation but only a bureau-level document of the Attorney General's Office (later the Ministry of Justice) which dictated that all Koreans and the Taiwanese, including those residing in inland Japan, should lose Japanese nationality.[8]

This administrative deprivation of citizenship was disputed by human rights activists and lawyers as unconstitutional, but it was later endorsed by the Supreme Court. The resident ("Zainichi") Koreans who remained in Japan, but who were, then, divided between South Koreans and North Koreans, formed the major minority in Japan. The residency status of the Koreans was only temporarily approved in the legal sense until 1991 when they were granted a new legal status as "special permanent residents." The Ministry of Justice attempted to monopolize the policies concerning foreigners and not allow the input of other ministries. This bureaucratic legacy led to the failure to develop a comprehensive immigration policy regime.

The chance for immigration policy change became possible in the late 1980s against the backdrop of the bubble economy and an upsurge of male foreigners working in Japan using either mutual exemptions of visa requirements, study visas, short-term visas, or a foreign trainee status, often turning into overstays. The Ministry of Labor launched a new labor market policy with an "employment permit" system to replace the growing "illegal" work. This proposal was innovative in the sense that it recognized foreign workers as members of

the labor market for the first time. However, it was also problematic because it would render the permits to employers rather than to individual workers. In response to this proposal, and in the context of Japan's internationalization and interdependence, in 1988 the General Council of Trade Unions of Japan (Sohyo) demanded a comprehensive policy regime to replace the ongoing state of uncontrolled employment and the lack of rights for foreign workers (Sohyo 1988).

The Ministry of Justice rejected these policy proposals, which raised concern about the discriminating treatment of employers toward resident Koreans and blocked the proposed "open-door" labor market policies. Thus, the Ministry defended its policy monopoly on foreigners, and made room only for the "side-door" entries of foreign labor, that is, South Americans of Japanese descent and "foreign trainees." The former was accepted as home returners along a *jus sanguinis* principle, although they were actually *de facto* workers. The latter, "foreign trainees," remained non-workers *by definition* while also being provided with partial labor rights.

The Immigration Control and Refugee Recognition Law was revised in 1989 and put into effect in 1990. It was later called the "1990 regime" (Komai 2015). This revised law provided that (1) "guest workers" should not be accepted in principle, (2) long-term residents of Japanese descent (and their spouses) would be accepted, and (3) the "foreign trainee system" should be better developed. The last part led to the introduction of the Technical intern training system in 1993.

Even though being slightly behind the West European experience, it might have been possible for Japan to derive a comprehensive set of immigration controls and labor market and integration policies from immigration law revisions. However, the "1990 regime" turned out to be an incoherent normative system that hindered both the coordination between ministries and the input from experts such as sociologists and lawyers who were concerned about the disregard for human rights. Accordingly, the new policy regime turned out to be "a bizarre system that regards workers as non-workers and excludes them from due protection" (Hamaguchi 2010:293).

At the local level there were initiatives for the introduction of a multicultural policy such as the "Guidelines for the International Exchange in Localities" issued by the Ministry of Home Affairs in 1987. Other initiatives that followed indicated a move in a multiculturalist direction. In 1996, Kawasaki became Japan's first city to establish a Representative Assembly for Foreign Residents. However, the "Kawasaki Way" has been sustained by several favorable historical conditions (Day 2018). Most other local programs still reflected the perception that foreigners were guests rather than residents or citizens of local communities (Ishiwata 2011).

At the turn of the century, the introduction of voting rights for foreign residents moved onto the agenda. In 1995, a judgment of the Supreme Court stated that providing suffrage for long-term residents was "not prohibited by the Constitution," although appeals from resident Koreans organizations were repelled. In 2000, the Komei Party added the suffrage proposal into its coalition agreement with the Liberal Democratic Party (LDP) and the small Liberal Party. However, when the issue came up in a national legislative arena, it faced resolute opposition from the LDP's subgroup "National Diet Members for Discreet Handling of Foreigner Suffrage," which was supported by Nippon Kaigi (Japan Conference), a nationalist movement organization established in 1997. The suffrage issue thus became negatively politicized.

After 2000, the reactionary political climate against local suffrage for foreigners and the so-called "Zainichi-Tokken" (privileges enjoyed by resident Koreans) indeed politicized the issue of resident foreigners in Japan. However, these movements inside and outside the political parties rested on *imaginary* securitization and racism, such as a "boy crying wolf campaign" against Chinese- controlled local voting. One may argue that the lack of a nexus between the "constitutive," the "regulative," and the "distributive" dimensions of norms led to an "imaginary" securitization and welfare chauvinism despite the small foreign population in Japan.

The LDP–Komeito government led by Shinzo Abe, a conservative nationalist leader, has only lately reconsidered the need to reform the immigration policy regime in order to cope with the serious population and workforce decline predicted for the coming decades. The Cabinet Decision of Basic Politics in June 2018 opened the door for "foreign human resources," which implied a "front-door" immigration policy that would replace the previous "back-door" intake of labor force, whether as interns or as Japanese descendants, which has been criticized for its contradictory and discriminatory conditions.

This Amended Immigration Control Bill, introduced into the Extraordinary Diet Session beginning in late October 2018, caused politicization that is wider than before, with the opposition parties and academics questioning the chronic human rights problem and the lack of inclusion—above all, education policies for children of newcomers. But the government did not allow time for the opposition to further politicize the Bill before they passed it rapidly by the end of the year.

Remarkably, Mochizuki (2019) noticed that the newly introduced "Specified Skilled Worker (SSK)" status will not replace but leave the existing technical internship intact (except for insufficient regulation of human rights). Moreover, there is deep concern about the opportunity to move up from the SSK(i) to the SSK(ii), the latter of which should permit

accompanying family members and residence for an indefinite period. The SSK(ii) has been assumed to be applicable to only two branches, that is, the construction and the shipbuilding industry, apart from care professions, to which a highly specialized examination is assigned. Even if one could reach SSK(ii) status, his or her chance of obtaining a permanent residence permit is barred by the guideline amended by the Ministry of Justice. It requires a legal residence for ten years, of which no technical internship or SSK(i) period is included. This guideline, despite its low political profile, makes it unpromising for a large number of SSK(i) workers to get a permanent residence permit. [9]

As the Cabinet Decision of Basic Politics says, "(t)hose lines of policy are distinct from immigration policy" and "with no accompanying family members in principle," there remains a "constitutive" norm that would not recognize immigrants as permanent members of the society.

Conclusion

This study has shown that the normative system functions as a gatekeeper which defines the range of immigration policies often before democratic debates and decision. The following table summarizes the immigration policy regimes, their politicization/ de-politicization, and their normative systems in the three cases.

In Denmark, the immigration policies were intermittently politicized due to the lack of a dominant norm system. At first, the burden of hosting municipalities and social expenditure, concomitant with the surge of refugees/ immigrants, was politicized. This corresponds to the "distributive" dimension of norms. After that occurred, immigrants' rights and duties (expected roles) became politically controversial. This, in turn, corresponds to the second "regulative" dimension of norms.

In both Sweden and Japan, immigration policies were long de-politicized; however, the former established a comprehensive inclusive policy regime while the latter maintained a fragmented and highly restrictive policy regime. This contrast derives from the dominant norm system in each country.

The "constitutive" dimension of the Swedish immigration policy regime was transformed from an assimilationist norm to a multiculturalist one. Furthermore, inclusive policy measures had been a norm in the "distributive" dimension in administrative practices. By the mid-1970s, the "regulative" dimension of norms turned decisively toward multiculturalism by recognizing the rights of immigrants and minorities to choose their cultural identification and political participation freely. These three dimensions formed a normative system that has sustained the inclusive character of the Swedish immigration policy regime.

In Japan, the Ministry of Justice kept its monopoly on the policies concerning foreigners and immigration. Consequently, the normative system of Japan's policy regime was doomed to stall in the "constitutive" dimension, which eschews recognition of non-Japanese as permanent residents or fellow members of the society. Possibilities for a comprehensive norm system ranging across the "regulative" and "distributive" dimensions are questionable, even though skilled workers are welcomed to respond to the business demand.

However, we should note that any norm system is politically and/or administratively (de) constructed, unlike a "cultural idiom" that is supposed to be perennial. It is future tasks to explore whether and how the normative systems of immigration policies will be transforming in Sweden and Japan while consolidating in Denmark.

Table 1　The immigration policy regimes and normative systems in Sweden, Denmark, and Japan

	Sweden	Denmark	Japan
Politicization	Positive De-politicization	Negative Politicization	Negative De-politicization
Immigration policy	Inclusive	Restrictive Turn	Highly Restrictive
Normative System	Complementary Inclusion in All Norm Dimensions	Controversial in Distributive and Regulative Dimensions	Closing the Door to *denizens* in Constitutive Dimension

Notes

1) *Report of the Special Rapporteur on the human rights of migrants,* Jorge Bustamante, Addendum, Mission to Japan, A/HRC/17/33/Add.3, March 21, 2011.

2) *Regeringens proposition om riktlinjer för invandrar- och minoritetspolitiken m. m*. Proposition 1975:26

3) For example, see Migrationsinfo.se (https://www.migrationsinfo.se/valfard/boende/hela-sverige-strategin/)

4) *Aftonbladet* (online: mån 11 jun 2018), «LO-väljarna vänder Löfven ryggen – SD växer kraftigt bland arbetare»(https://www.aftonbladet.se/nyheter/samhalle/a/P3z7ER/lo-valjarna-vander-lofven-ryggen--sd-vaxer-kraftigt-bland-arbetare)

5) *Socialdemokratiets indvandrerpolitik", arbejdsprogram 1982* (http://www5.kb.dk/pamphlets/dasmaa/2008/feb/partiprogrammer/object34603/da/)

6) Danmarks Riges Grundlov af 5. juni 1953，§75.

7) *Berlingske* (online), 21.09.2019, "Pia Kjærsgaard opfordrer til regering med S, V og DF: »Vi

kan udrette enormt meget sammen«" [https://www.berlingske.dk/politik/pia-kjaersgaard-opfordrer-til-regering-med-s-v-og-df-vi-kan-udrette-enormt]

8) "Concerning the disposition of nationality and family register matters regarding Koreans, Taiwanese, and others, associated with the effectuation of the Treaty of Peace," dated 19 April 1952, Civil Affairs A, No. 438.

9) The Ministry of Justice, Eiju Kyoka ni kansuru Gaidorain [Guidelines for Permanent Residence Permit] (May 31, 2019).

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