REVIEW

citizenship in european immigration states: light or twilight?

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Citizenship and Immigration
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'*Citizenship and Immigration*' is not a promising title for a new book, especially if it does not have a subtitle to specify its content. A Google Scholar search for academic texts that combine both words yields approximately 236.000 hits. This reviewer confesses to have read only a tiny fraction of these. But, if he had to choose a recent one that sticks out of this vast crowd it would be Christian Joppke's new book. Joppke himself has contributed seventy-three entries to the Google Scholar list on citizenship and immigration, so what can one expect from yet another text? The answer is surprising: a densely written but eminently readable book, chock full of incisive critiques, fresh insights and new questions about the recent evolution of a core concept of liberal democracy. Joppke has elaborated many of the ideas presented here previously in journal articles, but this is not a book compiled from already published essays. It is really a successful attempt to shed new light on old puzzles by putting them together into a complex but coherent story.

The story is about the 'mellowing of citizenship's exclusive edges' (p. 6) as a response of liberal democracies to large-scale immigration. In contrast with Linda Bosniak's account of alienage in American law (Bosniak, 2006), Joppke does not focus on how the hard external border of national citizenship has been folded into the inside to create a hierarchy of precarious statuses for immigrants. Instead, he emphasizes how Western European states have opened up access to full membership changing thereby irreversibly the meaning of citizenship as a marker of collective identity. The book ends appropriately with the triumph of 'citizenship light' in the European Union (EU), in which free movement has undermined older 'Athenian' conceptions of citizenship as a shared identity premised on ethnic belonging.

Even if he does not employ this widely discredited term, Joppke's style of analysis is thoroughly dialectic. He accounts for the twist and turns that emerge from latent tensions between liberalism and democracy, and specifically from the universalism of liberal values and the inherent particularism of states, which, like individuals, are 'locked into singularity' and 'never happen twice in the world' (p. 144). Joppke engages with political theories of liberal citizenship, but is not himself interested in defending normative principles and applying them to public policies towards immigrants. He does engage with the liberal-libertarian-communitarian debates about collective identities and state neutrality (pp. 113–123), but without putting up his own argument. Instead, he wants to understand whether these normative theories yield plausible stories about the liberal democracies in which we actually live. Joppke adopts the same attitude towards comparative analyses of citizenship regimes and policies that build empirical typologies or try to explain empirical variation through statistical testing of sometimes rather banal hypotheses. Political theories and empirical accounts serve as material to be scrutinised for a different purpose that might best be called a contemporary *Begriffsgeschichte*, to use Reinhard Koselleck's term: an attempt to write a conceptual and institutional history of citizenship for the present and the near future rather than for a more distant past or ideal world. Joppke's book is about how liberal democracies respond to immigration through their conflicting commitments to universal values and to their present citizens, how they adapt and reinterpret their concepts and principles as they go, transforming the social world through their political constructs as well as transforming the latter through adapting them to social worlds for which they had not been constructed.

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To explain the dialectics of liberal citizenship stories must be told and their narrative coherence is more important than empirical comprehensiveness and detail or grand theoretical design. The best illustration – and one of the most fascinating parts of the book – is a section in the concluding chapter where Joppke presents first a plausible set of hypotheses that might link the various changes he has observed in a chain of sequential causation. The story is, briefly, that applying liberal principles to access to citizenship has led to increased cultural diversity among the citizenry. Such diversity has made it more difficult to maintain national unity through social citizenship rights. Finally, liberal states respond to centrifugal diversification with campaigns for unity and integration that, however, have to be conducted in a liberal-universalistic idiom (p. 148). Immediately after presenting this hypothetical explanation, Joppke subverts it by pointing to the impact of exogenous factors, such as the delegitimation of racism after World War II, to reversals of temporal sequence, with growing diversity through immigration preceding the liberalisation of citizenship, and to causes for welfare state retrenchment that have little to do with immigration. His conclusions reign in the urge for parsimonious theory-driven explanation. Even in liberal states, policies should not be naively viewed as

resulting from attempts at rational problem solving. Causal explanation must be local and policy-domain specific and 'cannot be decreed from the green table of theory' (p. 152).

STATUS, RIGHTS AND IDENTIY

The book is organised around three dimensions of citizenship: status, rights and identity, to each of which Joppke devotes a separate chapter. Joppke begins with an initially somewhat surprising Schmittian overture in which he rehearses views that the political community can only be established through a distinction between friend and enemy that is backed by violence. The point of this exercise is, however, to highlight the contrast between these premises and the 'enormous civilizational achievement of facilitating, routinizing, and putting on a legal basis this boundary-crossing in today's citizenship and nationality laws' (p. 4). Even Rogers Brubaker's critical analysis of citizenship as internally inclusive but externally exclusive (Brubaker, 1992) appears to have been subverted by 'a reverse dynamics of the individualistic and egalitarian idea of citizenship' that affects also its external boundary-setting dimension (p. 6).

In the first chapter, this optimistic account is supported by evidence about the liberalisation of naturalization, the recent spread of *ius soli* provisions for acquisition through birth in the territory, and the increasing toleration of dual citizenship in Western immigrant-receiving democracies. These trends are in fact a bit less straightforward than presented. For example, a recent survey of thirty-three European states has shown that since 1990 twelve legislative reforms have expanded *ius soli*, but seven have either abolished or restricted it (Honohan, 2010). The trend towards dual citizenship seems stronger, with the Netherlands as the only European example so far of a country that has reversed an earlier toleration by reintroducing a requirement to renounce a previous nationality. The more interesting question is, however, whether all this blurring of citizenship boundaries can plainly be attributed to liberalism. Joppke himself has introduced the idea that there are parallel trends of de-ethnicisation and re-ethnicisation. Dual nationality may be tolerated by liberal sending states that want to remove obstacles for immigrant political incorporation, but it is also supported by sending states that aim to retain and strengthen links to their 'diasporas'. As Joppke notes, re-ethnicisation therefore need not result in new restrictions. It does so only where states asymmetrically extend privileges, such as dual citizenship to emigrants, which they simultaneously deny to immigrants. But, this observation raises the question whether ethnicisation may then not be the wrong concept to describe the nearly global trend of liberal as well as illiberal states to reach out to their emigrant populations by allowing them to retain their citizenship and even to cast votes from abroad. Such transnationalisation of membership and rights seems to be just as fundamental for the transformation of citizenship in our time as is its greater internal inclusiveness in liberal democracies. Whether external citizenship policies exemplify an ethnic conception will then depend on the specific dynamics of diaspora politics in countries of origin and settlement and on how far membership is extended to groups that have no link to the citizenship granting country apart from distant ancestry.

Chapter 3 focuses on the nexus between immigration and social rights as the pinnacle of liberal (social democratic in this case?) citizenship in the post World War II period. Joppke explores here first the complex relation between the welfare

state and the immigration state, a contrast that supposedly explains why there is so little social citizenship in the United States, but that seemed to be temporarily overcome in Western Europe. Joppke shows how the unresolved tension resulted eventually in a stratification of social rights for immigrants (in Britain) and in neutralising universal benefits through restrictive immigration laws (in Germany). What is missing in this story is a comparison with the third of Esping-Anderson's three worlds of welfare capitalism, the Swedish universalistic welfare state. Instead of denying immigrants social citizenship rights or imposing new legal restrictions, Sweden was the only country to open its labour market to unconditional access for the new EU citizens in 2004 as well as 2007, with the result of receiving far lower numbers of EU labour migrants. The explanation for this puzzle seems to be that a domestically well-regulated labour market does not attract low-skilled migrants even if they can move freely and could potentially receive generous welfare benefits (Münz and Tamas, 2006).

The rest of chapter 3 and all of chapter 4 address the challenge of cultural and religious diversity through immigration. Joppke cleverly juxtaposes two ways how the liberal state can respond to a new minority: 'should it be protected or should it be abolished in the name of equality? The first response may be called "multiculturalism", the second response "antidiscrimination"' (p. 97). Yet, the dialectics between these two principles blurs the initially stark contrast. 'There cannot be a fight against indirect discrimination that is not group-making or at least group-reinforcing' (p. 103). Overall, Joppke's story is still one where the anti-discrimination paradigm eventually wins out over multiculturalism. This is certainly a plausible account of the evolution of public discourse in Western Europe, but it does not fully reflect the more profound transformations of European societies through liberal responses to cultural and religious diversity. Multiculturalism as a set of separate rights for minorities of migrant background was never a convincing response and hardly ever existed as the public policy of social segregation that its critics lament. Multiculturalism as a challenge to dominant conceptions of nationhood and as local and institutional accommodation of linguistic and religious diversity is alive and kicking and provides much fuel for political and judicial contestation. Joppke's penetrating critique of the retreat of liberal universalism into a paradoxical illiberal 'identity liberalism' in response to Muslim claims and practices (pp. 137–142) demonstrates this very well.

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Joppke himself concedes two limits of his account of the citizenship-migration nexus, a geographic and a conceptual one. The former is that his book covers only 'the comfort zone of Western Europe, North America and British outlets in Oceania' (p. 149). He acknowledges that citizenship in 'third world democracies' might be very different, with much stronger status differentiation or mere paper citizenship that serves to categorise and discipline populations more than to empower them. A mere broadening of geographic scope would certainly have implied a thinning out and loss of

coherence in the thick narratives told in this book about particular countries. But a different kind of critique still holds. One cannot fully understand the impact of migration on citizenship by looking only at receiving states. As the author of this review has argued, we need to go beyond comparing national regimes by studying citizenship constellations in which states' policies and laws have an impact on each other and in which individuals make choices about their citizenship status within a wider opportunity structure jointly produced by several states (Bauböck, 2010). For example, our understanding of the impact of Germany's citizenship reforms on migrants will be richer if we study simultaneous changes in Turkish citizenship policies that quite explicitly responded to developments in Germany. Broadening the analysis to take into account sending-state citizenship might not even necessarily require expanding the geographic scope of comparison. Western European states, too, pursue citizenship policies directed towards their expatriates and in several cases reforms have been triggered by concerns about emigrants rather than immigrants.

The EU itself is a citizenship constellation that Joppke does include in his analysis. But he considers EU citizenship mainly as a bundle of rights attached to, and derived from, free movement between member states. This leads him to proclaim that EU citizenship is postnational citizenship come true. But EU citizens are still produced jointly by the twenty-seven member states, with each one operating under its own nationality law and with a lack of competence of the EU to regulate these laws. The EU is, therefore, a quite peculiar citizenship constellation, which does not at all look 'rather American' (p. 171). It does not even look Swiss. Although Switzerland is the only contemporary federal state in which federal is derived from provincial citizenship, it still has a federal law that regulates birthright citizenship and provides a framework for the cantonal laws. EU citizenship is, therefore, not merely transnational, it is also profoundly multinational. Although removing the member states' powers to treat each others' citizens as aliens, the architecture of EU citizenship confirms them at the same time as the distinct and irreplaceable building blocks of the European polity. Instead of an 'inevitable lightening' (Joppke, 2010), the evolution of EU citizenship seems driven by an unresolved tension between the multinational production of status and identity and the transitional extension of rights.

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The other limitation acknowledged by Joppke is his lack of focus on political participation that many authors regard as the core of democratic citizenship. Joppke offers several justifications. First, he claims that political rights and incorporation 'is the one aspect of citizenship that has changed least and has not opened up in response to immigration' (p. 146). He is aware of the extension of local voting rights to third country nationals (in no less than twelve EU member states) but claims this impetus has slowed down. As his focus is on immigrants, not emigrants, he does not mention at this point the much more significant extension of voting rights to expatriates that undermines the claim that migration has had little impact on the political-rights dimension of citizenship.

Secondly, Joppke suggests rightly that migrants are less interested in gaining

political participation rights than in secure residence and work. True, but a generally declining interest of citizens in exercising their franchise does not imply that voting rights in competitive elections have become less important in ensuring democratic legitimacy through making political authorities accountable. For the same reason, a lack of democratic representation of immigrants who are not granted access to citizenship status does create a significant democratic deficit. With civil and social rights derived from long-term residence whereas most voting rights remain attached to national citizenship, the case for immigrants' entitlement to citizenship through naturalisation and *ius soli* rests crucially on a democractic imperative of political incorporation.

Finally, Joppke suggests that what has 'gained shape in the very confrontation with immigration, is more the Roman citizenship of passive rights-holding than the Athenian citizenship of active participation in the political community' (pp. 146–147). But there is another story that Joppke misses here, which is the revival of republicanism and its spread far beyond its traditional French stronghold. The new republican theorists of a 'third conception of liberty', Quentin Skinner and Philipp Pettit, are absent in Joppke's analysis of the evolution of citizenship theory. Bringing in republicanism might also have helped to better understand some aspects of the illiberal turn in the previously much 'lighter', pragmatic and right-focused conception of British citizenship. Probationary citizenship and requirements of active citizenship for naturalisation through participation in voluntary associations, all this sounds rather like an illiberal (per)version of republican ideas.

Athenian citizenship might, therefore still, be more relevant than Joppke thinks. On the one hand, republican ideas may serve politicians to link immigration rhetorically with threats to social cohesion and external security without reverting to ethno-cultural notions of nationhood. On the other hand, republican conceptions of citizenship as membership in a self-governing political community might help resolve some of the paradoxes of liberal universalism if only European states were willing to extend democracy upwards into the EU and outwards by welcoming immigrants as future citizens. If they fail, however, to retrieve the political dimension of citizenship in these two moves, then a postnational 'citizenship light' might really take us into a twilight zone of democratic citizenship.

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