

## An Introduction to Immigrant Incorporation Studies

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# **An Introduction to Immigrant Incorporation Studies**

European Perspectives

*edited by*

*Marco Martiniello and Jan Rath*

IMISCOE Research

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# Introduction



# 1 Immigrant Incorporation Studies in Europe

## An Introduction

*Marco Martiniello and Jan Rath*

### Summary

The process of immigrant incorporation has many different names and is described and analysed using a variety of terms: inclusion, adjustment, absorption, integration, assimilation, et cetera. In Europe the concept of 'integration' is popular. This rather fuzzy notion can refer to a number of different realities. Fortunately, a growing number of scholars in Europe have taken an interest in the study of these issues, producing a large body of literature. This chapter presents some of these European scholars and introduces readers to scholarship that matters for Europe.

\* \* \*

Estimates of the population of Europe today vary between 502 million<sup>1</sup> and 738 million.<sup>2</sup> The exact number depends on the way Europe is defined, which is a matter of contention. Indeed, there is no consensus about the precise location of Europe's boundaries and its exact geographic extent. Some would restrict Europe to the six founding states of the European Community, also recently called 'Old Europe' with a somewhat ironic undertone. Others extend Europe to the 28 member states of the present European Union (EU), including some of the countries that belonged to the Soviet Empire before the fall of the Berlin Wall. Some also count the non-EU countries situated on the European peninsula (or some of them, including the Holy See), while others would include countries like the Ukraine, the Russian Federation and Turkey. This lack of

*What is Europe?*

- 1 Situation as of 1 January 2011, according to EU statistics ([http://epp.eurostat.ec.europa.eu/tgm/table.do?tab=table&language=en&pcode=tps00001&tableS\\_election=1&footnotes=yes&labeling=labels&plugin=1](http://epp.eurostat.ec.europa.eu/tgm/table.do?tab=table&language=en&pcode=tps00001&tableS_election=1&footnotes=yes&labeling=labels&plugin=1)).
- 2 According to the United Nations Department of Economic and Social Affairs (<http://esa.un.org/unpd/wpp/Excel-Data/population.htm>).

consensus sometimes leads to contradictions. For example, the Ukraine and Turkey are frequently considered to be outside the European realm – or at most are considered to be neighbouring states with which Europe should develop privileged cooperation. But they have, at the same time, been wholeheartedly welcomed as members or participants in the Council of Europe, the Eurovision Song Contest and the UEFA Championships. Clearly, Europe is not just a matter of geography and thus a particular place on the globe.

For those who consider Europe to be a political entity, made up only of the countries that are members of the EU, Switzerland would not be counted as a part of Europe. Alternatively, a view of Europe as a group of countries bound by a shared history and traditions of Christianity, Judeo-Christianity and Christian-humanism would exclude the many indigenous Muslims in Central Europe, as well as second- and third-generation Muslim immigrants living in Europe. But the subjects of current and former colonial areas elsewhere in the world might well be included as true Europeans, even though they live several thousand kilometres away from Europe's geographical heart.

*Ambiguous  
subject*

The very fact that Europe's nature is the subject of such ongoing debate tells us that Europe is still under construction. Yet, as witnessed in electoral campaigns across the EU, many people find it fundamentally important to achieve clarity about Europe's identity and the rules of membership. This situation is made even more complex by the international mobility that we have witnessed since the Second World War. Questions of identity, belongingness, membership and rights have been blurred and become more contested.

Today, one out of ten Europeans is foreign-born. Applying a 'broad' definition of Europe, the United Nations Population Division estimates that approximately 72 million people (or 9.5 per cent of the European population) is a first-generation immigrant.<sup>3</sup> This figure, to be sure, includes 'internal' migrants as well as those coming to Europe from elsewhere.

The advanced economies in the north-western part of Europe constituted the first migration catchment areas after the Second World War. Guest workers from Spain and Italy, and later also from the Mediterranean, gravitated to the manufacturing industries in Germany, France, the Benelux, Nordic countries and Switzerland (Martiniello 2006). Furthermore, millions of people from former colonial areas outside Europe moved to their 'motherland' of the United Kingdom, France or the Netherlands, and after a while and at a much lower rate also to Spain and Portugal. At that time, Southern and Central European countries (but also countries such as Ireland) were predominantly migrant-sending coun-

3 Figures refer to the situation in 2010 (<http://esa.un.org/migration/p2kodata.asp>).

tries, if they were involved in international migration at all. More recently, Ireland, Spain, Portugal, Greece and Italy, as well as a number of countries in Central Europe, have been transformed into transit countries and receiving countries. They now serve as magnets for hundreds of thousands of newcomers from Latin America, Central and Eastern Europe and beyond. In the meantime, refugees and asylum seekers from war zones all over the world have flocked to Europe hoping to find a safe haven. Today, professionals are moving to the centres of Europe's knowledge economies. These modern-day 'guest workers' are known as 'expats', as are the students who are enrolling en masse in Europe's universities and other educational facilities. There is also the category of people who used to be labelled 'spontaneous guest workers' but who today are viewed as 'illegal' or 'undocumented migrants'. In addition, people come to Europe seeking adventure, a new lifestyle, friendship or love, and there is a category of Europeans who are simply enjoying the right of free mobility. No country in Europe is unaffected by these migratory flows, although their impact varies from place to place.

*Types of  
migration*

Migratory movements, in combination with new technologies and increased wealth, have created a Europe that is connected in a myriad of ways to each and every part of the world. Many first-generation and second-generation Moroccans in Belgium or France – including those who are citizens of their country of residence – maintain or construct many-stranded linkages with their 'hometowns' in the Rif, but feel completely disconnected from other Europeans, for instance, in Nordic region or the Balkans. Today, more than ever before, family ties, economic ties, political ties, cultural ties and the like exist and develop beyond 'European' borders. Consequent to immigration, new diversities have been added to and articulated with older diversities, resulting in ever-changing linguistic landscapes, religious landscapes and legal landscapes (as the number of individuals with multiple passports is on the rise). This makes the question what Europe is and who belongs to it all the more urgent.

*Transnational  
connections*

What applies to Europe as a whole – however defined – applies to units at lower scalar levels as well. International migrants arrive in a country, they find a job in a city, and they settle down in a neighbourhood. There they figure out how to get a place in the sun, how to access social and educational resources, and how to become upwardly mobile. They find ways to continue their identity, lifestyle, loyalties and ways of doing things while also adjusting to the host society's ways and expectations. The host society's individuals and institutions, for their part, have to figure out how to deal with all of these newcomers, how to maintain social order and social cohesion, and how to secure a smoothly running social, political and economic system in which everyone gets a piece of the pie and all feel connected in some way. As has become clear in Europe, these processes are complex and sensitive. They involve a great deal of negotiation, sur-

*Assimilating*

rounding institutional settings and everyday practices and interactions. A bit of conflict may be involved too, as well as some pain and frustration. Moreover, it is often forgotten that these processes take time. They are further complicated by the fact that neither host societies nor newcomers are fixed entities. Each is subject to profound internal tensions and transformations, and the world around them is in constant change as well, exerting a range of divergent influences on local processes. Globalisation, whether it pertains to political and economic dynamics, to cultural forms or to some other life domain, impacts relations between the host society and newcomers. Nonetheless, experiences from classic countries of immigration, such as the USA and Canada and the Australasia region, teach us the interesting lesson that in the end most newcomers do manage to become part of the mainstream (Alba & Nee 2003). Even the Irish in the USA managed to assimilate! They arrived hungry and penniless and with few resources. They were poor and rowdy. They were seen as a very different type of human being and as lacking civilization. They were Roman Catholics rather than good Protestants. They were loyal to the Pope in Rome – perhaps more loyal to that un-American power than to the US president. Yet, they gradually ceased to be different. Admittedly, it took a lot of bitterness and many generations to accomplish this, but still, assimilation did occur eventually. Their assimilation coincides today with an Irish symbolic ethnicity (Gans 1979) visible, for example, in St Patrick's Day.

The process of immigrant incorporation has many different names. It is described and analysed using terms like 'inclusion', 'adjustment', 'absorption', 'integration' and 'assimilation'. In general, we can say that the concept of 'assimilation' is en vogue in North America, whereas in Europe the concept of 'integration' is more popular. Both concepts are rather fuzzy and used to refer to several different realities. First of all, they may be understood as a way of describing the state of the art with regard to the position of immigrants and the actual makeup of a society. Second, they may be interpreted as reflecting a general vision of the way government and society should orient itself and thus a preferred end-situation. Third, they may be used to refer to a specific set of policy tools and support mechanisms for accommodating immigrant incorporation.

To understand the specificity of European ways of dealing with immigrant incorporation, in contrast to North American ways, it is useful to first take a closer look at the concept of 'integration'. The notion of integration is almost absent from scholarly and policy discussion in the USA, but it has become absolutely central to debates in Western Europe (Brubaker 2001; Favell 2003; Penninx, Berger & Kraal 2006). In the USA, use of the concept of integration goes back to the black Civil Rights Movement, which invoked it as a goal in opposition to the segregation of schools and public services or as a description of processes of desegregation and ac-

quisition of citizenship rights and equality. The concept of integration in North America is thus historically associated with the plight of African-Americans and the Civil Rights Movement and not with the incorporation of recent immigrants, let alone with government policy to accomplish such an aim. On the American side of the Atlantic, the process of immigrant incorporation is commonly described and analysed in terms of 'assimilation'. As it is currently used, the concept of 'assimilation' or 'new assimilation' refers not to the process of absorption into the mainstream but instead to the 'process of becoming similar or making similar or treating as similar' (Brubaker 2001: 532; see also Alba & Nee 1997, 2003). In Europe, the concept of integration is de rigueur in political and policy circles, though it is often rejected by the offspring of migrants born on European soil. This is undoubtedly related to social and political concerns about or perhaps even discomfort with international migration and with the presence of migrant and migrant-origin populations in urban Europe. In the USA and other classic countries of immigration, each and every individual can claim a migration history, with the exception of such communities as the Aborigines in Australia, the First Nations in Canada and the Maoris in New Zealand. These countries' mindset and institutional makeup are therefore geared towards accommodating newcomers. European countries, in contrast, tend to be hesitant about immigration, if not flat out resistant to it. Waves of immigrants have found their way to a multitude of European states. However, the arrival of immigrants is still typically seen as a disturbance of the nation's daily routines and social relations rather than as a precondition for its continued vitality. Especially in the more advanced European welfare states, governments have stepped in to address these issues and to channel and enhance the process of immigrant integration. This urge to 'integrate' the 'Other' is related to international migration, the concomitant proliferation of new diversities, the often time-consuming processes of immigrant incorporation and a lack of patience on the part of the host country for this process to be successfully concluded (Vermeulen & Penninx 2000).

An important factor is whether newcomers as ethnic or religious minorities demand the right to be different and are allocated space to be so. When they are, such situations are often described as 'multiculturalism'. The current political mood in Europe is not very favourable towards 'multiculturalism', as many fear proliferation of 'communautarism' and 'parallel societies' (Vertovec & Wessendorf 2010). That fear or discomfort is so strong that it has led leaders of countries that have never officially pursued a multicultural policy – such as Nicolas Sarkozy of France and Angela Merkel of Germany – to make public statements about the purported failure of multiculturalism in their countries (Rath 2011). The critical, or perhaps cynical, discourses notwithstanding, even in these countries there is much of what we label 'multiculturalism by stealth' or 'light multicult-

*Immigration in  
Europe*

*Anti-  
multiculturalism*

*Integration  
process' dynamics*

turalism': manifestations of ethnic diversity in some institutionalised form that has become commonplace and accepted by a large share of the public (Aytar & Rath 2012). A case in point here is the abundance of ethnic food outlets, which create distinctive but trendy ethnic foodscapes; another is the popularity of world music.

This should remind us that policies and public discourse are not to be confused with everyday reality. More importantly, perhaps, it should sensitise us to the fact that processes of integration follow a different pace, take different forms and have different outcomes in different settings. The course of integration may vary from city to city and from country to country, but also from one institutional domain to another. The situation in the labour market is not identical to that in education or in leisure and entertainment.

A growing number of scholars in Europe have taken an interest in these issues, and they have produced a large body of literature. This student textbook brings together some of that European scholarship, or more precisely, scholarship that matters to Europe.

The first part of this book showcases and discusses a number of theoretical perspectives on immigrant incorporation. In a comprehensive chapter, Thomas Faist and Peter Kivisto discuss a range of citizenship theories that are relevant to the study of immigrant integration. Richard Alba and Victor Nee then examine assimilation models. They first critically discuss the 'old school' forms of assimilation which assume that newcomers enter a kind of 'melting pot' and, by default, dissolve into the mainstream. Then they present a more current perspective on assimilation. John Eade and Paolo Ruspini consider the intricacies of multiculturalism. John Solomos explores various paradigms and perspectives on the interrelationship between race, racism and class. Marlou Schrover concludes this first part of the book with a description of how, by whom and why differences according to gender are made in connection with integration.

The second part of the book examines a number of social fields in which the process of immigrant integration takes place. Education, the labour market, business economy, the political system, the health sector, religion, and art and sport are such domains. Martha Montero-Sieburth, Michael Samers, Robert Kloosterman and Jan Rath, Irene Bloemraad and Floris Vermeulen, Milena Chimienti, David Ingleby and Sandro Cattacin, Valerie Amiraux, Wiebke Sievers and Richard Giulianotti briefly describe the state of the art in these fields, respectively, pointing to central concepts and addressing some of the main theoretical debates.

Part three of this book discusses the policy dimensions of these processes. Patrick Ireland examines the relationship between different welfare state regimes and immigrant integration trajectories, while Han Entzinger and Peter Scholten explore national and local integration policies. The book concludes with an epilogue by Marco Martiniello, who reflects on



a more general and normative issue: EU multicultural citizenship as an alternative to immigrant integration policies.

The editors selected and approached these authors on the basis of their expertise on these topics. We encouraged contributors to provide profound overviews of the state of the art. What is the situation? What theoretical perspectives have come to the fore in the international debates? What concepts and controversies have emerged? This book, therefore, provides a thorough theoretical introduction to the field of immigrant integration. This does not mean, however, that the editors and authors strived for completeness. Students of immigrant incorporation should be aware that this is merely an introduction, albeit a helpful one, for those seeking to understand the core features of European migration and ethnic studies.

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## **Part 1**

# **Theoretical Perspectives**



## 2 Citizenship Theories and Migration<sup>1</sup>

*Thomas Faist and Peter Kivisto*

### Summary

There is a growing belief that we are living in what sociologist and former president of Brazil Fernando Henrique Cardoso refer to as 'an age of citizenship'. Political scientist Mark Miller and sociologist Stephen Castles have termed this 'the age of migration'. International migration raises, in particular, questions about inclusion and exclusion in terms of the overall meaning of partial and full membership in political communities. The acquisition of this membership is often a long and arduous process, but the public debates and political conflicts surrounding migrant citizenship are indicative of broader trends in citizenship. This chapter specifies the ways in which citizenship is presumed to be important for immigrant incorporation as well as the implications of migration for citizenship as a whole. The text provides an overview of citizenship theories and discusses the expansion of citizenship through the struggle for rights, the erosion of citizenship in times of neoliberalism, and the extension of citizenship, visible in dual citizenship and EU citizenship. Finally, it takes up debates on local citizenship, civic citizenship and the tension between citizen rights and human rights.

**Keywords:** citizenship, naturalisation, membership, equality, rights

### Introduction

Citizenship has come to occupy centre stage in the social sciences. It has become a focal point for wide-ranging and varied discussions concerning the future of national welfare states, prospects for democracy in increasingly transnational societies, and the integration of newcomers such as migrants into societies, alongside overall societal integration. The mobility

<sup>1</sup> Thomas Faist would like to thank Margit Fauser, Jürgen Gerdes, Mikael Spång and Eveline Reisenauer for helpful comments and inspiring criticism.

*Transnationalism*

of persons across the borders of national states and the consequences of such mobility for membership, embedded in wider frames of cross-border transactions of goods, services, capital, ideas and fledgling efforts at transnational governance, have become strategic sites for research on the changing boundaries of the political. Migration is an especially salient theme in citizenship, as cross-border mobility raises questions about inclusion and exclusion in terms of citizenship and the overall meaning of partial and full membership in political communities. In fact, many or even most international migrants are – at least initially – not citizens of the country they move to. Not only is the acquisition of membership often a long and arduous process, but the public debate and political conflict that surrounds migrant citizenship is indicative of broader trends in citizenship. Indeed, both citizenship and migration are deemed as important features of our times. There is a growing belief that we are living in what sociologist and former president of Brazil Fernando Henrique Cardoso referred to as ‘an age of citizenship’ (see Kivisto & Faist 2007). Political scientist Mark Miller and sociologist Stephen Castles (2003) term this the ‘age of migration’. However, social and political theorists begin to part company when specifying why citizenship is presumed to be important for immigrant integration. They likewise hold different perspectives on the implications of migration for citizenship as a whole and vice versa, and on the factors they identify as transforming – for better or worse – the significance and character of citizenship in a migratory age. This chapter presents an overview of citizenship theories, using a focus on migration and the incorporation of newcomers to introduce salient issues of membership which are also relevant for any general treatment of citizenship.

*Forms of citizenship*

The proliferation in the literature of adjectives to describe the peculiar features of citizenship today underscores the efforts being made to capture what is deemed to be novel about the present situation. Thus, we find treatments of world citizenship (Heater 2002), global citizenship (Falk 1994), universal citizenship (Young 1989), cosmopolitan citizenship (Linklater 1999), multiple citizenship (Held 1995), post-national citizenship (Soysal 1994), transnational citizenship (Bauböck 1994), nested citizenship (Faist 2001), multi-layered citizenship (Yuval-Davis 2000), multicultural citizenship (Kymlicka 1995), cybercitizenship (Tambini 1997), environmental citizenship (Jelin 2000), feminist citizenship (Lister 1997), gendered citizenship (Seidman 1999), flexible citizenship (Ong 1999), intimate citizenship (Plummer 2003) and protective citizenship (Gilbertson & Singer 2003). Some of these terms, such as dual, post-national and flexible citizenship, have been developed explicitly to capture the nexus of migration and citizenship. Others refer to broader developments, for example, global, environmental and feminist citizenship. All of these forms of citizenship call into question two central assumptions of classical citizenship theory. The first assumption is congruence between a state territory, a people (nation)

and a state authority (Jellinek 1964 as locus classicus; cf. Sassen's 2006 adaptation distinguishing between territory, authority and rights). The second assumption is that of the homogeneity of people, mainly along the lines of characteristics such as class and nation. Regarding the latter, extension is warranted of the ingenious formulation by T. H. Marshall (1964), who posited social citizenship as a historical class compromise between market results based on the principle of contract, on one hand, and the principle of status, on the other hand, in a solidarity collective called the 'nation'. Most important regarding the assumption of relative homogeneity, the new forms of citizenship listed above signal a heightened attention of citizenship theorists to the heterogeneity of people and increasing diversity. Thus, heterogeneous characteristics such as gender, religion, age and others have become more salient socially and politically.

In the large – and rapidly growing – body of recent scholarly work on citizenship, mainly from the interrelated fields of sociology, political science, philosophy and cultural studies, we distinguish two major discourses on the topic. The first concerns the expansion of citizenship and the second its erosion; that is, both expansion and erosion within national states. Yet these discourses pay little attention to the twofold extension of citizenship that is also under way, transnationally and globally. Also, comparatively little effort has been devoted to the reformulation of citizenship in light of cross-border processes that have an impact on local citizenship, and to the changes in the socio-moral resources underlying citizenship, that is, reciprocity and solidarity, as in the concept of civic citizenship. Finally, in all of its forms except global, citizenship acts as a social closure towards those who do not belong to the predefined body politic. What is at stake is not simply the emergence of new forms of citizenship, such as transnational citizenship or global citizenship, but the internal globalisation of existing forms of citizenship, such as the transformation of national citizenship. Therefore, it is necessary to explore the limits of the concept of citizenship as a means of social and political inclusion.

*Limitations*

## **Towards a definition of citizenship**

Before showing how migration poses a challenge to citizenship, a more general discussion of the term is in order. Citizenship is a contested and a normative concept (Walzer 1989). Today it usually refers to full membership in a national state. There are no authoritative definitions. According to the Aristotelian tradition, citizenship constitutes an expression of full membership of persons in a political community, eventually aiming towards equal political liberty, irrespective of whether the citizens are governing or are governed (Aristotle 1962: III, 1274b32-1275b21). Overall, citizenship can be usefully differentiated into a legal concept – legal

*Conceptual  
definition*

citizenship or 'nationality' (e.g., *nacionalidad*, *nationalité*, *Staatsangehörigkeit*) – and a political concept.

Citizenship as a legal concept means full membership in a state and the corresponding tie to state law and subjection to state power. The interstate function of nationality is to define a people within a clearly delineated territory and to protect the citizens of a state against the outside, at times hostile, world. The intrastate function of nationality is to define the rights and duties of members. According to the principle of *domaine réservée* – exclusive competence – each state decides within the limits of self-determination on the criteria required for access to its citizenship. One general condition for membership is that nationals have some kind of close ties to the respective state, a 'genuine link' (Faist 2007).

In contrast, citizenship viewed as a contested political concept concerns the relationship between the state and democracy: 'Without a state, there can be no citizenship; without citizenship, there can be no democracy' (Linz & Stepan 1996: 28). In essence, citizenship builds on collective self-determination, that is, democracy, essentially comprising three mutually qualifying dimensions: (i) the legally guaranteed status of equal political freedom and democratic self-determination; (ii) equal rights and obligations of all full members; and (iii) affiliation to a political community. These three dimensions are developed below.

*Democracy*

The first basic dimension is the principle of democratic legitimation regarding the acceptance of rule and the process of rule-making. Flowing from this are citizenship practices, namely, the ways in which the relations between citizens and the political community as a whole unfold over time, and more specifically, how citizens negotiate and shape their citizenship. Thus, citizenship means above all the principle of unity of both those governing and those being governed (Rousseau 1966: 76), whatever forms the democratic procedures of each state may take in detail. Ideally, citizens endowed with equal political liberty obey the laws in which they have participated in the creation and the validity of which they thus consent to. Without democratic procedures guiding citizens' political self-determination, citizenship would mean little more than members of political communities being subjects of a sovereign.

*Constitutionality*

*Rights and duties*

The second basic dimension of citizenship refers to the principle of rule of law regarding a guaranteed right to citizenship and to rights associated with citizenship, as well as welfare state intervention in the form of policies to underpin a modicum of living. In general, citizens' rights fall into vari-



ous realms: civil or negative rights to liberty, such as the right to a fair court proceeding; political rights to participation such as the right to vote and to associate; and social rights, including the right to social benefits in case of sickness, unemployment and old age and the right to education (Marshall 1964). The duties corresponding to citizens' entitlements are the duty to serve in the armed forces in order to protect state sovereignty against exterior threats, alongside the duty to pay taxes, to acknowledge the rights and liberties of other citizens and to accept democratically legitimated decisions of majorities.

*Equity*

### *Collective affiliation*

The third basic dimension of citizenship implies affiliation to a political community, often understood as the 'nation' in the nineteenth and twentieth centuries. Citizenship rests on an affinity of citizens with certain political communities, implying the partial identification with and thus loyalty to a self-governing collective (cf. Weber 1980: 242-244). Such collectives claim to establish a balance between the individual and common interests, on the one hand, and rights and responsibilities within the political community, on the other. Affiliation with a collective, whether it be a nation or other entity, expressed as a set of relatively continuous, social and symbolic ties of citizens otherwise anonymous to each other, is linked to the status dimension of citizenship, because there exist reciprocal obligations of members in a political community, akin to a social contract.

*Sense of belonging*

### *The three dimensions together*

The three dimensions are intricately connected. There is a double coding of citizenship (cf. Habermas 1998): access to legally guaranteed status and rights in a democracy (the first and second dimension) usually implies belonging to a politically defined community (the third dimension). Importantly, citizenship rests not only on the status of state-citizen ties but also on ties among citizens. Citizenship forms a continuing series of institutionalised ties among citizens (Tilly 1996). Political analyses tend to focus on the aspect of status and to ignore the aspect of social ties. In particular, citizenship connotes the institutionalisation of specific reciprocity and diffuse solidarity of members in a political community – again, like a social contract (Dahrendorf 1988: 116). Specific reciprocity means that one's partners may be viewed as a group (e.g., nation) rather than as particular actors. It involves conforming to generally accepted standards of behaviour. Diffuse solidarity relates to empathy towards others and also pertains to larger social formations in which participants and members largely lack face-to-face contact. Quite a few social rights and corresponding policies, especially those that have a redistributive effect, require specific reciprocal

*Grouping  
individuals*

ties among citizens, such as the so-called 'generations agreement' implicit in pension schemes based on a younger generation paying for the one that has already retired, in the expectation that the next generation will do the same. A basis in diffuse solidarity may even be needed for certain social rights and policies, such as basic minimum income schemes financed by general tax revenues.

Thus, three main trends can be identified as contributing to shape citizenship over the past century. These are expansion, via the continual inclusion of new groups within (national) states; erosion, via the decreasing political participation of members/citizens in the public sphere; and extension, via the partial separation of the triad of state authority, state population and state territory and the overall transnationalisation of social processes.

### **The expansion of citizenship: From exclusion to inclusion and the struggle for rights**

Expansion theorists view citizenship as vibrant and susceptible to reinvention in ways appropriate to the exigencies of contemporary challenges. There are actually two distinct, albeit sometimes interconnected, discourses.

#### *Inclusion and exclusion*

One account sees the expansion of citizenship in terms of the progressive inclusion of heretofore marginalised and excluded groups. For example, the evolutionary functionalism of Talcott Parsons (1971) suggests that a growing capacity and societal interest in inclusivity is one of the main trends shaping modern societies. Such a perspective views citizenship as a particularly significant mode of identity and solidarity in pluralist societies. Particular attention is paid to various spheres of heterogeneity, such as ethnicity, race, gender, migration status and experience. One aspect concerns citizenship acquisition, while another pertains to the extension of citizen rights to hitherto excluded groups, including migrants. The acquisition of citizenship is constituted by criteria relating to one's country of birth. The two most widespread principles for children born in a state are *jus sanguinis* and *jus soli*. The former is the principle of intergenerational transmission existing in virtually all countries, while the latter is the principle of territoriality, which is more inclusive of children of newcomers. Other criteria relating to newcomers could be the length of stay in the country of naturalisation, language competence, proof of civic literacy, demonstration of material resources and marketable skills. Regarding these criteria, alongside regulations for acquisition of legal citizenship by birth or naturalisation, there has been a European trend towards convergence, for example, the spreading of the principle of *jus soli* and the convergence of explicit rules, such as requiring knowledge of the official language of the country of naturalisation, as a prerequisite for acquiring citizenship (cf. Joppke 1999). Empirical studies have interpreted such measurable trends

as a sign of increasing inclusiveness (Waldrauch 2001). From the viewpoint of normative political theory much of the impetus towards greater inclusion of migrants and their offspring can be derived from the democratic principle of congruence between the resident population and the populace; that is, residents subject to laws should have a say in the formation of those laws. This is a direct outflow of the first dimension of citizenship, which affirms equal political freedom. Nonetheless, questions remain even in this discourse; for example, 'Should immigrants show some proof that they have become incorporated socially or culturally before being allowed to naturalise and thus have access to full rights?' Or does full citizenship instead represent a beginning of the integration process, a sort of necessary prerequisite for full incorporation? The second aspect pertains to the extension of citizen rights to hitherto excluded groups. It relates to some migrant groups or national minorities being characterised by their race or ethnicity. The focus here is not on newcomers but on full citizens who have been deprived of acquiring full rights or exercising them. Inclusion by extending universal rights (e.g., voting rights for all, such as in the American Civil Rights Movement) or granting specific rights (e.g., representation rights for religious or ethnic minorities) is often justified on the basis of discrimination in the past or present (e.g., affirmative action policies). Or measures may be taken to ensure that minority members can draw upon their cultural heritage. In states with a high degree of minority rights or multicultural rights, characteristics such as gender, ethnicity and race acquire more important meaning in shaping an understanding of who is to be granted full membership in the body politic.

*Integration or  
citizenship first?*

Nonetheless, it is highly contested whether, to what degree and for which category, citizens' cultural or even group-differentiated rights should be a constitutive part of citizenship (Young 1989). Critics charge that cultural rights could form the basis of new divisions among citizens, contradicting the notion of equal democratic citizenship. Multicultural rights could be used to portray minorities as culturally different or to induce the (welfare) state to redistribute from the majority to such minorities. Similar charges have emerged in general debates on immigration in Europe, Australia and North America. Much of the discussion has been connected to collective identifications, which is our third dimension of citizenship. In citizenship theory, two debates have focused on this issue. The first debate concerns the claim that individual and group rights of minorities are a major basis for political inclusion in multicultural societies (Kymlicka & Norman 2000). Recently, the idea of diversity has, depending on the viewpoint taken, replaced or enriched the discourse on multiculturalism. This perspective goes beyond cultural characteristics to include social class and disability. Nevertheless, it is of utmost relevance for migrant incorporation as well, because it shifts the basic question from 'how can migrants be socially integrated into the body politic?' to 'how can mainstream or majority

*Dealing with  
diversities*

organisations adjust to the (putatively) growing diversity of contemporary society?' (Faist 2009a). The second debate is associated with the question of how far citizenship and attendant national identifications can be extended beyond their traditional association with an exclusive national community to several national communities, or even to global or cosmopolitan communities (Bosniak 2002). Thus, to what extent is citizenship bound to national states? The question of whether it can also be tied to sub-state (e.g., regional, local, city) and supranational entities (e.g., of the EU) is fiercely disputed.

A competing account to the gradual, onward march of inclusion stresses the struggles of marginalised groups to gain admission to the public sphere as equals possessing all of the rights of citizens. This view is especially evident among social movement scholars. Be it a focus on the women's movement or migrants' struggles, the main thrust of this approach tends to reflect the dictum, 'Rights must be taken!' Implicitly set in the conflict theoretical approach by John Rex (1982), theoretical and empirical work in this vein has looked at forms of discrimination, exploitation and social closure in markets but also in politics. It emphasises conflicts between groups instead of competition between individuals, and it documents how resistance challenges both social structures and ideas upholding social inequality along lines other than but intricately connected to social class (e.g., Katznelson 1973).

One interesting question concerns the material effects of the extension of citizenship to immigrants. Citizenship and the chances for its acquisition may have very tangible effects on the life chances of migrants, and this outcome sheds light on the relationship between citizenship acquisition and migrant incorporation. The question is whether citizenship could be used as an instrument to promote the integration of immigrants or whether it functions or should function as a reward for well-performing migrants. Recent findings on this issue regarding OECD countries (Liebig 2011: 48-49) suggest that the first position has more empirical validity than the second one. To start with, the data indicate that those migrants who have acquired the immigration country citizenship tend to show more favourable labour market outcomes. Predictably, the observed better outcomes are partly driven by the fact that there is some positive selection of migrants into citizenship. For example, immigrants who take up the immigration state citizenship are likely to be relatively highly educated and to have higher labour market positions already before naturalisation. The crucial question then is whether having immigration country citizenship can, by itself, have a beneficial effect on migrants' labour market outcomes. Indeed, it does seem to enhance not only the general likelihood of finding work, but also its quality and wage level, and immigration country citizenship leads to a better representation of immigrants in the public sector. What is more, the effects appear to be strongest for the most disadvantaged immigrants in the labour market.

### The erosion of citizenship: Naturalisation, social cohesion and neoliberalism

As to the erosion theorists, again two different, though sometimes interconnected, concerns have been voiced about what has been interpreted as a decline in the efficacy and salience of citizenship. One variant concerns what is perceived as the steady decline in involvement in public life by ordinary people. This particular topic has been a major worry to those interested in the fate of the public sphere or civil society in various ways from different perspectives, as attested by the works of Benjamin Barber, Robert Bellah, Amitai Etzioni and Robert Putnam (Kivisto & Faist 2007: Chapter 4). Regarding immigrants, one key issue is the conditions and criteria of naturalisation. The fear in this vein is the 'devaluation' of citizenship if immigrants can acquire it too easily (Schuck & Smith 1985). Other frequently voiced concerns relate to the instrumental acquisition of citizenship. For example, there is some evidence that in countries with more restrictive migration policies there is a higher incentive to acquire citizenship. The reverse situation is found, for example, among those who have citizenship of one EU member state: they have little incentive to strive for the acquisition of citizenship of another EU state (cf. German Federal Office for Migration 2012: 15).

*Value and incentives*

The second variant of erosion concerns the lively debate currently under way to address the assault on social citizenship brought about by the rise of neoliberal political regimes since the 1970s. Appropriately, this debate is usually framed in terms of T. H. Marshall's (1964) paradigm of the evolution of citizenship linked to the rise and expansion of the modern welfare state. The expansion of citizenship is not simply a process of expanding or contracting individual rights, but of changing the relation between individual rights and a collective dimension. This is why the development of citizenship is not congruent with the neoliberal approach foregrounding individual (property) rights, but rather, in Marshall's insightful formulation, constitutes a status, based on a collective understanding, to counter inequitable results produced by market forces. In short, citizenship may constitute a status mechanism for ameliorating class inequalities. Yet it is noteworthy that the impact of economic restructuring on migrant citizenship is not a major issue in the current discussions and theory on migrant citizenship. This stands in stark contrast to the debates on 'race and class' in the 1970s and 1980s. Instead, concerns about social cohesion and social integration through the lens of culture dominate the academic and public policy agenda. In a detour, this concern has been taken up by those looking again at how immigrants themselves organise to accumulate and reproduce social capital in the political realm, that is, through immigrant organisations and associated politics (e.g., Fennema & Tillie 2001).

*Neoliberalism, market and inequality*

Critics of multicultural citizenship have referred to de-solidarisation of citizens in welfare states as a consequence of multicultural citizenship. Still others argue that multiculturalism policies fuel cultural conflict and thereby increase opposition to immigrant rights by encouraging identity politics on the part of the majority groups (Sniderman & Hagendoorn 2007 on the Netherlands). By contrast, defenders of multiculturalism maintain that multiculturalism policies have led to increased equalities (Banting & Kymlicka 2006). Given the sweeping claims advanced by both critics and defenders of multicultural citizenship, it is indeed astonishing that the bulk of this work draws on a wealth of normative theory, in sharp contrast to the poverty of empirical research on multiculturalism.

### **The extension of citizenship: Multiple citizenship as dual and supranational citizenship**

Theories of expansion and erosion have both frequently presupposed that the locus of citizenship is the national state. This assumption has been increasingly challenged by scholars, who raise questions about what they claim to be erosion of the efficacy of the national state or, in more sophisticated terms, its transformation, while simultaneously pondering whether various trans-state entities such as the United Nations or, at a more regional level, the EU, might be capable of developing notions of citizenship that, in effect, burst the boundaries of the national state (Jacobson 1996). In part, the argument draws a parallel between the pre-modern and the modern loci of citizenship. In the former, it was the city-state, while in the latter it became the national state. The assumption underpinning this argument is that, as we enter what some see as late or advanced modernity (Giddens 1990) and others as postmodernity (Harvey 1989), a similar shift occurs in the locus of citizenship regimes.

Empirical observations indicate that citizenship is becoming increasingly unbundled, in that identity, political participation rights and social benefits that were once grouped tightly together under the rubric of national citizenship are, in a number of circumstances, today being disaggregated and assembled in new ways, thus 'jumping tracks'. Today, there is nothing unusual about several partially overlapping, partially competing governance structures with diverging membership criteria existing within a single territory. The voting rights of certain non-citizen residents in some municipal elections in Europe is an example. Some see in this disaggregation a sign of the end of democracy in the name of transnational capital, labour and consumerism. Others suggest that one can also locate in such a disaggregation a site for a pluralist cosmopolitan federalism of the sort that Immanuel Kant advocated (Benhabib 2004).

Underlying these considerations is the fundamental theoretical problem of whether citizenship can fruitfully be conceptualised beyond the national state, or whether citizenship – as, for example, Bryan Turner (1993) would have it – cannot be transnationalised. If the latter is the case, there is also a danger of conceptual stretching. A third view rejects both positions and argues that the unbundling of rights, territories and authorities does not lead to a juxtaposition of old, national forms with new, supranational or even global forms of citizenship because supranational and global processes mainly work through a reconfigured national state (Sassen 2006). Basically, there are two forms of citizenship reaching beyond and below the national state. The first is overlapping, best visualized in citizenship as circles which overlap each other. Dual or multiple citizenship in national states is a prominent example. The second form is nested, consisting of concentric circles: a person may be a citizen of Lisbon, Portugal and the EU. This latter form relates to city level or local citizenship.

*Overlapping and  
nested*

Dual citizenship raises questions similar to those brought up by the expansion of citizenship more generally. Toleration of dual citizenship in immigration countries is usually legitimated by positing that legal equality should be a prerequisite for substantive citizenship, that is, full participation in economic, political and cultural life in the place of residence. Again, it is the congruence of the resident population and populace which is at the heart of the matter. Instrumentally, the claim that legal equality should be a prerequisite for citizenship hinges on the observation that those states tolerating dual citizenship have, *ceteris paribus*, proportionally more immigrants who have been naturalised. In addition, citizenship as a human right comes into play. In international law, for example, citizenship has come to be viewed increasingly as a human right, as in the case of stateless persons (Chan 1991). Gender equality as a human right found entry into international law in the Convention on Nationality for Married Women in 1957, and later into the law of national states. According to this body of law, women no longer have to give up their legal citizenship when marrying a spouse of another nationality. In a further step, taken by a Convention of the Council of Europe (1993), children from so-called bi-national marriages have dual or multiple citizenships. Countries with significant shares of emigrants, that is, emigration countries, have subsequently also adapted their citizenship laws, verging towards more tolerance of dual citizenships among their citizens abroad. However, in such cases the above-mentioned factors have played less of a role than the instrumental concerns of maintaining and re-forging ties to (former) citizens abroad (e.g., Górný et al. 2007).

The increasing toleration of dual citizenship as membership around the globe (Faist & Gerdes 2008) is reflective of multiple belonging. In effect, its spread has helped to advance thinking about overcoming dichotomies in concepts of migrant incorporation. Insertion in the country of settlement

is not necessarily accompanied by a dismantling of ties to countries of origin. Affiliation to transnationally connected families, religious communities and entrepreneurs is thus not an anomaly of incorporation processes but one of the many pathways to incorporation used by migrants.

#### Voting right

Dual citizenship has different implications in different political systems, depending their more unitary or more federal designs. Dual citizenship derives mainly from the acquisition of citizenship at birth (from parents with different nationalities or from the combination of *jus sanguinis* transmission by the state of origin and *jus soli* acquisition in the state of residence). Moreover, dual nationality increasingly stems from naturalisation without renunciation of a previously acquired legal citizenship. While dual citizenship may raise certain problems for the individuals and states concerned, it does not obviously violate democratic principles. One objection is that dual citizenship would violate equality of representation by giving one person two votes. However, even assuming that they can also vote by absentee ballot in a country where they do not presently live, dual citizens still have one vote only in each election. These separate votes are never aggregated in the process of electing a representative or in a referendum. Dual citizens have a stake in two different states, but their votes do not count twice in any decision. This is different in federal systems (e.g., those of the USA and Germany) or proto-federal systems (such as the EU). If a person who is a resident of both Germany and France were enfranchised in both countries for elections to the European Parliament, this would mean that their vote would be counted twice in determining the representation of these countries (or, more precisely, of districts within these countries) in the European Parliament. These considerations, in principle, also apply to other forms of multiple citizenships. Yet dual citizenship is by no means the only form of multiple citizenships. At the sub-state level, there are forms of local citizenship, and at the supra-state level, there are incarnations such as EU citizenship.

#### Allowing permanent residency

The empirical observation that social and political citizenship do not coincide has led to a wider and farther-reaching debate on the nature of contemporary citizenship. The point of departure is that permanent residents may have access to virtually all social rights, yet be barred from the right to vote because they are not *de jure* citizens, that is, citizens in the full legal sense (Faist 1995). One branch of the discussion concerns the concept of post-national citizenship, which is particularly salient for the EU and national states. This concept emphasises the increasing relevance of genuinely inter-state and supra-state policies and rights. In general, post-nationalists claim that human rights have grown closer to citizens' rights. In their view, liberal-democratic states have come to increasingly respect the human rights of persons, irrespective of their citizenship (Soysal 1994). Interstate human rights discourses and supra-state institutions such as the EU have led states to grant rights, including virtually all civil and social



rights, to certain groups which thereby do not become citizens (yet) but 'denizens', or immigrants holding permanent residence status. To some extent, the emergence of denizenship counteracts one of the main trends of national state citizenship, which privileged the binary opposition of 'citizen' versus 'alien', in contrast to the complex relationships between individuals and communities in *ancien régime* societies (Fahrmeir 2007). The category of denizens includes those who are permanent residents in the member states of the EU while also holding citizenship of a non-EU country, that is, citizens of third states (extracommunitari). Within the EU, supra-state institutions such as the European Court of Justice (ECJ) have developed common rights for all residents. For this reason, today there are few differences in social rights for denizens and citizens of EU member states. Nevertheless, writers in the post-national vein have little to say about citizens, as the focus is on the divergence between rights and identity, which are the second and third dimensions of citizenship. They are mainly concerned with the closing gap of rights between denizens and citizens (Jacobson 1995), and completely disregard the very foundation and first dimension of citizenship, equal political liberty.

*European and  
supranational*

Moreover, it is certainly true that basic human and civil rights have become enshrined on a supra-state level in the EU. But this is obviously not as true for political rights and not at all true for social rights. A post-nationalist perspective neglects the double coding of citizenship. It disregards, for example, that morally demanding social rights, such as those involving redistribution of funds, require support by strong social and symbolic ties of specific reciprocity and diffuse solidarity. Such ties are usually limited to collectives that are much narrower than the category 'European people' as a whole. For example, generational reciprocity in pension systems does not reach from Finland to Portugal. This is not to say that the EU has had no impact on social rights. In the realm of national health services, for example, EU rules condition the options available to national welfare states. Yet, the EU has implemented new rights only in limited areas, such as the rights of mobile citizens of EU member states, those in the sphere of gender equality and those regarding health and occupational safety.

The post-national perspective views the emergence of rights in-between citizen rights and human rights, such as denizenship, already as a sign that human rights of personhood have become more important than citizen rights for certain categories of persons such as migrants. In social science parlance, denizenship refers to permanent residents with civil and social rights almost equivalent to those of citizens (Hammar 1990). Denizenship implies that, increasingly, aliens acquire rights that were formerly the prerogative of citizens. However, the basis of denizenship is not only human rights but also participation in functionally differentiated systems of modern society, such as participation in labour markets and thus social security. Also, one needs to discard the implausible idea that an efficient pro-

*Equal  
opportunities*

*European  
citizenship*

tection of human rights is located in global discourses. Therefore, one can circumvent the questionable assumptions of the post-national perspective and go a step further. Indeed, we need to ask whether citizenship can be reconceptualised supranationally – but not just as a replication of national state citizenship.

The concept of nested citizenship is an alternative to a post-national analysis of supranational citizenship (Faist 2001). Nested membership allows that membership in the EU has multiple sites and that there is an interactive system of politics, policies and rights between the sub-state, state, inter-state and supra-state levels. The web of governance networks allows for enshrining (currently a few) new rights at the supra-state level, inter-connecting them with old ones, and – above all – re-adapting rights and institutions in existing member states. In the near future, the EU will probably not become a federal political system like those found in its member states. Therefore, we cannot speak of EU citizenship as full-fledged federal citizenship. But what has evolved in the EU is an extraordinarily intricate network of overlapping authorities and attendant rights.

The specific characteristics of nested citizenship are as follows. First, nested membership implies multiple levels. The political actors – including sovereign member states, the EU Commission, the Council of Ministers, lobby groups and citizens' associations – are involved in activities at different levels. Second, nested citizenship is a form of federative membership. There is not a simple coexistence of different levels. EU citizenship as a whole is sited in various governance levels. An important consequence is that nested citizenship is not smoothly evolving into a truly federal citizenship. The sovereignty of member states in granting citizenship at the state level has far-reaching implications for the slow evolution of a more coherent EU citizenship, and the resistance of member states to it. Take the example of free movement. Argentinians with Spanish or Italian ancestry might have reclaimed the citizenship of their ancestors and moved to the EU – but not necessarily to their country of citizenship within the EU. Or look at Hungary extending citizenship to co-ethnics in Serbia, or the ease with which Moldavians seem to have access to Romanian citizenship and therefore citizenship in the EU and the associated mobility rights. In all these cases EU member states other than the ones mentioned could object. This state of affairs constitutes one of the factors slowing the harmonisation of citizenship laws and even the unification of citizenship within the EU. The ability of member states to regulate admission to state citizenship stands in stark contrast to their growing inability to define who is considered a 'worker' and thus able to cross borders freely and engage in economic activities. Access to member state citizenship is an instrument wielded by the now semi-sovereign states to fend off continued encroachment of EU case law upon access to their labour markets. Member states try to offset their sovereignty losses concerning the free movement of labour by

protecting their exclusive right to naturalisation. The third characteristic of nested citizenship is that it cannot be thought of as membership guided by a coherent or even centralised political authority. As opposed to citizenship in federal political systems, such as the Federal Republic of Germany (not to speak of unitary systems), the EU as the highest level should not be understood as the primary centre of political authority standing above the sub-state systems. The multi-tiered governance network of the EU is better understood as a loose federal system.

*Local level*

### **Reformulations of citizenship: The examples of local and quasi-citizenship**

The rise of modern (national) statehood signifies a subordination of locality in general and the city in particular to the nation as the only sovereign political community (Isin & Wood 1999). Local citizenship has thus been subjugated to national citizenship. This is not self-evident, as citizenship emerged in the Mediterranean city-states of Athens and Rome, and was reinvented in the Renaissance city republics. The modern national incarnation arose in the urban revolutions that swept across Europe from 1789 to 1848. In the age of transnationalisation and even globalisation, which has not undermined national states in principle but has given other levels of political organisation new opportunities (see, e.g., Held et al. 1999), the question is whether we see a new form of local citizenship for the twenty-first century that may differ from the nineteenth- and twentieth-century models of national membership. The potential significance of urban citizenship for cosmopolitan democracy is not that it would provide an alternative basis to territorial federation, but that it could be the locus of new forms of identifications. Culturally diverse localities could foster new collective identifications which do not neatly correspond to national narratives of cultural homogeneity (Bauböck 2003). Membership in city locales would not necessarily be congruent with full national membership, as membership in cities could include irregular migrants, permanent residents and citizens alike. There has been a tendency across Europe to include permanent residents in the populace for local elections. Whether local or urban citizenship could also provide an alternative model of membership that could eventually help to overcome some of the exclusionary features of national citizenship or even be the harbinger for cosmopolitanism is open for debate. Nonetheless, local citizenship raises the question of how citizenship can be democratised 'from below'.

Analyses of both supranational and local citizenship are particularly salient for understanding membership in emerging polities because one may dissect the resources necessary for citizens to trust each other. Both the expansion and erosion camps talk about highly demanding norms, name-

ly, trust among citizens, specific reciprocity and diffuse solidarity, as the necessary foundations of citizenship in national states. One could even go so far as to say that these are 'socio-moral resources' (Offe & Preuß 1991), which enable civil society to consent on rights and obligations. This means a fusion of citizenship's second dimension – rights and obligations – and third dimension – collective identifications. Usually, these observations apply to national forms of citizenship. The interesting question is whether citizenship also requires at the local and supranational levels thick forms of reciprocity and solidarity, or whether thinner forms could also form a basis for citizens respecting each other's equal political freedom – the very first dimension and basis of citizenship.

In order to capture forms of membership in-between alienship and full citizenship in the EU, a number of concepts have been used, such as 'denizenship', 'civic citizenship' and 'quasi-citizenship'. These all denote a sort of long-term residence status. The earliest effort was Hammar's revival of denizenship as a distinct status which captures in-between-ness at the national level. Later, the term 'quasi-citizenship' was coined to denote an enhanced version of denizenship 'that entails almost identical rights as those enjoyed by resident nationals, including voting rights at some level (local or national) or access to public office, as well as full protection from expulsion' (Bauböck et al. 2006: 29). Nonetheless, there has been no seminal trend of liberalisation:

Generally, after 2000 in the majority of the Member States, either access to the permanent residence status became more difficult with the introduction of new conditions and practical barriers, or new grounds for losing the status were introduced (Groenendijk 2006: 405).

Civic citizenship, a concept pushed by the EU in the early 2000s, denoted a similar conceptual effort as quasi-citizenship. It emerged from the European Commission's communications on a Community immigration policy. Similar to denizenship, it includes all those who are permanent residents and is meant to apply to all legally-resident extracommunitari who have put down roots in EU member states. As long-term residents, they enjoy comparable access to employment, education, welfare benefits, healthcare and housing. In several EU member states, migrant residents are allowed to participate in local elections by voting and by standing as candidates. In sum, the main function of these three concepts was or has been to deliberate on how to increase solidarity, reciprocity and a sense of affiliation to a polity among migrants and citizens. However, given recent restrictions in access to permanent residence status in many European countries, it is not clear whether objectively – as measured by social scientists – or subjectively – as perceived by migrants themselves – this status constitutes a step toward full citizenship by way of naturalisation or a form of second-

class citizenship. Moreover, the legal status of permanent residence raises two crucial questions concerning the comparison of permanent residents (denizens, quasi-citizens) with EU citizenship and national citizenship. First, how can the differences in rights between permanent residents and EU citizens be justified? For example, EU citizens are allowed to vote in another country in local (and EU) elections immediately after taking up residence while third-country nationals have to wait several years or may be denied local voting rights. Second, what about differences in rights between permanent residents and national citizens? For example, national citizens are allowed, in principle, to move freely between the member states of the EU. In contrast, permanent residents who are extracommunitari do not enjoy this privilege.

*Permanent residence and citizenship*

### **The limits of citizenship: The friction between citizen rights and human rights**

Regardless of its transnational or local extensions, citizenship in a mobile world is not a concept that could adjudicate between the principles of universal or global justice and human rights, on the one hand, and justice within a bounded political community such as a national state, on the other. Justice within the latter requires some sort of social closure and exclusion of outsiders. This becomes obvious in the case of irregular migrants or refugees. In short, citizenship presents two faces. Within a political community it stands for inclusion and universalism, but to outsiders, citizenship means exclusion. There is a fundamental tension between state control and efficiency in guarding citizen rights and the claims of individuals who may not be (full) members. Both converge in the issue of legitimation of democratic states. Not only is the protection of citizen rights in bounded welfare states clearly connected to efficient state policies, the same holds true for protection of migrant rights – but regarding human rights and not citizen rights. Hence, we find the argument that since the sovereign national state is the main enforcer of universal human rights, individuals enjoy these rights not by virtue of their humanity but by virtue of their (full) membership in a national state (Arendt 1951: 279). Ultimately, this means that stateless persons are without protection. While the protection of stateless persons has been improved over the past decades, the underlying problem has remained. It was recently taken up again and applied to migrants and asylum seekers, in particular, in form of the ‘paradox of democratic legitimacy’, which grounds legitimacy in liberal democracies in both universal human rights and particular citizen rights: ‘There is not only a tension, but often an outright contradiction, between human rights declarations and states’ sovereign claims to control their borders as well as to monitor the quality and quantity of admittees’ (Benhabib 2004: 2). As the first dimen-

*Protecting citizens or human beings*

sion of citizenship suggests, citizens' rights are not built upon the idea of state sovereignty but based on equal political rights, which are contingent upon (full) membership in a (national) state and on human rights, which are universal and equal but not tied to the main enforcer of rights, that is, the sovereign state. Historically, the fundamental human rights have been listed as 'the rights to life, liberty, and property' (Locke 1998), and new ones have been added, at least in public understanding and international human rights law, such as the freedom from arbitrary arrest and detention.

*Trivial and  
marginalised*

Human rights are much thinner than citizen rights, although the historical origins of both types are very similar. Both traditions can be traced to civil rights in the eighteenth century, as voiced in the US and French revolutions. In both contexts, rights were seen as civil rights, and were not yet exclusive to citizens only, albeit other forms of exclusion prevailed such as that related to slavery and gender. Over the nineteenth and twentieth centuries, citizen rights gained equal footing with political rights as a way of inclusion, while human rights came to mean basic protection against arbitrariness. This crucial difference is visible in social rights. Citizen rights have become tied to social citizenship. While heavily contested, social citizenship means that market participation and principles of capitalism should be balanced by status rights to a modicum of livelihood. Yet, human rights in such a context only mean a very basic safety net within liberal-democratic welfare states and basically none outside. Thus, social and economic rights as stipulated in international human rights conventions are rather thin. This is why we often see that the social rights of the disabled and other vulnerable categories of persons are the first to be cut when welfare states circumscribe access to services and entitlements. Another example is unreasonable demands placed upon vulnerable groups, such as workfare programmes. This practice of limiting citizen rights runs counter to human rights stipulations and suggests that liberal democracies are prone to adopt illiberal social policies (King 1999).

Human rights are particularly important for categories such as asylum seekers and illegal migrants. Indeed, there are human rights principles built into the legislation of many liberal-democratic immigration countries, such as barriers to discrimination which permanently bar long-term residents from citizenship acquisition, or which deny full membership on the basis of ascriptive features such as gender, ethnicity and race. However, human rights norms are much weaker when it comes to admission, which is a precondition for residence and later citizenship. For example, there is no human right to first admission of asylum seekers. Quite to the contrary, virtually all available empirical evidence points in the opposite direction. Most receiving states have tightened their admission rules over the past three decades and made it much harder for asylum seekers to make any claims, be it through safe third-country rules, visa requirements, conditioning development aid upon successful cooperation in migration control

or carrier sanctions for transportation companies – to name only a few of the most obvious instruments. Next to asylum seekers, the clash of human rights and citizen rights is visible in the case of illegal migrants. In principle, illegality undermines the effectiveness of immigration policies and the maintenance of established standards in labour markets and working conditions, threatens the legitimacy and financing of social insurance systems, and challenges the established system of collective bargaining between unions and employer associations. Nevertheless, democratic national states, which are essentially legitimised by respecting human rights, cannot completely ignore the individual claims of illegal immigrants to procedures according to rule of law, such as medical treatment in emergency cases and basic education for children.

*Legitimate status'  
importance*

In a world of ever larger mobility not only of capital and goods but also of people, one may look back in time to see how political communities have dealt with such challenges. However, liberal states in Europe and elsewhere are not only democratic states – they are also welfare states. Historically, welfare states in the current OECD have their origins in elite responses to the vagrant poor in Europe and, above all, to socialist and union challenges. One may call for 'European solutions' to border-crossing issues such as transnational migration. But the admission-membership dilemma of universal justice versus social justice in welfare systems is not solved by creating ever larger collectivities dealing with social risks. As suggested by the process of incipient Europeanisation of national migration policies and attempts at the collectivisation of social policy and immigration policy at the EU level, the tension has only been replicated at a higher level of aggregation, or more precisely, partly transferred to a multilevel governance system. All empirical evidence on external and internal border control in Europe suggests that Europeanisation has implied higher levels of control and increased efforts at externalisation of control by means of buffer zones at the European periphery (Faist & Kivisto 2007).

*Borders*

All of this leads to the preliminary conclusion that national citizenship as a normative-political concept is not an apt approach for understanding the larger issues going beyond naturalisation and political inclusion, involving both admission and social exclusion. Instead, when viewed from a global perspective, citizenship in Western liberal democracies constitutes one of the mechanisms reproducing social inequality on a global scale (Shachar 2003). The single most important predictor of a person's life chances is the country of birth. For example, taking income equality or inequality as a measure of life chances, inter-country differences in income per capita are higher than intra-country differences (Faist 2009b). Moreover, a human rights perspective, while potentially being more inclusive, also depends on the sovereign state as the main enforcer. True, there has been a recent trend toward incorporation of international human rights law into domestic law, and discussions in international forums on issues

*Ignoring human rights*

such as the right to development, collective rights of categories such as indigenous people, environmental protection, rights to good health and workers' rights, especially those of women. However, it is equally true that most rights enumerated in prominent documents such as the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966) and the International Covenant on Economic, Social and Cultural Rights (1966) have been routinely ignored by national states, which remain the main enforcers of human and citizen rights. Legal supervision and sanctions in the international realm have remained low. This situation stands in marked contrast to citizenship rights enforcement in democratic regimes as this has been characterised by relatively efficient implementation.

*Recent developments*

Despite all the shortcomings in conceptualisation and empirical analysis, theorists of post-national citizenship have rightfully highlighted a growing trend towards the increasing impact of human rights discourse on issues of immigrant integration. Some theorists cogently speak of 'membership' instead of 'citizenship' (Soysal 1994).

Citizen rights at the national level are thus complemented by 'new' citizen rights at the EU level, for example, gender rights, which are generally farther advanced at the supranational level than at the member-state level, and which are pushed ahead by the ECJ, whose jurisdiction has to be incorporated into the law of member states. However, the EU is not only a very unique supranational entity without comparable institutions in other regions of the world, but, more importantly, such rights are usually restricted to citizens of member states. Extracommunitari, even those who are legally resident in the EU, are usually restricted to the law of the member state they reside in. This example already points towards a limit of the extension of citizen rights for non-citizens and thus the elevation of human rights to citizen rights: Citizenship cannot be extended to outsiders such as illegal aliens without fundamentally reshaping the political units within which they are embedded. Thus, we may ask whether human rights could evolve even further from civil rights to include social and political rights – like citizen rights did over the past three centuries, as argued by T. H. Marshall – without, in essence, becoming citizenship rights. And if such an evolution might be envisaged, what are the institutions necessary for the national-transnational-global governance of citizen rights?

It might indeed make sense to speak of membership rights, obligations, identities and practices as a sort of continuum from human rights to citizen rights. This does not mean to follow the usual path from alien to denizen to citizen, as if this were a natural progression in a mobile world. Republican concepts of citizenship still imply this path as a series of gates through which immigrants ideally pass. This image evokes a powerful progression from admission to the territory and few rights to full inclusion into a na-



tional political community from the vantage point of national states. Taking a more global perspective – or even one that uses concepts such as ‘world society’ to suggest that social actors at times refer to the normative and factual horizon of worldwide economic, political and cultural configurations – citizenship still remains one crucial way of full inclusion at the nation-society or national state level. Nonetheless, as the brief reference to illegal migrants seems to indicate, various categories of geographically mobile persons may require very different legal opportunities to participate meaningfully in societal life. Citizenship is one of them but certainly not the only one, since this concept implies a sharp distinction between insiders and outsiders and not a continuous scale in tune with the needs of border-crossing migrants.

### Reconciling human rights and citizen rights? World citizenship

If human rights and citizen rights are at odds at the national and supranational level, is there a possibility of reconciling human rights and citizen rights in the most inclusive of all citizenship constructs, world citizenship? After all, the supposed transcendence of the national state is seen to open up the prospect of world citizenship (Heater 2002). While much of this particular conversation occurs at the philosophical level, the impact of universal human rights regimes and the idea that organisations such as the United Nations have a role to play in ensuring the protection of those rights – including the interventions of various sorts into nations accused of rights violations – also gives it real-world evidence to examine and interpret.

For the conceptualisation of global citizenship as a horizon of possibility there are two types of approaches. One of these stems from normative political philosophy, and the other from political sociology, more specifically, from differentiation-theoretical assumptions of world society theory.

In normative political theory, in turn, two branches can be distinguished: a world citizenship or ‘genuine cosmopolitan’ perspective and a national cosmopolitan perspective. The genuinely cosmopolitan citizenship perspective views civil, political and social rights as part of a desirable world citizenship. An optimistic perspective may refer to Max Weber’s (1980) social and economic history and argue that citizenship was first conceived and practised at the municipal level in ancient Greece and medieval Europe before it moved up one level and became *de jure* and *de facto* congruous with membership in a territorial national state characterised by an authority-demos relationship. Citizenship and citizenship rights beyond the national state would therefore be an evolutionary leap forward (Heater 2004). Ultimately, this would, however, require a global political community with socio-moral resources that could be drawn on

*Conceptualise  
world citizenship*

*Deficiencies*

as required. This would be a broad extension of Immanuel Kant's idea of a cosmopolitan right to hospitality (Linklater 1999) by means of a rational development of collective identities beyond the national level. Such a global political identity is today conceivable only as a transparent, constructed affiliation (Habermas 1998). This perspective would certainly be attractive in terms of the allocation of life chances according to legal citizenship. World citizenship would not acknowledge any privileges passed on by descent or birth within a certain territory. We would all formally have the same status as members of an all-encompassing, global polity. Such a community would, however, be greatly endangered by a 'tyranny of the majority' (De Tocqueville 1986) because of the unavailability of exit options, and thus undermine the first dimension of citizenship. More importantly, certain kinds of rights, such as social rights, would require a willingness to redistribute goods among anonymous others; that is, specific reciprocity and diffuse solidarity. A strong version of this notion is even less probable and less conceivable on a global scale than it is in the EU. While these qualities can be observed when disaster strikes, they have no legal status and certainly no regulative components, such as EU social policy to take but one example.

This critique of the concept of world citizenship highlights the central elements of a republican version of national cosmopolitanism. The republican version grasps social rights primarily as a close form of diffuse solidarity on a national scale. As a consequence of this, several conditions can be fulfilled only in a national state. First, only holders of the respective legal citizenship are counted as valid members of a framed political community and in this way secure the socio-cultural basis for citizenship, namely trust among citizens. Second, a common culture has a bonding effect on the citizens and enables them to agree on substantive rights and obligations that form the basis of their membership. Third, citizenship confers participatory rights and political representation. Ultimately, world citizenship from this perspective appears to be little more than a vague cosmopolitan idea in a world lacking a fundamental moral consensus. A further criticism is that, at best, world citizenship would weaken the bonds that hold citizens of a national state together. And only these national bonds ensure that citizens maintain their ties to the rest of humanity (Walzer 1996). Yet, even this critique of the concept of world citizenship is debatable, based on empirical findings which suggest that world and national citizenship are not necessarily zero-sum notions (Furia 2005).

These normative considerations should be supplemented by socio-political reflections that can be empirically validated, in order to shift the focus from desirable situations to actually emerging legal constructs and especially their institutional context. World society theory claims to address issues of inclusion and exclusion on a global scale. For example, Niklas Luhmann's (1977) theory of functional differentiation replaces the