Beyond Post-National Citizenship. Access, Consequence, Conditionality

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1. Introduction

With the political crisis of multiculturalism as a progressive idiom, a shift towards citizenship discourse has taken place in many countries, including those that had never appropriated multiculturalism in legal and policy terms (Mouritsen, 2008; 2009). This shift is particularly visible at the point of entry and related status, which is to say that while the eighties and early nineties allegedly saw a decreasing importance of citizenship, in terms of material implications and importance for both immigrants and receiving countries alike, particularly in the context of a North-western European Gastarbeiter experience (Soysal, 1994), this chapter argues that the trend in North-western Europe is now the opposite and that broadly similar reasons exist for this. In Germany, Great Britain and Denmark, the countries covered by this chapter, these reasons comprise governmental concerns with cohesion and allegedly illiberal parallel societies; particularly the integration of Muslim immigrants. Since the mid or late nineties, each country too has been concerned with educational and labour market integration, and social unrest in ‘ethnic’ neighbourhoods (more in Britain and Denmark than Germany), and above all a growing perception since 2001 that Muslim communities contain alienated segments, hostile to ‘Western’ liberal and democratic values.

If in each country the emphasis on citizenship combines concern about social cohesion and illiberalism with critique of cultural pluralism and ‘multiculturalism’, solutions on offer share the broad characteristics of civic integration, i.e. strategies to shape and mould citizens’ outlooks and abilities (Mouritsen, 2009a, 2009b; Joppke 2007a, 2007b). Hence, commenting on an emerging EU-consensus, Joppke claims that “distinct national models of dealing with immigrants are giving way to convergent policies of civic integration and anti-discrimination” (Joppke, 2007b: 243). While the latter element represents an impetus – in most countries driven by EU-directives – to realize, protect and police the individual (but only the ‘negative’, personal) right to difference in society and workplace, the former, also sanctioned by the EU, is about conformity to a civic culture, whose elements and realms are steadily expanding. It is an impetus of Europeanization in the sense that states, as they respond to common European challenges, including some that emanate from the EU-system as either legal norms, policy goals or elite policy networks, seek to strengthen national sovereignty in

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2 Denmark, in fact has seen remarkable improvement in both areas over the last decades.
the process. The paradoxical European *re-nationalisation* of citizenship, which is now visible, represents attempts to control and monitor that most basic element of globally competing nation states, i.e. the boundaries and quality of the citizenry.\(^3\)

But how should these ambitions of European nation states be interpreted? Some authors emphasise a progressive potential. The conditioning of good citizenship in integration programs or naturalisation policy may be exclusive, but unlike forced assimilation it involves the voluntary participation of immigrants (Brubaker, 2001) and suggests a liberal contract, which couples rights to duties (Joppke, 2008a: 35). The emphasis on universal, liberal-democratic values as the core of the civic allegiance demanded vindicates a Habermas-style constitutional patriotism (Schmitt, 2007; cp. Mouritsen, 2009), so that however *de facto* restrictive the new politics of citizenship integration and acquisition is still “embedded within an overall liberal, sometimes even liberalizing framework” (Joppke, 2008a: 1). And where this ‘liberalising’ impetus assumes a Rousseau’an (or Foucauldian) character of enforced mind-control of what Joppke calls ‘repressive liberalism’ – “instead of being nationalist … the exclusionary impulse is often couched in the language of liberalism, in terms of the notion that the liberal state is for liberal people only” (Joppke, 2007c: 45).

In the latter part of this chapter I will challenge this assessment by proposing a more complex interpretation, whereby emerging migration state governance (Hollifield, 2004) takes place at the interface of at times conflicting forces. These forces include economic labour force management and liberal resistance to securitised conceptions of Islam – but also emerging functionalist ideas of cultural integration and the competitive edge of strong societies, as well as the continuing hold, in some quarters, of nationalist ideologies of cultural assimilation.

However, the main concern in this chapter is empirical. It investigates the new political significance of the status and practice of citizenship – i.e. of *membership* and ‘good’ *citizenship*, and of how the second element is being conceptualised as a condition of the former. This investigation proceeds on the background of a discussion of Soysal’s thesis of post-nationalism and the apparent ‘banalisation’ of citizenship in the early nineties (section 2). The chapter looks at the increasing significance or *consequentiality* of citizenship (section 3) the development of citizenship acquisition policies or *access* (section 4), and the *conditionality* of citizenship, in terms of the policies and broader discourse governing the normative content of required citizenship virtues, or of integration to citizenship (section 5).

### 2. From Post-National to Re-nationalized Citizenship

\(^3\) As a species of Europeanization it may also be paradoxical, although the question of convergence of national models is not at issue here, in the sense that states after all respond to a common challenge *differently*, ‘colouring’ their citizenship politics in ways that reflect very old cultural and institutional continuities (Mouritsen, forthcoming)
Yasemin Soysal’s thesis about post-national membership (Soysal, 1994) and other similar views (Jacobsen, 1996) ran against the grain of a post-war view of citizenship as the very ‘right to have rights’ (Warren, 1958), the fragile and precious protection against the mere “abstract nakedness of being human” (Arendt, 1951: 299). There are really two related ideas inherent in the notion of post-national citizenship. One is that nationality is no longer a precondition for the enjoyment of (important) rights and material membership, and so is seen as less important by individual immigrants. The other is that identification as loyalty may be replaced by a merely functional relationship, and – although this does not strictly follow – that attempts by states to integrate, let alone assimilate newcomers will be regarded as illegitimate, impossible, and at any rate unnecessary.

Differently put, post-nationalisation may also be seen as a 

**banalisation**

of the status of citizenship – i.e. of its value, seriousness, and meaning – from the points of views of states and individuals alike. Viewed thus, banalisation of citizenship may be associated with two further distinct developments. One of these, visible through the eighties and nineties (Weil, 2001), was the relatively steady liberalisation of citizenship acquisition, with shifts towards conditional *ius soli*, dual nationality, shorter waiting periods, and less administrative discretion. This trend deepens Soysal’s post-nationalism not only in the sense that residents inside countries arguably enjoy most of the rights and advantages of citizens worth having, and also not just that the movement between the rights-regimes of different countries was relatively easy (easy residence access, family reunifications etc.), but that states increasingly matched this ease with a recognition that citizenship itself should be more accessible; less tied to ethno-national membership, loyalty etc.

The other development represents the banalization of the material content and consequentiality of membership – of citizenship as well as of post-national permanent residence. With this development, primarily tied to neo-liberal devaluation of social citizenship, its transfers and services, it may not make much difference whether one is resident or full citizen (Soysal’s idea); but this should increasingly be understood negatively, because there is relatively little, with the rolling back of welfare states, to enjoy in the first place. Or differently put, the post-national ease of access, lack of difference between residence and naturalisation, and lack of *pathos* (from states and individuals alike) comes down to the fact that the only remaining prize of ‘thin’ neo-liberal membership is the right to access national labour markets; *a fortiori* “the larger the radius” of the status (Joppke, 2009: 38).

The argument of this chapter is that the new citizenship recognition discourse and policy may be seen as several ways of denying, resisting, or reversing this post-national banalisation. Citizenship as the status of full membership is increasingly re-captured and re-politicised by nation states. First of all, the consequentiality or material significance and value of citizenship, already underestimated by the post-nationalism thesis,
remains considerable and is increasing; both in the sense that states attempt to differentiate more between the value of citizenship and mere residence (and, as in the case of Denmark, to render permanent residence into a ‘citizenship light’), and in the sense that the devaluation of social citizenship is much exaggerated. Secondly, correspondingly, several states have tightened access to citizenship (and to permanent residence) considerably. And also where, as in Germany, important liberalisation of naturalisation regime have taken place, or where access is still relatively liberal, as in Britain, increasingly tough conditions and restrictions have been introduced, which indicate that formal liberalisation does not mean relaxing the status of citizenship, as assumed by the post-nationalism literature. These conditions increasingly link the politics of integration and the politics of citizenship acquisition, suggesting that citizenship is not trivial after all and that access to the latter should be restricted. Hence, thirdly, and still contrary to the predictions of the post-nationalism thesis, states increasingly wish to maintain that citizenship comes at a prize, both in the sense of expected gratitude or allegiance, and in the sense of ambitions to ‘make citizens’ or posit explicit civic competences and values. These ambitions inform attempts to govern and steer integration more broadly (and reflect beliefs that steering is possible as well as legitimate) from the perspective of the host country. To some immigrants at least such expectations cannot but be increasingly relevant, whether as a civic status worth affirming and striving for or, more negatively, as new explicit signalling of civic unworthiness which replaces previous benign neglect or indifference.

3. Consequentiality: The (renewed) significance of citizenship

It has been argued that the return to citizenship constitute “desperate, ultimately futile, rearguard actions against the inevitable lightening of citizenship in the West”, both in the sense that the difference between it and legal residence is small, and in the sense that – over and above access to territory – the material and symbolic consequentiality for individuals of either is waning. And it is certainly true that the post-national notion of a blurred denizenship/citizenship distinction could always be seen as an insider’s discussion, which ignored the much more formidable barrier that excludes most of the world from the birthright of privilege within the “comfort zone”. There is a very real sense, from the perspective of those on the outside, in which the green card, not the passport, is the main prize (Joppke, 2009a: 39).

Even if this is so, however, the current re-politicisation of citizenship is more than a symbolic gesture to newcomers (pace new citizenship ceremonies) or strategy to pacify hostile electorates. The material and subjective value difference between citizenship and denizenship – permanent residence – remains considerable and may be increasing (Hansen, 2009: 12-14). The importance of political citizenship, which was always underestimated by the post-national thesis in the first place, increases with the length of stay and accumulated stake holding, at least from a collective group perspective. Indeed the significance of changes in naturalization law from a ‘minority vote’ perspective is considerable in both Germany and Denmark; and the
impact of citizenship on British immigrant mobilization, representation, and political influence is well established (Meer & Modood, 2009). It seems obvious then that large parties would be far less prone to ignore the interests of migrant groups – or even belittle the contributions or value of such groups – if votes were at stake. In fact some noises may be heard about curtailing such rights that do exist for permanent residents. While local voting rights for non-EU citizens in Germany have expressly been deemed unconstitutional, the waiting period in Denmark has recently gone up from three to four years, and conservative opinion in the UK wishes to restrict the historical rights of common wealth citizens to vote in general elections.

Many public sector jobs and positions remain closed to non-citizens particularly in Germany (e.g., in public transport and education), as does, more importantly, access to the mobility of EU-citizenship (and hence education and labour markets) and not least the ease of movement more generally, which comes with a 'good' European passport. While mobility of non-EU work migrants without citizenship has clearly decreased since Soysal’s contribution, the more important point may be that many entrants are (political) refugees, who are especially vulnerable as they often lose their original citizenship and passport in the process and are rendered stateless.

Arguably, however, security of residence remains the most basic element of citizenship, which even permanent residence does not entirely guarantee. Although European conventions increase protection levels with length of residence and intensity of family ties, states increasingly resort to deportation in the case of graver crimes. This is probably one reason that some immigrant and post-migrant group interest in citizenship has grown considerably. The fear is that poorly integrated and alienated young men who have joined street gangs may end up committing such crimes whereby they could risk expulsion (serious drug-offences, trafficking, membership or support of terrorist organisations). The risk of deportation is of course much more immediate for those refugees and others, who do not meet the requirements of permanent residence, and whose status depends on developments in their country of origin, changes in their personal circumstances (employment, health, marital status) or unpredictable changes in legislation. Even for the ostensibly post-national Gastarbeiter (and their descendants without citizenship) citizenship would have secured them the basic right to return. As noted by Hansen after the immigration halt in the seventies many guest workers in fact faced this very dilemma. If they went back to Turkey and Morocco, they could not after some years return to Germany or Denmark – as German or Danish nationals can (Hansen, 2009: 14).

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4 This is also the new minimum waiting period for permanent residence.
5 And security of not forfeiting one’s residence requirement.
6 Or even on grounds of suspicion by intelligence offices of terrorist activity or affiliation; as was the case with two Tunisian citizens suspected of plotting against the Muhammad cartoon artist Kurt Westergaard in 2008 in Denmark.
Concerning social citizenship the neo-liberal onslaught on the welfare state has been exaggerated, in the sense that good schools, subsidised care for infants and elderly, and largely free hospitals, remain very real attractions for immigrants. Nor has the transfer aspect of social citizenship disappeared, although it is circumscribed and closely tied, in the case of unemployment benefit, to work and availability obligations. Although with significant local exceptions (Howard 2009: 6), the main boundary of rights-access on the transfer side, by and large, falls between the ‘permanents’ (whether citizens or not) and the merely temporary. Still, several points bear noting.

First, there are signs of emerging two-tier social citizenship system, particularly in Denmark and Britain (UK; Germany?). Systems such as the Danish Starhelp, a significantly reduced social benefit for unemployed immigrants who have been in the country for less than seven out of the last eight years (Kristensen, 2007) may be the shape of things to come in universalist, Beveridge’an welfare states, where politicians fear ‘welfare magnet’ dynamics and, more seriously, declining solidarity (Jurado & Bruzzone, 2008). The distinguishing criteria here is period of residence (and of assumed productive work) – the universalistic welfare state’s version of the labour market based contributions in the more continental model – also for those who become citizens in the meantime (and for Danish nationals returning from outside EU). In this regard, we may say that social citizenship, to retain some of its material value, is rendered more exclusive – irrespective of nationality. However, secondly, while social citizenship is neither thin nor unserious either in the case of services, or – eventually – transfers, one key difference for non citizens is that they are only national rights. They cannot be enjoyed at leisure just anywhere in the European Union; but remain tied to the country of permanent residence. Thirdly, the enjoyment of such transfers is only, in a very real sense ‘safe’ for citizens. One of many new restrictions on citizenship acquisition in most countries, including Denmark, Germany and Britain, is the requirement of employment. He or she who has ambitions to ever become a citizen must avoid burdening public transfer schemes, or either forfeit or delay the chance to be naturalised.

Of course, the ‘danger’ of receiving benefits dramatically increases for temporary residents. In Denmark (UK/GER?) permanent residence, among other things, is conditional on self-support and employment. There is a deeper point here. The argument for post-national membership assumes not only that the difference between permanent residence and citizenship is insignificant (not only in terms of social rights), but also that access to the former is relatively easy – as was indeed the case for the European guest workers and their families. But this, as we shall see in the next section, is increasingly no longer the case in Germany, Denmark, and other comprehensive welfare states. The value and the exclusivity, in terms of integration requirements and conditions, of also permanent residence have rendered it a form of citizenship light or a sec-

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7 In the Netherlands, the __ party is contemplating legislation barring immigrants from receiving any social transfers for the first ten years of residence in the country [ ]
ond class citizenship, which is still much better than no citizenship at all. Permanent residence, in the eyes of immigrants and receiving states alike, is already a highly consequential civic ante-chamber with its own conditionality and civic requirements, valuable and difficult to get. Hence, more important than the ‘lightening’ of national citizenship (Joppke, 2009a), is the re-nationalised governance also of rights to safe residence and work (not only the right to vote and be mobile), i.e., the emergence of not one but two types or levels of memberships jealously guarded by states.

Arguably one of the most significant elements in the value of citizenship – full, first class citizenship that is – remains more immaterial. Where citizenship is increasingly difficult to get as well as politicised as worth having, the social stigma and self-doubt involved in not having it is bound to increase. In Germany and Denmark ius sanguinis (Germany), long waits and resistance to dual citizenship previously made not being citizens a quasi-natural default option for most immigrant guest workers. In Germany, no one could get it. By contrast, in Britain the tradition of commonwealth membership rendered citizenship more or less a non-issue to immigrants. Crudely put, citizenship was either inacessible or overly accessible. In all three countries the introduction and steady tightening and public controversy about language requirements, knowledge tests, and screening for self-support, clean criminal records and – very strongly in Germany – non-radical leanings, now names the elements of recognised achievements and good citizenship, linking them to the formal status and the passport, as well as the paraphernalia of ceremonies. If only good citizens can become citizens, non-citizens are almost inevitably regarded as less worthy, a fortiori if citizenship is made very difficult, even impossible to achieve, as in Denmark and Germany. The exclusivity and political pathos makes it valuable to have – or unpleasant, and associated with a sense of misrecognition not to have.

To sum up, the fact that many immigrants continue not to seek it does not mean that citizenship is trivial, but that it remains quite difficult to get, that it may involve great costs (e.g., where dual citizenship is not an option), or that the barriers introduced are frustrating, even alienating, either in a social and political sense, or a more personal sense. But whatever reasons immigrants may have eschewing citizenship is a serious normative problem. It produces inequality of life chances, denies a democratic voice to underprivileged groups, blocks long term full integration, and testifies to a continuing deficit of civic belonging, even alienation.

Receiving states on their part increasingly recognize the importance of citizenship, which reflects the competitive success of national welfare state institutions and economies. Citizenship is increasingly regarded as a club good to be protected, in environments of fiscal strain and potentially hostile electorates, from abuse and ‘thinning’ by unproductive and un-contributing, politically alien, or culturally inadaptable outsiders. In this view citizenship must be relatively exclusive, properly signalling incentive structures to steer and mould prospective members.
4. Access: Selecting and dividing the Demos

Until quite recently a consensus was emerging that citizenship acquisition policies in Europe were becoming more liberal, because of liberal legal norms, growing immigrant populations, and consolidated nationhood (Weil 2001), rather independently, contra Brubaker, of types of ‘national identity’. With the present more restrictive turn, at least in some quarters,8 authors have looked at why an apparent elite-driven default tendency towards liberalisation is only furthered in some places (more likely in centre-left regimes where there has been no popular mobilisation and xenophobia parties), and what accounted for liberal policies to begin with (more likely in immigration countries with early democratisation) (Howard, 2009); and also which types of rationales exist for restrictions, e.g. the modernisation of very open unconditional ius soli (Ireland), reducing large spouse migrations (France), and maintaining ties with ethnically close expatriate communities (Spain) (Joppke, 2008a).

A fourth reason, discussed at length by Joppke, is the wish by governments “to tie citizenship more firmly to shared identities, civic competences, and public order concerns” (ibid.: 7). This reason, which accounts for the formalisation and toughening of all the new integration requirements, from language and cultural knowledge to clean criminal records and self-support, however, is treated rather ambiguously. Hence, as noted by Joppke, the reason that a comparative citizenship scholar found only trends towards liberalisation and no new restrictions (but certainly ‘restrictive continuity’ (Howard, 2009: 31)), is that his ‘citizenship policy index’ only includes measures linked to ius soli legislation, length of residence, and dual citizenship – i.e., leaves new civic integration requirements in all their details out of the equation. But this, by and large, is defended by Joppke, as “the restrictive trends occurred within an overall liberal, in some cases even liberalizing framework” (Joppke, 2008a: 33). The argument – pace Joppke’s interesting idea of another perfectionist, potentially “repressive liberalism” intended to mould and shape “liberal people” (Joppke, 2007: _ _) – is that, tilting away from rights towards the “obligation pole” in the liberal contract “the new requirements are all individual-level requirements; they can in principle be met by all individuals irrespective of ascriptive origin traits” (Joppke, 2008a: 35).

However, looking at the three countries inspected in this chapter, although one (Germany) has clearly liberalized access on the legal front, the more immediate observation is that all have given up their automatism, whether open-liberal or closed ethno-cultural. In view of the sheer difficulty of the requirements – particularly in one country (Denmark) – the development invites words such as selecting, screening and even de

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8 This trend is by no means universal. While some countries (e.g., Switzerland, Greece and Italy) have not changed their (quite restrictive) rules, and some who have tightened (Ireland, France, Britain) have done so from a very liberal level, countries like Portugal, Spain, Belgium and - in terms of the retreat from ius sanguinis – Germany have liberalized. For comparative analysis and discussion, also on the various measures and political causes of liberalization and restriction, see Bauböck et al (2007), Joppke (2008a), and Meer & Modood, this volume.
facto inclusion, whatever the voluntarism ‘principle’. Moreover, inasmuch as the individualist and achievement oriented nature of integration conditions may suggest a contractual relationship, not all of the content of the obligations – the competences and virtues required – is obviously liberal.

In Germany, the picture is mixed. On the one hand, liberalisation of the dated ius sanguinis system, while reflecting the normalisation of a very specific (West) German predicament after the Second World War, has dramatically increased long term access to citizenship of ‘non-ethnics’, and irrevocably cemented a more republican conception of membership. On the other hand, Germany’s residence requirements remain strict, and a clash has continued since the early nineties between conservatives (the CSU and CDU) and the SPD, FDP and Greens (Faist & Triadafilopoulus, 2006: 10-18). An important step was taken in 1990 when immigrants ‘as a general rule’ could naturalize after 15 years (2nd generation after 8); the fee was lowered, and dual citizenship was permitted where it could not be revoked. 1992 saw as of right naturalization and removal of a deadline year for applications (excluding many first generation immigrants). Finally, after political stasis and a mid-nineties half-way house ‘children’s citizenship’ compromise, 1999 saw a settlement, following unexpected popular mobilization by the CDU against a dual citizenship plan of the SPD-Green government. The compromise retained opposition to dual citizenship (although de facto it is under pressure by the growing numbers of exempted) but put in place a 10 year residence regular ius soli system (children must choose at age 23), representing a crucial shift in German naturalisation tradition.

However, the 1999 stand-off also demonstrated a deep public conviction that German citizenship – now that it had become open – was special, required loyalty, and ought not be given too quickly or easily. Thus began the road towards civic integration, with the introduction of loyalty oath, language test and raised fees. Since 2005, the Zuwanderungsgesetz, while lowering residence to eight years, requires attendance in a comprehensive language (3-600 hours) and general knowledge course (Germany’s modern history of overcoming Nazism and national division, constitution, legal system, political institutions, Europe), just for temporary residence – and passing an exam for permanent residence. Such formal requirements, in principle subject to fines, benefit cuts, or even refused renewal of permits, are expected to be tied also to naturalisation in the near future (Jacobs & Rea, 2007). At the moment, naturalisation is subject to ability to support oneself and one’s family, absence of serious convictions, a loyalty oath, ‘adequate’ German, knowledge of “Rechts- und Gesellschaftsordnung sowie die Lebensverhältnisse in Deutschland” and – very importantly – no (suspected) activities that are hostile to the Constitution.9

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Denmark, by contrast, has seen tightening on all fronts. The Liberal-Conservative government has been pressured, since taking office in 2001, by the Danish People’s Party, whose leading politician in the field believes the practice of granting citizenship has been a “catastrophe and betrayal of Denmark as a nation inhabited by a people” (Krarup 2005a). Unlike contemporary Germany, citizenship is granted discretionarily, with applicants’ names being placed on a bill, to be discussed and voted on in parliament. Naturalisation access and rules have been tightened as an integral part of restrictions at all gates (temporary and permanent residence, citizenship) and the detail of regulation has risen from an already high level.

A distinct EU hardliner, Denmark increased (in 2002) the residence requirement from seven to nine years (eight for refugees and stateless people), upholds its resistance to dual citizenship, and – through the insistence of the Danish People’s Party – has made the previously automatic (declarational) *ius soli* citizenship access of 2nd generation descendants dependent on absence of a criminal record and the same conditions (including the language requirement) which immigrants have to meet. (Ersbøl 2004). The 2005 ‘Agreement on citizenship’, which shifted requirements in a more ‘civic’ (rather than neo-liberal employment/self-support) direction, stepped up the language requirement to the prohibitive ‘level 3’ (baring most non-Europeans from ever getting citizenship), expressly removed exemption on grounds of post-traumatic stress disorder diagnoses (torture victims), and introduced a citizenship test (including questions on ‘history’ and ‘Danish culture’, which are much more controversial and more difficult than the German ones). Most recently it tightened the citizenship test, so that questions are now unknown and more correct answers must be given in a shorter time – responding to the Danish People’s Party’s explicit concern that not enough applicants failed the test. Even the language requirement has been further tightened (a required minimal mark) (Adamo, 2008). So too have conditions of self-support been tightened further (a maximum of 6 months benefit in the last 5 years), as have waiting periods or forfeit of right by convictions. Denmark is also tough on family reunification, with its notorious 24-year rule, and stiff requirements of suitable living space and a bank deposit (7400 EUROS).

Britain, its recent tightening notwithstanding, is still less restrictive on citizenship, compared to Germany, let alone Denmark. However, the continuing openness of British citizenship (six years residence – recently up from five; conditional *ius soli*; acceptance of dual citizenship; easy access for spouses of citizens) is coupled with an increasingly tough asylum system and Australian style points based immigration process which seeks to phase out low-skilled migrants. Although Britain can hardly avoid a continuing influx and eventual citizenship of family-reunifications in this category, the idea is to park as far as possible such individuals in

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10 Numbers dropped significantly – as was intended – with the introduction of the language test at level ‘3’. There are guestimates from a variety of NGOs that as few as 30 % of potential applicants with a non-Western background, refugees chief among them, will ever be able to become citizens.

11 E.g., about when and by whom Christianity was introduced; when was the word ‘Denmark’ first used, what is the text on the Jellinge Rune Stone, names of Danish painters and scientists through history etc.
temporary residence status; and on the other hand to encourage those who hold permanent residence permits to naturalise by means of a combination of sticks and carrots.

The Nationality, Immigration and Asylum Act (2002) thus introduced a test (implemented in 2005) for those seeking British citizenship, whereby applicants should show a ‘sufficient’ knowledge of one of the three British languages as well as pass a test about life in the United Kingdom. The requirements introduced (which also, as in Germany and Denmark, include self-support and absence of convictions) are not meant to be too difficult (Joppke, 2008a: 18ff). They test a minimum language and practical knowledge facility, very far from their Danish counterpart, and above all signal the desired direction of integration for individuals with the new status of ‘probationary citizenship’ (which may be speeded up by documented will to active participation in a range of defined civil society activities), also in the case of settled immigrant non-citizens, who are encouraged to sit the tests (which can be re-taken).

Whereas the common denominator of all three countries is an increasingly complex battery of requirements, including language proficiency and knowledge tests, the difference is very much in the details. Although, after all, about a third of the British applicants fail the citizenship test, what comes across is still a system which sees citizenship as the natural status of those who remain in the country on a permanent basis. The test is linked, as we shall see, to a broader agenda of civic integration incentives, which is also targeted towards those who have resided for long in the country, and who are urged to become citizen.

To sum up, all the three countries have significantly increase the conditionality of both citizenship and permanent residence. The move has been from automatism (of inclusion or exclusion) towards selecting and shaping. If the British model, with its relatively soft and content-wise uncontroversial Life in the United Kingdom test may be seen to signify a liberal contract; the much tougher requirements and civic screening of attitudes and practices in Denmark and Germany is better described as a ‘republican’ practice of shaping its citizenry. But the additional emphasis in Denmark on complete language fluency, high culture and ‘old’ history still testifies to assimilatory ambitions and ethno-nationalism.

5. Conditionality: Creating virtuous citizens

In each of the three countries citizenship is closely linked to discourses of integration such that European nation states seek to make citizens, not out of regional peasants, but out of immigrants. The following section

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looks a little more closely into the semantic of this civic conditionality in each country, placing it in a slightly broader context of public discourses of good citizenship.\textsuperscript{13}

The German development has recently been described (Faist 2006; 2008a; 2008b) as a move towards French-style republicanism, away from the ethno-cultural conception of nationhood dominating the country’s previous \textit{ius sanguinis} conception of citizenship. While too much has probably been made of Germany’s blood-and-soil history in relation to the old Wilhelminian naturalisation legislation (which was maintained as a functional means to fulfil the constitutional mission of an “incomplete nation state” to eventually deliver Eastern brethren from communism (Joppke, 1999: 201)), the 1999 law represented a landmark symbol that citizenship is not strictly natural; and also – following the Mölln and Solingen fire bombings and growing recognition of the untenable situation of large disenfranchised groups of \textit{Gastarbeiter} and their descendants – that the status should be accessible to new Germans. In this sense, Faist (2008a) has noted that the main dispute in Germany has not been between die hard ethno-nationalism and civic integrationism, but between two conceptions of ‘republicanism’ on a left-right scale of politics, where liberals and social democrats want citizenship to be a positive incentive (and hence relatively easy), while conservatives or statist-communitarians see it as a prize at the end of the road (and hence that it should be demanding).

This dichotomy, important as it is, easily overshadows how the normative content of citizenship has become a highly politicised issue after the de-continuation of the more automatic descent-based system. Citizenship, whether as an incentive or a prize, raises the old German question of membership in an unprecedented way. The conceptual meaning of citizenship in Germany clearly remains tied to the meaning and delineation of belonging – of answering the question ‘who can be German?’ This question is still answered with reference to a history of insecure, divided and late statehood, conceptualised as requiring the maintenance of a unified community of culture and language – although this community and its governing common culture, has been self-consciously transformed in a political-liberal direction.

The ‘culture’ in ‘ethno-cultural’ lives on in the terms of German \textit{Einbürgerung} in several ways, above all in debates over the new citizenship test and the 2005 \textit{Zuwanderungsgesetz} coincided with a re-run the German \textit{Leitkultur} discussion. Whereas the original CDU-driven use of Bassam Tibi’s term had taken the notion in the direction of religious-Christian and national meanings, the thrust of the debate, and its reflection in public policy was liberal-universalist and European. The common culture that Germany needed, reflecting a tradition of national self-criticism particular to the country’s history, looked a lot like Habermasian constitutional patriotism, although unlike the latter it was employed to re-invent rather than criticise and deconstruct the

\textsuperscript{13}The section draws upon my ‘Citizenship versus Islam? Civic Integration in Germany, Great Britain and Denmark’, \textit{forthcoming}. 

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nation, and although not European unity but self-defence against unliberal Islam was its obvious backdrop (Mouritsen, 2009).

In comparison Denmark in some ways looks much more like the stereotypical ‘German’ – ethno-cultural – model. The strong and exclusionary emphasis on language proficiency is even more conspicuous in Denmark, as are the elements of cultural integration proper – e.g., the onus on knowledge of ancient Danish history and high culture (Mouritsen & Olsen, forthcoming). Each aspect of the Danish case of course reflects the continuing influence of the Danish People’s Party. Although language and culture can be learned, the very point of the integration to citizenship exercise, for this party, is that some immigrants will not, and should not pass the threshold. Indeed, members of the party, including the prominent priest-turned-politician Søren Krarup, actively resist the notion that ‘good behaviour’ or the acquisition of a set of competences, should earn immigrants a right to citizenship:

Is Denmark a nation, inhabited by a people, or is Denmark merely an inhabited area characterised by certain rules of conduct? (…) The Danish People’s Party insists on the former. Therefore we have something called citizenship [indfødsret] and therefore it shall only be granted to those who belong to the Danish people (Krarup, 2005)

This idea of citizenship as a birthright associates it with a thick and comprehensive sharing of culture (including Lutheranism), with growing roots and the passage of time, and with a strong and ongoing psychological investment of Dansk-sindethed – of affection and partiality towards what is Danish.

Unlike Germany, Danish nationalism has never been pushed to self-critical ambivalence and reconstruction. Conceptions of loyalty and belonging often transcend the parameters of constitutional allegiance and liberal trust-worthiness, connoting emotional attachment, Heimat and love in a way which has been discredited with Denmark’s southern neighbour. Also the country’s version of a Leitkultur debate – the so-called ‘Kulturkamp’ over Danish common values – was rather less self-reflective, more complacent. As in other countries (Joppke, 2008b), the ‘Danish’ values projected were civic and liberal in content (with the Danish People’s Party a partial exception) – freedom of speech, gender equality, and democracy being prominent candidates. Yet apart from tendencies to present them as essentialised, unchanging and not-to-be-discussed, the universality and givenness of these values are also often, paradoxically, seen as specifically Danish accomplishments, and associated with particular features of Danish institutions, culture and history – including, by some politicians and commentators, with Lutheran Christianity – which makes them less accessible to recent inhabitants of the country. Above all, the ‘thicker’ stuff of ethno-culture comes back as connected to an influ-

14 “Freedom of speech can never be made a matter of degree (‘kan ikke gradbøjes’). It cannot be negotiated’ (Fogh Rasmussen, 2005).
ential form of instrumental liberal nationalism which identifies traditional Danish cultural homogeneity as a precondition of trust, social cohesion, and the welfare state (see Mouritsen, 2006).

In Britain, the recent emphasis on civic integration conditions for citizenship has been characterised as a “civic re-balancing” (Meer & Modood, 2009) of a multiculturalism which, to some observers, had failed to adequately stress national unity and civic engagement, but without giving up the basic elements of the latter – be it the legal structures of strong anti-discrimination or the public affirmation of legitimate, even cherished diversity. Moreover the use of ‘good’ citizenship as an integration concept in Britain more than in Denmark reflects a recognised historical citizenship deficit, and a series of modern attempts to alleviate it, which at least to some degree preceded concerns with immigrants and Muslims in particular. The most obvious sign of this was the passage of citizenship concerns from the field of national education, and Sir Bernard Crick’s advisory group on curriculum (QCA, 1998) which was in part a reaction to reports of civic apathy and political illiteracy among youth in general to the Home Office Advisory Group (Home Office, 2003) on naturalisation – following ethnic unrest in predominantly Muslim areas in Oldham, Burnley and Bradford (Cantle, 2001).

This ‘weak’ sense of citizenship (Mouritsen, forthcoming) reflects deep historical continuities, including Britain’s relative lack of state-centred civic orientation (apart from monarchical allegiance), either in terms of national identity (there was always more than one nation) or in terms of ‘republican’ democratic equality of a citizens’ body (pace British gradualism and indirect/elitist democracy). There was also the relative weakness – compared to continental Northern Europe – of state regulative ambition and the concomitant liberal emphasis on leaving individuals and groups alone in civil society and families; and also the relatively slimmer material content of (social) citizenship. Compared to both Germany and Denmark the most striking difference relative to the politics of citizenship acquisition is that British musings over the meaning of citizenship, reflecting the legacy of the common wealth and early monarchical and multinational statehood, have been much less about identity boundaries and culture. They have largely taken for granted who could and should be citizens (Harris, 2004: 74) and attached relatively little significance to the (Leit)cultural nexus of citizenship, state and nation. There are neither ‘natural’ citizens nor a strong sense of the need to create and mould them. Despite increasingly restricted access to the British territory, and even given recent tight-

15 According to Nasar Meer (2009), “Muslims are late comers to – rather than pioneers of – present anxieties surrounding notions of civic participation in Britain”.

16 This remains the case, I believe, even given the trend, since 2001, at British ‘nation-building’ with the discourse of Britishness and British values. It is a characteristic of this discourse, first, that it continues to emphasise very civic, procedural, and liberal values; to tie these to a need for a new national unity and solidarity as well as to local community cohesion (rather than the othering of Muslims as an out-group); and to emphasise respect, or even celebration of diversity, as an integral part (Mouritsen, forthcoming).
ening, it is still comparatively undemanding – particularly in terms of deep belonging, and liberal-democratic credentials so strongly politicised elsewhere – to be naturalised.

The status of citizenship as an incentive, rather than a prize at the end of a long road contrasts to Denmark’s two-tier citizenship: Whoever meets the requirements for permanent residence – above all as productive, working citizens who contribute to their community, obey the law and master a functional English – should not just be allowed to stay but also be positively encouraged to naturalise and become full members of the polity. Compared to Denmark, the labour-market-welfare-state functionality is a straightforward question of ‘paying your way’. Official booklets such as the ‘Life in the United Kingdom citizenship test booklet (Home Office, 2007) illustrate the generally matter-of-fact based knowledge about health, work contracts, childcare, education, and law and public order (and about racial tolerance, equal rights and antidiscrimination), which citizens must master. The political-liberal aspect is simply “to obey and respect the law”, to “treat others with fairness and respect” and “to treat all races equally” (ibid.: 108). The very concept of citizenship in Britain, since the 2001 Cantle report on the Northern disturbances, is closely tied to community cohesion, denoting a local, moralized practice of being a good neighbour and sustaining a larger sense of (eventually national) community by helping others, volunteering, and in doing so bridging groups and communities. Or, in the words of the citizenship booklet “in addition to obeying the law, people want to get on well with their neighbours and contribute to the wellbeing of all” (ibid.: 107).

6. The nation state is moving – but where to?

Each of the three countries treated in this chapter has, with slightly different timing, participated in the broader North Western European trend around and after the millennium towards civic integration with structured programs, conditionings and tests, and accompanying politicization and changes of naturalization policy. The direction of the latter changes is not quite the same. Germany’s rules have been liberalised, although at a level which remains fairly restrictive. And British citizenship is still more open and less conditional than both of the other countries. However, in all the countries citizenship is increasingly treated as something profound, not only in its value and material content, but also in terms of conditionality of access, incentive structures, and screening procedures. While the value of citizenship – in terms of political rights, mobility, security, and status – was underestimated by Soysal and others, the tightening of migration controls has added further substance to it. Whereas the most important difference remains that between the permanent (whether residents or citizens) and the temporary, the key point is not that citizenship is thereby rendered banal or unimportant, but that there are now – in Germany and Denmark at least – two classes of citizenship, both consequential and sought, and both attached to tough integration requirements. Such developments must be seen as the attempts by states, jealous of this important aspect of sovereignty, to maintain and secure the
‘quality’ of their citizenry as a central concern of governance. Far from indifferent, states again regard it as necessary, feasible and normatively legitimate to select and mould its new inhabitants.

When Soysal’s book came out in the early nineties, its thesis of the declining importance of national citizenship went against the grain of normative discourses of citizenship, which reflected different national debates, tapping several dimensions of the concept. While during the Thatcher years in Britain citizenship became a rallying call for the long overdue entrenchment of constitutional rights, Habermas’ constitutional patriotism was about re-inventing a reflective loyalty to a constitutional Rechtstaat, historically embedded in a national liberal political culture, but untainted by nationalism and oriented around universal principles (Habermas, 1992). Also competing for the attention of progressive social scientists since the late eighties was the social movement and civil society-centred, participatory citizen, and lastly, the re-invigorated T.H.Marshall’s social citizenship – i.e., a suitably deepened idea of equal membership in a material-institutional welfare state community.

Each of these eighties and nineties discourses of course were conducted ‘inwards’, and isolated from the new post-national scenario of immigrants and globalisation. With the partial exception of the last, which was also the project of social democratic state-carrying elites, they were also ideas mobilised against the state (i.e. the trespassing security state, the nationalistic state, the centralised and democratically unaccountable state, and the socially segregating, neo-liberal state respectively). It is a peculiar irony that when states began to reinvest citizenship with meaning and pathos against immigrants, each of these discourses became politicised as membership requirements and – generally speaking – turned against images of Islam. What was not long ago seen as fragile accomplishments, or even things that had not been accomplished at all and which was used by social actors to criticise states, is now being complacently presented by these states as ‘our way of life’, which newcomers must learn to navigate in terms of respecting rights; practicing a clean civic (as distinct from nationalist) constitutional allegiance; fitting into democratic-participatory traditions; or earning the right to, and conforming to the micro-culture of, egalitarian welfare state citizenship – of course with a shift in each case from emphasis on rights and empowerment to obligations and virtues, from inclusion to potential exclusion.

But how should we interpret the re-emergence of European nation-states in the field of citizenship? In light of the considerations above, one recent interpretation, by Francis Fukuyama, on the face of it looks off the mark. Fukuyama has recently argued that problems with Muslim integration in Europe, particularly in terms of the alienation of young Muslims, who have lost touch with their parents’ national cultures and customs, is the absence of American style citizenship-incorporation – i.e., a civic culture of patriotic allegiance, based on espousal of fundamental liberal democratic values, the rites of passage associated with citizenship acquisi-
tion and naturalisation ceremonies, and the chance to redeem one’s dignity through contributions to the community, including productive work and voluntary association. Problems of Muslim incorporation are not inherent in Islamic religion, but arise from the manner that host societies meet their newcomers, particularly the second generation (Fukuyama, 2006: 9-14).

Europe, he argues, fails to meet its immigrants as America does. In Europe, “old national identities continue to hang around like unwanted ghosts”. These national identities, “compared to those in the Americas, remain far more blood-and-soil based, accessible only to those ethnic groups who initially populated the country.” (ibid.: 14). This analysis, however, has struck one European observer as “an obvious non-starter.” In a recent book, Christian Joppke, whose work has already been cited extensively, rhetorically asks “where is the blood. Where is the soil?” (Joppke, 2009b: 107), insisting again that the problem with integration of Muslim immigrants lies not in European nationalism, but inherently in (European) Islam (Huntington “has got it right”, ibid.: 111), and that this is reflected in the increasingly liberal citizenship integration regimes of North European countries.

The question of what in fact causes alienation and radicalisation of Muslim youth are well beyond the scope of this chapter. However, the preceding analysis suggests that the truth about European responses to Muslim immigration, at least in terms of citizenship acquisition and integration policy, lies somewhere in between the two authors’ claims, as well as beyond both.

On the one hand these European countries are well on their way, from different starting points, towards discourses and legal and political practices of political and citizenship-oriented integration, which drink from the same theoretical wells as Fukuyama’s American tradition of civic religion. In the words of one German academic, Müller (working in the States), Europe may be converging on constitutional patriotism whereby “social strategies to civic integration and immigration ... are oriented towards liberal-democratic norms and their affirmation by citizens and aspiring citizens” (Müller, 2007: 379). Moreover, these strategies are clearly a response – although much more critical in Germany and Denmark than Britain – to multiculturalism as an ideal or reality of culturally isolated parallel societies. They are indeed integration strategies (even – in an American sense of this contested word – assimilation strategies).

However, the idea of writers such as Müller and Joppke that European states are converging on political liberalism as a symbolic boundary marker and yard stick of integration is itself problematic. First, many different versions of the liberal citizen exist, ranging from the spiritual pathos of constitutional allegiance in Germany, to the institutionally culturalised, one-size-fits-all welfare state-autonomy of Denmark, to Britain’s residual respect for law. Not clear ‘Liberal Principles’ but only historically institutionalised national liberal
cultures meet newcomers. Second, while the pendulum, in Joppke’s terms, is swinging away from liberalism as diversity tolerance and equal treatment towards the more austere liberalism-as-autonomy pole, the relevance of the very semantics of liberalism may be queried. This is not just the case in the case, recognised by Joppke, of ‘repressive liberalism’, i.e. the requirement that conformity to liberal values beyond practice and rule adherence must constitute an inner spiritual conversion, and that such Gesinnung must be monitored by the state. It is also arguable, at least in the Danish case, that integration measures to create ‘liberal people’ overstep conventional boundaries of privacy and so drastically limit the field of socially legitimate life style choices – e.g., in the field of religious and traditional cultural practices – that we hardly speak of liberal autonomy at all. Relatedly, and contra Joppke’s reading of the liberal back-lash as an automatic and reasonable self-defence, one may be sceptical of over-eager, culturally biased interpretation of religious, in particular Muslim, practices – among so many ‘traditional’ and minority practices within Western societies – as necessarily evidence of heteronomy, inequality, radicalism or dangerous separatism.

On the other hand, the same countries are clearly also concerned with national identity, although again in rather different ways, with Britain as the much more benign case of the three. Although Fukuyama’s ‘blood and soil’ is increasingly a thing of the past, Denmark belongs to a diminishing class of Western European states – along with countries such as Austria and Switzerland – where a combination of xenophobic populist parties’ electoral influence and uncritical or unreconstructed histories of national identity continue to shape citizenship and integration policies, whether by projecting old style historical high Culture (often a form of knowledge, which is less and less shared by old nationals, and has long been neglected in schools), or strong and undivided loyalty, or linguistic perfection, as the condition of full national membership. Besides such die-hard, old-school nationalism, clearly, there is another, more modern but not necessarily thereby less exclusionary version, at least at a symbolic and psychological level. In all the countries, although more in Denmark and Britain, than in Germany, and in the most essentialist, chauvinistic, and othering way in Denmark, civic and quite general liberal principles either become presented as particular national values, or become represented as intimately connected to rosy narratives of national history. That such values are often indistinguishable at the level of political discourse, so that a politician in Britain sounds much like another in Denmark or the Netherlands is less important. Modern European nationalisms do not depend, as the nationalist doctrines of old (in fact, also nineteenth century nationalisms were often remarkably similar in semantic and symbolic content), on particularistic representations of self vis-a-vis other nations; only on the representation of self as a liberal nation, vis-a-vis the big common European other of Islam (Mouritsen, 2009).

However, a limitation of both the political liberalism/constitutional patriotism and the new nationalism interpretations, and with any combination of them, is a tendency to represent the policy reaction of states – which, incidentally, are Europeanised reactions, where state elites facing largely similar economic, demographic and
electoral challenges in the face of immigration some degree of which is fiscally necessary, but extremely politically unpopular – as exclusively identitarian and principle-driven. Politicians of course respond to (and benefit from) relentless political controversies surrounding Muslims, where each overlapping, normative registry enter into ongoing interpretation of national self-hood relative to an Other, who is nowadays ‘within’, and not an exotic alien on the fringe of society. Yet, these normative registers co-exist, and at times are subsumed under, a more economic-functional set of considerations, within emerging strategies of state governance of migration (Hollifield, 2004). The point is not that conceptions of cultural identity and conformity to liberal values is becoming obsolete, as much as the idea that each become articulated as sociological parameters of civic integration, which are connected, along with other parameters, to state economic performance and institutional competitiveness, in terms of flexibility, innovation, and trust.

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