CONVOCATORIA 2013

BUENAS PRÁCTICAS EN COOPERACIÓN UNIVERSITARIA

Premios
ARISTOS CAMPUS MUNDUS 2015

Ignacio Ellacuría de Estudios de INTERÉS SOCIAL

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PRÓLOGO

La Agregación Aristos Campus Mundus 2015 (ACM), calificada como Campus de Excelencia Internacional e impulsada por las universidades Deusto, Pontificia Comillas y Ramon Llull, identifica como una de sus señas de identidad el compromiso con la innovación socialmente responsable y sostenible.

En este sentido, uno de los ámbitos de actuación de la Agregación incide expresamente en la consolidación de un entorno físico y educativo inclusivo (ACM Habitat), en el impulso de la Responsabilidad Social Universitaria (ACM RSU) y en el desarrollo ambiental, social, económico, político y cultural de las ciudades y territorios en los que se imbrican las tres universidades (ACM 4C).

Como reflejo de ese compromiso con la inclusión, los valores éticos y la utilidad social del quehacer universitario –compromiso de carácter transversal a todo el proyecto ACM en su conjunto–, Aristos Campus Mundus 2015 convocó en el curso 2012-2013 la primera edición de dos premios universitarios: el Premio Ignacio Ellacuría de Estudios de Interés Social (que tiene su precedente en una iniciativa anterior de Comillas) y el Premio Buenas Prácticas en Cooperación Universitaria para el Desarrollo.

Estos premios quieren evidenciar y potenciar el compromiso común de las tres universidades con su entorno cercano y con la familia humana en su conjunto, así como alentar y reconocer los esfuerzos académicos y ciudadanos de los alumnos y de toda la comunidad universitaria en su apuesta por un mundo mejor y más justo para todos.

En esta primera edición se presentaron más de treinta candidaturas, y la calidad de los trabajos e iniciativas sociales a concurso (además del compromiso ético que evidencian) ha sido reconocida por los dos jurados, hecho que pone de relieve la importancia de consolidar los premios en futuras convocatorias y seguir insistiendo en la importancia de que nuestras instituciones académicas formen excelentes profesionales que sean a su vez ciudadanos comprometidos con su prójimo, en particular con los más desfavorecidos.

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STRANGERS AT HOME
CITIZENSHIP POLICY AND IMMIGRANT
INTEGRATION IN EUROPE

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Resumen: ¿Por qué las políticas tradicionales de ciudadanía en los estados miembros de la Unión Europea fallaron en incorporar a los residentes de países terceros en la vida nacional? ¿Cuáles son los desafíos para los Estados liberales y democráticos de Europa en tiempos de globalización, migración, comunicación, sobre las cuestiones transnacionales y la formulación de políticas? ¿Cómo puede el concepto de 'Ciudadanía Desagregadora' traer soluciones a dilemas normativos y prácticos asociados con la ciudadanía y la integración de los inmigrantes? A medida que el mundo en que vivimos cambia tan rápidamente, hay una necesidad de incorporación de la diversidad en las sociedades modernas que obliga a moverse más allá de los dogmas. La revisión a fondo la literatura, y el examen de los modelos de migración y las realidades demográficas serán abordados para visualizar narrativas innovadoras del actual estado de la cuestión, y allanar el camino hacia la 'Ciudadanía Desagregadora', la cual garantiza un compromiso renovado a la integración de la diferencia. La retórica de la derecha, la xenofobia, los estigmas estructurales y las limitaciones institucionales son sólo algunas de las actuales fallas de las políticas de ciudadanía destacadas a través de este ensayo. Como resultado, los inmigrantes se encuentran cada vez más al margen de toda actividad social, económica y política. A través de un enfoque en la desagregación de los derechos de los miembros, de la incorporación legal más amplia de los derechos humanos en el discurso de la ciudadanía, de la aceptación recíproca de la responsabilidad moral, legal y política, del derecho a la información y la movilidad, y de una revisión del papel del estado-nación en el contexto europeo actual, se establecerán las bases de una nueva forma 'desagregadora' de ciudadanía. Serán analizados tantos los riesgos importantes como las limitaciones de esta nueva propuesta y se presentarán recomendaciones pragmáticas con el fin de proporcionar nuevas herramientas a los legisladores y un nuevo

marco conceptual para abordar los desafíos actuales que genera la desigualdad, y promover la justicia social.

Palabras clave: Identidad europea; ciudadanía; integración de inmigrantes derechos desagregados; 'Ciudadanía Desagregadora'.

1. Introduction

More than 31 million foreign citizens currently reside in the 27 EU countries, making up more than 6.4% of the total population, with Germany and Spain harboring the largest number of foreigners in their populations.[1] Besides the obvious increased heterogeneity, an added layer of complexity is that most of these immigrants carry their original cultures and traditions with them, which clash with the national norms in European countries and pose challenges to citizenship regimes. Given these demographic and sociopolitical changes, the integration of newcomers into European societies has become a major issue. This essay strives to find answers to fundamental questions, such as, *why have citizenship policies in Europe failed to incorporate immigrants in the national mainstream*? *What normative and practical constraints lie at the heart of the citizenship debate*? *How will 'Disaggregative Citizenship' improve the integration of immigrants in European Union member states, so that the contemporary issues of representation, identity, and culture are given their appropriate space in the public sphere?* The central argument of this thesis is that unless historical, social, political, individualistic, and institutional hurdles in European citizenship regimes are removed, immigrants will continue to feel 'strangers at home': alienated and stigmatized, and treated like second-class citizens. Rethinking the nation-state's role, with a view to incorporating difference through unbundling rights, instituting reciprocal moral and legal responsibility, protection of human rights, and a broad-ranging education drive can go a long way in terms of reducing the xenophobia associated with immigrants and to make them participating members of the society.

A massive increase in global immigration due to technological advancements in communications and transportation, different cultural background of immigrants, the presence of 'inside out communities' where new

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[1] Simon Rogers, "Immigration to Europe: How many foreign citizens live in each country?," *The Guardian*, 7 September 2010, Guardian.co.uk, http://www.guardian.co.uk/news/datablog/2010/sep/07/immigration-europe-foreign-citizens (accessed 26 May 2012).

incomers can live without exposure to the culture of the host society, and permanent settlement being the major goal of movers are just some of the factors that have shaped the issue. National societies have become more strange and heterogeneous,[2] and identities are now "increasingly fragmented and fractured; never singular but multiple across different (…) practices and positions."[3] Combine that with low birth rates, aging populations, unavailability of labor, financial crises, and the existence of a gap between lifestyles of native and immigrant populations in Europe, and the situation becomes even more explosive. An additional aspect is the interconnectivity of decision-making on transnational issues, such as environmental degradation, resource depletion, food security etc., at the global, and indeed at the EU level, where policy preferences of one member state can affect others. Moreover, there are fears of a cultural clash due to the heightened radical rightist rhetoric against immigrants.[4] The effects of a weak, artificial and incoherent policy have already started to show: the killings in Norway, the *indignados* protests in Spain, and hateful remarks by various leaders in the EU towards the 'others' in the European societies, are all intricately linked pieces of the European puzzle. European integration and immigration into Europe have put pressure on the self-understanding of Europeans. Identities now face multi-faceted challenges and contestations, and the increased connectivity has fostered responses ranging from indifference to acceptance to xenophobia.

All of these factors do not contribute positively towards the integration situation. There is a glaring disjuncture between everyday political practices and the models of democracy, citizenship and participation in Europe.[5] While traditionally the focus of citizenship was on legality, rights, and obligations, recent changes in Europe have shifted it towards more substantive issues of agency, membership, inclusion, equality, recognition, representation, construction of meaning, and civic identity formation.[6] Modern day struggles for identity and representation are not focused on merely legal

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[2] René Cuperus, "The Populist Revolt Against Pseudo-Cosmopolitanism" (paper presented at FORUM Conference Strangeness and Familiarity, Groningen, The Netherlands, 21-22 October 2010), 103.

[3] Stuart Hall, *Questions of Cultural Identity* (London: Sage, 1996), 4.

[4] Ibid., 720-722.

[5] Steven Robins, Andrea Cornwall, and Bettina Von Lieres, "Rethinking 'Citizenship' in the Postcolony," *Third World Quarterly* 29, no. 6 (2008): 1070.

[6] Uta Staiger, "New Agendas? Culture and Citizenship in EU policy," *International Journal of Cultural Policy* 15, no. 1 (2009): 1.

rights, in the sense of nationality or citizenship, but are essentially "citizenship struggles" for a fairer treatment and representation in the society.[7] This paper tries to understand such struggles through the lens of citizenship policy in European states. What citizenship policies are underway in Europe, why have they failed, what is the situation with immigrant integration, and what can be done in order to improve their social and political standing, are just some of the broader questions this paper attempts to answer. In order to tackle such a wide-ranging issue, the essay is divided into the following three parts:

Part I – Understanding Citizenship
Part II – Appraising Citizenship
Part III – Breaking New Ground

The thesis will be presented from a variety of perspectives, using both traditional and inventive methods of approach. A thorough review of primary and secondary literature will establish a solid basis for historical contextualization, and also pave way for pointing out limitations of current research. Each part is positioned in a way so that it can be informed from the previous discussions, and has a link with the part coming next. *Part I* will start the discussion by first bringing in the historical perspective on the issue of citizenship and immigrant integration in Europe. A section highlighting the issues and inconsistencies encountered in citizenship regimes in Europe, both historical and contemporary, will follow the historical background. In *Part II*, a review of relevant literature will furnish the necessary theoretical understanding of the previous work in the field, and this will pave way for understanding the limitations of current European citizenship regimes. In *Part III*, the last section of the essay, a new conception of citizenship, namely Disaggregative Citizenship, will be put forth, and its advantages and limitations both will be brought out for discussion. The last pages of the essay will busy themselves with presenting some recommendations and conclusions of our inquiry.

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[7] Will Kymlicka, "Prospects for Multicultural Citizenship" (paper presented at Pluralism Forum, Canada, April 2012), 3.

PART I
UNDERSTANDING CITIZENSHIP

2. The Recurring Past

In order to understand the problems plaguing Europe today, it is pertinent to delve deeper into their historical roots, since the past has valuable indicators of our contemporary troubles, and may even hold the key to future solutions. This chapter aims to outline the development of citizenship in Europe, through analyzing various phenomena such as globalization, immigration, integration policies, and actual segregation that immigrants face, in order to pave way for Chapter 3 to start discussing the consequent problems and issues Europe faces today.

2.1. Citizenship Today

A good starting point for us is to understand that citizenship, with all of its complexities, difficulties, and inconsistencies, *matters*. Citizenship is the global norm for political organization at the state level, and is seen as "an integral aspect of prosperity and modernization." The essence of the nation-state is the institution of citizenship, even though a relatively small number of states have achieved the liberal-democratic ideals of political equality and territorial integration.[8] It provides opportunities for appropriating rights, welfare benefits, and public sector employment in the state. There are as many models of citizenship in practice as there are nation-states on the planet, but the unity of residency, administrative subjection, democratic participation, and cultural membership, all make up the "ideal typical" model of citizenship in the Western European nation-states, according to Max Weber.[9] The principles of territory, origin (*jus sanguinis* or *jus soli*), and consent (naturalization processes) are the basic tenants around which citizenship in a polity is structured. They, consequently, form the lines around

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[8]   Stephen Castles and Alastair Davidson, *Citizenship and Migration: Globalization and the Politics of Belonging* (New York: PALGRAVE, 2000), 2-3. Also, see Dominique Schnapper, *La communauté des citoyens: sur l'idée modern de la nation* (Paris: Gallimard, 1994), 186-8.

[9]   Max Weber, *Economy and Society: An Outline of Interpretive Sociology*, ed. Günther Roth and Claus Wittich (Berkeley: University of California Press, [1956] 1978), 901-926.

which the 'us' is separated from 'them', the members from strangers, and the citizens from foreigners.

So, citizenship, in its contemporary variant, acts like an international filing system of sorts, for allocating persons to states. In a world divided up into mutually exclusive jurisdictions of sovereign nation-states, it is "axiomatic that every person ought to have a citizenship, that everyone ought to belong to one state or another."[10] Despite this globally inclusive dimension, citizenship, as applied locally, is an instrument of *exclusion*. Every state limits the number of people eligible for holding its citizenship, and it legislates on the terms and conditions to acquire this status. Contrastingly, states automatically *ascribe* citizenship status onto certain individuals (children, for instance) based on the presumption that those individuals will have a high probability of growing up as nationals of the particular states, compared to the case of persons born outside the territory of a state to parents not possessing its citizenship.[11]

But how do *citizens* come into being? What does history teach us? One important lesson for us to bear in mind is that whether or not citizenship takes a liberal or a restrictive form in any particular state, it is a process that must be inculcated by proper education and training through government or military service, obligatory primary education, voting in elections, or simply through linguistic proficiency. Taking the French instance, we can clearly see the process of homogenized 'citizen-making'. Until the end of the nineteenth century, most French citizens did not speak French as their mother tongue. Rather, they learnt it, first, in the army, and then through the compulsory elementary education.[12] In a similar fashion, modern citizens learn to behave in certain ways and fulfill requirements in order for them to, first, enter, and then retain, their citizenship status.

Also, we must be clear about one notion at the very outset. We are not interested so much in what a 'nation-state' *is*, since this is a task better left for some other time. No matter what the historical, social, and political constitutive elements of a nation-state are, the fact that it *exists as such* i.e. territorially, politically, and socially bounded, should suffice for our inquiry.[13]

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[10] Rogers Brubaker, *Citizenship and Nationhood in France and Germany* (Cambridge: Harvard University Press, 1992), 31.

[11] Ibid. 32-33.

[12] Eugen Weber, *Peasants into Frenchmen: The Modernization of Rural France 1870-1914* (London: Chatto & Windus, 1979).

[13] Rogers Brubaker, *Citizenship and Nationhood in France and Germany*, 28.

Keeping this in mind, we can see how nationalism enjoys an extremely important yet contested place in modern European society. On the one hand, it is the glorified remnant of the past that still plays a huge role in garnering affinities of particular publics, but on the other, we have become more aware of the dark side of nationalism, which leads people towards particularism, xenophobia, and exclusionary tactics. But why really are the 'nation-states' important in these globalized times? First, a very important political right, the right to vote, is still attached to nationality and citizenship acquisition. Second, despite all the progress that has taken place in terms of individual rights allocation to immigrants, the nation-state still has control over excluding some non-citizens from social benefits.[14] Thirdly, the nation-state is often times the largest employer in the system, and, as is the case in France and Germany, for example, public sector jobs are not open to third country nationals. Moreover, immigrant integration in the case of naturalized immigrants is much easier, and since nation-states still control the acquisition of the requirements leading up to naturalization, they can make it harder for immigrants to incorporate.[15]

We have already started to develop a central notion of the thesis, that will be analyzed in detail in the latter pages: the nation-state holds relevance, but it has a checkered past when it comes to citizenship and immigrant integration. But why, despite the recognition of its limitations, have we failed to envision a political unit *beyond* the nation-state. Is this the best we can do? What comes after the liberal-democratic welfare state? No one has the answer. But an important point to make here is that the success of nationalism "is due less to the popularity and force of its ideology than to the absence of an equally compelling counter-ideology" from either the left or other postnational or cosmopolitan quarters.[16] We might have become sensitized towards the vagaries of the nation-state, but it here to stay with us, at least until we can envision a sustainable, efficient, equitable, and legitimate alternative to the national ideal.

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[14] Thomas Alexander Aleinikoff and Douglas Klusmeyer, "Plural Nationality: Facing the Future in a Migratory World," In *Citizenship Today: Global Perspectives and Practices*, ed. Thomas Alexander Aleinikoff and Douglas Klusmeyer (Washington, D.C.: Carnegie Endowment for International Peace, 2001), 63-88.

[15] Marc Morjé Howard, *The Politics of Citizenship in Europe* (New York: Cambridge University Press, 2009), 6-8.

[16] Gerard Delanty, "Self, Other and World: Discourses of Nationalism and Cosmopolitanism," *Cultural Values* 3, no. 3 (1999): 367.

2.2. A Very Short History of Immigration

We now turn to another aspect of the issue i.e. migration. Immigration into Europe is presented these days as the turning point that is supposed to lead Europe towards chaos, disharmony and destruction. Contrary to popular opinion though, immigration into Europe is *not* a new phenomenon by any means. By the end of the nineteenth century, there were already a large number of foreigners living in national territories e.g. Irish workers in Britain and Poles in Germany, and the imagery associated with immigrants was not fanciful either even then.[17] The magnitude since then has increased manifold, but there are, of course, other important contrasts as well. The relationship of the state with its immigrants/guestworkers has altered over time due to both domestic and external pressures.[18] Moreover, mobility of capital and of people is now the norm of the day, but while capital may be easier to maneuver, the movement of people across territorial boundaries has presented obstacles to the sovereign state. Yasemin Soysal has, correctly, postulated that the citizenship discourse i.e. the ascription of names, identities and legal statuses to people of domestic and external origin, is part of the process that creates frontiers, both physical and otherwise.[19]

An interesting point to note here is that even though most European countries had previous exposure to immigrants and foreign labor, the comprehensive policies of incorporation only came into being in the 1970s. Since then, the European state has brought forth "administrative structures, measures, and programs" to regulate the immigrants' lives.[20] Guestworker systems, it must be emphasized, are not particular just to the European states; in fact, such systems are in place in South Africa, USA, Japan, Mexico, and the Gulf states, to mention a few. And while all these countries might differ in their formal and indirect treatment of workers and immigrants, one characteristic that they all share is the emphasis on 'temporariness'. Guestworker systems, by default, are in place to fill out the domestic demand in times of need, only to be thrown out in times of unemployment.[21] They

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[17] Ibid., 14.

[18] Ibid.

[19] Yasemin Soysal, *The Limits of Citizenship: Migrants and Postnational Membership in Europe* (Chicago: University of Chicago Press, 1994).

[20] Soysal, 45.

[21] Soysal, 21.

were not expected to participate in the national culture and politics, and thus this 'exclusionary' ethos "sanctions cohesive cultural and population boundaries."[22]

However, with the changes in the social, economic, and political organization of societies, immigration patterns have changed too. The demographics, reasons for immigration, territorial restrictions, international protection etc. have entered the foray gradually and helped create the landscape we see today. Europe has always been a "transnational space",[23] however in recent times, the nation-state, through codifying individual rights and freedoms as "attributes of national citizenship", erected a variety of barriers for different groups at different points in time.[24] As such barriers became ever so sophisticated – physical borders, ideological boundaries, national languages, moral obligations, passports, national identity cards, residencies – thus increasing the importance of defining who's included and who's not, a gradual process of incorporating previously disenfranchised groups also went along. But the point remains that through the usage of such restrictive measures to curb the immigration flow, the status of a national citizen, and by contrast, of the alien, became formalized and politicized.[25]

2.3. *Europe in a Globalized World*

An increased connectivity among the people and the markets across territorial borders through improvements in technology is a marked development that can be traced back to the early days of a 'European' collective, and it holds a central position in all discourse. René Boomkens has charted out factors that contribute towards making Europe what it is today.[26] According to him, modern European states have become 'knowledge societies', whose culture and economy are greatly based on technology. Consequently, acquiring education and technological specialization play a dominant role in the society. Secondly,

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[22] David Baker et al., "Effects of Immigrant Workers on Educational Stratification in Germany," *Sociology of Education* 58 (1985): 213-27.

[23] Mabel Berezin and Martin Schain, *Europe Without Borders: Remapping Territory, Citizenship, and Identity in a Transnational Age* (Baltimore: Johns Hopkins University Press, 2003), 34.

[24] Soysal, 17.

[25] Ibid.

[26] René Boomkens, "Cultural Citizenship and Real Politics: the Dutch case," *Citizenship Studies* 14, no. 3 (2010): 314.

global and transnational influences (through media and communications) are shaping domestic policies and politics in European countries. Thirdly, migration, initially a relatively minor occurrence, is now an ever-present reality in European states. And lastly, for various historical reasons, the national cultures and politics in Europe have, indeed, become less hierarchical and more inclusive and pluralist. Added to that are McCormick's characterizations of Europe as being comprised of remodeled identities, cosmopolitanism, communitarians, welfarism, development, rights and duties, secularism, civilian power, multilateralism, and multiculturalism.[27] However, Stevenson brings forth rising concerns about widespread public cynicism, drop in election turnouts, and the rise in general disengagement from the political sphere,[28] which correspond to a lack of solidarity among European citizens. In the last couple of decades, questions about European identity and European citizenry have begun to dominate the discourse of political and intellectual elites in Europe.[29] Indeed, *"Having remade Europe, we must now make Europeans"* bears in itself a chilling premonition, an incomplete task that is still haunting the decision-makers at the national and European level.[30]

In the times when the global relationships have an all-embracing character, fast networks and media are ever-present, and there is a decline in central control by national governments, the disparities of the modern world are also coming into open view: increase in the world's poor, amplified violence, and rise in insecurity and xenophobia against immigrants are all also hallmarks of the contemporary world. Furthermore, globalization questions the relative autonomy of the nation-state, thus breaking the territorial principle, that of the nexus between power and place. In addition to that, globalization undermines the mythical ideology of distinct and relatively autonomous national cultures. Finally, and more importantly, globalization means an increase in global migratory movements, where not only the number of people moving across national boundaries has increased, but also the cultural and religious affiliations of new immigrants are in clash with

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[27] John McCormick, *Europeanism* (Oxford: University Press, 2010).

[28] Nick Stevenson, "Cultural Citizenship, Education and democracy: Redefining the Good Society," *Citizenship Studies* 14, no. 3 (2010): 276.

[29] Dominique Schnapper, "Citizenship and National Identity in Europe," *Nations and Nationalism* 8, no. 1 (2002): 1-14.

[30] See Berezin and Schain, *Europe Without Borders*, 16. The original sentence about the 1860 post-unification Italy came from Massimo d'Azeglio, in his address to the Italian Senate.

the norms and values of European societies.[31] There are various explanations for the changing European landscape. On a global level, academics have stressed the importance of neo-functional economic cooperation,[32] and 'postnational' human rights[33] to explain liberalization. On the domestic level, factors like interest group politics, judicial systems, and political elites have been cited as important contributors. While global discourses and models increasingly penetrate national policies to the effect of liberalizing them, polity-specific modes of membership still shape the incorporation patterns in specific European countries;[34] in a way then, we live in a *new* world replete with *old* rules.

For the purpose of our inquiry here, we must also understand that where transnational linkages make it easier to transfer knowledge and personnel across societies, they also serve as means to propound occurrences like rising xenophobia against immigrants and insecure economic conditions across borders as well. The electoral success of "formerly fringe parties" in Europe, such as Jean Marie Le Pen's National Front (his daughter, Marine Le Pen, has continued on the same platform and achieved unprecedented success) in France, Jorg Haider's Freedom Party in Austria, and other parties in Switzerland, Denmark, Belgium, and the Netherlands have made the composition of the national political community "a subject of popular debate."[35] The question remains whether or not the EU, besides substituting for the nation-state, can also replace the sense of belonging that is traditionally attributed to the national community. More importantly, it remains to be seen if the EU can successfully put forth a political project that is aware of its own limitations, and is adaptable to the demands of the 21st century.

All of the dimensions mentioned above are indicative of the differences Europe has undergone and where it stands today, and hence will further our understanding about the debate in citizenship policies. We must now move on to another aspect of the debate, which is of European Citizenship.

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[31] Dominique Schnapper, "Citizenship and National Identity in Europe," 4-9.

[32] Alan Butt Philip, "European Union Immigration Policy: Phantom, Fantasy, or Fact," *West European Politics* 17, no. 2 (1994): 168-191.

[33] Soysal, *Limits of Citizenship*.

[34] Soysal, *Limits of* Citizenship, 4-5. The 'polity-specific' models are nothing more than the empirical, institutionalized modes and the organizational logic of membership in European societies.

[35] Berezin and Schain, 19.

2.4. 'European' Citizenship?

The idea of European citizenship has always been a contested concept; its legal status and whether or not it can even be called 'citizenship' in the international legal sense of the concept, are important contentions that still remain unsolved.[36] The seeds of an idea as radical as a 'European' citizenship were first sowed when the founding fathers of European integration, such as Spinelli and Monnet, proposed a Europe where citizens could participate and in which their nationality played no role.[37] They initially promoted a federal structure, with a strong role for the European Parliament, but due to lack of political will and a democratic deficit, a gradual and functional integration in certain economic sectors was applied. The idea was to improve the integration step-by-step through a spillover to other fields of politics. Later on, amid rising concerns about elitist politics, reform became necessary. The years 1976, 1979, 1981, 1992, 1997, 2000, and 2009 all mark important steps taken at various levels (signing treaties and pacts, election reforms and bestowing fundamental rights, for instance) to ensure an ever so expansive notion of European citizenship,[38] and the fallout of these changes stays with us till today. It is of importance to note that the 'derivative' form of European citizenship that came into being after the Maastricht Treaty was both clever enough to soothe down nationalist sentiments within member states, and, at the same time, insufficient enough so as to give European citizenship an 'invisible' dimension. European citizenship, in an almost ironic way, stands to *affirm* the existence of the various national identities corresponding to member states. As Habermas has pointed out, there is a "vertical divide between the systemic integration of economy and administration at the supra-national level – and political integration thus far works only at the level of the nation-state."[39]

European Citizenship breaks new ground in terms of conferral, subject, and policing of rights. Rights associated with movement, residence, voting, diplomatic presentation, and the right to petition the European Ombudsman

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[36] Willem Maas, "Migrants, States, and EU Citizenship's unfulfilled promise," *Citizenship Studies* 12, no. 6 (2008): 585.

[37] Jo Leinen and Jan Kreutz, "The Evolution of a European Citizenship: From a Europe of States to a Europe of Citizens," *Social Europe* 1 (2007): 179.

[38] Samantha Besson and Andre Utzinger, "Toward European Citizenship," *Journal of Social Philosophy* 39, no. 2 (2008): 190.

[39] Jürgen Habermas, "Citizenship and National Identity," In *The Condition of Citizenship*, ed. B. van Steenbergen (London: Sage, 1994), 28.

are all quite revolutionary. Nationals of EU member states enjoy an unprecedented level of protection throughout the Union, and their rights are more or less 'trans-European'. However, at the same time when revolutionary rights were being conferred onto the chosen few, a parallel process of harmonizing legislation affecting aliens in the context of free movement within the Community was also taking place. Despite multiple efforts to revive that process, this field of citizenship and integration in the EU remains rhetorically maximalist and politically minimalist. Arbitrary protections under the current directives, lack of consensus on basic definitions and responsibilities, and the protection of borders rather than individuals, are just some of the problems that have paralyzed the process. The initial proposals argued for increased free movement by abolishing internal border checks, and expanded this to include third country nationals as well.[40] Deadlines were also set for harmonizing the asylum and refugee policies, and they still remain to be met. Any individual that seeks refugee and asylum status in an EU member state cannot apply to another country until his application in the first country is resolved. After the application has been rejected in the first country, it becomes almost impossible for the individual to get protection anywhere else as well. The situation with asylum-seekers is a vicious cycle of cruelty and inhumanity: they get stuck in a state of limbo, where they are shuttled back and forth between states that do not want to take responsibility for them. European states hesitate to take in asylum-seekers due to the fear that they would have to bear the social, economic, and political costs of keeping the individual, and they may 'get stuck' with the asylum-seekers for life.[41] The drive towards harmonization of asylum and refugee policy of the European states has the adverse, and reverse, effect of disallowing multiple avenues of aid to individuals who are in desperate need.

It is important to reiterate that European Citizenship is still deeply attached to national citizenships: only individual states, and not the European community, can grant citizenship; third country nationals are still dependent upon naturalization processes, which usually take several years and a certain degree of integration in the host state.[42] The national policymakers in member states control the determination of entry requirements into the EU, despite the Treaties and Declarations. As Guild has noted: "issue and withdrawal conditions

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[40] Willem Maas, "Migrants, States, and EU Citizenship's unfulfilled promise," 586.
[41] Rogers Brubaker, *Citizenship and Nationhood in France and Germany* (Cambridge: Harvard University Press, 1992), 26.
[42] Besson and Utzinger, 189.

apparently remains a national prerogative."[43] Indeed, the 'European' passport exists only insofar as the national one. This means that third-country nationals are subject to asymmetrical policies across the EU frontier. The 'European' identity excludes millions of immigrants from citizenship matrices by not taking into account the long-term residents. Furthermore, the rights of mobility, domicile, and employment do not enjoy Union-wide harmonization. All this has the effect of reinforcing the ties between identities and institutions, and national membership and citizenship, much to the dismay of third-country nationals, while at the same time, these very links are constantly underplayed in the case of EU member state nationals.[44]

All this seems clear and straightforward enough, but we haven't even begun to analyze the situation prevalent in European societies. We have looked at the history of immigration in Europe, the evolution of European citizenship and membership rights, and also looked at the impact of globalization and transnational linkages. Some of these developments took place earlier than others, while some happened in a parallel fashion. But the purpose behind this arrangement was to be appreciative of the (sometimes) conflicting historical developments, so we can closely discuss and understand the latest situation in Europe. And if we allow ourselves to come back to the present times, however, there is an added factor that throws conventional wisdom out of the window. A cursory glance on the composition of European societies today brings forth a very revealing picture.

The latest demographic data (*Figure 1* on page 10) shows that the number of immigrants and third-country nationals in Europe have continued to grow, despite efforts to 'stem the flow' through temporary guestworker schemes or outright bans on immigration. Whereas countries such as Germany, United Kingdom, France, Sweden, and the Netherlands started off with an already higher number of immigrants (and have continued to attract foreign nationals), other European countries such as Spain, Portugal, Italy, and Ireland have had a disproportionate increase in their respective foreign resident populations in recent times as well. Even the harshly strict citizenship regime in Norway has seen its foreign populations grow. Foreign-born populations/third country nationals/guestworkers now constitute a large and *permanent* portion of the national societies in European states. This defies

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[43] Elspeth Guild, "The Legal Framework of Citizenship of the European Union," In *Citizenship, Nationality, and Migration in Europe*, ed. David Cesarani and Mary Fulbrook (London: Routledge, 1996), 48.

[44] Benhabib, *The Rights of Others*, 155.

the logic of 'economic functionality'; the immigrants are now raising their voices for the pluralization of cultural identities, for the decentralization of citizenship policy (through creating multiple jurisdictional hierarchies), for the devolution of democratic power to regions or groups, and for weakening the ancient links between territoriality and citizenships.[45] Such occurrences challenge the "presumed function of foreign workers as shock absorbers or labor substitutes."[46] Moreover, research shows that the right-wing argument put forth about immigrants stealing the 'local' jobs does not hold ground. Immigrants, firstly, are less qualified in terms of education, language, and technical skills, and more often than not they end up taking menial jobs that the locals are unwilling to do in the first place. Secondly, the use of foreign labor in various sectors does not differ significantly from the use of citizen labor.[47] The immigrants face multiple challenges such as the ones discussed above, and hence their integration becomes problematic.

We should now turn towards analyzing the currently prevalent forms of integration (and consequently, segregation) that been developed in European states, which would help us to see what went wrong with the integration and assimilation of immigrants in the first place, and then move on to Chapter 3, which provides the linkages between immigrant segregation and citizenship in Europe.

2.5. Integrating the Difference

European states, in order to take care of the rising diversity and migratory movements, have established various policy measures, and we must dedicate some space to the theory and political realities that have struggled to manage diversity. Different scholars have proposed various typologies for the categorization of these approaches, but ultimately, the principle difference between all these approaches is the position of host society's culture vis-à-vis the minority ones.[48] Some academics give more importance to

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[45] Seyla Benhabib, *The Claims of Culture: Equality and Diversity in the Global Era* (Princeton: Princeton University Press, 2002), 181.

[46] Soysal, *Limits of* Citizenship, 33.

[47] James F. Hollifield, *Immigrants, Markets, and States: The Political Economy of Postwar Europe* (Cambridge: Harvard University Press, 1992), 141-66.

[48] José Maria Pérez-Agote, "Las Contradicciones del Discurso Educativo ante la Inmigración" (actas del Congreso Migrations and Social Policies in Europe. Universidad Publica de Navarra, Pamplona 2006).

the primacy of the culture of the host society, sometimes to the exclusion of minority ones, whereas others, like Elósegui,[49] still see hope for cultural diversity to thrive along with protection for 'universal' rights. Presented below are the three broader categories used to discuss the adoption of cultural and ethnic diversity by European states, namely: Assimilation, Multiculturalism, and Interculturalism.

2.5.a. *Assimilation*

As the name suggests, the key component of this approach is to give priority to unification, through social cohesion and by overcoming cultural fragmentation in multicultural societies. The objective behind this approach is to give equality of opportunity to immigrants by placing them on par with the locals through similar education, training, and linguistic skills that can lead to a structural integration in the labor force as well. All differences have to be erased, and the host society and the immigrants must share the same environment. [50] While it might come out to be a very noble approach with even nobler intentions, in reality Assimilation treats cultural diversity as inherently problematic, and immigrants are considered to be necessarily deficient, no matter what their origins or background. The most visible manifestation of this is to be wary of the different and competing cultures in the society, and try to amalgamate them into a singular, 'national' culture. For Assimilationists, the extents to which the immigrants can and should resemble the host population is vitally important; resemble *what* exactly in the host population is a question Assimilation supporters would rather leave to the imagination. This approach encourages immigrants to learn the national language and take on the social and cultural practices of the receiving community, and the immigrants are not expected to 'wear' their culture out in the open. The French state is the textbook example of this approach.

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[49] Maria Itxaso Elósegui, "Asimilacionismo, Multiculturalismo, Interculturalismo," *Claves de Razón Práctica* 74 (1997): 24-33.

[50] Xavier Besalú Costa, *Diversidad Cultural y Educación* (Madrid: Síntesis Educación, 2002), 64.
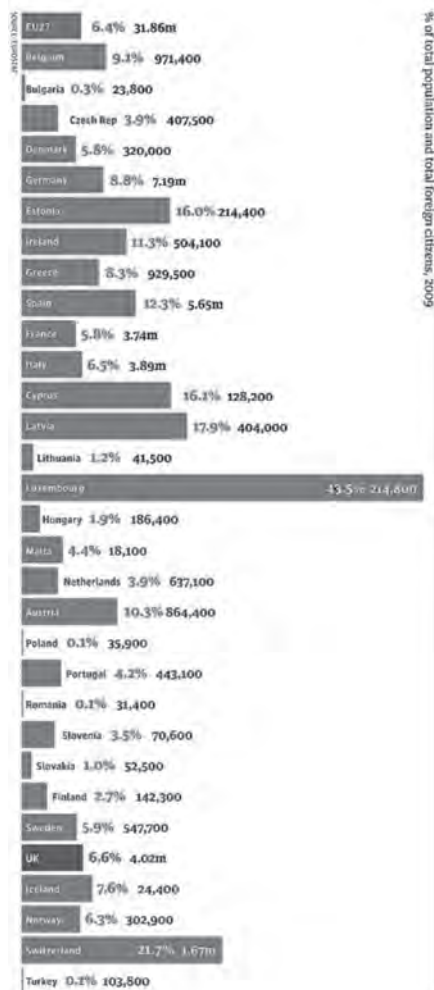
EU27 6.4% 31.86m
Belgium 9.1% 971,400
Bulgaria 0.3% 23,800
Czech Rep 3.9% 407,500
Denmark 5.8% 320,000
Germany 8.8% 7.19m
Estonia 16.0% 214,400
Ireland 11.3% 504,100
Greece 8.3% 929,500
Spain 12.3% 5.65m
France 5.8% 3.74m
Italy 6.5% 3.89m
Cyprus 16.1% 128,200
Latvia 17.9% 404,000
Lithuania 1.2% 41,500
Luxembourg 43.5% 214,800
Hungary 1.9% 186,400
Malta 4.4% 18,100
Netherlands 3.9% 637,100
Austria 10.3% 864,400
Poland 0.1% 35,900
Portugal 4.2% 443,100
Romania 0.1% 31,400
Slovenia 3.5% 70,600
Slovakia 1.0% 52,500
Finland 2.7% 142,300
Sweden 5.9% 547,700
UK 6.6% 4.02m
Iceland 7.6% 24,400
Norway 6.3% 302,900
Switzerland 21.7% 1.67m
Turkey 0.1% 103,500

Figure 1. *Foreign-born residents in Europe as percentage of total national populace in 2009*[51]

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2.5.b. Multiculturalism

Multiculturalism has garnered a lot of attention both from the academics and the policymakers alike. Several authors, like Charles Taylor and Will Kymlicka, deriving from the Canadian experience, framed the theory that accepts a multiplicity of cultural cores/centers of identity-formation and group mobilization in modern societies, instead of just singular and dominant cultures. A response to the threat of assimilation, the starting point for Multiculturalism is the recognition of all cultures as different and irreducible, and efficient tools for survival and security in different or hostile environments. As a result, the coexistence of culturally distinct groups in the same society is considered desirable and just.[52] Multiculturalism is an orientation that "emphasizes active support to help newcomers maintain the cultural allegiances with their home country" to establish a fair approach to social integration.[53] Throughout the 1990s and in the early years of this century, Multiculturalism was the norm of the day, until its eventual demise in Europe, with different leaders (in Britain and Germany, in particular) decrying the increased social and cultural tensions. While it is beneficial in some cases to give space to immigrants for the strict preservation of their own cultures, in its extreme variants, however, Multiculturalism leads to a deep fragmentation of the society along various social, political, economic, and cultural lines. Attempts to induct some cultural training into school curricula and in other forms of civic education also fail to deliver, since such "superficial and external" representations of culture transmit all the wrong signals. [54]Multiculturalism is routinely accused of failing to deliver on its promises, namely, building social cohesion through integration of immigrants,[55] consolidating a positive popular view towards liberal democracy,[56] and reducing economic disparities between newcomers and the host populace.[57] In the absence of commitment to a shared political culture, the public domain will continue to put limits on forms of shared political expression. As Delanty argues, "tole-

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[52] Xavier Besalú Costa, *Diversidad Cultural y Educación*, 64.

[53] Bruce Maxwell et al., "Interculturalism, Multiculturalism, and the State Funding and Regulation of Conservative Religious Schools," *Educational Theory* 62, no. 4 (2012): 427-8.

[54] Xavier Besalú Costa, 64.

[55] Maleiha Malik, "Modernising Discrimination Law: Proposals for a Single Equality Act for Britain," *International Journal of Discrimination and the Law* 9, no. 2 (2007): 73-94.

[56] Christopher Caldwell, *Reflection on the Revolution in Europe: Immigration, Islam and the West* (London: Penguin Books, 2009).

[57] Randall Hansen, "The Danish Cartoon Controversy: A Defence of Liberal Freedom," *International Migration* 44, no. 5 (2006): 7-16.

rance has become indifference and indifference has become cynicism." Multiculturalism, in this sense, has "become an expression of the failure of later modern societies to achieve social integration by means of a common moral and public culture."[58] Canada, Great Britain, and Germany (up until recent times) are cited as exemplars of this approach.

2.5.c. Interculturalism

Interculturalism is best understood as a response to Multiculturalism, and it actually borrows a lot from the theoretical and sociological roots of Multiculturalism, while trying to provide remedies for the latter's shortcomings. The same goals of social cohesion, fair integration of newcomers, and respect for cultural and ethnic differences are the desired endpoint for this approach as well,[59] but with significant departures in the means used to achieve them. Interculturalism is strongly rooted in a focus on dialogue, acknowledgement of social asymmetry, and an emphasis on common values and a moral contract.[60] Moreover, recognition of cultural pluralism and respect for cultural identity, along with building a cohesive and democratic society is the focus for Interculturalism.[61] Additionally, the main distinguishing feature of Interculturalism is an "open-ended, ongoing project of collectively defining the public culture of the nation" for the integration of immigrants, based on dialogue, intercultural engagement, and inclusiveness.[62] Multiculturalism pursues integration through the promotion of cultural diversity as an end in itself; on the other hand, Interculturalism centers on transforming the overall culture of the society through integration, dialogue, and intercultural contact. The 'intercultural' citizen, then, holds that cultural diversity adds richness to society, and combines tolerance and respect for difference with an inclination towards intercultural contact and dialogue.[63] Preserving cultural diversity, in this sense, means that the society must transmit a plural culture, where no form of cultural expression is devalued or marginalized.

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[58] Gerard Delanty, "Self, Other and World: Discourses of Nationalism and Cosmopolitanism," *Cultural Values* 3, no. 3 (1999): 368.

[59] Bruce Maxwell et al., "Interculturalism, Multiculturalism, and the State Funding and Regulation of Conservative Religious Schools," 429.

[60] Ibid., 433. See also, Maria Itxaso Elósegui, 25.

[61] Xavier Besalú Costa, 65.

[62] Bruce Maxwell *et al.,* 430.

[63] Will Kymlicka, "Multicultural States and Intercultural Citizens," *Theory and Research in Education* 1, no. 2 (2003): 147-169.

Citizens, for this reason, need to be prepared to live ways that might sometimes be contradictory and conflicting: allowing for personal autonomy and educational development is key in this regard.[64] Interculturalism pays homage to the fact that immigration results in profound changes not just in the lives of the immigrants, but also in the lives of the host population, and hence, a mutual and progressive change in society through valorization of cultural diversity becomes key in this regard. Interculturalism, however, is geared towards a long-term change (think centuries) in the collective thinking of the nation, and it will inevitably fail to produce changes in the short run. Additionally, because of its postnational Canadian roots, Interculturalism can still take decades to be successfully modified for its European incarnation; 'coexistence' sounds extremely charming, but between cultures that are explicitly (or implicitly) antagonistic towards each other, it is easier said than done.

Suffice to say that all approaches to integration in Europe have had mixed results. The critics point out to 'too much' diversity and integration policy, while the supporters cry about 'too little' of it. Some have been more successful than others, but ultimately, right-wing rhetoric of an 'immigration threat' (among various other factors) has stopped the complete and successful assimilation of diverse foreign residents. In the next few paragraphs, this paper will present reasons as to *how* exactly that has happened and *why* we need to update citizenship policy in Europe.

2.6. Divided We Stand?

Now that our picture of the current European society is more or less complete, let us now dive head forth in to the issue of immigrant integration and citizenship. The developments highlighted in this section will tie in with all of the discussion that has been presented previously, and should be seen with a relevant context, be that of the post-War years, the turn of the century, or the contemporary days. Let us start then by having a look at what categories of individuals are denied the full spectrum of rights in European states. The following categories of individuals/groups do not enjoy Full Legal Equality:[65] foreign workers and their descendants; colonial immigrants; illegal migrant workers; asylum-seekers; and, indigenous peoples. It is in-

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[64] Xavier Besalú Costa, 65.
[65] Castles and Davidson, *Citizenship and Migration*, 70-74.

teresting to note that whereas these populations are now a permanent feature of society and given protection and rights under international (and even national) conventions, they are still invariably 'foreign', in the sense that they haven't been incorporated satisfactorily into the national imaginary. These paradoxes form the puzzling and troubling picture we see today: citizenship has been partially accorded to them, and they forever live on the social, economic, cultural, and political margins of the host society.

If we look back at the history, immigrant workers in the early 1970s preferred cheap housing around manufacturing or employment sites, due to low wages and the need to send remittances back home. As Castles and Davidson illustrate, clustering was often reinforced by provision of on-arrival housing in camps or hostels by the employers or the government. When somebody moved out of these facilities – for instance, upon reunification with their families – new entrants filled up the rooms. Social amenities, health facilities and schools were inadequate for the needs of a growing population, and continued to decline as a result of neglect.[66]

Minority neighborhoods such as the 'coloured ghettoes', the 'Arab quarters', and the 'Turkish districts', or the "quarters of exile",[67] flourished at an alarming rate in various European cities, and the inhabitants inherited the associated stigma of low status and social exclusion. Living in such neighborhoods, however, started to appear as a 'natural' condition, rather than as the consequence of economic disadvantage and social exclusion. Minority areas portrayed a "threat to morality and public order", and were supposed to be breeding grounds for welfare dependency, crime, and religious ideologies.[68] In some truly unfortunate cases, the latter generations are even worse off than their predecessors, as a result of decline in low-skilled jobs. Young job seekers may be rejected because the combination of poor education, ethnicity, and living in immigrant neighborhoods becomes a social stigma, denoting marginality and unreliability.[69] Such circumstances pave way for a lot of rage, insecurity, and austerity against the mainstream social and political establishment on part of the immigrants, especially their youth. The formation of an underclass through such "malign circuits of exclusion" is

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[66] Castles and Davidson, 77.

[67] Francois Dubet and Didier Lapeyronnie, *Les quartiers d'exil* (Paris: Seuil, 1992).

[68] Castles and Davidson, 78.

[69] Loïc J.D. Wacquant, "Red Belt, Black Belt: Racial Division, Class Inequality and the State in the French Urban Periphery and the American Ghetto," In *Urban Poverty and the Underclass*, ed. Enzo Mingione (Oxford: Blackwell, 1996), 361.

what Mingione calls the "chronic accumulation of disadvantages" that leads to social exclusion.[70] It is worth to point out that not *all* immigrants live under such conditions and not *all* guestworkers have to go through these processes. Furthermore, this fate is not specifically reserved for immigrants only, since dire conditions can befall anyone in the host society as well, but, history has shown, that immigrants, in such instances, are particularly vulnerable, and their probability of exclusion is much higher. So severe is their disadvantage as to weaken the social bond and to question the strength of citizenship as an integrating force in contemporary society.[71]

Naturalization, in this context, proves to be of crucial importance, but we have to take a deeper look into its mechanics to understand the real tragedy here. Naturalization, as a process, may be open to and even expected of all immigrants, but the opportunity to satisfy the required conditions may itself be closed. Residential, linguistic, educational, ethnic, and all other kinds of requirements may be put in place, that automatically stop immigrants from integrating through naturalization, even though the process might be fairly straightforward and easy.[72]

But how does all this tie in with our broader theme of immigrant integration and citizenship policy? Living in disadvantaged housing areas reduces the chance of upward occupational mobility. Little recreational amenities and a lack of social and medical services affects health and quality of life, especially so in the case of children. Educational training opportunities tend to be inadequate in such areas, which, unfortunately, means that the initial disadvantages of "immigrant generation tend to be carried over to the second and third generations."[73] The discourses revolving around immigrant integration are, then, affected by the social conditions they live in, and more often than not, they label minorities not only as disadvantaged, but also as inferior. Their inability to rise up, and leave their poor conditions behind is seen as the result of their 'dysfunctional' lifestyle, religion, and values. On the other hand, in an almost perfect cycle of vicious magnitudes, the same 'ghetto' and 'underclass' mentality is constructed as a threat to social order, without regards to the origin of such bias.[74]

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[70] Enzo Mingione, "Conclusion," In *Urban Poverty and the Underclass*, ed. Enzo Mingione (Oxford: Blackwell, 1996), 32-33.

[71] Ibid., 12.

[72] Brubaker, *Citizenship and Nationhood in France and Germany*, 34.

[73] Castles and Davidson, 79.

[74] Ibid.

From the immigrants' perspective, they come to European societies in the hope of finding employment, but also to enjoy a measure of social integration in the host societies. The differences between immigrants and local people, in language and traditions, for instance, may seem less significant in the case of individual integration for highly skilled immigrants, who are not subjected to market segmentations and social segregations. For most of the immigrant populace, however, discrimination and exclusion is the norm, and in such conditions, culture, and often times, religion, becomes a resource for survival and resistance. The preservation of language and folklore becomes paramount. Such efforts at cultural and social association, unsurprisingly, find fertile ground in minority and immigrant neighborhoods. The place of worship becomes the symbolic center of the community, and the maintenance of existing social practices is encouraged. The role of religion in providing comfort, rebuilding identity and developing resistance is crucial, since it represents that hard kernel of identity through which "migrants can compensate for the loss of social orientation caused by displacement to another society."[75] Where settlement is experienced in terms of economic marginalization, social isolation and racism, religious solidarity becomes a key form of resistance."[76] The instance of Islam in European immigrant communities is particularly telling. Where Islam had been just one part of the culture, after migration, it becomes 'culture in its totality' for the diaspora. Islam "provided a source of self-esteem and a hope of protecting children" from 'immoral, western, secular values.' It became a source of ethnic pride and solidarity in the diaspora situation. It gives a sense of belonging in the transnational 'imaginary community' based on religion, which compensates for isolation in the society of residence.[77] Such attitudes are further reinforced by the existing social realities, where 'secular' values are often seen as a mask for discrimination and racist beliefs.[78]

This way, the great misery of migrants is reinforced both by external as well as internal influences. Discrimination by locals, and the reassertion of cultural values strengthens the fears of the host populations. The immigrant becomes a "mysterious, threatening, and potentially militant Other." Food, language, dress, and religion become issues of fierce conflict. The majority

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[75] Riva Kastoryano, *La France, l'Allemagne el leurs immigrés: négocier l'identité* (Paris: Armand Colin, 1996), 104.

[76] Castles and Davidson, 137.

[77] Kastoryano, *La France, l'Allemagne el leurs immigrés*, 106-11.

[78] Castles and Davidson, 79-80.

then begins to demand assimilation through one-way concessions. In the final stage, ideas about superiority are replaced by a belief in the "inevitability of cultural conflict between differing groups." In the times when national cultures are being eroded by globalization, all this has the effect of shifting the blame onto minorities and immigrants, who "become scapegoats for a pervasive cultural insecurity."[79]

This chapter has drawn out a lengthy and detailed narrative of all relevant historical aspects of the citizenship and integration debate. Specific focus was given to issues of segregation, to build a bridge to the next chapter, which busies itself with the analysis of citizenship, while drawing from all of the discussion in the above pages.

3. Problematizing Citizenship

In the integration and segregation scenario detailed in the previous pages, becoming a citizen attains crucial importance for immigrants, but even access to the formal aspect of citizenship – gaining a passport, for instance – is not the complete solution. As Castles and Davidson have shown, *becoming a citizen* is markedly different from *being a citizen*.[80] With that in mind, it must be stressed that the exclusion of 'non-citizens' from the political sphere has not been challenged even in the European democracies with a history of immigrants and long-term residents. The problem of exclusion through 'national' narratives, in this instance, is not that of an "exacerbated, aggressive, passionate nationalism, but the routine, ordinary, taken-for-granted nationalism"[81] that is the "common idiom of contemporary political feeling", the "natural political sentiment for modern states."[82]

The acquisition of citizenship, then, is an essential element of the liberal democratic state in contemporary times. Yet, who is 'in' and who is 'out' is often difficult to judge or justify. In the words of W. B. Gallie, citizenship is an "essentially contested concept."[83] As a result, "a word that ought to

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[79] Ibid., 80.

[80] Castles and Davidson, *Citizenship and Migration*, 84.

[81] Brubaker, *Citizenship and Nationhood in France and Germany*, 28.

[82] John Dunn, *Western Political Theory in the Face of the* Future (Cambridge: Cambridge University Press, 1979), 55-65.

[83] Walter Bryce Gallie, "Essentially Contested Concepts," *Proceedings of the Aristotelian Society* 56 (1956): 167-198. An 'essentially contested concept' implies: achievement; internal complexity; diversity and openness; is often exemplified through reference to an "original",

be a term of art, given its importance, can generate no consensus regarding its proper meaning."[84] Any inquiry that strives to wade through the shifting sands of citizenship discourse must focus on asking the right questions, rather than looking for absolute answers. There are numerous dimensions along which any citizenship debate can be separately structured: scope, size, nature, elements, categories, procedures, theories, and discrepancies are just a few aspects of the larger citizenship debate, each of which engender fierce debate and contestation from all sides and parties included. This has reached a point where citizenship appears to be "so contested as to call into question its own existence." And yet, as Cohen pithily puts it, without some notion of citizenship, much of what justifies liberal democratic states in the first place becomes unintelligible.[85]

But let us take a step back here, and see the bigger picture. Nation-states, in general, and European states, in particular, are situated within a competitive international system where modern governments are in charge of ensuring and distributing collective goods (employment, education, welfare etc.). Consequently, this entails the expansion of public space, and necessitates the incorporation of all persons living in the borders of the polity into some form of membership, which in turn bestows a set of rights, and also forms a set of duties towards the state.[86] Hence there is a need for an integrative citizenship policy in the state, but it comes out to be merely reductive, even when it strives to be accommodative.

For some, though, one dimension to the citizenship crisis is the condition the welfare state finds itself in. In the aftermath of the Second World War, some Western societies were able to create welfare mechanisms that later on also became the founding stones for western multiculturalism.[87] The booming economy of the post-war years, along with full employment, enabled these states to import labor from abroad through guestworker programs. In this period, a 'certain balance', between the differing logics of inclusion (as exhibited by multiculturalism) and exclusion (the welfare state), was

achieved, and the nation-state was able to "reduce its exclusionary logic due to economic prosperity."[88] Short of creating a direct cause-and-effect, it is nonetheless apparent to the learned eye that both these phenomenon, namely the good economy in the welfare states and the importation of labor, are inextricably linked from the very beginning. As such, then, "the decline of the welfare state is inseparably linked to the crisis of multiculturalism and the emergence of growing nationalism."[89] These two logics do not coincide anymore, and are further apart from each other as they have ever been in history. Rising xenophobia, open hostility, and covert ethnocentrism have allowed the extreme right-wing parties to channel their extremist views into the mainstream political arena. To some, this tendency of exclusion is "due less to the inherent belief in nationalism than in growing social discontent."[90]

A related aspect of the decline of the welfare state is the extent and influence of globalization. Regardless of what one's personal view of globalization might entail, it cannot be denied, at any level, that globalization has permanently destroyed the "historical constellation that made the welfare state compromise temporarily possible."[91] As we have seen, and as the next several pages will show, the original compromise was far from ideal, but it nevertheless limited the worst social costs of the liberal-capitalistic system at bay. The reaction to the increasing globalization and Europeanization, moreover, has also been less than desirable. Taken in the historical context, the European integration project started at exactly the same time "when welfare states were under attack" from neo-liberal strategies of exclusion. As if the citizenship discourse were not problematic enough, such tendencies combined with a sizeable number of 'different' immigrants entering the European states put the secure foundations of western societies under question.[92] Hence, when viewed through this lens, the transnational processes of European integration did more harm than good, since they appear to have undermined the capacity of states to "provide and enduring form of social citizenship."[93] In a climate fraught with anxiety, risk, and cultural and eco-

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[88] Ibid.

[89] Ibid.

[90] Ibid.

[91] Jürgen Habermas, *The Postnational Constellation*, ed. Max Pensky (Cambridge, MA: MIT Press, 2001), 52.

[92] Delanty, "Self, Other and World: Discourses of Nationalism and Cosmopolitanism," 372.

[93] Ibid.

nomic insecurity, reason gave way to fear, resentment and disappointment, and nationalism provided an ethos of security.[94]

In *The Postnational Constellation*, Habermas sketches out the evolution of the nation-state, taking the German case as the example. The German nation-state started a process of 'cultural-linguistic' incorporation, where the borders of the cultural and the linguistic communities had to be reconciled with one another. The German case is particularly aggressive in its proposition and implementation of this particular notion, as compared to the other nation-states of the time (Habermas states the Dutch in comparison). Not surprisingly though, all of the drawbacks, limitations, contradictions, dilemmas, and paradoxes that mark the existence of the nation-state today, were all too apparent in the early days as well. Habermas notes that:

> There is nothing originary about the homogeneity of the linguistic community; it requires a leveling of different dialects in favor of a written language imposed by administrative means. But the fact that all those valuable national particularities *could only be manufactured through the active repression of already developed particularities* fits rather poorly with the (…) conception of the organic spirit of the people. No less bothersome is the fact that the very national languages that supposedly ground the individuality of different peoples *are themselves the products of long processes of mutual interaction and influence, making any such clearly demarcated linguistic unities impossible* (emphasis added).[95]

The German incorporation case is primarily an example of linguistic harmony, succeeded by cultural homogenization. It does not, however, take a giant stretch of imagination to graft this model over any kind of incorporation (cultural, linguistic, ethnic, religious etc.) that the nation-state can try in the contemporary times. And just like modern times, there were analogues of paranoid thoughts earlier as well, about preserving the 'purity' of the nation, starting by exorcising the German language of its 'vermin' demons. However, even in such a culturalistic conception, the nation was able to bring together different people under the umbrella of the "imagined community",[96] and imbibe a sense of solidarity between individuals "who had until then remained strangers to one another."[97] Nonetheless, this pro-

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[94] Ibid.

[95] Habermas, *The Postnational Constellation*, 11.

[96] Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, revised and extended edition (London: Verso, 1991).

[97] Habermas, *The Postnational Constellation*, 18.

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cess of nation-making was painfully slow and only very gradually did the ancient loyalties to the village, clan, and dynasties were molded into the national frame. This can serve as a particularly useful analogue for studying today's Europe, since the task at hand, of European integration, is similar to this historic process. Loyalties primarily national have to be brought together under the European rubric, and we have to understand that only gradually will such identities permeate the mainstream public sphere. As Habermas himself quips, "collective identities are made, not found."[98] Such, indeed, is the condition of our times. How exactly we can achieve this ideal, however, is a subject of severe contestation.

Along with the subject receiving immense academic and political attention in debates and conferences, citizenship has proved to be a bone of contention in already established and newly emerging states as well. Can this be attributed to major changes in the political and social contexts, or is it that the problems implicit in citizenship concepts have come out in the open? The answers to both questions are inherently linked. There have always been fundamental ambiguities in the notion of citizenship, but these did not seem to matter much as long as the political context appeared fairly coherent and stable. The current challenges, of course, are tied closely to the difficulties faced by the nation-state, in terms of tackling with the increased diversity in contemporary times.[99] And to see how the nation-state has always had inconsistencies in its theoretical and practical variants, we must now turn to the issues related to nationalism, sovereignty, and human rights within the nation-state.

3.1. Sovereignty and the Nation-State

Sovereignty for a nation-state, since day one, has provided protection in the international order, especially when it is authenticated by the United Nations through formal membership. As a result, and this is a major part of the problem, even when the age of empires and big nation-states is coming to an end, the new units aspire to the same ideals of territoriality and self-determination. This happens when new states, "immediately appropriate the language of nationhood, produce anthems and flags", and ironically enough, "pledge allegiance to (global) human rights."[100] In this way, units and groups

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[98] Ibid., 19.
[99] Castles and Davidson, *Citizenship and Migration,* 2.
[100] Soysal, *Limits of* Citizenship, 160.

that might have been together on the basis of ethnicity, language, or religion, start reinventing their "nationness", and "accentuate the uniqueness of their cultures",[101] all the while creating 'Others' simultaneously. These "ways of 'doing' identity"[102] become standardized, with common modes and themes, with the construction of official taxonomies, and more importantly, dichotomies, in the national imaginary. An alternative explanation that begets the same result can be that nation-states feel the need to strongly insist their national identity as a reaction to the fears of globalization, since as Castells notes that nationalism, instead of federalism, "is the concomitant development of European integration."[103] Nation-states have responded by aggressively intensifying their hold over areas they still control, namely nationality and citizenship, through varying mechanisms of passports, visas, residence permits and so forth. However, sovereignty does not engender rosy notions for everyone. Habermas calls a 'right to self-determination', that entails the construction of national binaries, "sheer nonsense." For him, this "purported" right has caused an "enormous amount of havoc."[104] But why, then, this idea of belonging remains so captivating? It is because the gap nationalism fills so snugly in the collective imaginary of the people comes by default, since according to Habermas:

> There is a conceptual gap in the legal construction of the constitutional state, a gap that is tempting to fill with a naturalistic conception of the people.[105]

However, global trends, to the likes of transnational political actors, internationalization of communication networks, and waves of economic globalization, have all contributed towards the erosion of the 'administrative-material functions' of the state. In the current climate, the nation-state is too small to deal with global problems, and yet it is too large to accommodate the dissenting social and regionalist movements. In times like these, immigration and citizenship have come out to be the prime arenas (some would

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[101] Eric Hobsbawm, *Nations and Nationalisms Since 1780: Programme, Myth, Reality* (Cambridge: Cambridge University Press, 1990).

[102] Roland Robertson, *Globalization: Social Theory and Global Culture* (London: Sage, 1992).

[103] Manuel Castells, *End of Millennium* (Malden, MA: Blackwell, 1998), 327.

[104] Habermas, *The Postnational Constellation*, 72.

[105] Jürgen Habermas, "The European Nation-State: On the Past and Future of Sovereignty and Citizenship," In *The Inclusion of the Other: Studies in Political Theory*, ed. Ciaran Cronin and Pablo De Greiff (Cambridge, MA.: MIT Press, 1998), 115.

say the *only* remaining arenas) for the exercise of nationalism, sovereignty, and territoriality. The old political edifices may have grown weak, but no new global alternatives are yet in sight. As Benhabib has so remarkably put it, we are, indeed, like travelers navigating unknown terrains using old maps, "drawn at a different time and in response to different needs."[106] As is the purpose of Benhabib's work, so too will this essay, at the very least, strive to foster a better understanding of the new fault-lines of our terrains, if not replace the old atlases entirely with new ones.

3.2. *Situating Human Rights*

If sovereignty is part of the problem, then we absolutely cannot ignore the issue of human rights protection while discussing the issue of immigrant integration here. What do we mean by the words 'human rights', or 'international legal regimes', though? Any attempt to define what these expressions could possibly mean would take years of research and volumes of books written on the topic. For the purpose of our inquiry here, and at the cost of being reductive, the conception of international human right regimes put forth by Jacobson shall suffice. Human rights norms that are now codified in international law very simply mean the set of interrelated and overlapping global (the United Nations Declarations and Conventions, for instance) and regional (for example, the Charter of Fundamental Rights of the EU) regimes that encompass human rights treaties, as well as customary international or "soft" law.[107]

Keeping this in mind, we will see that one facet of the postwar era immigration praxis is the closure of national polity, whereas the other is the expansion of the same beyond national bounds.[108] Whereas restrictive boundary and identity creation measures created a narrative for the polity, a constant inflow of people, narratives of multiplicity, and the extension of rights of membership to foreigners[109] created an opposite pressure on

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[106] Benhabib, *The Rights of Others*, 5-6.

[107] For a detailed description of international treaties and conventions that form the core of the human rights regimes, see David Jacobson, *Rights Across Borders: Immigration and the Decline of Citizenship* (Baltimore and London: Johns Hopkins University Press, 1997), 75. The expression, 'soft law' is used to describe international agreements that have not yet taken the form of treaties and conventions.

[108] Soysal, *Limits of Citizenship*, 6.

[109] Renato Rosaldo, *Culture and Truth: The Remaking of Social Analysis* (Boston: Beacon Press, 1989).

the nation-state. To understand this paradox in its full complexity, and to understand how such conflicting measures could've taken place at the same time and in the very same places, Soysal states that we have to go beyond the singular national models, and recognize the importance of 'world-level institutional frameworks'.[110] She shows the two institutionalized (and yet conflicting) principles of national sovereignty and universal human rights to complete the picture of the immigration regimes. Both of these principles are codified in a bunch of conventions and treaties and form a pivotal part of the postwar world order.[111] Chapter 6 will elaborate further on this aspect of human rights norms, and bring the internal paradoxes out in bright daylight. Where the principle of national sovereignty confers upon every nation the right to its own territory (and consequently, engenders citizenship, and a national identity based on homogeneity) the human rights principles advocate 'universal contiguities', and thus generate legitimate "claims for rights and identities of "persons", from within or without national limits."[112] As a result, European states grant rights to their foreign residents "even when asylum seekers are sent back to restrict immigration and enact discourses of the past through nationalist narratives."[113] But, insofar as they are liberal democracies, European states simply cannot completely close down their borders, nor can they lose their right to define immigration policy. Irony and inconsistencies, it would seem, manifest themselves everywhere like a plague in citizenship discourse.

But, how can liberal-democratic states vow to protect human rights while at the same time denying them to portions of the populace? To find out the complex answer, we turn now to Hannah Arendt:

> From the beginning, the paradox involved in the declaration of inalienable human rights, was that it reckoned with an 'abstract' human being *who seemed to exist nowhere* (…) The whole question of human rights, therefore, was quickly and inextricably blended with the question of national emancipation; only the emancipated sovereignty of the people, of one's own people, seemed to be able to insure them (emphasis added).[114]

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[110] Soysal, 6.

[111] Ibid., 7.

[112] Ibid.

[113] Ibid., 8.

[114] Hannah Arendt, *The Origins of Totalitarianism* (New York: Harcourt, Brace and Jovanovich, [1951] 1979), 291.

So, 'national emancipation' became the only viable alternative to place human rights in, and this ties in with an earlier point in the essay about the prevalence of nationalism due to the lack of alternatives. But the story does not end here, since this very act established further paradoxes. For Carl Schmitt, liberalism, a belief in universal moral equality, and democracy, a belief in the equality of citizens, are *necessarily incompatible*:

> Every actual democracy rests on the principle that not only are equals equal but unequals will not be treated equally. Democracy requires, therefore, first homogeneity and second – if the need arises – elimination (…) of heterogeneity (…) Equality is only interesting and valuable politically so long as it has substance, and for that reason the possibility and the risk of inequality (…) [that] every adult person, simply as a person, should eo ipso be politically equal to every other person, this is a *liberal, not a democratic idea* (emphasis added).[115]

Ackerman also notes that "We, the people," is an inherently conflictual formula, containing in its very articulation the constitutive dilemmas of universal respect for human rights and particularistic sovereignty claims.[116] While rights, and the claim to rights have gradually become 'universalized and abstract', identity is still conceived of as 'particular' and tied to characteristics such as nationality or ethnicity. A 'dialectical tension', hence, appears between the bounded nation-state, and the universal rights, thus paving way for a problematized citizenship.

The developments pointed out in the previous pages have led the officials in European states to put in place a whole range of policies, from multiculturalism to civic republicanism, and from federalism to outright noncitizen categorization, all in order to maintain some semblance of control over the immigrant flows. These processes have, interestingly, engendered a very telling subset of vocabulary associated with the citizenship discourse. Whether its 'integration', 'assimilation', 'multiculturalism', or 'adaptation', all of these approaches emphasize the "social or cultural characteristics of migrants as the major explanatory variable", while keeping the policies individual-oriented.[117] The European states and the EU as an emerging international political entity, however, are not "immune to the dualities of the

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[115] Carl Schmitt, *The Crisis of Parliamentary Democracy*, trans. Ellen Kennedy (Cambridge: MIT Press, [1923] 1985), 9-11.

[116] Bruce Ackerman, *We, the People* (Cambridge: Harvard University Press, 1991).

[117] Soysal, *Limits of Citizenship*, 30.

global system."[118] The Maastricht treaty and other EC conventions declare a solid commitment of immigration policies to international norms, while at the same time, EU is engaged in boundary-maintaining activities. Moreover, EU is also plagued by a 'democratic deficit', a relatively abstract idea that is remote from the ordinary persons living in European member states. However, the deficit becomes quite 'real' only when individuals are forced to change their preferences due to transnational concerns, e.g. the onset of mad cow disease in the European cattle.[119] To add to the complexity, in the initial years of immigration into the European Community, issues like language training and housing took precedence, but as citizenship has evolved, so have the demands of third-country nationals. The earlier focus shifted to issues of equal rights and legal equalities, but nowadays, migrants are pushing forth for the recognition, representation, and appreciation of their identities.[120]

As a result of all these developments, citizenship, it would seem then, does not end up making all members of a polity equal. In fact, current citizenship policies underway in European states "institutionalize both difference and inequalities."[121] Citizenship regimes are concerned with self-representation, governance, welfare, participation, and conformity, binding both on the state and the individuals living within it. Where there is a room for discrepancies in the uniform execution of state policies, there are also possibilities of citizenship policies affecting different people differently. Some might just need a residence permit to study, while some may need it for asylum; similarly, some people naturalize to gain social, civic, and political benefits from host societies, while others refuse to sever their formal ties with their original homelands. In this way, the institution of citizenship bears out in an unequal form in the European state. Moreover, as this chapter has shown, citizenship policies of contemporary times are more concerned with providing a sense of familiarity and security in these insecure and unpredictable times, than the protection of individual rights. As a result, there is a two-tiered 'foreignness' in Europe nowadays, with consequent discrepancies in rights attributed: on the one hand are the third-country foreign nationals who are residing in the EU, a fair majority of whom have been born and raised in European states, and who are not citizens of the

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[118] Ibid., 158.

[119] Berezin and Schain, *Europe Without Borders*, 15.

[120] Ibid., 111.

[121] Cohen, *Semi-Citizenship*, 12.

EU member states, while on the other hand are the near-total strangers to the language, customs, and history, but they still enjoy privileges by virtue of the being nationals of other EU member states.[122] If Europe continues to carry this trend forward, it will surely become irrelevant in the eyes of its own population, as well as the international world.

To conclude, the purpose of this chapter has been to show how and why citizenship has come out to be a very visible arena for contestation between the host and foreign populations. The developments analyzed in the previous pages have all made citizenship a sensitive and highly charged political issue for vote earners, and the protection of rights has become a secondary issue. The next chapter will switch gears and present a similar, of citizenship development, albeit from the theoretical and normative point of view.

PART II
APPRAISING CITIZENSHIP

4. Weaving the Citizenship Fabric

4.1. The Road Less Traveled

The two works under scrutiny here, by Howard and Cohen, are very recent contributions to the citizenship discourse, and besides bringing in completely fresh perspectives, they are replete with up-to-date information and political trends as well. Both authors will be given special attention to provide a firm basis for the theoretical framework of "Disaggregative Citizenship" to follow in the next chapters.

4.1.a. Detours from the Past

One of the very recent, and important, works on citizenship regimes and immigrant incorporation is done by Marc Morjé Howard in *The Politics of Citizenship in Europe*.[123] Howard steps back from the cloud of normative

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[122] Douglas B. Klusmeyer, "Aliens, Immigrants, and Citizens: The Politics of Inclusion in the Federal Republic of Germany," *Daedalus* 122, no. 3 (1993) (Summer Issue on "Reconstructing Nations and States): 81-114.

[123] Howard, *The Politics of Citizenship in Europe*.

theory surrounding citizenship studies, and, in a similar vein to the next author analyzed below, he delves into state practices regarding immigrant incorporation. Using recent data and incorporating econometric analysis in his work, Howard synthesizes a very cogent analysis that has much to add to our inquiry here. He develops his framework describing the *political practices* that surround citizenship policy formation in European states, along with the nature of historical background each state has had. He calls the latter *historical variation*, and the former, *contemporary continuity and change*. He focuses, particularly, on the older EU-15 core countries that were member states before the Eastern expansion, and builds a historical evolution of citizenship policy in each member state. According to him, citizenship policy in some countries has been liberalized over the passage of time (the time period for his study ranges from the 1980s to 2008), while in others, strict measures have been introduced that have made the incorporation of immigrants and foreigners into the national mainstream difficult.

Howard's contribution towards a deeper understanding of citizenship, besides his analysis of right wing political mobilizations, is his development of a new index and new categories to analyze EU member states' citizenship regimes. His differentiation between states stems from three criteria: whether or not a member state grants *jus soli* (citizenship by birth in the territory of a state); minimum length of residency requirement for naturalization; and whether or not immigrants, once naturalized, are allowed to hold dual citizenship. These criteria, in turn, engender three broad categories of *restrictive*, *medium*, and *liberal* states according to the difficulty of attaining citizenship. *Tables 1* and *2* present the position of the European states with respect to this categorization in the 1980s, and also at the end of 2008.

Category	Country
Restrictive	Germany
	Austria
	Luxembourg
	Italy
	Greece
	Spain
	Denmark
Medium	Finland
	Sweden
	Portugal
	Netherlands
Liberal	France
	Ireland
	Belgium
	United Kingdom

Table 1. Member State Categorization based on Citizenship Categories in the 1980s[124]

Category	Country
Restrictive	Austria
	Denmark
	Greece
	Spain
	Italy
Medium	Germany
	Luxembourg
Liberal	Netherlands
	Finland
	Portugal
	Ireland
	France
	United Kingdom
	Sweden
	Belgium

Table 2. Member State Categorization based on Citizenship Categories at the end of 2008[125]

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[124] Howard, 27.

[125] Howard, 28.

When we combine these categories with the historical factors, and how these countries have evolved over time, we see an interesting picture developing. The table reproduced below shows changes in citizenship policies of the same European countries, by presenting countries that have moved along the spectrum.

Category	Country
Restrictive Continuity	Austria
	Denmark
	Greece
	Italy
	Spain
Liberalizing Change	Finland
	Germany
	Luxembourg
	Netherlands
	Portugal
	Sweden
Historically Liberal	Belgium
	France
	Ireland
	United Kingdom

Table 3. Recent Changes in Country Categorizations[126]

A cursory glance at the above tables reveals extraordinary insights into the changes citizenships regimes in different member states have gone through. Within the EU-15, generally, citizenship policies have been liberalized, and a relative convergence, in this sense, has taken place. But whether or not this engenders an *absolute* convergence towards liberalized citizenship policies is heavily contested, both normatively and empirically. Howard looks at the citizenship laws of the recent accession countries as well later on his book, and draws the conclusion that recent changes in the policies of these member states have all been on the restrictive end of the spectrum.[127] Comparisons of Tables 1 and 2 reveals that Austria, Greece, Italy, Spain, and Denmark are still in the 'restrictive' category, while Luxembourg and Germany have shifted to 'medium'. Finland, Portugal, the Netherlands, and Sweden have all progressed towards liberalization, and the *overall* trend in

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[126] Howard, 31.

[127] Ibid., 30. Howard's category of the 'accession-12' contains: Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, and Slovenia.

the EU-15 seems to be of liberalization, although the gap between cross-national differences is getting wider by the day. This means that every time member states opt either for a restrictive or liberal approach in their citizenship laws, they do it with a sole focus on achieving the desired outcome, be it to liberalize citizenship or otherwise.

As far as *jus soli* is concerned, Germany, Luxembourg, Finland, Sweden, and Portugal represent departures from their previous traditions, and now incorporate the principle in one form or another. Germany has made inroads towards the reduction of its residency requirements as well. Also, the Netherlands, Finland, Sweden, and Luxembourg now accept dual citizenship for naturalized immigrants. Italy has followed suit, but then the Italian state has increased the number of years of residency for naturalization.[128] Howard's book is geared towards explaining, firstly, as to what are the reasons for the historical variation in citizenship policies in EU member states? And secondly, why have some countries liberalized their citizenship policies, while the others have not? His answer, based on a critical analysis of historical practices and citizenship politics, illuminates the importance of these three factors: the ***time of democratization*** of a member state (early democratizers – nineteenth century ones – are more likely to develop civic bases of nationality and citizenship, than the ones which democratized in the twentieth century); their ***experience with colonialism*** (colonial powers, historically, have been accommodative of their former colonial subjects in their societies, compared to member states with no colonial history); and the activity and ***strength of right-wing parties*** in a polity for determining the answers. The explanations Howard provides may seem simplistic at a first glance, but these are actually the result of critical distillation through an exhaustive analysis of history.

While Howard's assertions about the colonial experience of European states is extremely interesting, the more relevant aspect of his research to our inquiry is the issue of public mobilization over citizenship reform. On the issue of public mobilization over citizenship policies and immigrant integration, Howard focuses on the eleven EU member states that underwent a change in their citizenship regimes (Finland, Luxembourg, Germany, Portugal, Sweden, and the Netherlands all liberalized their policies, while Austria, Denmark, Greece, Italy, and Spain did not). The explanation rests in the political processes, where left or right wing governments shape the character of the policy, along with the extent to which the issue of citizenship arose

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[128] Ibid.

as a contentious one in the public debate. While citizenship is more likely to be liberalized under left wing governments (a process Joppke calls "de-ethnicization", where political parties encourage the rights of immigrants to become citizens, as opposed to "reethnicization", where easier integration for emigrants is on the agenda),[129] what matters more is "the relative strength of far right parties, which can serve to mobilize latent anti-immigration public opinion, and thereby trump the pressures for liberalization."[130]

Howard, crucially, is more concerned with the countries that did not liberalize, even in the face of both old traditions and contemporary factors mentioned in the previous sections. For him, the secret to the puzzle is embedded in studying why liberalization did not take place in some countries, instead of studying why it did in others. Citizens alone, as Massey points out, are not organized enough to restrict liberalization,[131] but at the same time, public opinion is not irrelevant enough to be completely left out of the inquiry either; this is where the *political processes* of citizenship come into the frame. Measuring public sentiment, however, is easier said than done. But the point remains that immigration still shows up in Eurobarometer surveys when people are asked about important issues the EU is facing today. Public sentiment is a powerful force that can stop liberalization from happening. General conceptions about immigrants are of the following nature: presence of foreigners is a cause of insecurity, which increased unemployment also; and that there's a limit to the number of foreigners that can be incorporated in European societies, and once that limit is crossed, cultural and ideological clashes are inevitable since 'they' do not embrace 'our' societal traditions.[132] Such pre-conceived notions are drilled hard into the electorate, especially when the issue is highly politicized, and liberalization becomes a practical impossibility. Once this happens, "politicians can ignore it (public sentiment) only at their own peril." (parenthesis added)[133]

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[129] See Christian Joppke, "Citizenship between De- and Re-Ethnicization," *European Journal of Sociology* 44, no. 3 (2003): 429-458. This argument is more of a necessary, than a sufficient, condition for citizenship liberalization, since it does not always bear out on historical examination.

[130] Howard, 53.

[131] Douglas Massey, "International Migration at the Dawn of the Twenty-First Century: The Role of the State," *Population and Development Review* 25, no. 2 (1999): 313.

[132] Ibid., 55. Howard also notes the psychological imagery (darker-skinned, less 'desirable', culturally different) associated with the notion of 'foreigners'.

[133] Ibid., 61.

Howard's assertions check out against empirical evidence. There is quite a strong relationship between strength of far right parties and liberalization of citizenship. In the country's under examination, Austria, Denmark, and Italy have strong far right political parties and did not liberalize, whereas *all* of the six countries that liberalized had weaker support for far right antics (elites managed to pass reforms without politicized public sentiment, for instance, in Finland, Sweden, and Luxembourg). The tragedy of tragedies, of course, in this case is that non-citizen immigrants do not figure as potential voters, and hence their concerns never enter party agendas. In other words, "there are votes to be gained in standing against immigrants; virtually none in standing for them."[134] In Austria, both the Greens and Liberals supported liberalization, along with a passive support from the Social Democrats. Similarly, Denmark saw the Social Democrats and other center-left parties support greater integration of immigrants.[135] Greece and Spain are the two outliers, with weak far right parties and no liberalization.[136] This only stands to prove Howard's findings that even though the presence of strong far right parties is enough to block liberalization, their *absence* is not, by itself, sufficient to promote it.[137]

As is evident, Howard's research is invaluable for us to, firstly, inform ourselves about the empirical data in recent times, and also to stay abreast of political developments in European states. We will combine these empirical findings with the theoretical strengths of the next author, and break new ground in the preceding chapters towards solving some of the bigger questions of our inquiry.

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[134] Berezin and Schain, *Europe Without Borders*, 45.

[135] Ibid., 115.

[136] Both Spain and Greece have had right-wing military dictatorships that ended in the middle of the 1970s. The (traumatic) memories of those times make the assertion of 'right-wing' heritage/inclinations somewhat taboo in politics. Nevertheless, the debate on immigrant integration is relatively moderate in Spain, as opposed to Greece where overt anti-immigrant views are the "norm" (For more on Greece's internal dynamics, see Andrew Apostolou, "Greece's Immigration Policy Challenge," Western Policy Center, July 2002.

[137] Howard applies the same logics on the ex-colonial countries (France, Belgium, the Netherlands, Great Britain, and Ireland) as well; however, the implications there are less coherent. All of these countries have different right/left wing influences that are politicized more on traditional domestic issues (e.g. the debate over Northern Ireland, the separatist movement in Flanders etc.) than contemporary immigration ones. Also, each country has a distinct political system, and a consequent set of issues, but the one thing that binds them together in Howard's framework in their liberal citizenship policies is, precisely, their colonial history.

4.1.b. A Greater Sum than Parts

We now come to the most important framework that will directly in-
fluence our new conception of citizenship. A very interesting position taken
by Elizabeth F. Cohen in *Semi-Citizenship in Democratic Politics*,[138] which
also forms a central part of this essay, takes note of all the scholarship and
literature present in citizenship discourse (as discussed previously), and me-
diates an innovative pathway for both theorists and policymakers alike. She
introduces the term *semi-citizenship* and consequently, *semi-citizen*. Now,
the use of such nomenclature is not, by any means, novel for her work. Nor
is the occurrence of such 'middle' categories of citizenships that exclude
some and not others any rare or modern (women, slaves, and foreigners
were all not considered 'citizens' even in the Greek and/or Roman political
structures).[139] But the beauty of her argument lies in finding the third space
(in Bhabha's[140] terms) for compromise, hybridization, and understanding
democratic political processes. Semi-citizens are groups of people that,
besides not conforming to the standardized definitions of citizenship, hold
"some rights and receive political recognition consistent with that accorded
to citizens."[141] As such, they exist *between* the two normative categories of
citizens and non-citizens. Semi-citizens may have some, but *not all* rights
associated with citizenship, nationality, or membership. This opens space
for a number of configurations of semi-citizenships in the real life, for ins-
tance, migrants can be given social and civic rights but not political ones.
Her work is fundamentally rooted in the notion of 'disaggregated' bundles
of rights, a term we will borrow later on.

For Cohen, academic literature on citizenship is filled with the premise,
rather the *belief* that the central function of citizenship is to equalize all
members of polity through unitary political identities. No matter how di-
fferent individuals are in their private affairs, citizenship "provides people
with a cloak to don in public" to engage in collective affairs as equals.[142]
Unfortunately, Cohen remarks that such thinking has trickled down to an
understanding of citizenship in singular meanings. All liberal democratic

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[138] Elizabeth F. Cohen, *Semi-Citizenship in Democratic Politics* (New York: Cambridge
University Press, 2009).

[139] For a detailed analysis of Greek and Roman notions of citizenships, see Castles and
Davidson, *Citizenship and Migration* (New York: PALGRAVE, 2000), 26-33.

[140] Homi K. Bhabha, *The Location of Culture* (Routledge: London, 1994).

[141] Cohen, *Semi-Citizenship in Democratic Politics*, 2.

[142] Ibid., 4.

states are, therefore, expected to establish 'single' models of citizenship that are accessible through routinized procedures. Semi-citizenship's strength lies in the fact that it lends independence to citizenship by allowing some rights to be conferred to individuals, even if they do not qualify for the full set of rights. This situation saves them from being completely 'rightless', and also provides some breathing space and common compromise to both the migrants and host states. Such a conception of citizenship, however, leaves the prerogative with the nation-state (albeit with conditions), and makes semi configurations of citizenship inevitable for the modern polity. Semi-citizenships 'occur' when frictions in political relationships, present due to conferral of partial rights and privileges, reach intense levels and formal citizenship regimes have to be unbundled, disaggregated, and dispersed. It might seem, to the uninterested observer, that semi-citizenships perform a dividing function in citizenship discourse, but they actually might end up alleviating the more adverse conditions occurring under "rightlessness."[143]

All European states, in Cohen's framework, are different from each other in some respects, but they do share some premises. The ideals of a liberal polity is to confer rights on individuals, while at the same time the democratic sovereign has to define a governable entity for the administrative purposes. The inherent tensions in such systems are apparent clearly when norms, values, and demands from individuals are in utter conflict with normative principles that the nation-state holds dear. As a consequence, compromises have to be reached between the conflicting issues of liberalism, democracy, sovereignty, human rights, legal equality etc. Cohen refers to such 'wise' behavior by the state as "administrative rationality."[144] Semi-citizenships, interestingly, are not a product of the modern times; rather, as Cohen argues, the Greeks and Romans were able to "formulate subtle, gradient approached to difference and exclusion" through administrative solutions and compromises that do not necessarily reflect normative ideals. Ethical ideals and juristic practices of ancient times, however imperfect, are analogues to modern liberal democratic state structures. This serves as a reminder for us to bear in mind that normative theory has never been fully realized in actual practice, and that administrative requirements of real life are important hurdles in that regard.

As mentioned earlier, Cohen makes extensive use of the idea of unbundling/disaggregating the sets of rights usually attached to citizenship, and

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[143] Ibid., 10.
[144] Ibid., 8.

by providing for the opportunity for rights to be separated, she makes room for a comparative classification of rights based on how (and what) rights can be bundled together in different configurations. Iris Marion Young, although with quite different results, follows a similar pattern of thought, in her seminal work on citizenship.[145] For Cohen, however, rights are either *autonomous* or *relative*. *Autonomous* rights are rights that "human beings need in virtually identical form in any political context", for instance, the security of person, right of residence, freedom of thought and expression, and basic welfare rights.[146] *Relative* rights, on the other hand, are obtained only in specific political contexts. One polity might accord the right to vote or to own property to its immigrants, while the other may not. As such, relative rights require specific political systems to make them legible.[147] This notion requires further examination. In Cohen's framework, autonomous and relative rights are not categorized according to the order of their importance, or because of any contingencies associated between them. It is simply the case that autonomous rights do not need political contexts to be meaningful. In fact, as Janoski points out, these two sets of rights can exist independently of each other.[148]

So the autonomous and relative rights of semi-citizens can then be arranged in a 2x2 table keeping the type and strength of those rights in mind. The ordering of the rights, and the consequent matrix are shown below in *Table 4*. The categories: strong autonomous rights and weak relative rights, weak autonomous rights and strong relative rights, and weak autonomous rights and weak relative rights.

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[145] Iris Marion Young, *Justice and the Politics of Difference* (Princeton: Princeton University Press, 1990).

[146] Cohen, 6.

[147] James C. Scott, *Seeing Like a State* (New Haven: Yale University Press, 1997).

[148] Thomas Janoski, *Citizenship and Civil Society: A Framework of Rights and Obligations in Liberal, Traditional, and Social Democratic Regimes* (Cambridge: Cambridge University Press, 1998).

	Strong Relative	**Weak Relative**
Strong Autonomous	*First Order Semi-Citizens* • LGBTs • Permanent Residents • Refugees • Special political immigrants • Postcolonial subjects	*Second Order Semi-Citizens* • Children • Members of the military
Weak Autonomous	*Third Order Semi-Citizens* • EU long-term residents • Cultural minorities	*Fourth Order Semi-Citizens* • Roma • Undocumented persons • Guestworkers • Temporarily protected status holders

Table 4. Semi-Citizens (with some examples)[149]

Now, these statuses of autonomous and relative rights, and citizens, non-citizens and semi-citizens are permanent, in the sense that while individuals and their rights might proceed to full citizenship, the intermediary categories are enduring. Also, these categorizations apply only to *semi-citizens* i.e. groups of individuals that have one or more sets of their rights curtailed. First order semi-citizenships are the closest to full citizenship, with corresponding nationality and membership rights, and the farther down the spectrum we travel, the farther we get from a *complete* notion of citizenship as well. Semi-citizenships, in this sense, forge compromises not only between inconsistent notions of citizenship, but also between conflicting demands in a democratic state that might otherwise render the polity utterly ungovernable.

Another aspect of Cohen's theory becomes important for our inquiry. She contends that three aspects of citizenship discourse collide in normative and real time to force the nation-state to seek compromise, and engender semi-citizenships. **Liberal norms**, **democratic theory**, and **administrative rationality** all form important contributing factors in the context of the state towards the resolution of the citizenship dilemma.[150] The logic of administrative rationality flows directly from the governmentality approach of

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[149] Ibid., 72.
[150] Cohen, 116.

the late great Michel Foucault.[151] Governmentality, simply put, envisages a political rationality "whose stated end is to secure and improve the circumstances of the population being governed."[152] Governmentality, or administrative rationality, ensures stable power structures that allow the exercise of state power. One aspect of governmentality that bears inspection is its permanence in citizenship discourse, vis-à-vis the fact that state follows from governmentality, and not the other way round. States are a relatively recent invention in human history, but need for governmentality/administrative rationality has been there from times immemorial. Even when the day comes when the nation-state would no longer enjoy the prominence it enjoys today, governmentality, and also the need for making decisions by a higher political authority, will still be there.

The beauty of Cohen's work lies in the fact that she treats these gradations of citizenship as *inevitable*, rather than *exceptions* that need to be hammered out in any liberal democratic state. Every nationality and citizenship regime makes exceptions for different people; where as some might leave out children or the elderly from availing certain benefits, others might justify the exclusion of ex-felons from full participation. The point we should take away from this is that semi-citizenship stays away from obscuring the varied insights of membership in modern societies. Many examples abound, where semi-citizenship will accommodate all possible permutations of citizenship, while other normative ideals may have a hard time. For instance, consider a Spanish national (passport holder) and a Canadian national. Both of them will be treated the same way if they go to a third country, say, Japan (bar any special agreements), but their treatment will be starkly different inside the EU because of the Schengen Agreement (in any EU member state). Also pertinent might be the example of two siblings born to the *same* parents, but one within the territory of a state and the other one outside it. The child born within the territory will get automatic citizenship (sometimes even in the case of immigrant parents, both of whom might not themselves be citizens), whereas the other one will not, at least not automatically. Such instances create *gradations* of citizenship, nationality, and membership, and this is where the strength of Cohen's framework lies: in allowing for the *inclusion* of all possible demands of recognition, without resorting to essentializations or complete disenfranchisement. Semi-citizenships disaggregate rights, and

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[151] See Michel Foucault, *The Foucault Effect: Studies in Governmentality*, ed. Graham Burchell, Colin Gordon, and Peter Miller (Chicago: University of Chicago Press, 1991).

[152] Cohen, 117.

then they recombine them in a thorough fashion to make sure that we do not lose focus of their necessity.

The synthesis that Cohen develops in her book is extremely promising because, firstly, it establishes analytic forms of comparison between different entities on matters of citizenship, but more importantly, through providing details of how and why semi-citizenships' existence is inevitable for the modern European state. She also challenges the ancient wisdoms in citizenship discourse by questioning the possibility of any form of equality amongst the nationals of a nation-state. According to her, "if three centuries of institutional and normative development have not wrought a(n) (…) equal form of citizenship (…), such a goal may not be possible."[153] A further addition to this would be to challenge the desirability of such a goal as well.

Moreover, Cohen delegates the task of citizenship definition, evaluation, and bestowal to the highest political authority i.e. the nation-state itself. The fact that we need a central authority for regulating citizenship is evident to Cohen, especially since citizenship is not "automatically available to anyone who behaves in the manner of a citizen."[154] Constitutional states, with all of their complexities, injustices, and paradoxes, are, nonetheless, better placed to make important decisions about norms of membership. The state is unique "both in the degree to which it is recognized as legitimate, and in the degree to which it monopolizes control" over citizenship policy and political membership.[155] T.K. Oommen concurs: "to dissociate (citizenship) from its very source – the state – is to render the notion *irrelevant and meaningless*" (emphasis and parenthesis added).[156] True, that states do not have a "perfect or perpetual monopoly" on defining citizenship, but they still perform a mediating role between conflicting liberal and democratic norms, and the "imperatives of governmentality."[157] The individuals in a polity still influence rules, but once we recognize that citizenship practices are *inconceivable* without the state's authority, we can then realize the maneuvering space for semi-citizenships to occur.

A deeper reading of Cohen's work reveals the simplicity, and the brilliance, of her thesis. Her approach allows for individuals to be protected

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[153]   Cohen, 9.

[154]   Ibid., 29.

[155]   Cohen, 30.

[156]   Tharaileth Koshy Oommen, *Citizenship, Nationality, and Ethnicity: Reconciling Competing Identities* (Cambridge: Polity Press, 1997), 228.

[157]   Cohen, 30.

against complete foreignness, since people can have *some* political rights, *some* social and civil rights, and even *some* nationality ones as well, but not all of them simultaneously. This creates a space for deliberation and active discussion after individual rights have been protected through semi-citizenships. What this approach really does is to empower the immigrants to seek representation and justice in nationalist regimes by giving them a voice and a space to inhabit, essentially solving the age-old dilemma of how to make sure that the people who are affected by citizenship legislation are also represented in it. Add to it the breadth of scope, and the fact that Cohen's work can be seen as deriving from actual state practices, rather than refractions of normative theory (or even social identities), and this framework proves priceless for our inquiry.

One problem, however, with Cohen's work that can be seen at the outset relates to defining criterion for citizenships, non-citizenships, and semi-citizenships. How do you define, measure, and implement these categories, gradients, and thresholds Cohen so fondly poses in her frameworks? She is well aware of such limitations to her work, and incorporates two conditions into her argument: any thresholds/categories must have "a persuasive set of reasons" for their existence, and movement between (permanent and inevitable) categories must be allowed.[158] While the first conditions leaves a lot to the imagination, the second condition has important consequences for her work. By allowing movement between categories, we can judge the boundaries of such categorizations, without necessarily defining them strictly. More importantly, we can judge the content of rights (and the unbundling) of such categories by knowing exactly when do such distinctions come apart. By analyzing how certain rights are denied to certain individuals, we can then argue for a more justified reconfiguration of rights towards these individuals. Also, through this movement, people who find themselves disenfranchised in one social or political arena can avail some rights in another one. Another aspect of her work, even though she denies the charge, is that her work places certain rights (autonomous ones) in *essentially* a higher order compared to relative ones. Her categorization of rights is problematic, and even though Cohen herself has repeatedly dismissed this allegation, but it is something that her work cannot escape from. Maybe a focus on human rights might help solve the issue, but it would still not solve the dilemma of *what* rights do we consider as human rights. A better argument to be made in this case would be to simply accept the fact that no matter how we may

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[158] Ibid., 61.

combine rights, certain rights will need to be privileged above others, both within and without any political context. But that being said, Cohen's synthesis is extremely crucial not just for our inquiry, but also for anyone even remotely interested in understanding and resolving the citizenship debate.

5. A Deficient Citizenship

The focus of this chapter is to point out some of the critiques that might not be obvious at a first glance into our discussion. As we have seen in all of the analysis previously undertaken, monolithic assumptions about religion, culture, and values are prevalent in citizenship policy, such as dichotomies of the 'traditional' versus the 'modern', where the former is supposed to necessarily evolve into the latter for the fulfillment of personal and public (citizenship and nationality) ideals. Moreover, we must keep in mind Chatterjee's contentions about the conflict of making the universal in line with the particular.[159] He notes that there is an inherent conflict between the universal ideals of individual freedoms and equal rights, and the particular demands of cultural identity; Benhabib also has the same concerns, where she poses the inherent tension between a universalist conception of citizenship with uniform rights and duties, and the particular demands of people.[160] It is as if there is no alternative but to opt for either assimilation or group fetishism.[161] There is a treatment of cultures and ethnicities as clearly delineable wholes, and a congruence of cultures with population groups is propounded, that leads to 'non-controversial' descriptions of cultures; even if the congruence is broken, i.e. "even if there is more than one culture within a human group and more than one group that may possess the same cultural traits," this would pose no problems for policymaking.[162]

In any nation-state, there are plenty of different ways, for example, to be German, Spanish, French, or British. But in every state, the individuals contain in their repository, enough resources to *act* German, for instance, in one way, or another. Also, if geographical location was the determining identity

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[159] Partha Chatterjee, *The Politics of the Governed: Reflections on Popular Politics in Most of the World* (New York: Columbia University Press, 2004).

[160] Seyla Benhabib, *Transformation of Citizenship: Dilemmas of the Nation-State in the Era of Globalization* (Amsterdam: Van Gorcum, 2001).

[161] Mesut Yegen, " The Dialectic and the Tragedy of Citizenship," *European Political Science* 7 (2008): 98.

[162] Benhabib, *The Claims of Culture*, 4.

factor, then border crossings would, instantaneously, render a person unfit for his or her own national imaginary,[163] and yet, this is not the case. Conversely, if identity is something biological or cultural, then a Pakistani will be a Pakistani regardless of the number of years he or she spends working in Spain, for instance, and yet, in an absolutely baffling way, this is not the case either. Broad and unifying assumptions just simply do not hold true in theory and in practice, and are a major cause for citizenship's failure to engage critically in the diverse European setting of today. The tension between the universalistic principles of citizenship and its particularistic bond to a culturally defined national community has become unmanageable.[164] Citizenship needs to move away from the rhetoric of assimilation, and to strike a balance of its own between ideology and actual practice for envisioning democratic institutions and processes.

There are two main issues concerning immigrant integration and citizenship rights. First is the issue of *formal* denial of political rights, whereas the other is the *inability* to enjoy political rights despite the immigrants being in possession of them. Social exclusion often means a situation of political powerlessness.[165] The problem of *formal* exclusion is further exacerbated by the *de facto* exclusion of immigrants, where the contradictions between *citizenship* and *nationality* are brought out in sharp contrast. All individuals are meant to be free and equal, who as citizens are supposed to be homogenous, thus creating a paradoxical situation. The nation-state is the combination of political unity and national community, where a citizen "is always also a member of a nation, a *national*." One of the very basic problems is the essentialization of citizenship vis-à-vis only *one* factor/component. Prioritizing one aspect of citizenship over the others leaves a dangerous space to be filled with cultural stereotypes, ethnic and racial xenophobia, and outright hostility towards the immigrants. Another issue, following logically from the first point, is the obsession with the notion of a singular citizenship, and consequently, the idea of there being only *one* kind of citizen, and multiple forms of foreignness.[166] Citizenship is meant to be universalistic, yet it exists only in the context of a nation-state, which is based on cultural specificity. [167] All this raises the quintessential question: can immigrants only become

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[163] Berezin and Schain, *Europe Without Borders*, 90-91.
[164] Castles and Davidson, *Citizenship and Migration*, 54.
[165] Castles and Davidson, 109.
[166] Benhabib, *The Rights of Others*, 49.
[167] Castles and Davidson, 12.

part of the host nation upon successful assimilation, or is there room left for diversity, still?

Moving on, a shared feature of all norms of membership and citizenship is that those who are affected by the consequences of policies, cannot, *per definitionem*, partake in policymaking.[168] The importance of this tragic occurrence cannot be overstated. A fundamental dilemma that needs urgent resolution is the representation of the very people whose lives are affected by immigration legislation, and this can only be done through political representation and empowerment, starting from a very basic and limited level. Much of the space in the coming chapters is dedicated towards eradicating this drawback.

Additionally, and quite unfortunately, there are no obvious reasons for presuming that relocating governmental control will foster a more horizontal and accountable relationship between the citizens and the state.[169] Decentralization of power, in practice, may serve to extend and further embed state patronage, since rather than encouraging forms of liberal citizenship, it might generate new forms of dependency by placing the government in close proximity to the demos.[170] Consequently, just because there are avenues for participation does not automatically mean that people will participate; citizens might have different affiliations and relate with other social institutions more than they do with the altruistic 'civil society.' It is wishful thinking to imagine that everyone in the civil society will participate in the political and cultural citizenship project that strives to reframe citizenship in more active terms through processes of engagement. As appealing as they may sound, such processes do not always result in the acquisition of new identities and roles. As some suggest, the nature of relations between citizens and state in political and historical contexts is marked by histories of disenfranchisement and authoritarianism,[171] and new versions of citizenship might not be amenable to such dramatic ruptures with the past. The so-called 'new democratic spaces' might reproduce existing relationships of power. In other words, making civil society more 'active' will not create an automatic association between itself and democratization; civil society is

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[168] Benhabib, *The Rights of Others*, 15.

[169] Steven Robins, Andrea Cornwall, and Bettina Von Lieres, "Rethinking 'Citizenship' in the Postcolony," *Third World Quarterly* 29, no. 6 (2008): 1077.

[170] Ibid.

[171] Ibid.

always only as democratizing as its members.[172] Robert Putnam's impressive work on American civil society will be analyzed later on in Chapter 7 to highlight this point again, and seek ways for moving beyond this hurdle. It suffices to say at this stage that the spaces that foster civil society are *also* avenues for elite cultural competencies and aspirations; also, taking into account various spatial contexts, civil society can come to be understood as the object rather than the motor of democratization.[173]

Furthermore, with regards to the EU, where it not only reproduces the internal tensions associated with the composition of modern nation-states at the supranational level, there is an assumption about the existence of an "already well-integrated and homogenous society" that fails to take into account the difference of opinion present within European society, and tries to employ unifying discourses over what is essentially different and unique.[174] As Smith portrays:

> … (Europe) has looked pale and shifting beside the entrenched cultures and heritages that make up its rich mosaic. Compared with the vibrancy and tangibility of French, Scots, Catalan, Polish or Greek cultures (…), a "European identity" has seemed vacuous and nondescript, a rather *lifeless summation of all the peoples and cultures on the continent, adding little to what already exists* (emphasis added).[175]

Moreover, Europe as a political space is ambiguous: European directives are trans-European, while the membership is still nation-based.[176] Linguistic identity, a core feature of past nationalisms, poses an even more "intractable problem" than the common currency, Euro. As is the case in Europe, a common currency is more easily adopted than any notions about a common European language; add to that the constantly upheld principle of linguistic integrity, and the situation becomes even more complex.[177]As a result, 'European' integration stops being a simple and equally desirable good.

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[172] Neera Chandhoke, *The Conceits of Civil Society* (New Delhi: Oxford University Press, 2003).

[173] Steven Robins, Andrea Cornwall, and Bettina Von Lieres, "Rethinking 'Citizenship' in the Postcolony," 1081-1083.

[174] Sergio Carrera, *In Search of the Perfect Citizen? The Intersection between Integration, Immigration, and Nationality in the EU* (Leiden: Martinus Nijhoff Publishers, 2009).

[175] Anthony D. Smith, *Nations and Nationalisms in a Global Era* (Cambridge: Polity Press, 1995), 131.

[176] Berezin and Schain, *Europe Without Borders,* 16.

[177] Ibid., 18.

Lastly, the criminalization of immigration is perhaps the most important and most difficult hurdle that needs to be crossed. It comprises of a defensive rhetoric that invokes the political will to close the national borders (which are supposed to act as internally-controlled floodgates) against uncontrolled waves breaking in from the outside. EU member states retain immigrants in a state of "exception",[178] where they cannot make any claims for improvement in their living conditions. Refugees, asylum-seekers, and immigrants are made to stand in line with arms merchants and drug traffickers, and are supposed to (unilaterally) threaten internal security.[179] The case of undocumented/illegal aliens is even worse, since they are subjected to a form of "civil death",[180] where they cannot seek help even in emergency situations for the fear of being caught. Individuals of third-countries are treated as "quasi-criminal elements, whose interaction with the larger society is to be closely monitored."[181] Immigrants,

> (…) exist at the *limits of all rights regimes* and reveal the blind spot in the system of rights, where the rule of law *flows into its opposite*: the state of the exception and the ever-present danger of violence (emphasis added).[182]

As is clear, this sorry state of affairs needs to change for the better, and immigrants need to be given a fair chance at living and integrating within the European society. At this stage in the essay, we are now quite ready to embark on an adventurous new territory, after meddling into the history, politics, complexities, and issues of citizenship in the previous chapters. The next section of the thesis will, for sure, draw from the discussion presented above, but in doing so, the analysis will also strive to move beyond the drawbacks mentioned so far, and present solution-oriented discussion on the issue of immigrant integration.

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[178] Carl Schmitt, *The Concept of the Political*, trans., introduction, and notes by George Schwab (Chicago: Chicago University Press, [1927] 1996), 47-49.

[179] Habermas, *The Postnational Constellation*, 81.

[180] Benhabib, *The Rights of Others*, 215.

[181] Ibid., 163.

[182] Ibid.

6. New Directions

This section of the thesis will now turn towards breaking new ground in the issue of citizenship and immigrant integration. We have analyzed the historical and theoretical complications associated with the concept at length in the previous pages, and we must now turn our attention towards highlighting issues to be solved, and providing solutions. This is the focus of this last part of the paper.

On the outset, we must understand a few things. Firstly, and rather alarmingly, we must keep in mind that "the last century has "generated more victims, more dead soldiers, more murdered civilians, more displaced minorities, more torture, more dead from cold, from hunger, from maltreatment, more political prisoners and refugees [*and, indeed, immigrants as well*] than could have ever been imagined" (phrase in italics added).[183] The lack of clear orientation for meeting contemporary challenges indicates "not that we *can* learn from catastrophes, but indeed that we *only* learn from catastrophes."[184] This situation begs us to contemplate our collective fate on an emergency basis.

Additionally, the idea of a Union at the European level is fast becoming problematic and troublesome. Of course, there are advantages to a closer harmony between European states on matters of economy, justice, and society, but due to ever-changing international scenarios, and pressures from domestic/nationalist quarters, Europe, as a collective identity, is fast fading away. The recurrent crises have, in retrospect, strengthened the bond between the European states. With the prevalent conditions nowadays, a possibility of a collective 'Europe' seems like a far cry. In an almost cyclical pattern, Tony Judt's premonitions from the past have come true:

> We shall wake up one day to find out that far from solving the problems of our continent, the myth of 'Europe' has become an impediment to our recognizing them (…) it has become little more than the politically correct way to paper over local difficulties, as though the mere invocation of the promise of Europe could substitute for solving problems and crises that really affect the place.[185]

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[183] Habermas, *The Postnational Constellation*, 45.

[184] Ibid., 49.

[185] Tony Judt, *A Grand Illusion? An Essay on Europe* (New York: Hill and Wang, 1996), 140.

We must also understand that while democracies propose that people hold certain rights, there is no consensus of *what* rights should be privileged over others. This point was brought out earlier on while discussing Cohen as well. The threshold where the justification for one particular right to prevail over the others happens is not clearly defined. If we take the concept of positive and negative liberties by Isaiah Berlin, it becomes clear that it is not possible to simultaneously maximize *both* positive and negative liberties. There is a choice to be had: either, people can determine what is in their best interest, or somebody else can make their decisions for them. Carl Schmitt put it so explicitly:

> The equality of all persons as persons is not democracy *but a certain kind of liberalism*, not a state form but an individualistic-humanitarian ethic (…) Modern mass democracy rests on the confused combination of both (…) The theory of the state set out in *Du Contrat Social* contains these two different elements *incoherently* next to each other. The façade is liberal: the state's legitimacy is justified by a free contract. But the subsequent depiction and the development of the central concept of the "general will," demonstrates that a true state, according to Rousseau, *only exists where the people are so homogenous that there is essentially unanimity* (…) there can be no parties in the state, no special interests, no religious differences, nothing that can divide persons, not even a public financial concern (both emphases added).[186]

A central ideal for citizenship reform emerges from this discussion. Citizenship rights can be distinguished from some other rights – the right to use public transport, for instance – because of the unique relationship such rights have with membership of a polity. Such thinking is derived from Amartya Sen's remarkable work on *entitlements*.[187] What sets citizenship rights apart from some others is that the object of the claim by individuals or groups is always the state, which ultimately confers these rights if the claim is deemed worthy. The point to be noted here is that there can be absolutely *no* notion of citizenship without the notion of rights, be they universal or particular. Once we agree on that, we can them move on to the more difficult questions of how and why some rights might be denied/given to some individuals while leaving others desiring.

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[186] Carl Schmitt, *The Crisis of Parliamentary Democracy*, trans. Ellen Kennedy (Cambridge and London: MIT Press, 1985), 13.
[187] Amartya Sen, *Poverty and Famine: An Essay on Entitlement and Deprivation* (Oxford: Oxford University Press, 1981).

A very important point that we must understand is that citizenship, for the purpose of our inquiry, is to be understood as a *category*. Every conception of citizenship imaginable performs one function: to categorize. No matter if it's a status, a relationship or anything else, citizenship "classifies and distinguishes people from one another", and acts as a political category.[188] This view of citizenship, while leaving all previous conceptions intact, moves beyond the traditional norms, and allows us to introduce flexibility into the citizenship lexicon and policy conceptions. Seeing citizenship as a *category* has the advantage to mark (not necessarily seamless) distinctions/boundaries, while leaving the possibility of such demarcations to not be mutually exclusive. As Charles Tilly convincingly argues, categorical boundaries are imperfect and incomplete, and hence create porous "frontiers" at which categorical hybridization occurs.[189] Let us elaborate the consequences of this notion further. Most citizenship theories concern themselves with finding thresholds in order to define the actual concept, for instance, where does one start being a citizen, and where does citizenship end? The problem with such thinking is that it captures the situation only in terms of absolutes: one is either a citizen or not. But real life situations occur in the grey areas of such discourse. One can be a citizen, for example, a gay individual in Italy, while not given the right to marriage. Similarly, one can be a legal resident in a host country (taking the instance of Italy, again) while not given the right to vote. In the former case, the individual is a citizen, the latter isn't. However, one can vote, but the other cannot. The 'non-citizen' can marry in this case, but on the other hand, the 'citizen' cannot. What we need to understand here is how gradations in citizenship rights are differentially accorded within social strata. Christian Joppke has illustrated how neither France nor Germany represented "an absolutely pure case" of following any single citizenship philosophy.[190] There are no clear boundaries, and citizenship becomes a matter of degree, rather than absolute conceptions. In other instances, children are not citizens until they reach a defined age (the premise here is rationality), but liberal states, "do not automatically take away the citizenship rights of those who are mentally impaired."[191] In other words, the crucial questions about the start and

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[188] Cohen, 33.

[189] Charles Tilly, *Durable Inequality* (Berkeley: University of California Press, 1998), 7.

[190] Christian Joppke, *Immigration and the Nation State* (Oxford: Oxford University Press, 1999).

[191] Cohen, *Semi-Citizenship,* 39.

end of thresholds in nationality and citizenship policies lend flexible ambiguity in systems that govern them.

Paradoxically though, democracies still need to assign and protect liberal rights, and in order to do that, they need to demarcate clear and enforceable boundaries. These two conceptions seem so inimical to each other, and yet they are inseparable in political thought. As a result, citizenships are "acutely vulnerable" to such conflicts/contradictions:[192] for instance, the stronger one's commitment to human equality, the "less feasible it is for one to demand that citizenship impose substantive standards" for citizenship acquisition throughout different social groups.[193] The normative force of democratic constitutions coherently demands the extension of inclusion to all persons while *simultaneously retracting that inclusion* to all members of a set of arbitrarily designated persons in order to actually succeed in *constituting a polity*.[194] In order to move beyond this, we should forego the obsession with equality and frame our requirements not in terms of either/or, but rather along a broader political spectrum.

This is the *third* space that semi-citizenships inhabit: the space for compromise, dialogue, and political maneuverability. States need semi-citizenships to solve political deadlocks that result because of inconsistencies within liberal democratic practices. And as a result, semi-citizenships become inevitable political realities by forging important compromises between normative theory and political administrative issues (like citizenship, nationality, also, is "the tool through which states take control of their populations").[195] Individuals and groups who do not have full citizenship "remain a permanent fixture of any democratic state."[196] Semi-citizenships occur inevitably in modern states, and they shouldn't be treated as exceptions. The idea of a 'Disaggregative Citizenship' is very much rooted in this ideal of having spaces for compromise and political action, as will become apparent in the course of the following pages.

So far, we have seen how citizenship discourse is filled with paradigmatic dilemmas, antithetical occurrences; identity and difference, nationa-

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[192] Ibid., 115.

[193] Ibid.

[194] Max Pensky, "Constitutional Exclusion? EU Constitution, Human Rights, and the Problem of Scope," (paper delivered at the European Constitutionalism Conference, Johann-Wolfgang Goethe University, Frankfurt am Main, June 2002).

[195] Hannah Arendt, *The Origins of Totalitarianism* (San Diego, New York, and London: Harcourt, Brace, and Jovanovich, 1979), 275.

[196] Cohen, 206-210.

lism and cosmopolitanism etc. are examples. But more importantly, and the importance of this next point cannot be overstated, we have to accept that nationalism is here to stay with us. We can rethink it, but the affinity of a people towards a nation/state will not go away overnight, or over a couple of years for that matter as well. Any notion of citizenship which confers a central role in citizenship policies to any entities apart from the state, "relies on a normative ideal", rather than an actual account of citizenship.[197]

Let us elaborate this point further. We have seen that there are internal contradictions within nationalism since it claims to defend a traditional culture, while at the same time forging a new, structured one. Nationalism "tends to treat itself as a manifest and self-evident principle (…), when in fact it owes its plausibility and compelling nature (…) to circumstances (…) alien to most of humanity and history." Moreover, nationalism preaches continuity, but is fundamentally a result of a decisive break in human history. Same is the case with cultural diversity: on the surface, nationalism has pretensions about preserving the historical diversity, whereas in fact, it is based on an ideal of homogeneity. "Its self-image and its true nature are inversely related, with an ironic neatness seldom equalled even by other successful ideologies."[198]

However, despite and in spite of all these paradoxes and inconsistencies, it is too soon to declare the end of the nation-state, and historically rooted nationalisms. Christian Joppke argues that,

> We can observe both, a stubborn insistence of states to maintain control over their borders *and* increasing human-rights constraints on traditional sovereignty; a proliferation of membership categories *and* pressures to remould them as unitary citizenship; a persistence of distinct national models of handling (and constraining) ethnic diversity *and* multicultural pressures on the monocultural texture of nations.[199]

Brubaker, in this regard, raises a pertinent question: Why have citizenship policies so far escaped the convergence to which immigration policies have been subjected?[200] His answer, interestingly, strengthens one of the central premises of this essay: the prevalence of the nation-state in the current

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[197] Ibid., 47.

[198] Ernest Gellner, *Nations and Nationalism* (Oxford: Basil Blackwell, 1984), 124-5.

[199] Christian Joppke, *Immigration and the Nation State* (Oxford: Oxford University Press, 1999), 4.

[200] Brubaker, *Citizenship and Nationhood in France and Germany*, 180.

world. According to him, questions about citizenship touch on raw nerves that "are most closely connected to a country's identity and sovereignty."[201] Brubaker goes on to say that:

> Citizenship in a nation-state is inevitably bound up with nationhood and national identity, membership of the state with membership of the nation. Proposals to redefine the legal criteria of citizenship raise (…) ideologically charged questions of nationhood (…). The politics of citizenship *is first and foremost a politics of nationhood* (emphasis added).[202]

We can establish that the current international system we inhabit is defined by nation-states that are a universal, inescapable "fact of political life", while at the same time being guilty of depriving security to the foreigners who do not have nationality. But, the distinctions made through nationalisms are here to stay with us as a "lasting feature of citizenship in Europe."[203]

It can be argued, moreover, that the liberal democracies in Europe are now facing the end of a "200-year developmental process that began with the revolutionary birth of the nation-state."[204] The concurring phenomena of the territorial state, the nation, and the economy, all existing within national bounds formed a system where the democratic process took an institutional form.[205] Owing to this paradox, the nation-state, then, remains the primary point of reference in citizenship discourse and policy, even in current times. All nation-states, however, are/were not democratic, where free and equal citizens constituted themselves in self-governing associations. But there is a necessary correlation between democracies and nation-states: in other words, the latter must be present in order for the former to appear. Additionally, the normative basis of liberal-democratic states, surprisingly, is neither economic welfare nor collective identity formation, since both these goals can be achieved without democratic systems.[206] The nation-state, then, performs a uniquely crucial function in democratic societies. But, contemporary pressures of globalization, mass movements, terrorism, climate change, and other transnational patterns

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[201] Howard, 199.

[202] Brubaker, 182.

[203] Howard, 199.

[204] Habermas, *The Postnational Constellation*, 60.

[205] Ibid.

[206] Benhabib, *The Claims of Culture*, 105.

have, however, produced a paradoxical situation for us to face. On the one hand, the democratic state is better equipped than other political forms to handle this situation, while on the other, it is clearly filled with inherent contradictions over the composition of the national community, and consequently, over the incorporation of immigrants.[207] Since the vocabulary we have for referring to anything political, democratic, or liberal is rooted in the nation-state, our beliefs are shaken every time present day challenges undermine the nation-state order, and we cannot conceive of any other form of political association that goes beyond, above, or around the one that has monopolized the public sphere since times immemorial. One thinker, in particular, has summarized the condition in a remarkably succinct way. Anthony McGrew notes that:

> For if state sovereignty is no longer conceived as indivisible but shared with international agencies; if states no longer have control over their national territories; and if territorial and political boundaries are increasingly permeable, the core principles of democratic liberty – that is self-governance, the demos, consent, representation, and popular sovereignty – are made distinctly problematic.[208]

Now, it would appear to the casual observer that all hope is lost, since we have arrived at the point where we originally departed from, namely the problematic integration of immigrants in European states. If the 'un-allowing' nation-state is indispensable, then how can we allow for a greater inclusion of immigrants?[209] However, we must not despair. New groups of people have been incorporated over the years. A brief glance on the history shows us that as the state has "permeated new domains of social action," and different groups – workers, women, children, and up to a certain extent, long-term residents – have been incorporated into an ever-growing juris-

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[207] Claus Offe, " 'Homogeneity' and Constitutional Democracy: Coping with Identity Conflicts through Group Rights," *The Journal of Political Philosophy* 6, no. 2 (1998): 113-41.

[208] Anthony McGrew, "Globalization and Territorial Democracy," In *The Transformation of Democracy*, ed. Anthony McGrew (Cambridge: Polity Press, 1997), 12. Also see Ernest Gellner, *Nations and Nationalism* (Oxford: Basil Blackwell, 1984), 54. Gellner states that now the *presence*, and not the absence of the state is an inescapable fact of political life.

[209] It must be noted at this stage that the nation-state's ability to exclude does not apply to non-citizens only. Throughout the times, states have shut off access to its territory for its own citizens as well, but there are severe consequences to face if a state indulges in such behavior. Liberal theory and international law make it an extremely costly and unsustainable practice. See Rogers Brubaker, *Citizenship and Nationhood*.

diction of the state.[210] This bodes well for our inquiry here. And indeed, guestworkers have been slowly incorporated through the bestowal of many rights and privileges previously associated with citizens, but they're not full members of the society yet.

Adding on, if a new conception of citizenship is to emerge, we must understand the concept of interdependence of people and nation-states. We have come too far now to let the shadow of the past linger on over us, and we need to move forward with a broader vision that is inclusive and caters to diversity. The challenge is to be able to weave out our own narratives from the interlocking web of connections we all share with each other, and the state. Of course, there are only so many ways in which identities can be reconfigured, but the important thing here is that the inventory of identities is not ahistorical, but rather a product of history itself. All strategies of nation-making are "trapped within historical horizons and in cultural, social, and psychological currents."[211] Benhabib draws a parallel of the negotiations of identities in limited matrices with our ability to form innumerable sentences with the same limited vocabulary given through our languages.[212] Remarkable is the word that comes to mind for her parallel, since, indeed, that is the need of the hour.

We need a conception of European unity that goes beyond the ideological, cultural and linguistic themes. We can attribute such 'commonality' to common frameworks of acceptance, and a certain sense of mutual understanding and recognition based on norms and practices that can take the place of the various legacies in European identity-making.[213] The previous chapters have shown, in clear terms, that such a conception of European identity will inherit the dilemma of either appealing to the trans- or postnational, or negotiating national politics in the hope to make room for particular identities taken within the specific contexts of a nation-state. We do not, however, have to make this an either-or choice. Both these factors will influence the final outcomes in varying degrees, but the important thing is to understand the presence of such conflictive normative ideals. In doing so, Europe must rid itself of the "heritage of cultural exclusiveness" and through political

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[210] Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage Books, 1979). See also, Michel Foucault, *The History of Sexuality* (New York: Vintage Books, 1980).

[211] Benhabib, *The Claims of Culture*, 27.

[212] Ibid., 15.

[213] Albert Weale, "From Little England to Democratic Europe?," *New Community* 21, no. 2 (1995): 218-19.

dialogue within its constituencies, aim at constructing a political entity where citizenship (informed by contemporary developments) takes precedence over mere "ascriptive membership."[214]

Keeping in mind the point about national affinities, we must not ignore other affinities, cultural, religious etc. that are becoming more and more prominent now, and their integration within citizenship discourse without total chaos is the challenge. We cannot presuppose moral and cultural detachment.[215] For this purpose, as was mentioned earlier, not only a new vocabulary but indeed a new way of thinking is needed; not just for rethinking and stopping old notions and nostalgia from emerging again, but also for moving beyond the current discourse.

We must also be mindful, in light of Howard's research, that elites have had a very hard time passing liberalization legislation over organized public angst; conversely, they have liberalized citizenship policies relatively easily in the absence of right wing activation of public sentiment. This aspect point out to a larger and deeper dilemma in European politics, both at the national as well as the EU level. Proponents of liberal, democratic, and inclusive systems should make decision-making more democratic – in any form – especially in issues that are directly related to the populace.[216] It can start out from internal reform within political parties by making them more responsible, representative, and transparent, and then the process can carry on to the national and European level. The 'democratic deficit' that is the talk of the town (and in all honesty, has been ever since the inception of the EU project) is crippling to a dangerous extent when inattentive, elitist politicians claim to represent the public interest, without any general participatory frameworks. The processes of legislation, decision-making, and ratification at the European level highlight the "complete disjuncture"[217] between elite and public opinion in member states over the related issues. A consequence of disenfranchising the public from making their voice heard is the increased reliance on referenda as being the ultimate expression of democracy. But the problem is that many referenda wind up pandering to

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[214] Kevin Robbins and Asu Aksoy, "Culture and Marginality in the New Europe," In *Europe at the Margins*, ed. Costis Hadjimichalis and David Sadler (Chichester: Wiley, 1995), 47-72.

[215] Gerard Delanty, "Self, Other and World: Discourses of Nationalism and Cosmopolitanism," *Cultural Values* 3, no. 3 (1999): 367.

[216] Marc Morjé Howard, "Can Populism Be Suppressed in a Democracy? Austria, Germany, and the European Union," *East European Politics and Societies* 15, no. 1 (2001): 18-32.

[217] Howard, *The Politics of Citizenship in Europe*, 201.

the lowest common denominator, concerning issues about which citizens have no informed basis of judgment. The result is that people vote based on fears and insecurities – politicized efficiently by the far right – rather than on fair assessment of the issues.[218] Champions of inclusive practices must have basic, grass-root level following in order to counteract the influence of the far right. Otherwise, 'direct democracy' will continue to give rise to exclusionary, racist, and anti-liberal outcomes.

Likewise, commitment to a cosmopolitan Europe has to be the goal and the starting point of all future discussion. There is a need to rethink citizenship in terms of its relationship with nationalism and cosmopolitanism,[219] a need to "rethink the relationship between cosmos and the polis,"[220] and to find a point of mediation. We must break away the duality of either retreating to the communitarian world or taking flight to the intellectualized spheres.[221] We must stop seeing conceptions as alternatives, and protect ourselves against the excesses of both ideologies. Nationalism and cosmopolitanism are mutually enforcing, and there is a need to bridge the futile divorce.[222] Committed liberals, even though they might disagree on the mechanisms and ethics of it, will still argue that there is 'enough ground to make cosmopolitanism viable,' but as Delanty argues, this can only be taken as a minimal meeting point.[223] According to him, the problem still remains of how to take this 'minimal' arrangement to generate a central consensus towards the constitution of the society. A focus on international legal norms, transnational agreements, and human rights regimes can certainly pave way for the contemporary world to forge a stronger bond that can be extended eventually to the economic, social, and cultural spheres.

Importantly, policymaking should include the perspective of the "social agent",[224] a term that Benhabib primarily uses with reference to her work on culture and citizenship, but which can be easily extrapolated to the context of our inquiry. She distinguishes between a social *observer*, and a social *agent*. The view of an observer, no matter at what level of policymaking, is essentially that of an outside observer that deems it prudent to impose

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[218] Ibid.

[219] Gerard Delanty, "Self, Other and World: Discourses of Nationalism and Cosmopolitanism," *Cultural Values* 3, no. 3 (1999).

[220] Ibid., 367

[221] Ibid.

[222] Ibid., 368.

[223] Ibid.

[224] Benhabib, *The Claims of Culture*, 5.

coherence on cultures, ethnicities, and immigrant groups as observed entities. To correct this, the integrated position of a social agent is required, which is participant in the culture, and experiences the living conditions and narratives of the immigrant communities. If such a view were taken at the policymaking level, there would not be any need for debating the merits of citizenship policies anymore. From within, the groups "need not appear as whole; rather (they) form a horizon that recedes each time one approaches it."[225] All cultures and traditions, whether 'immigrant' or 'national', have to be seen as constant creations, and works in progress. They are the negotiations of imaginary boundaries between 'we' and the 'others'. The task of liberal democracies is to "create impartial institutions in the public sphere and civil society where (the) struggle for the recognition of cultural differences (…) can take place without domination."[226]

On an international level, the UN Charter, Declarations, and Conventions are, disappointingly, filled with contradictions.[227] The Universal Declaration of Human Rights[228], for instance, stipulates a right to emigrate, but never a right to *immigrate* (Article 13). Similarly, Article 14 rejoices in codifying the right to enjoy asylum under certain circumstances, but Article 15 saps all the short-lived joy by stipulating a 'right to a nationality', which effectively justifies nation-states denying asylum to those in need on the grounds of the 'nation'. The Declaration, overall, is silent on the matter of obligating the nation-states to grant entry to immigrants, to uphold their right to asylum, and to permit citizenship to alien residents. The result is that the hyperbolic language of such international stature escapes from codifying *any specific* duties to states. Citizenship and immigration policies are inherently plagued with paradoxical conflicts in this regard, but there cannot be any compromise on these principles.

Moreover, the UN is like a club, where you pay for membership, and it can only be as effective as the members want it to be. Still, it's the only game in town; the costs of not playing are too high. The United Nations is a 'war-time' body, whose primary purpose was to keep the status quo, and the peace. While it has been able to achieve that goal, the creators of

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[225] Ibid.

[226] Ibid., 8.

[227] Daniel Patrick Moynihan, *Pandaemonium: Ethnicity in International* Politics (Oxford: Oxford University Press, 1993), 72.

[228] The United Nations, *The Universal Declaration of Human Rights* http://www.unhchr.ch/udhr/lang/eng.htm (accessed 10 January 2013).

the UN perhaps never foresaw the changes our world has gone through, and could never have postulated the regulatory solutions to contemporary issues. As a result, state sovereignty is the *untouchable*, and *unalterable* tenant of the current nation-state system, which results in horrific visions of pre-UN worlds every time any debate is started to change the principle and make it move with the times. The UN has tried to evolve into a progressive and pro-active body, especially on the issue of human rights, but even after the creation of various bodies, offices, and legislations to overlook international human rights, the Conventions and Protocols remained binding *only* on the signatory states, and the ones that do sign up can evade any sort of consequences for human rights abuses without wasting much time and effort. Similarly, the European Union, primarily, is an 'economic' union, which has been, over the years, burdened with additional social, political, and 'cultural' tasks that it is not ready, or perhaps was never to be ready, for. If the EU is to have any political standing in the world of tomorrow, it needs to drastically change itself along the lines of inclusion, participation, and diversity. European citizenship is actually a step in the right direction, in the sense that it allows for disaggregated/segmented rights; all that remains is to include the long-term residents as well.

So then, how do we improve these international structures and make them a better fit for contemporary challenges? The doctrine of state sovereignty, which has so far shielded naturalization and citizenship decisions, must be challenged and brought under scrutiny.[229] Sovereignty has to be understood not as an unlimited right, but rather a notion bounded within international human rights. The rights of self-determination, self-identification, and self-assertion have to be assessed in the larger human rights schematic. Sovereignty is no longer the "ultimate arbiter" of the fate of citizens or residents. There is a growing international consensus that sovereignty has to follow internationally recognized norms for prohibiting crimes against humanity and other human rights abuses; a pertinent factor in this case is the case of humanitarian intervention, which no matter how controversial in principle or execution, has grown into a recognized international norm now.[230] Additionally, the right to migrate has to become a *human right*, supported by International Conventions and Agreements, and enforceable in the nation-states through their voluntary commitments.

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[229] Seyla Benhabib, *The Rights of Others: Aliens, Residents and Citizens* (New York: Cambridge University Press, 2004), 4.

[230] Ibid., 10.

After touching upon these broader themes to be kept in mind, the essay will now move towards bringing together all of the lessons learnt in the previous sections, and forge the new conception of citizenship. Chapter 7 is dedicated entirely to that endeavor. The last chapter will then present actual policy recommendations, in light of the content of chapter 7, and hence bridging the gap between theory and practice.

7. 'Disaggregative Citizenship'

This new conception of citizenship, informed by all the literature and political realities outlined in the previous pages, would help solve the problems and dilemmas discussed in the previous sections. Charted in the following lines are the initial theoretical underpinnings of Disaggregative Citizenship, an idea introduced through this essay. At this stage, it strives to combine previous literature and improve on political realities to meld together a cohesive, liberal approach to immigrant integration in European states. In Chapter 8, the readers will be able to see *how* exactly the different components of Disaggregative Citizenship can be translated in to actual policies at the national and European level.

As the essay alluded to earlier on, Robert Putnam's notion of 'social capital' is quite informative for our inquiry here. For him, more democracy in more places does not equal civic virtue. In order for an expansive democracy and civic virtue to take hold in liberal democracies, history, civic education and social context need to give birth to an altruistic form of ethics. Social capital, then, is what must be created: "social capital (…) refers to features of social organization, such as trust, norms and networks, that can improve the efficiency of society by facilitating coordinated actions."[231] It develops through interaction networks, and above all, a reciprocity that does not expect an immediate or corollary, but rather a long-term recompense when others behave in the same way.[232] To complement, there must be an educational project of working with others, without the necessity to create common memory or history. Virtue is no longer backward looking in the sense of loyalty to past opinions. We should not impose our own view, *even*

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[231] Robert Putnam, *Making Democracy Work: Civic Traditions in Modern* Italy (Princeton, NJ.: Princeton University Press, 1993), 167.

[232] Ibid.

when we have the desire, the anger or *the power to do so*. It is an ethical attitude rather than a legal duty with a corollary right.[233] Such projects practically find no precedent in modern nation-states.

Social capital allows citizens to resolve problems in an easier, collective manner by allowing the possibility of sharing the huge task and responsibility of social change. Also, social capital, through repeated interactions, builds a trustworthy network of social transactions, where there is no space for paranoia, fear, or insecurities. Furthermore, through active interactions and large communication networks, social capital improves awareness of our connections with each other as members of the same community, and also increases the need for working harmoniously.[234] The areas of education, welfare, neighborhood revival, economic prosperity, health, and democratic governance need a special focus in every possible way if democracy and liberalism are to live up to their potential.[235]

At last, we must now look at the core tenants on which Disaggregative Citizenship rests. Building on our discussion and analysis, they can be summarized into the following categories:

1. ***Unbundled Rights***
2. ***Reciprocal Trust and Social Inclusion***
3. ***Recognition and Incorporation of Human Rights in Citizenship Policy***
4. ***Multi-track Integration and Shared Public Space***
5. ***Flexible and changing role of the Nation-state***
6. ***Mutual Access to Common/Communal Education***
7. ***Augmented Civil and Political Rights***
8. ***Direct and Indirect Political Representation***
9. ***Protection of Minority Cultures and a Right to Difference***
10. ***Right to Migration and Membership***
11. ***Porous Borders and Dual Nationality***

All of these components will be elaborated in the next few pages, but one thing that must be stressed before anything is that Disaggregative citizenship is *not* 'cosmopolitan' citizenship, in the sense that it might entail and incorporate transnational concerns and may break traditional territorial

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[233] Robert Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York: Simon & Schuster, 2000).

[234] Putnam, *Bowling Alone*, 288.

[235] Castles and Davidson, *Citizenship and Migration,* 290.

and populace boundaries, but it does not have a universal demos as its subject.[236] The nation-state is still the primary point of reference.

Borrowing directly from Cohen's *semi-citizenships*, Disaggregative citizenship unbundles the traditional functions of the state[237] – territoriality, administrative control, democratic legitimacy, and cultural identity – into individual factors, that have to be then mixed and matched according to particular demands of states. Individuals can have one set of rights, but not others: EU residents of third-country origins have social and civil rights, but no political rights in most cases. The only situation that has to be avoided at all costs is that of "permanent alienage",[238] where the possibility of having any rights is unavailable to immigrants, based on criteria beyond their control.

Additionally, any citizenship has to meet a 'Fundamental Condition', which entails a reciprocal acceptance of moral, legal, and political responsibility and membership in a community. In this case, reasons that bar one individual from membership based on non-elective attributes such as gender, religion, race, ethnicity, or language, will be unacceptable to the other individual, since accepting such criteria as *basis* would mean that the freedoms of individuals are being limited due to causes beyond their control or choice.[239]

Such a conception of 'disaggregated' citizenship/nationalism is based on spaces for compromise, human rights, and international legal frameworks, with a role for the nation-state and non-state actors. Human rights can bring forth a 'minimal cosmopolitanism' because of their abstract nature, and hence cannot be the basis of concrete identities; rather at most, they are 'resources for identities'.[240] We can complement citizenship rights with human rights. But because human rights contain within themselves antithetical remnants of the Enlightenment, they cannot be used as an *exclusive* basis for citizenship rights, and must be complemented with other protections that take place within the nation-state's political framework.

A certain point that seems obvious but nonetheless requires mentioning is that there is no imperative for states to only generate one form of citizenship.

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[236] Benhabib, *The Rights of Others*, 23.

[237] Ibid., 144.

[238] Ibid., 146.

[239] Ibid. Benhabib's discussion of such a condition is based on her work on communicative discourses and freedoms. Although she does apply similar conditions on membership criteria, the discussion in this paper is independent of her work.

[240] Ibid.

In fact, in most of Europe, there are multiple levels of citizenship. We need different and multiple levels of participation in a polity, to allow immigrants in Europe to act as Turks, Muslims, foreigners, and European simultaneously. The Disaggregative model of citizenship is a dual-track model that allows for contestation *without* consensus, and coherence *without* unity by allowing for democratic processes that make the society more inclusive through the induction of universal principles of respect, recognition, and identification. This essay has emphasized that rights are to be given to aliens, immigrant groups, national minorities, and indigenous peoples, but the content and extent of bestowal of any citizenship rights has to be determined keeping in mind the relationships and needs of such groups towards the larger polity. This is not to suggest, however, that the formal categorizations have disappeared (or will do so in the near future) altogether; they persistently reappear in scholarly literature, and shall continue to do so. Nonetheless, it is necessary that we recognize that national citizenship is no longer adequate to accommodate contemporary membership challenges to the nation-state.[241] The nation-state needs to accept a new and flexible role for itself, where transnational influences and legal regimes are seen as complementary, instead of being viewed as antagonistic, towards the goals of the nation-state.

Disaggregative Citizenship is grounded in a shared public and social space and culture, and through this notion, we can "preclude national fixities", "shift categories", and "reverse multiple borders."[242] For this reason, Gerard Delanty's emphasis on shared/communal learning is instructive, since if citizenship is to be learnt, and if that learning can take place in shared spaces, it will foster a stronger sense of participation and inclusion.[243] A mutual education drive that starts in schools, and goes on to vocational institutions and houses of employment is key in this regard, and the next chapter will present it in detail. For now, it is crucial for us to understand how a common educational experiences can really initiate contact within host and immigrant populations, and start to relieve some of the hostility, fear, and insecurities on both sides.

Another pillar of Disaggregative Citizenship is that participation in the civic and social functions of the society *should* lead to membership in the

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[241] Soysal, 167.

[242] Ibid., 166.

[243] Gerard Delanty, "Citizenship as a Learning Process: Disciplinary citizenship versus Cultural Citizenship, *International Journal of Lifelong Education* 22, no. 6 (2003): 600.

political community as well.[244] Political membership in a community, the highest form of which is citizenship, must be non-discriminatory, transparent, and punishable when the nation-state is in clear violation of the rules. The values that make an individual a good, reliable, and honest person in various personal and professional contexts might be extrapolated neatly to the political context, and there is no reason to assume an "ontological divide" between them.[245] Very simply, then, in the context of the European Union, such a conception of citizenship would make it almost impossible to restrict the rights of foreigners who have resided, participated, and contributed towards the host country's society, as compared to nationals of EU member states in similar circumstances.

A big concern, highlighted in the literature review, is of empowering the least empowered and the least represented. This, in turn, has to lead to political representation and participation of immigrants, a central theme for Disaggregative Citizenship. It must be remembered that in liberal democracies, the minorities will always have to face this one particular problem: the native community will *always* be the majority, hence enjoying a privilege to make laws, and by consequence, voting the minority out.[246] If the context remains perennially that of a 'national' belonging, then the even public norms, such as democracy and human rights, will fail to soothe down immigrants. As Bouamama *et al*. have shown ever so powerfully and convincingly, in the civics of a nation-state even *reason* is a national patrimony, and only the host society is believed to have its key.[247] There is nothing open about a situation in which all may participate in the democratic game, but only one party is allowed to decide what that game is.[248] In European states, insistence on the acceptance of 'liberal' norms may well be continuing source of oppression as a human being.[249] For this reason, we must make political parties more participatory and inclusive. A major cause of the frustration surrounding political power is the fundamental disconnect between representatives and their populace, both at a European and at the national/local level. When more and more people

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[244] Thomas Janoski, *Citizenship and Civil Society* (New York: Cambridge University Press, 1998).

[245] Benhabib, *The Claims of Culture*, 170.

[246] Castles and Davidson, *Citizenship and Migration,* 169.

[247] Said Bouamama, Albano Cordero, and Michel Roux, *La citoyenneté dans tous ses états: de l'immigration á la nouvelle citoyenneté* (Paris: l'Harmattan, 1992), 188.

[248] Castles and Davidson, 214.

[249] Alastair Davidson, *From Subject to Citizen: Australian Citizenship in the Twentieth Century* (Cambridge: Cambridge University Press, 1997).

are not able to relate to their representatives (as in some instances in Italy and Spain), then it truly becomes a disturbingly horrific scenario. This is the dilemma both Howard and Cohen strive to resolve in their approaches as well, since a fundamental tragedy of citizenship legislation is the exclusion of the very people it is supposed to affect. Giving representation rights to accommodate minority and immigrant groups within the national political mainstream is an essential starting point in this regard. Where minorities have the right to vote and run for office and advocate their views publicly, it is often sufficient to ensure that their interests receive a fair hearing.[250] And not only this, but we have to take it one step further and strive for the internal restructuring of the political parties as well. A more democratic, transparent, and inclusive party structure will no doubt produce more room for immigrant voices, apart from being genuinely representative of the local populace.

The Dutch instance of allowing 'city-citizenships' is worthy of a mention here. The model underway in the Netherlands bestows political rights to residents who have been in the community for more than five years, and they can then form political parties and vote in city-wide elections. Of course, the residents are still unable to move beyond the borders of the Dutch state, but this model at least provides them the opportunity for representation at the municipal level, and they can effectively influence legislation regarding immigration and citizenship, thus solving the dilemma mentioned earlier.[251] This model can be taken a step further, where the mobility and employment opportunities for immigrants are incorporated in the municipalities, and eventually transposed to the national, and Europe-wide contexts later on. While such options are not available/possible right now, it will not be a stretch of imagination to conceive of their existence in the near future. Additionally, having advisory bodies, as in the case of the Netherlands and Sweden,[252] is also a very welcome addition, which can open possibilities for more political representation. Such institutions can be comprised of both natives and immigrants, based on the demographic realities of cities and towns. Also, as in Switzerland, local public and private organizations must provide information and assistance to individuals, regarding immigration, naturalization, and change in citizenship policies and procedures.[253]

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[250] Will Kymlicka, *Multicultural Citizenship* (New York: Oxford University Press, 1996), 131.

[251] Benhabib, *The Rights of Others*, 162.

[252] Howard, *The Politics of Citizenship in Europe*, 69.

[253] Ibid., 72.

One of the great strengths of Disaggregative Citizenship is that it borrows from the work and research done by other experts and authors. For instance, the following conditions, lined out by Benhabib towards a different project,[254] can very well form an integral part of Disaggregative Citizenship as well: *a right to information* about citizenship and naturalization procedures and costs; secondly, an *entitlement* to civil and political rights to be understood, fundamentally and necessarily, as a *human right*. The corollary to this condition is that whereas nation-states maintain the freedom to specify the extent, and mix of different conditions for citizenship and membership (constrained by human rights, of course), a complete denial of citizenship is inconsistent with the *human* right to membership.

Benhabib's work will continue to guide us, even though her focus is not on creating 'Disaggregative' forms of citizenship. But her recommendations towards citizenship reform in *The Claims of Culture*, can also serve as broad-ranging guidelines that can be applied to citizenship policies in our case to make them more inclusive.[255] They comprise of: *Universal Respect* – the recognition of the right of participation of all agents and individuals in moral conversations; *Egalitarian Reciprocity* – immigrants and minorities are not to be subjected to lesser degrees of civil, political, economic, and cultural rights than the majority; *Voluntary Self-ascription* – there should not be an *automatic* ascription of individuals into certain cultural, ethnic, or immigrant groups; rather, Benhabib goes along with a radical idea to ask individuals at some point in their adult lives to accept or reject the membership in their communities; and, *Freedom of Exit and Association* – accommodations to be found for individuals exiting the community/group, although certain formal rights can be taken back.[256]

Furthermore, Castles and Davidson[257] ascribe particular importance to the following conditions. Disaggregative Citizenship, too, can benefit

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[254] Benhabib, *The Rights of* Others, 140.

[255] Ibid., 19.

[256] Seyla Benhabib has convincingly argued against Michael Walzer's claim that there is no right of free exit in a nation-state. Benhabib contends that such a claim can be countered owing to the fact that since the territory of the earth is all divided up into nation-states, a reciprocal set of entry and exit rights is necessary and inevitable, since exiting one territory would mean entering another one. The acceptance of a right to exit simultaneously creates a moral obligation for the acceptance of the right to admittance, since if we argue that we have a right to leave, then we also have to admit that others will have a right to recognize us a foreigners in their territory. Entry, and the bestowal of citizenship, however, are two separate aspects of this debate for Benhabib.

[257] Castles and Davidson, 126.

greatly by incorporating in itself: these include, full access to the majority language and culture, right to the maintenance of minority languages and cultures, right to different customs and lifestyles (within a general legal framework not prone to cultural bias), educational equality, and the right to intercultural and international communication.

What we need is an acknowledgement that crossing borders and entering other sovereigns is not essentially a criminal act, but "an expression of human freedom." First admittance, in this case, does not imply automatic membership.[258] But this possibility of admittance leaves open the possibility for discursive self-legislation, through which the people adopt policies complying with cosmopolitan norms. It must be made clear that this thesis is not arguing for open, but *porous* borders. Citizenship also requires a new notion of state borders. Traditional borders cannot be abolished in their entirety, but they can be made less rigid and more permissible, in the wake of increased mobility. There can be a link between admission procedures and the contents of citizenship.[259]

Moreover, an important criterion for Disaggregative Citizenship is allowing the individuals to retain their original nationality, thus gaining dual citizenship, a practice still not fully embraced by some European states. There are pragmatic and emotional reasons for naturalized immigrants to keep their original nationality, and in order to manage the multiple identities that arise from globalization and mobility, dual citizenship seems like an appropriate way of managing the citizenry.[260]

To sum up, Disaggregative Citizenship finds its foundations in *unbundled rights*; *reciprocal trust and social inclusion*; a *recognition and incorporation of human rights in citizenship policy*; *multi-track integration and shared public space*; *flexible and changing role of the nation-state*; *access to common education; augmented civil and political rights; direct and indirect political representation*; *protection of minority cultures and right to difference*; *right to migration and membership*; and *porous borders and dual nationality*. These themes, when combined together, provide a solid basis for us to erect a citizenship better suited at meeting contemporary challenges.

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[258] Howard, *The Politics of Citizenship in Europe*, 177.

[259] Castles and Davidson, 25.

[260] Naturalization, however, holds very different connotations in different nation-states. Whereas in North America, naturalization comes with a huge element of ceremony and celebration, it is more subdued in the European continent (in Germany, Austria, or Switzerland, for example, where (mythically) the only way to be German, Austrian or Swiss is to be *born so*), and is a "shame-faced exception." See, Castles and Davidson, *Citizenship and Migration,* 87.

7.1. Advantages

As evident from the discussion in the previous section, Disaggregative Citizenship comes with a distinctive set of advantages over the other competing ideas. We can, very briefly, list down some of the advantages of Disaggregative citizenship. For starters, it allows co-existence between inherently and paradoxically conflicting and contradictory norms, values, and demands through its broad scope. Secondly, since citizenships are the "most ubiquitous political category"[261] used for political organization, a disaggregated view of citizenship affords administration of modern European states less difficult. This flexibility, in turn then, deconstructs rigid notions of citizen and non-citizens, and makes room for a third possibility, that of the re-negotiated, re-contested, and re-conceptualized *semi-citizen*. It might seem, though, that semi-citizenships perform a dividing function in citizenship discourse, but they actually might end up alleviating the more adverse conditions occurring under "rightlessness."[262] Disaggregative citizenship then has its own democratic mechanisms to fill the gaps in social integration, and the ability to respond to the ever-changing cultural, linguistic, ethnic, and political composition of the populace by generating common political goals.[263]

7.2. Caveats and Limitations

If we want to understand the caveats associated with Disaggregative citizenship, we will have to keep in mind the following notions. Highlighting so many of the shortcomings of the nation-state, and then maintaining it as the focus of political legitimacy might seem like a contradiction in terms. But for reasons mentioned in the above pages, the nation-state is indispensable. A fundamental reason for this, besides the other ones, is that human rights need social and political institutions for their implementation, and the nation-state, even in these global times, in unrivaled and unparalleled in terms of its legitimacy and capacity. That's why there's a focus on the nation-state, but with some caveats, of course. Without a liberal, democratic, participatory, and inclusive framework, the presence of the nation-state will not serve any purpose.

The focus on human rights, in turn, creates its own ironies and discrepancies. Take this instance: the human rights missions of the United Nations, in

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[261] Cohen, 9.
[262] Ibid., 10.
[263] Habermas, *The Postnational Constellation*, 74.

order to alleviate starvation in one African country, may require waging a war for peace against a neighboring country; similarly, civilian populations suffer from the lack of humanitarian aid under embargoes put on states to punish them for their human rights violations in the first place.[264] Human rights and the current international nation-state system are riddled with inherent, foundational discrepancies, and we need to keep those in mind while we are working towards a fairer framework for agency.

Another point that might seem obvious, but still needs to be kept in mind is that even after Disaggregative citizenship has become a political reality, there cannot be an *automatic* correlation between obtaining citizenship by immigrants and them being completely integrated, loyal, and happy participants of the European society. In other words, just because there are avenues for participation, opportunities for obtaining citizenship, and for the general betterment of the social condition, does not mean that the resulting breed of immigrants will be *necessarily* better off than their predecessors. Religion, cultural dogma, fear, and insecurity might still come out to dominate over any possibility of a harmonistic integration of immigrants.

If we extend this previous point, naturalization, similarly, does not mean that the immigrant is more competitive in the linguistic, cultural, social, political, and civic arena when compared to an immigrant who is yet to pass the final hurdle. As mentioned throughout the essay, immigrant integration is an extremely complicated reality, one that simply cannot be understood in simplistic terms. Personal capacity, talent, and abilities might come out to play a larger role in the integration of immigrants, even though they might not be naturalized until later on. We need to be aware of these caveats.

Additionally, we cannot guard against the inevitable and ever-present threat of discrimination, through both formal and informal mediums, which generally takes place due to the differing cultural, linguistic, and racial factors, rather than the citizenship status of an immigrant.[265] We can work hard towards instituting a much more egalitarian and pluralistic society, but you cannot protect all individuals at all times from direct or indirect forms of segregation, differentiation, and violence.

Lastly, even when there is a possibility of the successful integration of immigrants in a host society through the generation of enough positive momentum, it is a costly process, in an economic and social sense, both for the state and the immigrants. Political goodwill might not translate into actual

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[264] Soysal, *The Limits of Citizenship,* 165.
[265] Howard, *The Politics of Citizenship in Europe*, 204.

policies and programs due to financial constraints, and in times of crises like now, questions of immigration and citizenship reform are not at the top of the national agendas.

In conclusion, it has to be kept in mind that in no way is this paper boasting to put forth a complete theoretical framework, since that is a task that requires much more time and effort. However, a concerted effort has been made to ensure that the initial foundations of this theoretical framework are cohesive and leave room for expansion into other avenues. To this end, Disaggregative Citizenship, in later research, can be analyzed against case studies of particular European states, where their current citizenship policy can be measured up, and then we can analyze (empirically), how putting Disaggregative Citizenship into practice can improve the situation. Getting down to scrutinizing how specifically this model could be articulated in concrete global, national, and local policies is now the bigger challenge, and the last chapter of this paper will now present some further food for thought by envisioning Disaggregative Citizenship's realistic and pragmatic outcomes.

8. Envisaging Tomorrow

The current situation of integration and involvement of immigrants in the European Union, as examined in the previous chapter, looks rather bleak. Scholars, academics and practitioners alike are working hard to ensure a better situation in the future, and this essay also has been an exercise towards this end. But even when we might have understood all of the intricacies of the citizenship debate and realized a scope for reform, some *actual* policy recommendations must be presented, to differentiate our inquiry from most of the literature on the issue, which somehow fails to do exactly that. Mentioned below are some broader recommendations and initiatives that can help us make Disaggregative Citizenship see the light of the day.

As Will Kymlicka has noted, given the complexity of the interests, principles, and historical circumstances at stake, important areas of conflict can only find resolution through allowing fairness not only in differentiated rights, but also in the decision-making procedures.[266] More democracy and

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[266] Will Kymlicka, *Multicultural Citizenship* (New York: Oxford University Press, 1996), 131.

universal human rights are going to prevail in places that were previously strangers to such notions. We need to move beyond the paradigms that allow redress only in the last instance, since that always provokes resistance. It is the need of the hour to generate an "everyday capacity to live and work with difference in a world where all hope of cultural homogenization of people (…) has gone for ever." A particularly telling parallel can be drawn here of a group of cold porcupines that must huddle together in winter, but if they choose to come too close, they will pierce each other with their spines.[267] We need to learn how to not damage others with our cultural, social, economic, and political differences. Citizenship as an abstraction from all difference, however, cannot be easily accepted. Whereas the internal minorities have had years to forgive and forget their differences, the relatively recent immigrant entrants enter the frame from reactionary colonial backgrounds,[268] and this does not bode well for the European nation-state. To this end, a comprehensive and collective educational effort can be made to, firstly, bring the local and immigrant populations together, and secondly, to educate the society's members about co-existence, through accommodation and compromise.

Like most social issues, the problem of immigrant integration has an *institutional* as well as an *individual* side to it. No matter how much money and effort is put into making pluralistic and participatory laws, if the public is unwilling or uneducated towards coexistence, then all hope is lost. A collective local identity forged through instruction in schools and communal exercises will go a long way to surmount future injustices, and the public must be educated in this regard. A related aspect can be of employment-based, vocational training and instruction, where technical skills are taught with in a backdrop of intercultural contact and respect for diversity, thus not only increasing the socio-economic integration of immigrants, but also giving both the immigrants and the host societies a chance to begin familiarizing with each other from an early stage. These are not, of course, quick-fix, overnight solutions, but this should not be an excuse for inaction. The task of an egalitarian, educated, and participatory society is "a task for a nation and a decade, not a single scholar, or even a single group."[269]

Since, citizenship is a "living membrane" and a "malleable institution",[270] it is important to think of institutional compromises between liberalisms

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[267] Castles and Davidson, *Citizenship and Migration,* 212.

[268] Ibid., 214.

[269] Putnam, *Bowling Alone*, 403-404.

[270] Cohen, *Semi-Citizenship,* 205.

and democratic theory as inevitable, rather than just temporary exceptions that will eventually disappear. The nation-state has to recognize the competition from local and transnational actors, and accept a compromise in the direction of shared responsibility, rather than an archaic, arrogant attitude towards decision-making. The concept of citizenship has to have a political dimension that must be broad enough to include democratic modes of self-legislation. An efficient divide between communal self-organization and government responsibility is key here. Combined with the educational opportunities highlighted above, a self-ordering society will then find local solutions to accommodate diversity. This can range anywhere between providing Halal and Kosher meat in markets frequented by immigrants, to the establishment of religious institutions and places of worship. The key, as always, is to have a reciprocal respect for each other, where the immigrants are bound to give way to some of their more stubborn attitudes as well.

Additionally, politicians at the national and the European level should make public space *available*, apart from making it shared as well. This might seem obvious enough to some observers, but this point cannot be stressed enough. The extent to which this aspect has been neglected in contemporary European society is astonishing. Politicians and theorists alike mourn the decrease in public interest towards policymaking without noticing the reasons behind it. After a fundamental redress in the internal party structure to make it correspond better to the local populace, it is important to then give the people opportunities for expression of their opinions as well. To this end, regular meetings with neighborhood representatives must be arranged by the city councils. People might be willing to participate, but without appropriate infrastructure (town halls, meeting spaces, public parks etc.), they will find it difficult to voice their opinion through legitimate means.

Participation in collective choice has to be allowed and encouraged towards all members of the society. Allowing for actors to redefine their interests in the course of public contestation, consequently, makes room for shifting understandings of collective identity. And this democratic change is not only true for the society's modes of composition, but also for its political representation. As highlighted earlier, political parties need to reform their internal structures to make them more transparent, democratic, and representative. Ensuring immigrant representation (through affirmative action, for instance) in the parties and even in city legislatures can go a long way towards solving the problems of managing diversity in Europe.

Moreover, the EU should make a bigger effort of propagating solidarity among citizens through various media, educational programs, and political

workshops, where citizens come together and learn about the workings, and more importantly, the advantages of a cosmopolitan Europe. A more transparent, understandable, approachable and representative EU should be the starting point, where people understand the need for their participation at a transnational level. Voting in the European elections can be more stringently tied to various rights, and consequently, to European citizenship as well. Moreover, forms of effective democratic participation should complement procedural legitimacy in the EU, and citizens should play an authorial as well as an editorial role in citizenship policy.[271] Citizenship should not be exclusively connected to nationality, to the idea of having common cultural characteristics, but rather it should approach a political community without any claim to common cultural identity.[272] Reconciling the individual and the collective is the key problem of citizenship for a globalized society. The traditional notions of citizenship, referring only to the individual rooted in sociocultural specificity, are no longer adequate.[273] We must steer away from the hazards of stereotypical specificity, and keep a track of changes in the composition and attitudes of the populace. Citizens tend to act on issues close to them, both emotionally and spatially. A participatory notion of citizenship, henceforth, must start from "particular places and issues" that people find invigorating.[274] There should be rigorous surveys at an official level, done every couple of years, to mark the shifts in public opinion over important issues. As mentioned earlier, voting in elections (through universal suffrage, including long-term residents) and referenda can be made obligatory for access to some rights. European states can start with the young generation in this regard, and teach the youth from an early age about the importance of allowing diversity all around them, and ensuring the space for the existence of multiple opinions.

On a global institutional level, the United Nations has to start playing a larger role. A restructuring of the UN Security Council in order to make it correspond to contemporary realities is a very good starting point, not only to give voice to emerging realities on a global scale, but also to keep the organization representative of its members. The time has come to entrust

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[271] Manos Papazoglou, "Assessing models of citizenship in the EU: the idea of responsive citizenship," *Citizenship Studies* 14, no. 2 (2010): 229.

[272] Castles and Davidson, 24.

[273] Ibid.

[274] Steven Robins, Andrea Cornwall, and Bettina Von Lieres, "Rethinking 'Citizenship' in the Postcolony," *Third World Quarterly* 29, no. 6 (2008): 1080.

powers to a body with a jurisdiction to punish sovereign states for mal-treatment of asylum-seekers, refugees, and immigrants pursuant to international conventions and treaties. New centers of hard and soft power, such as the EU and the BRICS countries are vital to introduce new modes of dialogue and maneuvering in the timeworn UN organization.

This paper set out with the aim of inquiring thoroughly into the issue of immigrant integration, to establish a new theory of Disaggregative Citizenship, and to find out what it actually promises for the notions of citizenship in Europe. Various aspects of the debate have been highlighted and analyzed: European citizenship as a normative and historical concept, Disaggregative Citizenship as a theoretical and pragmatic framework, and the caveats associated with both have been amply highlighted and analyzed. Surely experts will find better ways to look at the same question, and propose better solutions too. For some, the measures proposed in the above pages will go too far; for others, not far enough. But what remains to be seen is whether or not policymakers at the national and the EU level will take these considerations into account while developing policies regarding immigration and integration of minorities. Much work, though, still remains. It is not the task of political scientists to deal in absolute truths, but rather to create avenues for further understanding. This essay has been an academic exercise to that end. It can only be hoped that academics and policymakers alike will benefit from the groundwork laid down in these pages, and ensure a stable, plural, and sustainable future for immigrants and natives alike in European society. We conclude with the hope that future generations of academics and policymakers alike will benefit from such research, and will be better informed about making critical decisions that will affect not only them, but also the generations to come.

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