Citizenship and Immigration

Christian Joppke

polity
nation and nationalism and the classic question of what integrates society.

Under the ambit of “citizenship studies” separate literatures have evolved about each of these dimensions of citizenship, with very little attention to developments in the other dimensions and an accordingly low degree of attention to cross-dimensional dynamics and impacts. Furthermore, a tendency in much of these literatures is to decouple citizenship from the state, arguing that membership and allegiances are now invested in collectivities and organizational forms smaller than or transversal to the state, such as cities or ethnic groups, or larger than and superordinate to the state, as in the talk of global citizenship. This book offers a counterpoint to exorcizing the state from contemporary citizenship studies. My démarche is to fold citizenship back to what it essentially is: a status denoting membership in a state, and to shed light from there on citizenship’s rights and identity dimensions, with particular attention to the changes that all three dimensions have undergone in the context of international migration in the human-rights era.

While its geographic scope is not narrow, this is still a book about the usual suspects, or, as one might say, a view from the comfort zone. No doubt there is dire need to understand better the “upside-down” world of non-Western, developing countries’ citizenships, in which “state membership is blurred, the causal relation between status and benefit is sometimes reversed, and people make seamless transitions from illegal immigration to full citizenship status” (Sadiq 2009: 27). Moving the lens from the West to the Rest might not just show a world of difference but also reveal surprising communalities – such as that citizenship “ceases to provide a common national identity” or a lessening “sense of obligation to the state” (ibid.: 197). But this is an inquiry that would require another book and another author too.

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Citizenship is a notoriously polyvalent concept, with many meanings and applications. A recent *Handbook of Citizenship Studies* (Isin and Turner 2002) includes entries on sexual, cultural, and ecological citizenship, to name just a few of the many kinds of citizenship on offer today. However, most definitions of citizenship still conceive of it as “ineradicably political” (Smith 2001: 1857). As Rogers Smith further explicates, citizenship’s “oldest, most basic, and most prevalent meaning is a certain sort of membership in a political community” (ibid.). If there is hardly a definition of citizenship that does not conceive of it as pertaining to the political,1 the question arises: What is “political”?

There are at least two answers: a normative and a factual.2 The normative answer goes back to the Greek polis, which invented the idea of the “human production of social order” (Popitz 1992: 12). Here the political is about the Machbarkeit of order, the possibility to generate order and not just to let it happen. Implicit in this is the notion of something “better,” because otherwise there would be no point in change: “To the idea of the political belongs the belief in the possibility to produce a good order” (ibid., emphasis added). From here began the search for the best constitution, and the articulation of the principles to evaluate it: justice, rule of law, equality under the law (*isonomia*). This has been the stuff of political thinking from Plato to Montesquieu. However, as the modern experience would show, such normative politics, driven by the search for a better, could eventually be limited
The Concept of Citizenship

to one sphere. In the age of modern mass democracy, where state and society are not separate but mutually implicated, there is an endemic tendency for normative politics to become ubiquitous, thus dodging our exit proposition of citizenship as “membership in a political community.” A normative definition of the political leads to the idea of “citizenships,” in the plural, and thus to the hyphenated citizenships of today.

Conversely, only a factual definition of the political allows one to conceive of “citizenship” in the singular, which today means state membership. Key to the non-normative tradition of the political is the idea of order as containment of violence. This tradition’s most lucid and penetrating, if controversial, document is Carl Schmitt’s Der Begriff des Politischen, written on the eve of the twentieth century’s darkest moment ([1932] 1963). At the most general level, Schmitt conceives of the political as one of the many spheres of society, much as there are, in addition, religious, cultural, economic, legal, and scientific spheres, to name just a few. Each sphere orders the world from a specific vantage point: “true” versus “false” in science, “good” versus “evil” in religion and morality, “efficient” versus “inefficient” in the economy, etc. The specifically political distinction, this is Schmitt’s controversial proposition, is that between “friend” and “enemy.” His radical proposal is to separate politics from morality. This has often been misperceived through the lens of Schmitt’s dubious sympathy for Hitler and Nazism. However, there is profound insight here into the frail and precarious nature of human existence and sociability, which in modern political thinking had been prominently made by Thomas Hobbes: insight into the physical dangers that human beings represent to one another, and which drives them into the creation of an “artificial body” (Hobbes [1651] 1998), the state, that protects them from the ubiquitous possibility of violence. In this respect, the political is not just one of the many spheres and forms of human association, but the one that is “paramount” because related to the Ersatzfall of violence and physical annihilation (Schmitt 1963: 39). The political is the terminal human association, the one that cancels out and subsumes all others. In fact, as Heinrich Popitz argues in the Hobbes-Schmittian

tradition, the political is tantamount to the “idea of order” itself, which is born out of the “fear of violence” and the “counter-motif of security” (Popitz 1992: 61).

At the same time, more than constituting an own sphere, the political denotes the “degree of intensity” of a human association or disassociation; more precisely, the political is the “most intensive and extreme” (Schmitt 1963: 30) of associations that trumps the others, and which can be “reached from the economy as from any other sphere of society” (ibid.: 72). In this sense, the political is transversal to the other spheres of society, as it can be reached from any point in it. However, short of civil war, in modern society the political becomes identical with the state, as this is the only association that has “power over the physical life of human beings” (ibid.: 48). This involves, internally, what Max Weber called the “monopolization of the legitimate use of violence” (Weber [1919] 1977: 8), whereby domestic society becomes a zone of “peace, security, and order” (which is the definition of Polizei, notes Schmitt 1963: 10); and, externally, the jus belli, the right of states to declare war. Always the reference of the political is violence and protection from violence. This is no Schmittian prank but the end point of the secular and unsentimental reflection on the political from Machiavelli to Max Weber. As Max Weber summed it up in his Politics as a Vocation, “For politics the decisive means is always: violence” (Weber 1977: 58).

If citizenship is “membership in a political community,” to reiterate Rogers Smith (2001: 1857), it is membership in that human association that trumps all others through providing elementary security and protection. As in modern society this “paramount” association is the state, citizenship denotes, and should exclusively denote, membership in a state. With Schmittian means one arrives at a parsimonious understanding of citizenship as state membership. Certainly, one may find fault with Schmitt’s existentialist, non-normative understanding of the political that is drenched in blood and leaves no space for the routine “politics” in the liberal-democratic state. But one must still acknowledge the fact that state citizenship is the only “citizenship” that is not just rhetorical and metaphorical but formal and institutional, a hard
fact in terms of the passport and a state's nationality laws and, by implication, immigration laws from which only citizens are exempt. Furthermore, from a Schmittian angle, one gets a sense of the enormity of the challenge that is posed to citizenship by immigration, because the immigrant is “the other, the stranger,” the protection from whom is the whole purpose of the political association (Schmitt 1963: 27). Conversely, one begins to appreciate the enormous civilizing achievement of facilitating, routinizing, and putting on a legal basis this boundary-crossing in today’s citizenship and nationality laws.

If reference to (a certain view of) the political allows for a parsi-monious understanding of citizenship as state membership, we are still dealing with “citizenship,” which is a profoundly liberal institution that centers on the individual, not the group. In Schmitt’s well-known scenario, liberalism is the despised “negation of the political,” as liberalism celebrates “individualism” (for the various meanings of individualism, see Lukes 1973). By contrast, “political unity” subsumes the individual and asks for his or her “sacrifice of life” (Schmitt 1963: 69fl.). As Schmitt rightly sees, liberalism is about “domestic struggle against state power” (ibid.), constraining the latter for the sake of individual freedom and private property. Liberalism thus opens up the black box of domestic politics that was sealed by the sovereign state’s internal pacification of society. And here is the point of entry for the hyphenated citizenships that had earlier been locked out by tying citizenship exclusively to the political sphere. Schmitt even realized this, in terms of his diagnosis that the classic state, in which the state had overlapped with the political, was giving way to the “blurring of the lines between state and society” in the age of modern mass democracy (ibid.: 25). However, what he misleadingly described as the “total state” that undid the “depoliticizations” of nineteenth-century society was really the arrival of total society, in which the status of political association was leveled to that of any other: economic, religious, or cultural association. In a way, the pluralist state theories of G. D. H. Cole or Harold Laski, which were ridiculed by Schmitt for enmeshing the individual in a plurality of simultaneous groups and associations, of which the political was only one, have come true, thus crossing out the Schmittian “truth” that “there is no political ‘society’ or ‘association’, but only a political unity, a political community” (ibid.: 45). In the age of globalization, this fact is registered, if greatly overstated, in terms of the death or demise of the nation-state.

Some three decades before so-called citizenship studies put the hyphenated citizenships of repoliticized society on a pedestal, Ralf Dahrendorf anticipated the latter in terms of “sectoral citizenships,” which he profoundly disliked for making modern societies “ungovernable” (1974: 697). Defining citizenship as “the generalized right to participate on equal terms,” Dahrendorf argues that there is an inherent tendency of such citizenship to move from its original site, the political sphere of the nation-state, to other sectors of society: “Once the seed of citizenship has been planted in a society, it will grow like ivy, not to say like weeds, until its outgrowth has covered as many members of a community in as large a segment of their social lives as is at all possible” (ibid.: 680). As social structure comes to invade the public sphere, we see the rise of “the economic citizen, the citizen in uniform, the church of citizens” (ibid.: 695), plus – one should add today – the hyphenated citizenships of contemporary identity-politics. Citizenship, one could argue, is the medium for the “generalization of suspecting the presence of power” (Generalisierung des Machtverdachts) that Heinrich Popitz (1992: 60) found endemic to modern democratic society, in which power is no longer concentrated in the state but has become “societalized” (vergesellschaftet).

Of course, these sectoral or hyphenated citizenships cannot be understood in Schmittian terms. They thrive on a normative, infra-national rather than inter-national understanding of politics as resisting coercive power wherever it raises its head, invoking the principles of equality and freedom that are also institutionalized in modern citizenship. Citizenship connotes the “rule of law” that is directly opposed to the “political” as the sovereign’s non-normative decision about the “exception” (Ausnahmezustand). The idea of citizenship is “isonomy” (Hayek 1960: 164), equal laws for all persons, in which the asymmetric power of people over other people is exactly abolished by the symmetric, and thus
freedom-enhancing power of the law. While citizenship is notionally tied to the sphere of the political, and at heart is membership in a state as “protection racket,”6 it also plants the virus of individualism that eventually dissolves this limitation and reduces the import of political association to that of any other association (or, rather, that politicizes the previously non-political spheres of society in a profoundly un-Schmittian sense).

Certainly, what appears here as result of a conceptual analysis is in reality the result of a historical process, the post-World War II transformation of the Western world from a Hobbesian zone of war into a Lockean zone of trade, which makes a Schmittian understanding of politics as group-level “friend–enemy” relationship increasingly implausible.

It is this historical process that forms the backdrop to the story of citizenship and immigration that will be unfolded in this book. At heart, it is a story of the mellowing of citizenship’s exclusive edges, which were once marked by nationalism and racism, and of the reverse strengthening of its inclusive thrust, which Linda Bosniak (2006: 2–4) has captured in the oxymoron of “alien citizenship.” But, at the onset, one must state the fundamental ambiguity of modern citizenship that is unlikely ever to go away: Rogers Brubaker (1992: ch. 1) characterized it as citizenship’s being “externally exclusive” and “internally inclusive.” We arrived at this distinction through situating citizenship in the political sphere, as which it is “externally exclusive,” but then tracing the reverse dynamics of the individualistic and egalitarian idea of citizenship, as which it is “internally inclusive” and subversive of its exclusive and boundary-setting dimension.

Citizenship in History

To better calibrate the distinct features and dynamics of modern citizenship, it may be helpful to review briefly what citizenship has historically been (a short overview is Gosewinkel 2001). Its birthplace is usually taken to be ancient Athens, in which a citizen was “one who both rules and is ruled,” to quote Aristotle’s famous definition. Ever since, there has been an intrinsic connection between citizenship and democracy. But, as is well known, classic citizenship was highly exclusive and based on formal inequality, as only the male chiefs of an oikos (family household), and thus not women and slaves, could be equal members of the polis (city). In the polis, citizens were to abstract themselves from the trivia of economic life and pursue non-instrumental, public goals that lifted human above animal life. Hannah Arendt ([1958] 1981) eulogized this as “acting” and “speaking,” pursuing the “good life” that is possible only in collectivity. But in reality, life in the polis was mostly about warfare.7 What since the eighteenth century has been called society, “this strange intermediate space in which private interests acquire public significance” (ibid.: 36), was locked out of the affairs of Athenian citizenship. The latter was emphatically political, devoted to the affairs of the paramount community, without any interference from the merely private.

However, Athens also invented a more fundamental, lasting aspect of citizenship that is easily forgotten in the focus on the political and democracy: citizens are strangers, rising above the primordial ties of family and tribe. Citizenship is civic. In Ulrich Preuss’s (1995: 275) evocative formula, citizenship allows “a kind of community in which aliens can become associates.” Or, as J. G. A. Pocock explicates the same condition, a “community of citizens is one in which speech takes the place of blood, and acts of decision take the place of acts of vengeance” (1995: 30). From the start, citizenship is a civilizing instrument that works against the boundaries that are also set by it.

If classical Athenian citizenship stressed the importance of political participation and public-oriented virtues, imperial Rome pioneered a more mundane understanding of citizenship as a “legal status, carrying with it rights to certain things” (Pocock 1995: 36). This is much closer to our contemporary, liberal understanding of citizenship (see also Walzer 1970: 205) because of its focus on individuals and their rights, the latter constituting an inner sanctuary, a private sphere into which no one is allowed to intrude. The underlying image of the individual is not one of zoon politikon, as group-forming creature, freely and directly associating with other
The Concept of Citizenship

individuals; rather, the image is one of the individual as a “possessor of things” (Pocock 1995: 35) whose relations with other individuals need to be regulated by law, because of the intrinsic competitiveness and zero-sum relationship that property entails. Roman citizenship, in being generously conferred on conquered peoples in return for their expected loyalty, was also the first that foreshadowed a modern understanding of citizenship as legal state membership.

In the medieval age, the classic, polity- or state-centered tradition of citizenship collapsed, as Augustinian Christianity came to relocate the membership that mattered from the corrupted “city of man” to the spiritual “city of God.” In the disparaged city of man, feudalism came to constitute a system of particularistic master–servant relationships that is directly opposed to the universalism and equality of citizenship (a concise account is Poggi 1978: ch. 2).

However, close to its etymological roots, citizenship survived as, and now became exclusively equated with, the status of free city-dweller in the Occidental city. As Max Weber famously argued, the Occidental city, with its focus on political autonomy, independent jurisdiction, non-primordial association, and the positive revaluation of economy and trade over the non-productive life of the chevalier and rural nobleman, was a virus that dissolved feudalism and prepared the coming of modern capitalism and state – “city air liberates” (Stadluft macht frei) (Weber [1921] 1976: 742).

Modern citizenship still required an extension of scope from the city-state to the territorial state. A unitary state membership, replacing the multiple and non-territorial master–servant relationships of feudalism, was first established by the absolutist state. Internally, the absolutist state flattened the autonomy and privileges of the old estates and erected a uniform rule of law instead; externally, it created a formal state membership that was based on birth and thus more exacting than mere residency to mitigate the problem of the migrant poor (see Brubaker’s discussion of Prussia, 1992: ch. 3). Such unitary state membership became democratically and nationally revalued in the French Revolution,

which transformed equal subjectship into equal citizenship, thus producing the modern citizenship that we know today.

Citizenship in Social and Political Theory

Given its rich and variable history, and its centrality for understanding the human infrastructure of the modern state, it is astonishing that citizenship has been touched on only peripherally in classic social theory. Weber was interested mainly in bureaucracy and political leadership in the modern state, glossing over its citizen dimension. Durkheim relegated citizenship to pedagogy and moral education, however important this may be for cohesion in modern society. Only Marx ([1843] 1978) produced a memorable entry on citizenship, if only in terms of a sarcastic denunciation. For him, individuals led a “double existence – celestial and terrestrial” in capitalist democracies, as heavenly “citizen” in the state and as earthly, self-regarding “bourgeois” in civil society. In Marx’s view, the formal equality of citizenship served only to mask the substantive inequalities of capitalist class societies. Much against what was ever held possible by Marx, for whom citizenship could never be more than a passive instrument of class rule, his analysis has since become key ammunition for the “complete citizen’s” march through the institutions (Dahrendorf 1974), sniffing up coercive power wherever it rears its ugly head, and heralding the many hyphenated citizenships of today.

Social citizenship

The most influential work on citizenship ever written was a direct answer to Marx (without mentioning his name). In T. H. Marshall’s Citizenship and Social Class ([1950] 1992), originally presented in 1949 as a series of lectures at Cambridge University, citizenship is nothing less than the peace formula that reconciled workers to capitalism. If the social question generated by capitalism was the twentieth century’s central fault-line, citizenship was the answer to it. By the same token, if Marshall was the first to
make citizenship an entry in the sociological lexicon, it was citizenship in the Roman tradition, as rights and benefits accrued to the individual by the state, and it was citizenship in its “internally inclusive” (Brubaker 1992: ch. 1) dimension only. Migration played no role in it.

In retrospect, one wonders how Marshall’s dry and tedious tractate, which includes long digressions on peripheral and by now forgotten prankes of British postwar social policy, could ever have achieved canonical status. The famous triad of successively evolving citizenship rights – eighteenth-century civil rights, nineteenth-century political rights, and twentieth-century social rights – is little more than a sleight of hand, with no presumption of constituting a “theory” that might be valid beyond the provincial English story being told here. Knowing that sociology was “on trial here in my person” (1992: 30) (sociology was still extra mures in 1950s Cambridge and Oxford), Marshall reiterated the empiricist and applied diction that had always marked the British social sciences at large. His was a politely conservative (should one say: English?) not a window-smashing, bid for entry.

The overall edifice of a world changed by citizenship is still compelling, precisely because of Marshall’s theoretical understatement and empiricist sense for detail. The lodestar of citizenship is equality. In Marshall’s definition, citizenship is “basic human equality associated with the concept of full membership of a community” (1992: 6). The politics surrounding such citizenship is profoundly unpolitical in the Schmittian sense, because its thrust is inclusive rather than exclusive, presupposing rather than creating the boundaries that are required for law and rights to be possible. Moreover, the focus is on the individual as unit of the citizenry, not the citizenry as composite. The only vaguely group-level remark is that citizenship “requires . . . a direct sense of community membership based on loyalty to a civilization which is a common possession” (ibid.: 24) and that the evolution of citizenship, in turn, coincides with the rise of “modern national consciousness” (ibid.: 25). But the thrust of this observation is that the ties that bind are not those of “kinship” and “common descent” but those of “free men endowed with rights and protected by a common law” (ibid.: 24). In other words, citizenship is civic, not primordial. If anything, this is a theory of constitutional patriotism, in which the “struggle to win those [citizenship] rights” (ibid.: 25) becomes constitutive of the national narrative itself. No hint is made that a fixed sense of national community might be the presupposition for citizenship rights, which could give ammunition to those who argue today that there is a “progressives’ dilemma” between ethnic diversity and welfare – that is, that both together are not possible (Goodhart 2004; see also chapter 2).

Marshall was not worried that citizenship might require something outside of it that it could not itself provide, such as ethnic homogeneity. Instead, he depicts citizenship as a great unifying and homogenizing force in itself, as creating a “unified civilization” (Marshall 1992: 47). If in the nineteenth century the capitalist and working classes faced one another as “two nations” (Disraeli), it was particularly the development of twentieth-century social citizenship rights that forged them into one. The result was not just “equalization . . . between classes as between individuals within a population which is now treated for this purpose as though it were one class” (ibid.: 33).

Marshall’s question was what citizenship does to class inequality. His answer to this is differentiated and even partially affirms Marx’s rather opposite views on the matter. In the early phase, eighteenth-century England, when the creation of civil rights of free association, contract, and property-holding was key, citizenship did not conflict with capitalism. On the contrary, as capitalism is based on contract and property rights, it presupposes civil citizenship rights (Marshall 1992: 20). In this respect, Marx is given his due. Marx and Marshall are in agreement that, initially, citizenship and capitalism are interdependent, and that in tandem they mark a fundamental departure from feudalism. In feudalism, individuals were seen as members of groups (or estates) with different rights and privileges – depending on whether you were an aristocrat, a member of the clergy, or a commoner, you lived in a different legal world. Inequality was formally inscribed in the social structure. Since the democratic revolutions of America and France, qua citizenship equality is formally inscribed in the social
structure. Inequality becomes informal, and it takes on the shape of class inequality: “Class differences are not established and defined by the laws and customs of the society (in the medieval sense of that phrase), but emerge from the interplay of a variety of factors related to the institutions of property and education and the structure of the national economy” (ibid.: 19). In other words, social class is informal inequality of wealth and education on the floor of the formal equality established by citizenship.

Marshall parts company with Marx only with respect to the further evolution of citizenship, beyond the stage of civil rights. The political rights of citizenship, unlike civil rights, were already “full of potential danger to the capitalist system,” entailing “vast changes . . . without a violent and bloody revolution” (Marshall 1992: 25). But a full-scale “war” between citizenship and the capitalist class system emerged only with the rise of twentieth-century social rights. Unfortunately, the “war” metaphor is not explored much beyond the conceptual level: the principle of citizenship is that of a “status,” by means of which certain rights and benefits automatically accrue to the person qua citizen, so that social rights especially “imply an absolute right to a certain standard of civilization” (ibid.: 26). This reverses the modern trend from status to contract: “Social rights in their modern form imply an invasion of contract by status” (ibid.: 40). However, Marshall does not empirically trace how social citizenship rights might dissolve existing capitalist class inequalities. Instead, he limits himself to showing that citizenship becomes “an instrument of social stratification” itself, especially with respect to education. This was naively optimistic, foreshadowing later theories of the rise of meritocracy: “[The final outcome is a structure of unequal status fairly apportioned to unequal abilities” (ibid.: 38). Marshall thus overlooked the possibility, explored with great acumen in the works of Pierre Bourdieu (especially Bourdieu and Passeron 1970), that existing class inequalities might simply be “reproduced” in the new arena of public education, rather than being replaced in toto by a new form of citizenship stratification. However, the difference may not matter much if judged by the result, which is citizenship’s function to put the “stamp of legitimacy” on persisting inequalities (Marshall 1992: 39). In this respect, citizenship brought peace, not war, to capitalism. Citizenship’s march was not, as Marshall falsely believed, “indistinguishable from socialism” (ibid.: 47).

If one rereads Marshall after capitalism’s victory over socialism, one notices how much we live in a different world today, beyond the welfare state. The introduction of workfare in the United States and Western Europe, since the mid-1990s, has turned the wheel back “from status to contract” (Handler 2004: 2), and the flip-side to the rights of citizenship—obligations—which Marshall deemed as unlikely as “the Dunkirk spirit [to] be a permanent feature of any civilization” (1992: 46), moved to the fore in a way he completely failed to predict. The discourse of “inclusion,” which frames social policy in Europe today, is not about equality as a citizen right, but about reintegration into the paid labor market, with definitional neglect of the increasing inequities of global capitalism (see Levitas 2005). Marshall thought that, more than “class-abatement,” the end point of citizenship was “to remodel the whole building” of capitalist class society, from a “skyscraper” of extreme inequality into a “bungalow” with flattened extremes, the only “natural limits” to the chase toward greater equality being the new inequities that resulted from citizenship itself. This was the world of “de-commodification,” described by Gösta Esping-Andersen rather wishfully as one where “citizens can freely, and without potential loss of job, income, or general welfare, opt out of work when they themselves consider it necessary” (1990: 3). It was a world, as Marshall fathomed, with “declining interest in the earning of big money” (Marshall 1992: 48), simply because the “real income” provided by the welfare state would render the “money incomes” provided by the market increasingly paltry and irrelevant, and because there would be a “belief that society should, and will, guarantee all the essentials of a decent and secure life at every level, irrespective of the amount of money earned.” While the institutions of the welfare state, and most of its policies, are still with us, the spirit that once fired this enterprise—to make “every man . . . a gentleman” (A. Marshall, quoted ibid.: 5)—is gone. And if it is gone, then also because the very idea of a “unified civilization” (ibid.: 47) was peculiarly provincial, oblivious of
the fact that there was a world outside England that stubbornly resisted such compression, and which would soon impose itself, not least, in terms of international migration.

If Marshall’s substantive analysis of creeping welfare socialism has proved wrong, his formal understanding of the claims-making nature of citizenship has not. Once the idea of citizenship takes hold, it constitutes “an ideal . . . against which achievement can be measured and towards which aspiration can be directed” (Marshall 1992: 18). This movement can be in two directions, in terms of enlarging the rights attached to citizenship (including, most recently, “multicultural” rights), or in terms of enlarging the categories of persons (“Pandas, Tamils, Women,” in Luhmann’s [1986] sarcastic diction) to whom these rights apply. “Citizenship” has been the idiom of the twentieth century’s great reform movements, from workers to women to racial and ethnic minorities, even for the Eastern European dissident movements (though for the latter the call for the rights of citizenship had, paradoxically, revolutionary implications; see Joppke 1995a: ch. 1).

By the same token, Marshall’s concept of citizenship, with its internal focus on rights and inclusion, is an unhelpful point of entry to the topic of this book – immigration and its implications for citizenship – because, from the vantage point of immigration, the world is at first divided into sharply bounded citizenries, each protected on the outside by a state and its intrinsically exclusive immigration and citizenship policies. With respect to immigration, citizenship functions above all as a device of external exclusion, and one that is far more robust and immune to the charge of “discrimination” than the intra-societal exclusions addressed by Marshall and most postwar students of citizenship.

National citizenship

It is the merit of Rogers Brubaker, in his agenda-setting work Citizenship and Nationhood in France and Germany (1992), to have broadened the concept of citizenship to make it useful for the study of immigration. He was the first to articulate sharply citizenship’s peculiar duality to be “internally inclusive” – that is, to allow for only one formally equal membership status within society – and to be “externally exclusive” – that is, categorically to exclude from such equal membership status all foreigners. And he intriguingly suggests that both movements, toward inclusion and exclusion, are intrinsically related. The French Revolution, which invented this dualism, was at the same time democratic and national: “By inventing the national citizen and the legally homogeneous national citizenry, the Revolution simultaneously invented the foreigner” (1992: 46). Of course, this leaves unexplained why the leveling of one boundary, that between master and servant, should lead to the making of another boundary, that between citizen and foreigner. But this question perhaps transcends the boundaries of sociology, as it is ultimately one about the human condition, which is a condition of scarcity and limits and the intrinsically unsettling knowledge about it.

While aware of citizenship’s duality, Brubaker’s innovative contribution is to our understanding of citizenship’s externally exclusive dimension. Borrowing Max Weber’s concept of social closure, Brubaker conceives of citizenship as an “international filing system, a mechanism for allocating persons to states” (1992: 31). In the context of sociology, this was doubly innovative, as it entailed a new, post-Marshallian vista on citizenship, but also, more generally, a new vista on the state (see Joppke 1995b: 170f.). From Max Weber to Charles Tilly, historical sociology’s dominant picture of the modern state had been in terms of a territory-centered rather than a person-centered organization, reflecting the fact that, in the transition from feudalism to the modern state, the basis of political rule shifted from persons to territory, from a polycentric rule of persons over persons that moved with the involved people into a mono-focal, centralized rule over a territory with fixed linear boundaries. This view obscured the fact that the modern state, while being territorial, was at the same time a membership association, and one in which membership was more demanding than mere residence, in being, for most, ascribed at birth.

Closure through citizenship serves both tangible and intangible state interests. With respect to tangible interests, citizenship helps protect “prosperous states from the migrant poor” (Brubaker
such right of access) can ever hope to meet the prerequisites for becoming citizens. “This circularity,” Brubaker (1992: 34) concludes, “permits nation-states to remain . . . relatively closed and self-perpetuating communities, reproducing their membership in a largely endogenous fashion, open only at the margins to the exogenous recruitment of new members.”

Conceiving of citizenship as a mechanism of social closure is Brubaker’s enduring contribution to the theory of citizenship. In a combination of formal-institutional and historical analysis, he shows that citizenship is not ipso facto democratic. In the German language, this formal, unsentimental aspect of citizenship is referred to as Staatsangehörigkeit, which is “a legal institution regulating membership in the state, not a set of participatory practices or . . . civic attitudes” (Brubaker 1992: 51). Though nothing new to the lawyer, this is not how sociologists, especially in the wake of T. H. Marshall, had looked at citizenship before.

However, what Citizenship and Nationhood in France and Germany is really known for is the much more questionable argument that distinct traditions of nationhood have lastingly locked in states’ citizenship laws in either inclusive (France) or exclusive (Germany) directions. At the formal level, this is yet another example of a simple knowledge transfer generating a new insight, this time not from law to sociology but from history to sociology. Historians had long distinguished between the French tradition of “civic” nationhood, in which the state creates the nation in its political image, and the German tradition of “ethnic” nationhood, in which a preexisting nation seeks a state that is expressive of its pre-political (linguistic, ethnic, cultural) features. Giving a new spin to this distinction, Brubaker argues that the emphasis of citizenship laws on either territory or blood in the birth attribution of citizenship is driven by these different understandings of nationhood. Germany’s preference for jus sanguinis, according to which citizenship is inherited, like blood, from one’s parents, is seen as reflective of an ethnic understanding of nationhood. Conversely, France’s preference for jus soli, according to which citizenship is a function of the political territory into which one is born, is seen as reflective of a civic understanding of nationhood.
The Concept of Citizenship

The claim that "cultural idioms" of nationhood have shaped French and German citizenship laws is backed by an impressively dense historical analysis of the making and consolidation of these laws in the late nineteenth and late twentieth centuries, respectively. With respect to the French case, an instrumentalist explanation of inclusiveness, which would focus on military and demographic needs in a country notoriously short of people, is skillfully rebutted. And isn't it obvious, already at the conceptual level, that externally exclusive citizenship, which thrives on a boundary, should be subject to a "politics of identity," not just a "politics of interest" (Brubaker 1992: 182)? That boundaries make identities is established wisdom from anthropology (Barth 1969) to social psychology (Tajfel 1970). Why should citizenship be an exception? Empirically, Germany's laggardness in accepting *jus soli*, which relegated even second- and third-generation immigrants to the status of foreigners, and its long-standing preference for co-ethnic immigrants, obviously resonated with an ethnic understanding of the nation, as a "community of descent" (Brubaker 1992: x). Conversely, France's historical inclusiveness toward immigrants, which has been likened to an American-style "melting pot" (Noiriel 1996), and its stubborn refusal to acknowledge ethnic and racial distinctions in public policy up to the present day certainly suggest a civic understanding of the nation, as a "territorial community" (Brubaker 1992: x).

The problem is that, in the reception of this cultural theory of citizenship, much of its conceptual and historical nuance has been lost, and only a stylized and stereotypical contrast of "civic" France and "ethnic" Germany has remained, along with the claim of the iron grip of these nationhood understandings over citizenship laws over the centuries. Patrick Weil (2002: 194) has retorted to this that citizenship laws are, in reality, written by jurists copying or modifying the laws of other countries, thus questioning the entire "politics of identity" frame. Consider that Brubaker's own discussion of the case of Prussia suggests that non-national, non-democratic citizenship – that is, citizenship without identity – is possible (Brubaker 1992: ch. 3). There is no necessity for citizenship to be subject to a "politics of identity," no automatic linkage between nationhood and citizenship, and citizenship’s pre-national past suggests the possibility of postnational futures. Secondly, even within the golden era of national citizenship, the tight affiliation of *jus soli* and *jus sanguinis* with civic and ethnic nationhood, respectively, is overdrawn. Brubaker (ibid.: 95) certainly sees, but does not sufficiently highlight, the traditionalism of *jus soli*, which is of feudal origins, and the modernity of *jus sanguinis*, which – as the irony would have it – was invented in the Napoleonic Code civil and became the mainstay of a modern citizenship law throughout nineteenth-century Europe. If anything, *jus sanguinis* empowers the individual, who now transmits nationality like the family name (Weil 2002: 35); there is nothing intrinsically ethnic about it. Finally, the sharp distinction between ethnic and civic nationhood obscures the empirical intermingling of both in the real world. The root word of "nation" is the Latin *nasci* (to be born), which points to descent and intergenerational continuity. In this sense, a nation is ipso facto ethnic. Conversely, in connoting self-rule and internal equality of members, all nations contain a modicum of voluntarism and civicism. Accordingly, Brubaker (1999) later distanced himself from the "Manichean myth" of ethnic versus civic nationhood.11

But least plausible of all is the strangely anachronistic picture of self-perpetuating, sharply divergent nation-states, the same that also happen to be the engines of European unification – France and Germany. More concretely, Brubaker (1992) attributes an inertia to nationally divergent citizenship laws that does not really exist. When the Gaullist prime minister Jacques Chirac failed, in 1986, to tie *jus soli* citizenship for second-generation immigrants to their expressed *volonté* at majority age, which was a strangely liberal idea imposed on him by Jean-Marie Le Pen's National Front, this was taken as confirmation of an "idiom of nationhood" (ibid.: 162) that stressed the socializing powers of state-level institutions, especially schools. But why then did the same restriction on second-generation *jus soli* succeed the second time around, in 1993?12 Even more drastic change occurred in Germany, where ethnic immigration has been heavily curtailed since 1992, naturalization rules have been liberalized and – almost
unique in Europe – were put on an as-of-right basis in 1993, and, above all, conditional *jus soli* for second-generation immigrants was introduced in a major reform of citizenship law in 1999. The German liberalization of citizenship, which only follows a broader European liberalizing trend, is unintelligible within Brubaker’s “cultural idiom” approach to citizenship. Of course, one could argue that, in the meantime, German nationhood has become more liberal and civic to spin forward a more liberal citizenship law. While this is entirely plausible, and probably the case, it is also tautological, because something as intangible as a “culture” can always be found to explain an outcome (which, in turn, is taken to demonstrate the existence of such “culture”).

**Postnational membership**

It is the distinct contribution of Yasemin Soysal’s *Limits of Citizenship* (1994) to have pointed to some important “postnational” changes in the institution of citizenship.\(^\text{13}\) Hers is, next to that of Brubaker (1992), the second paradigm-setting positioning of citizenship within an immigration context, though with strikingly differing accents and diagnoses. She turns the focus back on Marshallian, internally inclusive citizenship – that is, on citizenship as rights-holding and claims-making. However, contra Marshall, she argues that rights (especially civil and social rights) are no longer invested in national citizenship but rather in universal “personhood,” which heralds the coming of a “postnational model of membership” (1994: 3). Her case in point is the postwar European guest workers, lured by bilateral agreements into the booming Northwest European economies between the late 1950s and the early 1970s, who have acquired a safe legal resident status, with civil and social rights that are nearly equal to those of native citizens, without having had to become citizens of their new countries. In her words, “the recent guestworker experience reflects a time when national citizenship is losing ground to a more universal model of membership anchored in deterritorialized notions of persons’ rights” (ibid.).

In a “new institutionalism” approach that is strongly influenced by John Meyer’s tracing of the workings of world-level cultural “scripts” and institutions (e.g., Meyer et al. 1997), Soysal identifies two “transnational” sources of postnational membership: an increasing density and interdependence of transnational political structures that “constrain the host states from dispensing with their migrant populations at will” (Soysal 1994: 144) and the rise of “universalistic rules and conceptions regarding the rights of the individual” (ibid.: 145) – that is, of a global human rights culture after World War II. Certainly, nation-states are still responsible for “providing and implementing individual rights,” but they are mere organizational transmission belts because the “legitimacy for these rights now lies in a transnational order” (ibid.: 143). With respect to citizenship, Soysal (1996) claims that its previous union of “rights” and “identity” has fallen apart, rights becoming institutionalized as human rights at global level, while identities are still particularly bounded, but the national competing with other kinds of identity.

Curiously, Soysal’s (1994) claim of postnational convergence, almost like an afterthought, follows upon a differently spirited comparison of national “incorporation regimes” across Europe. The latter shows in the political opportunity structure mold pioneered in recent social movement theory that migrants’ participation in host society is conditioned more by host-society structures than by their endogenous cultural features. Accordingly, the claim of convergence toward postnational membership coexists, somewhat uneasily, with the opposite claim of persistent national divergence of immigrant incorporation. While it is not impossible that both trends *may* coexist, simply because they are situated at different levels (organizational versus discursive?), the absence of commentary on their apparent disjunction is strange.

But what *Limits of Citizenship* is known for is not the comparison of nationally divergent incorporation regimes but the claim of convergence toward postnational membership. What Hegel once said about philosophy may explain the success of this strand of her analysis: it is “its time expressed in thought” (*ihre Zeit in Gedanken gefasst*), capturing earlier and better than similar works a postnational moment in the contemporary reflection on state and citizenship. Moreover, because her claim of the postnational transformation of
The Concept of Citizenship

Citizenship was so starkly different from Brubaker’s opposite claim of the resilience of national citizenship, there was immediately a lively debate on the pros and cons of both sides (Joppke 1998: 7–9, 23–9). This “debate,” to the degree that it was one, never quite considered that Brubaker and Soysal dealt with rather different aspects of citizenship – “status” and “rights,” respectively – so that both may simply talk past one another.

In retrospect, Limits of Citizenship reflects a maximally multicultural mode of European states’ approach to immigrant integration, with a low emphasis on citizenship, trust in the universalism of law in work and welfare that made no distinction between citizens and foreigners, and a general distaste for forcing an identity on people. The Berlin Foreigners’ Office’s free-wheeling motto at the time, Wir sind Berlin, is also Soysal’s motto, as it “precludes national fixities and allows for shifting categories and fluid confines, and thus can traverse multiple borders” (Soysal 1994: 166). The meaning is not immediately clear. But it hit a nerve.

The irony is that “postnational membership,” though articulating the spirit of the nationally uprooted sons and daughters of guest workers, is really the unspoken ideology of their parents, as it spares them the acquisition of a new citizenship without therefore ending up without rights. For second- and third-generation immigrants, postnational membership, if not framed by inclusive citizenship laws, is rather more problematic, as it relegates them to the permanent status of metics, second-class members without political rights (which continue to be a citizen privilege). There are intrinsic vulnerabilities to non-citizen status that Soysal glosses over too easily. They first became apparent in the mid-1990s US welfare reforms that excluded legal immigrants from federal welfare benefits (see Martin 2002). And they became even more apparent in the post-2001 era of increased security concerns, with states broadening their powers of expulsion and whittling away the safe residence status of non-citizens (see Cole 2002). Furthermore, just about the time that Soysal (1994) deemed national citizenship on the way out, states rediscovered it as a tool of integration, with distinctly disciplinary and coercive connotations, in a marked departure from the multicultural laissez-faire of the past.

A third agenda-setting work of placing citizenship in an immigration context is Will Kymlicka’s Multicultural Citizenship (1995). It tackles the question of how to reconcile citizenship with the fact of ethnic diversity, which is partially (but not exclusively) the result of immigration. As it addresses the rights of immigrants, one might think that multicultural citizenship is not so different from “postnational membership” (Soysal 1994). This is not so. Remember that postnational membership is universalistic, in line with the original impulse of the citizenship construct, but driving it beyond parochial national boundaries. By contrast, multicultural citizenship is particularistic, pointing to inherent deficiencies of universalistic citizenship rights for ethnic and national minorities. It addresses instances where the universalism of law, even if extended to non-citizens, is the problem, not the solution. Examples are designated official languages that are not those of long-established national minorities, or public holidays that reflect the religious calendar of the majority group but not that of recent immigrant minorities. For these cases there is a “need to supplement traditional human rights principles with a theory of minority rights” (Kymlicka 1995: 5). The word “supplement” is indicative of the liberal thrust of this theory. This is not a radical or utopian critique of liberalism (as, for instance, Young 1990). Instead, the argument is that liberalism, if it is to remain consistent with its principles of freedom and equality, has to accept minority rights and thus compromise on its axiomatic preference for universalism.

With respect to the first liberal principle, freedom, Kymlicka (1995: ch. 5) argues that free and meaningful choice requires the context of a “societal culture.” The latter is defined as “synonymous with ‘a nation’ or ‘a people’ – that is, as an intergenerational community, more or less institutionally complete, occupying a given territory or homeland, sharing a distinct language and history” (ibid.: 18). Accordingly, only ethnic and national groups qualify for minority status, not gays, lesbians, or other life-style groups. Against Jeremy Waldron’s “cosmopolitan alternative”
that including women on equal terms in work and public life was not enough, because of the inherent male bias built into these institutions (in this spirit, Galeotti 1993). Kymlicka modifies this view in not throwing out state-level particularism, but paying the latter its due respect. He accepts the division of the world into separate states, because one of its functions is "to protect people's cultural membership" (Kymlicka 1995: 125). This provides an "analogy with states" for justifying minority rights, because the same logic that forces one to accept the differentiation of the world into states forces one to accept minority rights within states: "[T]he orthodox liberal view about the right of states to determine who has citizenship rests on the same principles which justify group-differentiated citizenship within states, and ... accepting the former leads logically to the latter" (ibid.: 124). This ingeniously shifts the burden of proof with respect to minority rights from its proponents to its opponents, simply because citizenship itself "is an inherently group-differentiated notion" (ibid.). The underlying image is that of a pact with the nation-state: its legitimacy is granted, even from a liberal point of view, because it helps secure for the majority the culture that is necessary for their freedom; but, in return, liberal justice commands that minorities are guaranteed access to their culture.

Kymlicka's *Multicultural Citizenship* opens a window onto an aspect of contemporary citizenship that is distinct from the questions of access to citizenship and of the extension of citizen rights to non-citizens, which are the focus of Brubaker (1992) and Soysal (1994), respectively. While the work of a political philosopher, and thus primarily normative, it is still of relevance to empirical sociology, for at least two reasons: firstly, because citizenship itself is a normative concept, "an ideal ... against which achievement can be measured," to reiterate T. H. Marshall (1992: 18); secondly, because Kymlicka can show, with great sense for empirical detail and an honest wrestling with hard cases, that the reality of liberal-democratic states has itself provided the clues for his normative theory.

Of particular importance is Kymlicka's sociological instinct that no single formula can be equally applied to all groups, but that
different groups require different rights provisions. The strongest type of minority rights, those of self-government, are reserved to national minorities and indigenous people, who had state borders moving above their heads. But, with an eye on Quebec, Kymlicka concedes that this “most complete case of differentiated citizenship” cannot serve an “integrative function,” as there is no “natural stopping point” before full-scale secession (1995: 182). With respect to immigrants, his prescriptions are much more modest. Immigrants are entitled only to “polyethnic rights,” such as exemptions from general laws that are at odds with their cultural or religious ways, and they are “usually intended to promote integration into the larger society, not self-government” (ibid.: 31). Again, the status of “right” of these provisions is unclear, because immigrants, unlike national minorities, cannot claim a homeland and “societal culture” that the state must protect. Further, if integration is their purpose, it is not clear why polyethnic rights are, now in line with the self-government rights of national minorities, permanent and not just temporary provisions. This is consistent with these rights’ purpose of protecting, rather than eliminating, cultural differences (in contrast to antidiscrimination laws and policies whose thrust is universalistic and whose “taking account of race” is notionally in the interim only, until color-blindness is reached). However, that permanent state-level protection of cultural difference serves the goal of integration is more rhetoric than established truth, and other outcomes than integration are equally possible.  

**Citizenship in a World of Migration: Status, Rights, Identity**

The purpose of this book is to review the evolution of citizenship in the context of international migration after World War II. This caesura is important: it marks the defeat of a regime, Nazi Germany, which sought to remake the world along the principle of race and state-level racism, subduing, if not eliminating, the individual on the way. Conversely, it marks the beginning of the contemporary era of human rights, which establishes the individual and his or her integrity as the benchmark and ulterior constraint of state policy. As a result, citizenship became infused with human rights logic. Racist, sexist or any group-level exclusion became illegitimate. This had enormous consequences once the institution of citizenship encountered the fact of international migration, because the switches for an inclusive approach had been laid.

Of course, the equation of citizenship with human rights is no twentieth-century novelty. Both have a joint ancestry, in the French Declaration of the Rights of Man and Citizen of 1789. What is new, however, is the aggressive pursuit of human rights in both the international and the domestic arena, spurred on by their very annihilation under Nazism. This constrains the sovereignty that states notionally enjoy in matters of citizenship under international law. The paramount expression of this constraint is Article 15.1 of the UN Universal Declaration of Human Rights, which decrees that “Everyone has the right to a nationality.” This is a paradoxical “right,” because state membership is considered in classic nationality law as a “status” or “condition to which certain rights and duties are connected,” so that it cannot itself be a right (A. Makarov, quoted in Joppke 2003: 432). But it correctly shows the intrusion of human rights considerations into a field that previously was at the total discretion of the sovereign state. This would not have been possible without the experience of Nazism, which showed the utter fragility of stateless people, as the German Jews who were targeted for annihilation were first stripped of their nationality. In her somber analysis of totalitarianism, Hannah Arendt ([1951] 1979: 296ff.) therefore stipulated the existence of a “right to have rights,” that is, “a right to belong to some kind of organized community,” which is the spirit that underlies the UN decree of a “right to a nationality.”

How has citizenship evolved in the contemporary world of migration? Our theoretical review showed highly disparate and partial answers, and one even wonders how all those discussed could talk about the same thing, “citizenship.” T. H. Marshall’s “social citizenship,” which has set the tone for the
The Concept of Citizenship

entry of citizenship into liberal postwar sociology, depicted the provincial world of a “unified civilization” that was exactly torn asunder by postcolonial immigration. While all the following interventions situated citizenship in a context of immigration, this is about the only thing they have in common. Brubaker’s “national citizenship,” which turned attention to citizenship’s external boundary-setting functions, held that such boundaries lastingly varied according to distinct nationhood traditions, being exclusive and impermeable in “ethnic” Germany and inclusive and permeable in “civic” France. Soysal’s “postnational membership” claimed the opposite, that national citizenship was an anachronism, because immigrants now had rights irrespective of their citizenship status. And Kymlicka’s “multicultural citizenship” stayed aloof from the question of resilience or decline of citizenship, arguing instead that cultural pluralism required a modification of the rights accrued to citizens (which did not thereby become moot, as claimed by Soysal).

These discrepancies in approach and diagnosis suggest the need to ferret out more clearly which aspects of citizenship are entangled with immigration. Let me distinguish in the following between citizenship as status, rights, and identity.

Status

The most basic aspect of citizenship is that of a status designating formal state membership. This is citizenship as passport-holding. Denoted by the French nationalité or the German Staatsangehörigkeit, it can go along with an astonishing internal stratification of rights. Most notably, women and racial minorities were once excluded, often far into the second half of the twentieth century, from equal access to the whole panoply of Marshalian rights, especially political rights, even though there never was a question about their formal nationality. Given this internal stratification of rights according to ascriptive group membership, it is no wonder that the same groups faced discrimination in the access to citizenship, in terms of racially exclusive naturalization laws (in place in the US until the early 1950s) or of sexually discriminatory rules of losing or transmitting citizenship (in place in most Western states way into the 1970s).

Rights

A second aspect of citizenship is rights, which has been the classic focus of the political sociology of citizenship since T. H. Marshall. What constitutes a “right” is itself a complex question. Sufficient for us is that, in modern understanding, a “right” is an entitlement that accrues equally to all persons. That is, modern rights are equal rights, in radical departure from a pre-modern understanding of rights as hierarchical and differing from group to group. This raises the question of the relationship between human and citizen rights, because, if confronted with non-citizens, citizens are a privileged “group” no less than the feudal estates of old — as Joseph Carens (1987: 252) put it evocatively, “citizenship in Western liberal democracies is the modern equivalent of feudal privilege.” The 1789 Declaration of the Rights of Man and Citizen is mostly about human rights, and an explicit citizen right appears only in Article 6, which is about the constitution of the “general will.” Up to the present day, political rights have remained largely citizen rights, whereas – this is the correct observation of Soysal (1994) – most civil and social rights do not show such limitation. However, important civil rights, such as immunity from being randomly “accused, arrested, or imprisoned” (Article 7 of the 1789 Declaration), never had any nationality restriction. This is obscured in Marshall’s qualification of civil rights as citizen rights (see the critique by Ferrajoli 1994), and it casts doubt on the novelty of some postnational “personhood” rights. Overall, the calibration of the citizen versus non-citizen line with respect to rights is complicated and variable over time and cross-nationally, not to mention that among non-citizens there is additional variation according to entry, residence, and functional status. To this one must add the final complication that some immigrant rights are not proxies of citizen rights but accrue to immigrants qua ethnic minority, in terms of multicultural and antidiscrimination rights.
Identity

Next to status and rights, a third aspect of citizenship is the shared beliefs or identity that ties the individual to a political community, classically the nation. These beliefs may be of two kinds: the empirical beliefs held by ordinary people, or the normative beliefs that states seek to impose on people. The focus of this book is on state-imputed identities (a rare account of empirical citizenship beliefs is Miller-Idriss 2006, 2009). Since Aristotle, normative citizenship beliefs have been a cornerstone of the republican tradition, which conceives of citizenship as a “virtue” – that is, as ipso facto “good,” public-minded citizenship, in which the individual abstracts from his or her merely private interests and inclinations. It thus closely overlaps with political participation and engagement, which – from ancient Greece to present-day representative democracies – is and has remained the classic domain of citizenship. However, from a liberal point of view, virtuous citizenship has always been eyed with suspicion, because of its oppressive, freedom-restricting possibilities – captured in Oscar Wilde’s felicitous phrase that “socialism would take too many evenings.” The freedom-restricting, public-order producing – in short: integrative – potential of normative citizenship identities has not been lost on states. In fact, their production is the very purpose of nation-building, old and new. This raises the question of what contemporary nation-building, which is specifically geared toward binding immigrants into already nationalized domestic populations, and which is tightly constrained by liberal equality and non-discrimination norms, looks like. Of the works on citizenship and immigration reviewed above, only Brubaker (1992) touches on the identity aspect of citizenship, but in a reductive and static way that by definition forecloses the possibility of change.

Outline

Separate literatures have emerged on each of the three aspects of citizenship, with little mutual awareness and dialogue between them. The fragmentation of contemporary citizenship studies is repeated even when addressing citizenship from the point of view of immigration alone. Interestingly, however, the few attempts at synthesis operate with the same or a similar “status–rights–identity” grid as the one proposed here. The main purpose of the following chapters is to provide a succinct and synthetic picture of citizenship’s evolution in each of these three dimensions, and to identify the internal relationships and possible connections between the developments across these dimensions. As obvious as it is, this has rarely been done.

The central claim in this book is that, rather than being reproduced in nationally distinct ways or being set on a global path of decline, citizenship continued to evolve, toward becoming more inclusive and universalistic. In a way, citizenship’s internally inclusive core has softened its externally exclusive edges. This is the key development of the past half-century, in Europe and North America alike. However, the liberalizing trend has been especially drastic in Europe, whose citizenship regimes were not originally built for a world of migration, and where the adjustment to the immigration challenge was accordingly of a taller and more difficult order. As a result, not only have intra-European differences melted away, but also the notion that North America differs fundamentally from Europe has to be abandoned. Michael Walzer (1997: 31) once distinguished between the ethnic “nation-states” of Europe, which are “machines for national reproduction,” and the “neutral” state of America, which is “committed to none of the groups that make it up.” This distinction, if it ever held muster, has become obsolete, as European states are moving into the American direction of inclusive and non-ethnic citizenship (for a similar argument, see Parsons 1971: ch. 6).

The baseline for this development has been a wholesale liberalization of access to the status of citizenship, which is the subject of chapter 2. In Europe, ethnically closed citizenship regimes were opened up by the introduction of jus soli, an increasing toleration of dual nationality, and a general lowering of naturalization requirements. The underlying imperative is simple: liberal democracy requires the congruence between rulers and
The Concept of Citizenship

ruled, which is violated by the long-term presence of sizeable non-citizen populations, many of them born and raised in the countries of immigration. However, the processes leading to this outcome have been uneven and variegated. Two countertexts will be highlighted. The first is a trend toward new restrictions in naturalization, driven by perceived integration deficits of Muslim immigrants and by security concerns in the wake of Islamic terrorism. The second is a trend toward the "re-ethnicization" of citizenship, by means of which contemporary states seek to retain or strengthen ties with expatriate communities abroad. However, I shall argue that these countertexts are nuances within, not a rollback to, the overall liberalization of the access to citizenship.

Chapter 3 discusses three ways in which immigration has become implicated with the rights of citizenship. The first is touched on by the recent debate as to whether ethnic diversity has damaged social rights in the welfare state. While the jury on this is out, it is indisputable that, in the context of immigration, other than social rights have moved to the fore. On the one side, there has been a strengthening of the rights of aliens, which is the bedrock of Soysal's "postnational membership" diagnosis. In approximating aliens to citizens, alien rights indeed render citizenship less important. However, rather than signifying a consolidated new type of membership, alien rights are highly stratified, differing not just across but within countries, according to length of residence, mode of entry, and functional sector. Moreover, there has been a restrictive trend, first in the United States, and later in Europe, which highlighted the essential vulnerability of non-citizens. Thirdly, the fact of immigration has lent new emphasis on minority rights, which accrue to immigrants (but also citizens qua ethnic minority). These may again be of two kinds, multicultural rights that protect cultural particularity, and antidiscrimination rights that attack discrimination on these grounds. I shall argue that the importance of multicultural rights has been greatly exaggerated, and perhaps there has even been a retreat from them, while antidiscrimination rights are going from strength to strength, lately even in Europe.

Chapter 4 is on the impact of immigration on the identity of citizenship. Confronted with increasingly diverse societies, states have recently rediscovered citizenship as a tool of integration, moving away from the multicultural laissez-faire of the recent past. This chapter scrutinizes the citizenship identities that transpire in states' recent integration campaigns toward immigrants and ethnic minorities. I argue that these integration campaigns become caught in a paradox. While the attempt is to bind newcomers into a particular nation-state that is different here from there, all that newcomers can legitimately be expected to adopt and share are the general rules and principles of liberal democracy, which are the same everywhere. Accordingly, a review of state pronouncements of what it means to be "American," "British," or "Dutch" reveals them as at heart identical. In a nutshell, citizenship identities, to the degree that they fall within the ambit of state policy, have become universalistic. However, such identities may still be exclusive, as Muslims in particular currently experience in Europe.

Chapter 5 tackles the question of causality and interconnectedness of the changes of citizenship across its three dimensions, and raises the unavoidable question: What future for citizenship? As citizenship has become more accessible, it inevitably must mean less in terms of rights and identity. A twenty-first-century manifesto of creating a "unified civilization" (Marshall 1992) through citizenship would be anachronistic. European Union citizenship may well herald the future: a "citizenship light" of rights without obligations, in itself socially inconsequential, and devoid of a particular cultural content.