



What comes first, language or work?

Linguistic barriers for accessing the labour market

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11. What comes first, language or work? Linguistic barriers for accessing the labour market

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INTRODUCTION

Knowledge and proficiency in the national language of a host country is a first step for mobile European Union citizens to integration in another Member State. Language is a powerful vehicle not only for communication of information and daily exchanges, but also for national cultural ways of expression. Being able to interact with fellow citizens can improve not only the quality of life and democratic participation of the individual, but also their chances of actively participating in the labour market.

Inevitably though, having to learn a foreign language in order to work and settle in another country is a factual barrier for professionals who want to enjoy their Union citizenship rights of free movement and establishment. Moreover, the language proficiency needed in order to perform a professional activity tends to be at a high level, requiring in-depth knowledge of the foreign language in order to perform work-related tasks. More informal exchanges with co-workers also require a linguistic knowledge that goes beyond the bookish or more theoretical proficiency. Thus, linguistic barriers may hinder Union professionals from enjoying their economic rights to exercise their professional activity in another Member State.

The European Union acknowledges and promotes the cultural linguistic heritage of each Member State in asserting the principle of multilingualism (Kjær and Adamo 2011). At a national level in Denmark, knowledge of Danish goes hand in hand with the learning of national values and traditions, and, along with self-sufficiency via employment, they are key elements of integration as directly stated in the Integration Act. Along with inclusion in the labour market, politicians and legal Acts pinpoint language as a vital factor for integration in the Danish society. Consequently, a number of legal instruments sustain the acquisition of language formally

and practically via language classes and courses. Yet, this fair expectation of language acquisition sometimes takes the form of a barrier, in that a certain (quite high) level of Danish language proficiency is required for performing a number of jobs. Naturally, proficiency in Danish language can be expected from those who want to perform a professional activity that has a relevant impact on the general public (for example, teachers, police officers, legal professionals), but proficiency is also often required for jobs where contact may be limited, and thus the requirement appears somewhat irrational (for example, postmen, bus drivers).

These requirements affect both Union citizens and third-country nationals. For this latter group of residents, knowledge of Danish can also be coercively imposed in many instances, and potentially affect the outcome for the application for core citizenship rights such as family reunification, permanent residence permit and naturalization.

In the following, I investigate the role of linguistic barriers in a national context, using the Danish example as a case study for the transition of linguistic knowledge from *de facto* barrier to legal barrier. I critically analyse the political rationale behind the linguistic requirement, exploring its context and evaluating its legal implications. The objective is to draw lessons from a Member State that lays a great deal of cultural value on the knowledge of its national language, thus arguably hindering participation in society, and in the labour market, for foreigners who do not master Danish. At the same time, the Danish government and authorities put great effort into legislating on linguistic issues and offering language proficiency classes at a relatively low cost for all foreigners with a valid residence permit in Denmark. Thus the leading research questions in this chapter are: how do linguistic barriers emerge in practice in the national context of a Member State, which closely ties knowledge of the national language to cultural participation in the society at large? What kind of learning, cultural, employment-related and legal barriers may ensue in such a context? And finally, what can the European Union learn from this account, about the possibility to remove some of these barriers via new policies and rules?

LINGUISTIC BARRIERS IN PRACTICE IN DENMARK

In this section, I explore three barriers that may affect the access of Union citizens and professionals to the Danish labour market, understanding this right under the label of economic rights of European citizens. An explanation of the linguistic national context will serve as a backdrop for the analysis.

The official language in Denmark is Danish. The language is not protected on a constitutional basis. The vast majority of citizens in Denmark (more than 90 per cent of the population) are native speakers of 'Standard Danish' (*Rigsdansk*), that is to say, the Copenhagen version of Danish. Nonetheless, there is indeed a situation of heterogeneity of languages spoken, such as regional variations of Danish (for example, *sonderjysk* – Danish spoken in Southern Jutland), Greenlandic, Faroese and other minority languages (Normann Jørgensen and Holmen 2005, p.153).

Within the Kingdom of Denmark, there are two national minorities with their own languages: in Greenland and the Faroe Islands.¹ There is also a bilingual Danish/German minority in the German state of Schleswig-Holstein, bordering with Denmark, where Danish is recognized as a minority language, and supported and taught in schools. However, the official language in Denmark remains Danish, while in Greenland and the Faroe Islands we encounter a situation of co-official languages; more subtly put, in the Faroe Islands we encounter a situation of genuine bilingualism, while in Greenland there is still a considerable Danish-speaking minority and growing bilingualism (Hetmar and Normann Jørgensen 1993, p.80). Thus, I will take the linguistic barriers that Union citizens experience when moving to Denmark and learning Danish as a starting point, not including in the analysis the minority languages of Greenlandic and Faroese.

The fact that a lack of knowledge of Danish impairs access to the national labour market is a known fact to political actors, enterprises and citizens. The political actors have implemented legislation devoted directly to the language education of adult foreigners in Denmark since 2003. Most recently, a section in the Integration Act² from 2010 and the legislation on Danish language education³ from 2014 now specifically include European Union (EU) citizens who reside in Denmark pursuant to EU rules on free movement and establishment of workers and free exchange of services, offering specific language courses of intensive Danish language classes targeting inclusion in the labour market (so-called *arbejdsmarkedssrettet danskundervisning*). Union citizens who are cross-border workers in Denmark are also entitled to this kind of introductory course in Danish, and also in a number of cases where the cross-border worker is not in employment they maintain their right to language education.⁴

Enterprises and companies are also attentive to the fact that linguistic proficiency helps foreign staff in achieving a better foothold in a Danish workplace. To this purpose, private businesses and public employers offer Danish classes to their employees, also in individual courses, in order to support their learning process. These courses can be very expensive when personalized and tailored for a specific linguistic need. For example, in

April 2017, Danish local media disclosed that the regional hospital in Southern Jutland had spent a remarkable amount of 412421 DKK (c. €55 400) for extra lessons to eight foreign doctors, in order to remedy their linguistic deficiency when speaking with patients and other staff.⁵ Finally, both Danish and foreign citizens share a general feeling that knowledge of the Danish language is pivotal for inclusion in the Danish labour market. This is of course not only a specific Danish case, since a successful working environment also in other countries counts on a general positive atmosphere where a shared language is the vehicle for both work-related but also more informal information and exchanges.

In order to more specifically analyse how the (missing) knowledge of Danish interplays with access to the labour market, I differentiate between three types of factual barriers that in my view play a role in this context: learning barriers, cultural barriers and employment barriers. Each of these barriers is analysed in the following, and later I present evidence for the shift from *de facto* to legal barriers.

LEARNING BARRIERS

Notwithstanding the fact that the Danish education for foreigners (Danish as a second language) is well structured and widely available, Danish remains a very difficult language to learn for newcomers. The language is of Northern Germanic origin and presents beginners with a large number of phonemically distinctive vowels that are characteristic of this language only, rendering Danish an extremely difficult language to learn. The sounds of a particular vowel or consonant can assume different tones depending on the word in which they are inserted; for example, the consonant 'd' is pronounced as a hard d in *Danmark* and as a soft d in the adjective *sød* (sweet). The phoneme may also not appear as sounds in other languages; in the aforementioned example, the word for 'sweet' is phonetically represented as [søð] where the sounds for ø and d are not used in languages of Latin derivation, for example. For a non-native it is not possible to know which tone a vowel or consonant will assume unless the entire vocabulary is learned, practised and memorized. As such, learning the language requires active participation in classes, where students can practise the pronunciation and the teacher may correct them, alongside attentive preparation and homework.

Danish language courses are organized so that the attendees can work and learn the language at the same time, sometimes in intensive programmes. The workload of a Danish language class can reach a substantial number of hours per week. For example, the basic Danish course for the

labour market, the objective of which is to acquire basic language skills in order to be able to hold one's own in workplaces, education and daily life situations (A1/A2 level on the Common European Framework Reference), requires five courses of 50 hours each. A typical module course would entail three to four hours weekly for a period of 12 to 18 weeks, not including the preparation time – and the possibility of failing the test at the end of each section of the module, which would slow down the advancement on the module ladder. Union citizens have been able to participate in this labour market-related Danish course since 2014. The many hours required in order to progress in the language courses may interfere with job, education or other life situations, and thus impose a learning barrier. It is very difficult in practice to combine language courses and a full time job and at the same time settle in a new country, in that the worker or student has to balance work obligations with home assignments and late evening classes.

Moreover, the native Danish population is very proficient in English. Denmark being a small country, it is inevitable that its inhabitants and economy rely on knowing foreign languages in order to interact, for example, with foreign business partners. German and Swedish were widely used (for historical reasons) and taught in schools during the first half of the last century. Nowadays, the use of English is widespread and most Danes, from school-aged children to senior citizens, have good English understanding and speaking skills. Danish primary and lower secondary schools have English language on the curricula, and English may be the language used in higher education courses at Danish universities. Danish companies with an export market and multinational firms based in Denmark also use English as a *lingua franca* in their offices and for business transactions.

On the one hand, the general knowledge and use of English in Denmark facilitates access to the labour market and society, as the experience of most foreigners is that they will be understood, and understand, if they speak English to Danish people. On the other hand, this also means that foreigners have trouble practising spoken Danish, as most Danes will automatically switch to English when in contact with a foreigner who still has not mastered the national language. Basic interactions between ethnic Danes and foreigners can be conducted in this common language, thus depriving the foreigners of the possibility to practise their Danish skills; and depriving the Danes of the possibility to get used to hearing Danish spoken with a foreign accent as well. According to Van Parijs, one of the elements that explains the dissemination of the widespread use of English in the world is precisely a factor called 'maxi-min language use', that is to say, the systematic selection of English in a group, thus maximizing the minimum knowledge of its members and minimizing exclusion in a conversation (Van Parijs 2011, p. 14). One may assert that a similar dynamic

also takes place in the interaction between Danish native speakers and foreigners.

Finally, besides preferring to speak English with foreigners, native Danish speakers are not used to hearing Danish spoken with an accent. 'Standard Danish' is the language spoken in Copenhagen, not accounting for regional variations. Pupils in Danish schools are not trained to hear Danish spoken with any type of accent from other regions or other countries; Danish pupils learn in school that there is only one ('correct') way of pronouncing words, meaning that they do not learn, as the rest of the native speakers, to understand foreigners who speak Danish with an accent (Normann Jørgensen 2009, p. 18). This factor raises the expectation for a level of pronunciation that is not possible to attain within the first months (or years) of learning Danish. In turn, by not being able to practise the spoken language, foreigners may experience hitting a plateau in their learning curve.

In sum, these are all learning barriers that foreign professionals may experience when establishing themselves in Denmark: approaching a very phonetically complicated language, having to juggle their schedule between work and Danish classes, and dealing with the limited possibility of practising their new skills outside of the classroom. Apart from these initial learning barriers, foreigners are also challenged by cultural barriers when learning Danish.

CULTURAL BARRIERS

The Danish national language is closely tied to a common understanding of national cultural values. In this perspective, literature, history, traditions, songs, even movies and anecdotes related to Danish society, form the fabric of interaction between foreigners and Danes. Naturally, the acquisition of these national cultural values passes through the acquisition of the Danish language. A non-mastering of the national language could then be characterized as a barrier towards an understanding of Denmark as a host society. There is a 'heavy ideological weight' carried by the national language in Denmark, where language, culture and nation still survive in the public and political debate, leaving very little room for adjustment to and protection of existing (or new) linguistic minorities (Normann Jørgensen and Holmen 2005, p. 156). Moreover, the teaching of Danish occupies a very important role in the educational curricula of public schools, also as a carrier of national identity and values.

Another cultural barrier is represented by the lack of a multicultural awareness in Denmark. As witnessed by the surge of populist Danish

People's Party, the country's citizens cherish an image of 'Danishness' that is very homogeneous. At the same time, the legislation on immigration and integration in Denmark echoes a background idea of state and nation that is identical: to be a member of the 'Danish nation' in a liberal understanding, everyone in the country must then 'become Danish' (Lægaard 2005; Adamo 2012). A factual, unspoken barrier may then be this assumption that a high level of linguistic proficiency is also a sign of integration, as it is a vessel for identification with the Danish native population. The issues of mutual adjustment, language maintenance and bilingualism or multilingualism are not acceptable standpoints, and precedence must be given to the approach epitomised by the question of 'how we best can help the immigrants to learn Danish ways' (Hetmar and Normann Jørgensen 1993, p. 85).

Being such a strong vehicle for culture, language may constitute a barrier because the foreigner will feel a very strong push towards learning the language in order to be integrated in the host society. This can be perceived positively as an incitement, but also negatively as a hindrance, as it is quite clear that in order to positively integrate in the Danish labour market it is also expected and necessary to integrate into Danish society via the language. Especially as regards new citizens in a host country, it is fair to expect and demand that they master the official language enough to engage not only in working activities, but also in civic activities such as voting in elections and participating in public debates (Kymlicka 2002, p. 353). At the same time, this expectation may lay the weight and responsibility of the integration process entirely on the shoulders of the foreigners.

An interesting case from 2010 decided by the Supreme Court⁶ illustrates how the predominant cultural understanding of what 'proper' Danish is (and sounds like) can have an effect on Union citizens' access to the labour market. In this case, a Dutch citizen moved to Denmark in 2001 and started working in telemarketing for the German and English market of a Danish company in September 2002. By the end of 2002, he had passed one of the highest tests for Danish language and proficiency that qualify students to enter university (*Studieproven*), with the second-highest grade. In late 2005, he was laid off because the German market department he was working in was closed, and only the Danish market department remained. Only two workers in that department (a Danish national with one year's job experience and the German leader of the department, who was involved in the cuts), were retained; along with him, the other employees who had customer contact and were laid off were all foreigners. There was very little difference between the old functions and the new functions in the new department. The main difference was that the new department went from selling magazines to the German market to selling movies to the Danish market.

At this point, the Dutchman had lived for four years in Denmark and was speaking Danish fluently. He had never experienced any problem with talking in Danish at work, he had not been criticized for his performance or Danish pronunciation, and he had enrolled in a Danish course voluntarily. The Union representing the Dutchman in court maintained that he had been discriminated against because he did not speak 'flawless' Danish, which is of course an unreasonable expectation from foreigners who speak another language besides their mother tongue. The employer maintained, conversely, that in order to sell a product via phone marketing on the Danish market a language requirement is an objective and justified requirement, which does not lead to indirect or direct discrimination on the basis of nationality.

The Supreme Court went with the arguments in favour of the company, and found that there was no direct discrimination because the Dutch national had not been laid off on grounds that he was Dutch, but because the department had been reorganized. In addition, the Supreme Court did not find that there was indirect discrimination, because the requirement to speak Danish perfectly on the phone was a justified and proportionate requirement, and the employer had a certain discretionary power in assessing whether the Dutch employee had the necessary knowledge of Danish in order to perform his tasks. This logic might seem hard to follow for some, in light of the fact that it was a minor flaw (only the pronunciation) which was determinant for the lay-off.

This aversion to the foreigners' spoken language performance may then constitute a barrier for the Danish labour market. Similar barriers towards non-ethnic Danes on the labour market have been debated more than once in the news, after it emerged that telemarketers were asked to change their name to a more Danish-sounding name (for example, from 'Ali' to 'Casper', or from 'Niddal' to 'Michael') in order to increase trust in the customers at the other end of the line, and thus increase sales, as indeed happens in many cases.⁷

The most important barriers as regards language in Denmark appear to be factual and ingrained in a particular view held by the native-speaking population as regards language. Sociolinguistic studies have argued that Denmark is a 'particularly centralizing and uniform society with respect to language variation' (Ritzau et al. 2009, p.256). The majority of Danes appear to be unwilling to accept deviations from their way of pronouncing Danish, thus not accepting (and not understanding) people who speak with an accent. Denmark is not the British Empire, after all, where as a result of the colonial times there are parts of the population residing in the United Kingdom speaking English with a peculiar accent, such as Indian, Australian, and so on. Moreover, recent studies have highlighted

a slightly disturbing tendency in Danish native speakers to ‘rank’ accents in a hierarchical scale, where they evaluate some accents to be better than others (Germanic accents better than Eastern and Southern European accents, which in turn sound better to them than Middle East and Asian accents; cf. Ritzau et al. 2009, p. 261).

These preferences for certain accents are said to account for ‘deeply rooted stereotypes and pervasive views on non-native accents’ among majority Danes, who seem to be ‘prejudiced and influenced by the general negative social and political view on foreign immigrants in Denmark, particularly from the Middle East, Africa and Asia in the beginning of the 2000s’ (Ritzau et al. 2009, pp. 262–263). Thus, from these studies it emerges that Danish is a very difficult language to learn, also because the Danish speaking community is ‘less tolerant’ to the point of being considered ‘closed, arrogant and only [letting] others in according to a very hierarchical principle favouring Germanic speakers’ (Ritzau et al. 2009, pp. 267–269). These perhaps radical academic views are confirmed, however, by innumerable anecdotal accounts of foreigners, including highly educated professionals and Union citizens, after moving to live in Denmark.

EMPLOYMENT-RELATED BARRIERS

All the above-mentioned factors form factual barriers that may impede Danish language acquisition by foreigners. Danish is required not only for daily interactions, or to enrol in schools or other educational institutes, but of course also to actively participate in the labour market. Union citizens may be required to fulfil a certain linguistic requirement of Danish in order to enter schools and university. Applicants have to provide specific certificates after attending classes, by means of assessment and passing obligatory exams in designated and approved Danish language schools. The procedures for language education are set by ministerial order based on the Act on Danish Language Education for Adult Foreigners. Language requirements constituting barriers affect both Union citizens and third-country nationals. Union citizens are in many cases not required to prove that they have passed a Danish language test in order to be employed (for example, in the case of employment of healthcare professionals, although they are nonetheless expected to speak and understand Danish).

There are limited areas where non-Danish speakers can work in Denmark. On the one hand, there are highly specialized corporations where the working language is English because the majority of employees have an international background. These workplaces will in most cases

employ highly skilled workers, who Denmark, as the rest of the European Union, is very keen on attracting including by means of specific job schemes and immigration rules (Wind and Adamo 2015). On the other hand, there are sectors such as transportation, cleaning services, and the hotel and service industry where customer contact may be limited and thus the requirement of Danish language proficiency may not be especially high. Even when they are employed in low-skilled jobs, Danish is required for collegiality purposes, if not directly for work-related purposes.

Understandably, by law, many jobs require Danish language proficiency, so language knowledge is used to screen candidates and this legitimate requirement may prevent Union citizens from accessing the Danish labour market. Linguistic requirements are expressly mentioned for lawyers and healthcare professionals, besides the requirement for public officers such as judges and police officers. For EU lawyers, the linguistic requirement of knowledge of the Danish language at a level that makes it possible to act in court is also established in the Administration of Justice Act (in connection with the trial period before authorization).⁸ Specific language certificates are required from professionals coming from a non-EU third country. For example, health professionals must demonstrate Danish language proficiency by passing a Language Test 3 (*Prove i dansk 3*) in order to get authorization to practise in Denmark.

A sector where language proficiency is enforced is the appointment of professionals in the context of medical professions, which is regulated by the Danish Health Authority (Sundhedsstyrelsen). The authority issued a set of guidelines on employment of foreign professionals, which are informative as regards the Danish linguistic proficiency expected by the medical personnel (Sundhedsstyrelsen 2016, p. 19). The guidelines take as a starting point the fact that the population must have trust in the health professionals in Denmark, as providers of qualified and secure health services. The responsibility for checking that the health professionals appointed are in possession of the necessary qualifications for the job depends on employers and hiring institutions, and central authorities. The employers have the responsibility to set in place good routines during the hiring process that lead to hiring the best-qualified professionals and at the same time ensure that they are familiar with the regulations enforced in the health sector. The central authorities have the responsibility of enforcing the rules on authorization and recognition of educational and professional qualifications.

As regards the language requirement for citizens educated in the EU or European Economic Area (EEA), the Danish Health Authority states that in connection with the issuing of an authorization, it is not allowed to require a certificate stating that one has passed a test in Danish language

proficiency. This is also valid in case of a provisional authorization for a trial period of employment. It is thus expected that the employer makes sure before hiring EU or EEA health professionals that they are in possession of the Danish proficiency and communication competences required by the job they are applying for. In cases where this expectation is not met, the employer is expected to terminate the employment. In cases of any minor linguistic problems that can be corrected via a language course, the employer may offer such a course. For health professionals coming from third countries, a certificate of proficiency in the Danish language is a precondition for starting the authorization procedure. Moreover, the Danish Health Authority stresses the importance of evaluating how a third-country health professional actually performs in language and communications. The passing of a test in the case of third-country nationals is thus not necessarily a guarantee of professional competence in communication, and the health professional must therefore 'continuously be monitored' by the employer.

The Administration of Justice Act (*Retsplejeloven*) states that any woman or man holding voting rights for the Parliament can be appointed as a member of a jury or board, except in those cases where they do not possess a sufficient knowledge of the Danish language to be able to perform the duties expected.⁹ In most public offices a linguistic requirement is, though, not regulated and/or enforced via a specific Act or executive order. Nonetheless, it is extremely rare to hold a job in a public office without knowledge of and high proficiency in the Danish language.

The fair expectation of language acquisition by foreigners may at times take the form of a barrier to accessing the labour market, insofar as a certain level of Danish language proficiency is required for performing a relatively large number of jobs. Naturally, proficiency in the Danish language can be expected from those who want to perform a professional activity that has a relevant impact on the general public (as mentioned above in the case of legal and health professionals, or police enforcement), but it is often also required for jobs where public interaction may be limited, and thus the requirement appears somewhat irrational (for example, postman, warehouse employee).¹⁰

In many cases there can be a factual but unspoken barrier constituted by the employer's difficulty over employing a foreigner who does not speak Danish (or preference for Danish-speaking applicants) if a large majority of their customers are Danish; if all of their materials, intranet, and so on are in Danish; and if the colleagues already employed lack the skills or will to speak another language. Collegiality in Danish in the working place is another factor that speaks against employing someone who has not mastered the Danish language.

Lately, Danish employers have complained about the lack of a sufficient workforce in Denmark and would like to employ people who do not speak Danish, but they are confronted by legal barriers. For example, it is necessary to obtain a driving licence by means of a Danish exam in order to become a bus driver. For companies in dire need of employees, a language requirement like this is a real barrier to opening the doors to non-Danish-speaking personnel. In the spring of 2016, the leader of one of the largest companies operating public transport in Denmark criticized the rules requiring knowledge of the Danish language in order to obtain a bus driving licence. Without this rule, the company stated that it would be able to hire up to 250 refugees and at the same time solve the problem of recruiting a sufficient number of drivers per year.

LEGAL IMPLICATIONS OF LINGUISTIC BARRIERS

There is also evidence of a shift from *de facto* to legal barriers in the context of linguistic requirements for foreigners. As mentioned above, the legislator has included Union citizens in the group of foreigners who can be offered language courses tailored to enabling inclusion in the labour market. Thus, although they are not included in the group of citizens who are expected to follow a formalized integration programme (as refugees and family-reunited foreigners are), the scope of the provision on Danish language proficiency in the integration act has been expanded to include Union citizens.

The use of language for the integration of third-country nationals also represents a shift from a *de facto* to a legal barrier. Advanced knowledge of Danish is required in order to obtain civil rights (identified as core citizenship rights; cf. van Eijken and Phoa 2016), such as family reunification, permanent residence and naturalization (Adamo 2008). Consequently, third-country nationals may experience exclusion from the labour market and the society if they are unable to master the official language.

Union citizens do not experience the same type of 'coerced' inclusion into the linguistic community as third-country nationals, but they still may experience problems in accessing the labour market on grounds of linguistic diversity. Thus, *de facto* linguistic barriers affect different categories of foreigners living in Denmark as regards a variety of legal matters.

CONCLUSION

The linguistic barriers that Union citizens may experience when they settle in another Member State emerge in several forms. These can include

obstacles to learning a specific language, relating to its grammar and/or pronunciation. Linguistic barriers can also reveal themselves as obstacles related to the cultural assumptions about the necessity to master the official language in order to be a fully fledged member of the host society. Employment-related linguistic barriers may be enforced to protect the interests of the public in the host country (for example, for legal and health professionals); and finally, linguistic barriers can impair the achievement of other citizenship rights beyond the insertion into the labour market.

As the examination of the Danish case has shown, it is difficult to establish what comes first in the movement between legal and factual barriers as regards linguistic requirements. Do legal barriers create factual barriers and hinder access to the Danish labour market; or, in turn, do factual barriers spur the adoption of legal barriers? Notwithstanding which may be the point of departure, in order to formulate legal instruments that address the question of lifting linguistic barriers it is pivotal to analyse in depth which forces and concrete questions influence access to the labour market in a host society.

In this effort, in order to understand and address linguistic barriers at a domestic level, it is necessary to focus on the basic conceptual and normative elements of the legislation. It is in fact possible to place a certain assumption of cultural and linguistic assimilation at the basis of national legislation on linguistic proficiency for foreigners, including foreign professional Union citizens, that spans a variety of legal contexts and affects the inclusion of mobile citizens in the labour market.

The lessons drawn from the Danish example can inspire recontextualization of the meaning of linguistic barriers in other Member States as well. Without a closer understanding of this foundation and of the complex narratives and dimensions that create it, it is not possible to enforce top-down European policies that can remove the linguistic barriers for professionals who want to exercise their economic rights as Union citizens.

NOTES

1. The Danish realm comprises Greenland and the Faroe Islands, which have the particular status of autonomous provinces, regulated by the Self Government and Home Rule Acts and by the Danish Constitutional Act. The constitutional unity of the realm therefore comprehends three equally standing parts: Denmark, Greenland and the Faroe Islands (*Grundloven*, Article 1). However, neither Greenland nor the Faroe Islands are part of the European Union and are thus not subject to EU law. As such, although they are linguistic minorities in the Danish realm, the particular cases of Greenlandic and Faroese will not be examined.
2. Article 2 (4) no. 9 in the Integration Act, *Integrationsloven*, LBKG no. 1094 of 07.10.2014.

3. Act on Language Education for Adult Foreigners, *Bekendtgørelse af lov om danskuddannelse til voksne udlændinge m.fl.*, LBK no 772 of 10/06/2015; Ministerial Order on Language Education for Adult Foreigners, *Bekendtgørelse om danskuddannelse til voksne udlændinge*, BEK no. 901 of 29/06/2017.
4. Art. 2 in the Ministerial Order on Language Education for Adult Foreigners.
5. Rasmus Just, *Ekstra sproghjælp til otte læger*: 412.000 kr., *JydskeVestkysten*, 10 April 2017.
6. *Ugeskrift for Retsvæsen* (Danish Weekly Law Gazette), U.2010.1415H.
7. See 'Non-ethnic Dane telemarketers use Danish cover names' (*Nydanske telefonsælgere bruger danske dæknavne*), 1 November 2010, www.politiken.dk/indland/ECE1098354/nydanske-telefonsaegere-bruger-danske-daeknavne/, accessed 17 July 2017; 'Ali does not work: call yourself Allan instead!' (*Ali duer ikke: Kald dig hellere Allan!*), 15 September 2014, www.avisen.dk/ali-duer-ikke-kald-dig-hellere-allan_283169.aspx, accessed 17 July 2017; 'Dorthe rather than Nafisa: employees drop foreign names on the telephone' (*Dorthe frem for Nafisa: Ansatte dropper udenlandske navne i telefonen*), 11 May 2016, www.dr.dk/nyheder/indland/dorthe-frem-nafisa-ansatte-dropper-udenlandske-navne-i-telefonen, accessed 17 July 2017.
8. Article 135a in the Administration of Justice Act no. 1257 of 13.10.2016, *Retsplejeloven*.
9. Article 69 in the Administration of Justice Act.
10. The arrival of thousands of asylum seekers in 2015, and generally in the last decade, entails that on the one hand they are expected to work and be self-sufficient as soon as possible. On the other hand, the labour market cannot offer employment to workers who are low-skilled.

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