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STUDIES IN LAW, POLITICS, AND SOCIETY VOLUME 60

# SPECIAL ISSUE: WHO BELONGS? IMMIGRATION, CITIZENSHIP, AND THE CONSTITUTION OF LEGALITY

EDITED BY

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INVESTOR IN PEOPLE

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# EVALUATING AND EXPLAINING THE RESTRICTIVE BACKLASH IN CITIZENSHIP POLICY IN EUROPE

Sara Wallace Goodman and Marc Morjé Howard

## ABSTRACT

*This chapter examines recent citizenship policy change in Europe in order to address two important questions. First, are immigrant-receiving states undergoing a "restrictive turn," making citizenship less accessible to foreigners? Our analysis finds that while certain restrictive developments have certainly occurred, a broader comparative perspective shows that these hardly amount to a larger restrictive* trend. *Second, regardless of what the restrictive changes amount to, what explains why certain countries have added more onerous requirements for citizenship? In answering this question, we focus on the politics of citizenship. We argue that once citizenship becomes politicized – thus mobilizing the latent anti-immigrant sentiments of the population – the result will likely be either the blocking of liberalizing pressures or the imposition of new restrictive measures. We support this argument by focusing on three countries: a case of genuine restrictiveness (Germany), another where the anti-immigrant rhetoric's bark has been more noticeable than the citizenship policy's bite (the United Kingdom), and one where proposed policy*

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*change in the restrictive direction does not add up to a restrictive policy overall, but rather a normalization with other liberal citizenship regimes in Europe (Belgium). We argue that politics accounts for why states adopt restrictive policies, and we conclude that it is premature and inaccurate to suggest that policies of exclusion are converging across Europe.*

## INTRODUCTION

The past two decades are widely considered a watershed period of citizenship change in Europe. Famously restrictive states have taken important steps toward liberalization, including making citizenship more accessible to second-generation migrants through birthright citizenship (Germany), lowering periods of required residency (Greece, Luxembourg after 2001, Portugal), and increasing toleration of dual citizenship (Finland, Luxembourg, Sweden). Since these changes have taken places across a number of states in a relatively concentrated period of time, many scholars have interpreted policy change as evidence of the liberal convergence thesis (e.g., Cornelius, Tsuda, Martin, & Hollifield, 2004).

Following – and sometimes alongside – this wake of inclusive change, however, there appears to be a recent undertow of restrictiveness. First, several states with historically liberal models of citizenship and those that experienced recent liberalizing change have made provocative gestures away from openness in the form of increased residency durations (Belgium, Luxembourg after 2008), the re-adoption of renunciation requirements preventing dual citizenship (the Netherlands), and in several European states (including Austria, Denmark, France, Germany, the Netherlands, and the United Kingdom) the adoption of mandatory integration requirements, such as language and country knowledge assessment, as part of the permanent residence and naturalization processes. Second, the tone of politics seems to be moving in the direction supportive of further restrictions. France and the Netherlands have even considered the possibility of de-naturalization for immigrants convicted of certain crimes, thus essentially creating a less secure citizenship status for those who acquire citizenship by naturalization. Also, the explicit rise of anti-immigrant parties in numerous European countries – most recently Sweden, which had never before seen a far right party win representation in Parliament – may also portend future moves in the direction of restrictiveness.



This chapter seeks to address two related sets of questions. First, does this recent undertow constitute a restrictive backlash that necessitates a recharacterization of the liberalization of the previous two decades? Do the various civics requirements amount to significant restrictions that have chipped away at the liberal citizenship policies of many EU countries? Can we go so far as to speak of a restrictive *trend*? In short, how should scholars categorize and evaluate the seemingly multi-directional movements in terms of the pre-conditions that EU countries attach to the acquisition of citizenship? These are primarily descriptive questions.

Second, regardless of whether the restrictive changes amount to a broader trend, what explains why certain countries have added more onerous requirements for citizenship? What theoretical arguments, if any, can best account for the variation across countries? Can an account of citizenship change accommodate both increasing liberalization and additional restrictions?

In order to answer the first set of questions, we start by making careful assessments of the extent of restrictive change that has occurred to date. We find that although these adjustments do represent important restrictive measures, and not merely isolated or minor provisions, they have not undone the significant liberalization that occurred in many countries over the previous decades. In order to address the second set of questions, and thereby to account for the restrictive measures that have been implemented, we consider arguments based primarily on shifting norms (Joppke, 2008) and an increased perception of cultural threat (Smooha, 2008), but we develop an argument grounded in politics (Howard, 2009; Schain, 2008) that can account for both the longer liberalizing trends and the recent contemporary restriction. We find that the same two types of latent pressures – for liberalization and for restrictiveness – exert their influence, even within countries that have liberal citizenship policies. We argue that once citizenship becomes politicized – thus mobilizing the anti-immigrant sentiments of the population – the result will likely be either the blocking of any move for liberalization or the imposition of new restrictive measures. We support this argument by focusing on three brief case studies, which allows us to apply this argument to a case of genuine restrictiveness (Germany), another where the anti-immigrant rhetoric's bark has been more noticeable than the citizenship policy's bite, amounting to new requirements but not new restriction (the United Kingdom), and a third in which new requirements have introduced restrictions relative to the previous policy, but where the overall policy is still very liberal when compared to other citizenship regimes in Europe (Belgium). These case studies demonstrate

that while some restrictive change is indeed taking place, conclusions about a converging, restrictive backlash are premature and ill-founded.

## HAS THERE BEEN A RESTRICTIVE BACKLASH?

To understand the nature of the presumed "restrictive backlash," we first establish an understanding of what it means to call citizenship policy restrictive. Citizenship is generally treated by political scientists, sociologists, and legal scholars as a series of policies that make it easier or more difficult for immigrants to naturalize, and for their children to become citizens at birth. Some of these policies include period (length) and nature (permanent or temporary) of residence, allowance or renunciation of dual citizenship, language and country knowledge requirements, as well as health, financial, and criminal record requirements. The setting of these policies typically varies across categories of immigrants, including adults and minors, spouses, and refugees. Other citizenship policies deal with citizenship acquisition at birth, including provisions for acquiring citizenship at birth through residence (*jus soli*) or parentage (*jus sanguinis*). Although there are many combinations of citizenship policies across states, and most scholars compare (Aleinikoff & Klusmeyer, 2000, 2001, 2002; Bauböck, Ersbøll, Groenendijk & Waldrauch, 2006; Hansen & Weil, 2001, 2002) or systematize (Howard, 2009; Koopmans, Statham, Giugni & Passy, 2005; Migration Policy Group, 2010) gradient differences, configurations are reduced to two ideal types based on dichotomous criteria: citizenship is either considered liberal (inclusive to certain groups or a greater number of immigrants through comparatively easier requirements) or restrictive (exclusive to certain groups or a greater number of immigrants through relatively difficult requirements).[1]

The rules for conferring citizenship for immigrants serve as effective instruments of political differentiation by distinguishing between insiders and outsiders. Citizenship allows states to draw a line that separates their citizens from potential immigrants, as well as to create internal distinctions between citizens and foreign residents – by associating certain rights and privileges with national citizenship (Brubaker, 1992). Despite predictions about the disappearance or decreased importance of national citizenship (Soysal, 1994; Sassen, 1996, 1998), distinctions between citizens and foreigners remain an essential and enduring feature of modern life (Hansen, 2009) – whether in terms of politics and elections, welfare state benefits, public-sector employment, social integration, or demographics and pension



systems – even in the "supra-national" European Union (Howard, 2009). That many European states have been actively reforming national citizenship laws since the 1990s and 2000s shows that citizenship is only growing in importance.

The 1990s was a decade of liberalization for most European countries, which resulted in the "opening up" or loosening of several citizenship requirements, including the introduction of *jus soli*, decreased duration of residence, and the expansion of dual citizenship for immigrants. By contrast, could the 2000s be marked as a period of restrictive backlash (Joppke, 2007, 2008; Joppke & Morawska, 2003), whereby some changes in residence and dual citizenship, as well as an increase in language and country knowledge requirements, have made naturalization more onerous. We argue that these incremental changes do not make a national citizenship policy restrictive per se. In some cases, a change defined as restrictive – for example, when a state adds a language and country knowledge test – may be put into place to complement and maintain a number of other policies that are comparatively liberal, like a low residency period (Goodman, 2010a). In other cases (e.g., Germany, Austria), new language assessment standards formalize pre-existing, subjective conditions of language that were included in generalized integration requirements. In other words, if the aggregate is the sum of its parts, it is not clear that a recent change that imposes a new *requirement* should necessarily be considered as equivalent to new *restriction* that undermines an otherwise enduringly liberal policy. In fact, these cases of combined policies – new requirements in the context of continued liberal access to citizenship – characterize the most recent set of changes.

Moreover, new requirements *may* certainly yield restrictive outcomes, but in design they represent a different kind of change, a thickening of the substance of membership – *who* the citizen is – and not in all cases constricting the eligible pool of applicants (Goodman, 2010a; Kostakopoulou, 2010). On theoretical grounds, the promotion of language and country knowledge reasserts the existing, obligations-based component to the citizenship contract against the emphasis on the acquisition of rights (Joppke, 2008). Meer and Modood (2009) have interpreted it as a "civic rebalancing" against the pathologies of state multiculturalism. Neither of these denotes restriction. Of course, the *extension* of civic integration requirements to earlier stages of the migration process – including settlement and immigration – certainly make these processes more difficult. Integration requirements can promote skills of integration and closure by attaching "citizen-like" expectations of membership to non-citizen statuses, a process Foblets describes as "citizenization" (2006). But accounting for the

*expansion* of integration requirements and earlier expectations of membership is a different research question than the one addressed here: to identify what effect new requirements have on the total process of traditional membership acquisition in citizenship.[2] Requirements will always be, in an obvious sense, restrictive because some people will pass the bar and some will not. But the mere addition of content to citizenship need not necessarily be conflated with the intent of closure.

Finally, some states that might be classified as having made recent restrictive changes still remain liberal when viewed from a broader comparative perspective. For example, Belgium has increased its residency requirement from three to five years, and it now demands evidence of integration and knowledge of one of the three national languages. While this certainly represents a restrictive *change*, it does not actually indicate a restrictive *policy*. Indeed, Belgium still remains relatively liberal, as it allows for dual citizenship and maintains among the lowest residency requirements in Europe. This important nuance – which we discuss further in the case study of Belgium below – shows that the "restrictive" label is both subjective and relative.

In order to provide a sense of the extent and direction of liberalizing and restrictive changes that have taken place since 1990, Table 1 presents the variety of changes in the EU-15, as well as existing policies. It classifies citizenship policy by drawing on the categories employed in the Citizenship Policy Index (CPI) (Howard, 2009): granting *jus soli* at birth, duration of residence, and allowance of dual citizenship, and it also adds separate columns for civic integration requirements (including language and country knowledge).[3] In order to distinguish between the directions of change, the table provides light background shadings in the cells that indicate liberalizing change, while changes in the restrictive direction are shaded darker. The table includes the year of policy change in parentheses. Countries that have experienced no change are not shaded and do not indicate a year. For the purpose of simplicity, civic integration requirements are classified as "restrictive" change – even though, as discussed above, this is not always the case.

At first glance, the table seems to show a sweep of change in the direction of restriction, but most of it involves the addition of civic integration requirements – which, again, as discussed above, are not necessarily restrictive in practice. In terms of the three main components of the CPI, the liberalizing change has outpaced the restrictions – particularly in terms of *jus soli* and the expansion of dual citizenship for immigrants. In some cases, countries have actually changed in *both* directions, which suggest a general



***Table 1.*** Citizenship Policy and Liberalizing or Restrictive Change Since 1990.

| | Grants *Jus Soli* at Birth | Years of Required Residence | Allowance for Dual Citizenship | Civic Integration Requirements | |
|---|---|---|---|---|---|
| | | | | Language | Country knowledge |
| Austria | No | 10 | No | Yes (1998) | Yes (2006) |
| Belgium | Yes (1992) | 3 to 5 (2010) | Yes | No (2000); Yes (2010) | No |
| Denmark | No | 7 to 9 (2002) | No | Yes (2002, 2006, 2008) | Yes (2002, 2006, 2008) |
| Finland | No | 5 to 6 (2003) | Yes (2003) | Yes (2003) | No |
| France | Yes | 5 | Yes | Yes | Yes (2003) |
| Germany | Yes (2000) | 15 to 8 (2000) | No | Yes (2000) | Yes (2007) |
| Greece | Yes (2010) | 10 to 7 (2010) | Yes | Yes (2000) | Yes (2000, 2010) |
| Ireland | Yes | 4 | Yes | No | No |
| Italy | No | 5 to 10 (1992) | Yes (1992) | No | No |
| Luxembourg | Yes (2008) | 5 to 7 (2008) | Yes (2008) | Yes (2001) | Yes (2008) |
| Netherlands | Yes | 5 | Yes (1992); No (1997) | Yes (2003) | Yes (2003) |
| Portugal | Yes (1994; 2006) | 10 to 6 (2006) | Yes | Yes (2006) | No |
| Spain | Yes | 10 | No | Yes | No |
| Sweden | No | 5 | Yes (2001) | No | No |
| United Kingdom | Yes | 5 to 8 (2009) | Yes | Yes (2002) | Yes (2002) |

*Source:* Authors.

balancing of different components of the rules for citizenship acquisition as well as the substantive content of citizenship.[4]

In short, we can answer our first question – has there been a restrictive backlash? – largely in the negative. First, while clearly there has been an expansion of requirements that introduce tests and certification to assess language and society knowledge in many different countries (whether historically liberal, having experienced liberalizing change, or characterized by restrictive continuity), the extent of restrictiveness that these changes have brought about varies considerably – as shown below with our case studies of Germany, the United Kingdom, and Belgium. In other words, the extent to which new requirements amount to a "restrictive turn" is a testable hypothesis, not a foregone conclusion. Second, most of the new policy restrictions have been in the area of residency requirements, and typically these are still within a familiar range of years, which have been outweighed by the considerable liberalizations in the domain of *jus soli* and dual citizenship. Nonetheless, it is clear that it would also be incorrect to refer to the changes of the past decade as a continuation of the liberalization of the 1990s. Instead, we see a combination of both liberalizing and restrictive measures that provide a more variegated picture than either a "liberalizing convergence" or a "restrictive backlash" perspective could offer.

## WHAT ACCOUNTS FOR THE NEW RESTRICTIONS?

Having dismissed the more descriptive argument about a sweeping restrictive *trend*, we can now turn to explanations for cases of genuinely restrictive change. The citizenship literature has provided many arguments to account for the liberalization of the 1990s. Explanatory factors include the increasing demographic change within Europe (Salt, Clarke, & Schmidt, 2000),[5] the impact of this immigration in the context of unfinished nation-building and consolidated borders (Weil, 2001), the rise of new international norms (Soysal, 1994), the long-standing impact of pro-business interest groups that typically have more direct political influence than restrictive organizations (Freeman, 1992), and the role of the courts, which typically rule in favor of immigrants and families on human rights grounds (Joppke, 1998). But does restriction follow from the inverse of these arguments or the absence of these forces? Or are there distinct explanations for restrictive change?

Three explanations have emerged for both restrictive policy change and overall assessment of a restrictive backlash. Christian Joppke first tests the



"restrictive turn" hypothesis by assessing what he terms as the "re-ethnicization" (2003) of membership preferences through citizenship (2008). To examine restriction, he looks at four distinction policy changes: adjustment of old, historical citizenship policies, reduction of family-based migration through integration requirements, incentivization of citizenship based in the "apparent failure of immigrant integration", and changes in dual citizenship policy with regard to emigrants (but not immigrants), which strengthens ties with expatriate communities abroad. He attributes the majority of change to "demographic considerations", specifically to an "invasion into the citizenship domain of immigration control concerns", but ultimately rejects – or "calibrates" – the supposition of a "restrictive turn" by emphasizing that policy change has taken place within a context of liberalism. Changes within the ambit of restriction do not "rollback" liberal practices, but counterbalance one another in an area of the world that is generally liberal.[6] For Joppke, new requirements do not represent an axial shift from liberal to restrictive policy, but a norms-shift from rights- to obligation-based citizenship (2007, 2008, p. 35).

In response, Sammy Smooha (2008, p. 4) writes that "the trend of liberalization ... was slowed down, stopped, and even reversed by the new restrictions." Smooha identifies the force of "ethnicization" as instrumental in, for example, the waiver of dual citizenship allowance (2008, p. 5), which has the effect of privileging the move of European immigrants from one country to another over immigrants from non-European countries. Smooha suggests Europe might pursue further restriction in the future, when "it feels that its Western civilization, national cultures, and internal security are more significantly and increasingly threatened by non-European immigrants and their descendents". Concurring with Joppke in acknowledging that Europe's "liberal tradition and institutional framework is a shield against imposition sweeping restrictions on non-European immigrants and their descendents", Smooha suggests that policies need not be ethnically restrictive de jure to yield ethnic restriction de facto. Overall, Smooha qualifies Joppke's position against a restrictive backlash by suggesting that one can only reject a "restrictive turn" if (1) one ignores the similarities to "non-core" European countries (the accession countries in Eastern Europe and Israel) that bear historically restrictive policies and (2) one examines only a short time horizon, discounting the long trajectory of liberalization that began not in the 1990s but in the immediate postwar period.

A third explanation for restrictive change focuses on politics (Howard, 2009). The argument starts with a number of latent pressures – for both liberalization and restrictiveness – that provide the general context within

which citizenship policy change takes place, including demographic transformation, international norms of human rights, interest groups, and courts all pushing in the direction of liberalization, whereas anti-immigrant public opinion against immigration weighs in favor of restrictiveness. According to this theoretical model, policy change occurs when these latent pressures for liberalization and restriction get "activated" through politics. This builds on Joppke's (2003) initial explanation that a leftist government in power makes liberalization possible, whereas a right-of-center government makes liberalization unlikely. But the crucial factor that makes liberalization unlikely is the extent to which the xenophobic public sentiment gets "activated," either by far-right political parties or by the use of referenda or public mobilization. This model accounts for both the blockage of liberal reform and, ultimately, restrictive continuity in Austria, Denmark, and Italy, as well as the restrictive backlashes following the 2000 liberalization in Germany. As we argue and demonstrate below, the model can also help to understand the restrictive changes that have emerged in some countries over the past decade.

Joppke and Smooha's aforementioned demographic and cultural concerns, respectively, can be situated in this model as a series of latent, restrictive variables interacting with and occurring alongside the strong hostility to immigrants that many, if not most, Europeans share (see, e.g., Sides & Citrin, 2007). Particularly in regard to demographics, which served in the 1990s as a latent force for liberalization, we see that the demographic factor can cut both ways now, as many countries have the perception that they are already "full" and can no longer accept or tolerate new immigrants (Hochschild, 2010). In terms of other latent variables that previously served to support liberalization, Joppke's observation of a move toward obligations-based citizenship exemplifies a political and normative shift, resulting in a weaker push in the direction of liberalization and a stronger movement in favor of restrictiveness (also see Orgad, 2010). International norms for human rights have softened in recent years, particularly in an environment where fear of terrorism has become paramount. And while interest groups, including professional associations and trade unions, still remain largely supportive of immigrant rights in most European countries, their influence may be waning in a more politicized atmosphere (see, for example, Somerville & Goodman, 2010). Finally, it is hard to determine whether the legal/judicial winds have changed, but it is quite possible that courts – also driven by security concerns – will be less friendly to immigrants than they were in recent decades.

The decline in salience of these latent variables for liberalization does not necessarily produce restrictive outcomes, but it does create less incentive for



policy-makers to pursue liberalization or resist restriction. And the aforementioned restrictive pressures of demographic change and ethnocultural preferences are not destined to produce restrictive policies. As latent variables, all are necessary but insufficient explanations for why political decision-makers in individual countries ultimately block liberalization or produce restrictive policy outcomes. It remains to be seen whether – or, more precisely, where and when – these conditions are influential in mobilizing political actors to produce restrictive policy outcomes. For if political outcomes were simply a direct implementation of the popular will, restrictive change would not be limited to just a few states, and liberalization – as recently took place in Greece – would not persist in this new, restrictively inclined climate. On the other hand, if public opinion were entirely irrelevant, a more serious set of concerns would be raised for why policy-makers pursue restriction, since the liberalizing pressures are often more direct and better organized.[7]

Having developed the argument in more general terms, the next section explores and traces the role of politics in what have been considered restrictive policy changes but turn out to be three quite different cases: Germany, the United Kingdom, and Belgium. Each case has introduced integration requirements, but we see that these requirements yield restrictive outcomes in the presence of citizenship politics, where anti-immigrant sentiment is mobilized by strong parties on the right. In contrast, in cases where politics remain insulated from public opinion, or where restriction takes place in the context of an otherwise liberal policy configuration, the restrictive impact of requirements is more muted.

The case of Germany exemplifies this political dynamic: a traditional ethnocultural state, it implemented a major liberalizing reform in 2000 that introduced *jus soli*, which was then followed by more restrictive reforms in 2005 and 2007 that directed new requirements to specify and standardize the assessment of language and country knowledge in the context of anti-immigrant mobilization. Despite the liberalization of the 2000 law, the decade since then has witnessed a rather strong restrictive backlash, as evidenced by (among other factors) a stark decline in naturalization rates.

In contrast, the United Kingdom, a traditionally civic and multicultural state, also introduced new integration requirements, but falls short of a "restrictive turn," since the policy change was largely initially insulated from public opinion. And following a decade of a steady increase in naturalization rate, political debates at the end of the decade produced a mixed outcome of restriction: while the Labour government passed legislation to lengthen the duration of residence and require obligatory volunteer work as

part of a scheme of "earned citizenship," the newly elected Conservative-led coalition scrapped these plans from implementation because of cost concerns and the shifting political climate in the United Kingdom.

Finally, Belgium is an unusual case with a very liberal citizenship policy design that until recently included an atypically low three-year residency requirement, and – against the trend of other European states – it was the only EU country to actually *remove* language and integration requirements (in 2000). However, a 2010 bill and 2011 publication of naturalization guidelines brought about both an increase in the duration of residence to five years and the reintroduction of these integration conditions. Although these changes certainly make naturalization in Belgium more restrictive than it was previously, and politics played a central role in the shift, in comparative perspective Belgium still maintains a staunchly liberal citizenship policy.

## GERMANY: ENTRENCHING A RESTRICTIVE BACKLASH

A decade into the twenty-first century, the German case continues to highlight the importance of focusing on the *politics* of citizenship. It shows how an elite-driven process can lead to liberalizing change – despite strong anti-immigrant sentiment within the population – but also how the mobilization of xenophobia can lead to a rather sudden restrictive backlash. Beginning the decade with significant, liberalizing reforms, the 2000s can be characterized as a period of incremental restriction. Some of the restrictions existed to counterbalance liberalization from the start, including a "closely circumscribed" application of *jus soli* (Green, 2012) and the introduction of the *Optionsmodell*, whereby German-born children of immigrants can hold dual citizenship, but will be required to renounce either citizenship between the age of 18 and 23. While the original intent of the 2000 Citizenship Law was to encourage naturalization, the popular mobilization of anti-immigrant sentiment through an unprecedented petition campaign tempered the sweeping liberalization originally proposed, resulting in these watered-down compromises that became the 2000 law (Howard, 2009, pp. 119–147).

The 2000 law also introduced a new loyalty oath in support of the "free and democratic order of the Constitution" (Hailbronner, 2006, p. 244) and a German language requirement, which would become important foundations for subsequent integration restrictions. Hartnell describes the restrictive provisions that made their way into an otherwise liberalizing reform as an



"integration price tag" (2006, p. 391).[8] In fact, the center-right Christian Democratic Union/Christian Social Union (CDU/CSU) ultimately opposed the citizenship bill in the lower house (Bundestag) for not requiring more integration, wanting to include knowledge of the constitutional order alongside language in exchange for other concessions of liberalization and accusing the government coalition as giving away "naturalization for free" (Van Oers, 2010, p. 72, 73).

The citizenship law represents only the first iteration of using new requirements for restrictive ends. The continued politicization of anti-immigrant sentiment into the 2000s also influenced two subsequent reforms, both making the process of naturalization increasingly rigorous and restrictive. The first consisted of minor modifications to the citizenship law, which, adopted alongside Germany's first immigration law in 2005, defined an integration-based route to citizenship. It operates in conjunction with the immigration law by providing a one-year reduction in residence (from eight to seven) if applicants successfully complete the newly introduced integration course (including a maximum of 900 hours of German language, 45 hours of civic orientation course, and cumulative tests). On the surface level, this may seem like an instance of liberalization in that it *lowers* the required period of residence based on integration. However, in actuality it connects the laborious and formal process of settlement to citizenship. In Germany, a migrant is not required to hold permanent residence status in order to apply for citizenship. Therefore, a migrant can only "buy" a one-year reduction by completing these rather difficult integration requirements (see Goodman, 2010a).

The second piece of major legislation, passed in August 2007, not only incorporates EU Directives on integration conditions for family migration and permanent residence, but also requires applicants to demonstrate knowledge of German language and society, demonstrated either through a diploma and German schooling or, more conventionally, through a federally standardized naturalization test. The new citizenship test asks applicants to answer 33 questions on aspects such as political institutions, rule of law, democracy, and the welfare state and "find their basis in the curriculum used in the current integration course offered to immigrants" (de Groot, Kuipers & Weber, 2009, p. 58). Put into force in September 2008, the naturalization test has not only provided Germany with an instrument to standardize the expectations of citizenship but it has also mitigated subjective assessments of applicants across the 16 federal states (*Länder*).

This change can be generally interpreted in the context of party politics "during a period of retrenchment in public opinion toward immigration"

(Klusmeyer & Papademetriou, 2009, p. 255). The new Immigration Act, which introduced the integration course for permanent residence, as well as the new connection between residence and citizenship were both made by the government to promote integration and "hinder the promotion of 'parallel societies'" (Van Oers, 2010, p. 74). The CDU/CSU was influential in shaping new immigration policy (including the connection between integration and citizenship) after gaining an overwhelming majority in the *Bundesrat*, the upper house of parliament. In short, the "new migration law helped to reconceptualize Germany's exclusionary policies toward foreigners by introducing an explicit integration agenda" (Klusmeyer & Papademetriou, 2009, p. 261). Additional high-profile events such as the half-dozen honor killings of women, especially the dramatic case of Hatun Sürücü in Berlin (Biehl, 2005), also drew public attention to integration problems and contributed to the incremental restrictions.[9]

A closer look at the citizenship test reveals not only the incremental restriction of German citizenship acquisition but also the effects of state-level politics on this outcome. This standardization was not for its own sake – to have new citizens know something about the country and political value-system – but was in response to controversial but locally popular, state-level practices. The main integration features passed in the 2000 citizenship act were always relegated to the state level; language assessment varied considerably across *Land* government, as did the written declaration of loyalty, as some cities "present naturalization certificates in the context of formal citizenship ceremonies, rather than simply handing them over in the anonymous environment of an office" (Green, 2012). But in two states, Baden-Württemberg and Hesse, security checks were being performed through naturalization test-styled assessment. In Baden-Württemberg, a "Loyalty Test" was implemented in January 2006. It consists of a personal interview in which applicants are asked a series of questions to assess their attitude and values.[10] For example: "Shall a woman be permitted to be alone in public or to go on holiday on her own – what is your opinion about that? (de Groot et al., 2009, p. 60). Controversially, this test soon came to be decried as a "Muslim test," for it was revealed that only immigrants from Muslim countries were required to pass it (Joppke, 2007, p. 15).

Hesse also proposed a supplementary exam in March 2006, but one that consciously differed from Baden-Württemberg's "Loyalty Test" in that (1) it was primarily knowledge-based and (2) it would be given to everyone applying for citizenship. However, even this test could be seen unfair given that immigrants in other federal states did not have to undergo the additional requirement. In the end, the test was never implemented in Hesse



because discussions for a federal, standardized test "had already reached the central level" (de Groot et al., 2009, p. 61). Indeed, CDU/CSU interior ministers called for a national values test, which then led to a recommendation for a federal-level test by the Conference of Senators and Ministers of Interiors (IMK), which was then produced as a compromise to prevent further independent state practices.

Looking back on this decade of German citizenship reform – ostensibly designed to make possible and prepare immigrants for citizenship – Fig. 1 shows that the trajectory of naturalization has been in consistent decline since the 2000 law came into effect. Moreover, as Simon Green (2012) notes, changes were also made to the 2007 reform that raised both the cost of application and the standard for the criminal conviction clause, while also requiring that non-nationals between the ages 18 and 23 be self-sufficient. Such restrictive measures for naturalization are not typically included in systematic citizenship policy comparisons (for an exception, see Goodman 2010b), but they can certainly produce decisive limits on acquisition.

Over the course of the 2000s, the German public has remained activated on issues related to immigrants. This stands in sharp contrast to the 1990s, when the citizenship reform process took place quietly, almost exclusively on the elite level, with little popular discussion or involvement – until the petition campaign of 1999 led to the initial restrictive backlash, resulting in

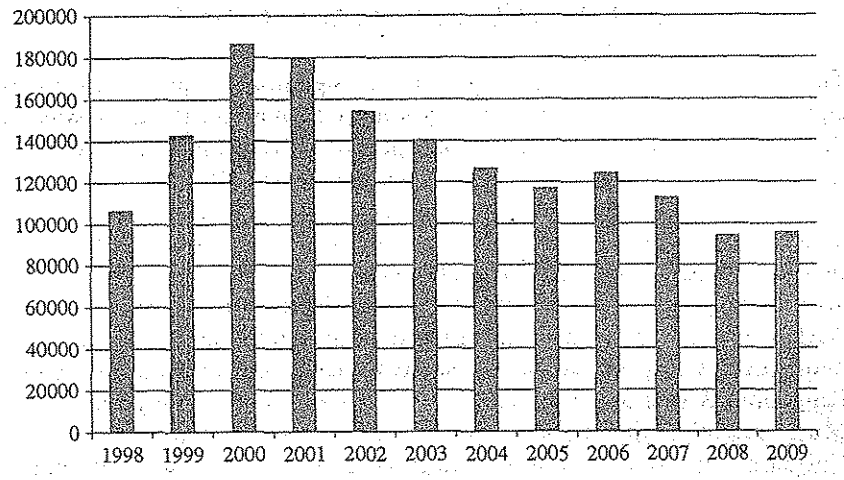


*Fig. 1.* Acquisition of Citizenship in Germany, 1998–2009. *Source*: Eurostat.

the compromises necessary to achieve the 2000 law. Since that point, the elite consensus to keep populist and xenophobic messages out of German politics – which had held for almost half a century – has been broken, and most political parties are now pandering to the anti-immigrant sentiment. The result has been increasingly restrictive policies, as exemplified by the 2005 and 2007 restrictions discussed above.

To date, there has yet to be a groundswell of support for liberalizing reforms to countermand these incremental restrictions, and it is not likely to materialize in the foreseeable future. Overall, the German case shows how new integration requirements and citizenship changes in Germany have counterbalanced the historic liberalization that occurred in 2000. The main cause of these restrictive measures has been the continued politicization of anti-immigrant public sentiment, which was initially activated in the late stages of the citizenship reform that led to the 2000 law. The United Kingdom, in contrast, experienced the inverse. Like Germany, citizenship changes requiring integration and "active citizenship" were produced in a climate concerned with immigrant integration, but overtones of migration control produced a legislative compromise with both inclusive and exclusive elements.

## THE UNITED KINGDOM: RESTRICTIVE OVERTONES, MUTED CHANGE

The past 15 years have brought about significant changes to British citizenship and immigration policy. Not more than a decade ago, it was said that citizenship was so foreign a concept that "[the British] didn't even use the term much" (Economist, 2010). Today, the clear imperative – in Prime Minister David Cameron's words – is to establish a "clear sense of shared national identity that is open to everyone" (Cameron, 2011). With at least two major pieces of citizenship legislation in the past decade alone, Britain is actively constructing a new citizenship. The Nationality, Immigration and Asylum (NIA) Act of 2002 introduced both a requirement for sufficient knowledge of English, Welsh, or Scottish Gaelic and of life in the United Kingdom, as well as an American-style citizenship ceremony and pledge. More recently, the Labour government passed legislation (Borders, Citizenship and Immigration Act) in 2009 to increase the period of required residence for citizenship from five to eight years so that prospective citizens could complete a service-based volunteering requirement, thus reflecting the



view that "citizenship must be earned" (Home Office, 2008, p. 11). However, the subsequent Conservative-led coalition government decided against implementation of these provisions, rejecting them as "too complicated, bureaucratic and, in the end, ineffective" (May, 2010).

With the cumulative changes to both the content and eligibility criteria of citizenship, "the trajectory of current change is towards a clear distinction between citizens and others" (Sawyer, 2010, p. 4). But the question is whether the changes establishing this distinction amount to a restrictive policy turn. Despite the changing rhetoric, the answer is no. Britain has long-maintained a relatively liberal citizenship policy, with a low residential qualifying periods (five years for immigrants, three for spouses), granting of citizenship through *jus soli*, and allowance for dual citizenship. The "Life in the UK" test, passed in 2002 and implemented in 2005, certainly adds a new requirement for citizenship, but its many concessions based on skill indicate that its restrictive rhetoric is not matched by the harshness of its implementation. It was also initially crafted by politicians and experts in a well-entrenched, center-left government insulated from significant opposition or veto players. That said, had the 2009 changes to residence duration – specifically the increase in qualifying residency period through the creation of a service-based "probationary" stage of pre-citizenship and the condition for time reduction on the basis of voluntary community work – been implemented by the Conservative-led government, it might have qualified as restrictive citizenship change. Yet these changes did not come to pass, and they do not appear to be on the political horizon today.

The conditions that led to the creation of Britain's "Life in the UK" citizenship test and "Skills for Life" language and civic-content course were quite different from those that resulted in similar initiatives in Germany. The British citizenship test was not implemented as a "backlash" against a *recent* liberalizing change – as has arguably occurred in Germany or the Netherlands. Indeed, Britain has an enduring tradition of historically liberal policy, with relatively accessible citizenship and high naturalization rates (see Howard, 2009, pp. 157–161). The initial adoption of language and country knowledge requirements in the 2002 NIA, was not intended to diminish the high number of applications for citizenship as much as it was, in the words of former Home Secretary David Blunkett, to achieve "acceptable absorption of the uptake" (personal communication, August 3, 2007).[n] In other words, whereas policy-makers did not see an opportunity to reduce naturalization – regardless of whether there was an implicit desire to do so – they conditioned the process of citizenship acquisition with integration measures that could successfully transition outsiders into the national political community.

Incorrect interpretations of language and country knowledge requirements as restrictive change in the British case may also stem from further misclassification of initial conditions. Two events that overlapped with the process of policy change – but were preceded by policy adoption – include the Northern Riots and 9/11. The Northern Riots in the summer of 2001 propelled a national debate about multiculturalism and the problem of separate, "parallel lives." It inspired the Community Cohesion agenda, initiated by Ted Cantle in his summary report on the Northern Riots and carried forward by the Department for Communities and Local Government. And 9/11 significantly raised the profile of security, immigration, and Islam. However, the language and country knowledge changes to citizenship, directed by the late Sir Bernard Crick as chair of the Life in the UK Advisory Group, had already begun convening to carry over the citizenship agenda that was implemented for British schoolchildren in the National Curriculum (for more, see Kiwan, 2008).

Finally, the question of whether language and country knowledge requirements for citizenship represent a restrictive change or not can also be examined by looking at the design of requirements. Aspiring citizens have an option of sitting the 24-question computerized "Knowledge of Life in the UK" test or completing an English for Speakers of Other Languages (ESOL) "Skills for Life" course that includes civic content.[12] And, in terms of the test, while the 2009 pass rate for the citizenship test was only 70.9%, naturalization rates have actually increased 59% since the test was adopted in 2005 (BBC, 2010). Only 3% of applications for citizenship were rejected in 2009 for reasons of insufficient language or knowledge of life in the United Kingdom (Home Office, 2010, p. 13).

Changes passed – but not implemented – in the 2009 BCIA, would be considered more closely in line with restrictive change, and follow the theoretical model for citizenship policy change. The model identifies that latent pressure for restriction, namely anti-immigrant public opinion,[13] typically gets "activated" by far-right mobilization. But in some cases, the reaction of more mainstream parties (on the left or right) to the challenge of the far right's message can be just as effective in blocking liberalization or imposing restrictions. Britain does not have a robust far-right party comparable to those in many other European countries, but the British National Party (BNP) experienced some moderate success in local council elections (2006) and the London Assembly elections (2008). This yielded a notable impact on agenda-setting, not so much to mobilize public opinion but to challenge government positions on immigration control rhetoric. As a result, the Labour party responded in kind with a stronger – and more restrictive – policy position.



In brief, the 2006 council elections successfully moved the issue of immigration to the fore of British politics. The BNP gained a modest 26 local seats in the end, but this doubled its council seat holdings and significantly raised the profile of immigration on the political landscape. These BNP gains were arguably Conservative seats to lose. Noting the effectiveness of anti-immigrant rhetoric as a campaign issue, and in light of Tony Blair admitting that "the Government has no policy for controlling the size of Britain's hugely expanding population" (Daily Mail, 2006), the Conservative shadow government placed immigration "back at the top of the political agenda" with the launching of an immigration policy consultation in July.

In defense, the Labour government proceeded down a path of comprehensive immigration and citizenship policy review and reform. The clear motivation – described as the "heart of the changes" in the Green Paper "The Path to Citizenship" – was public opinion (11). These proposals also emerged from a number of "public listening sessions," where issues such as speaking English, obeying the law, and paying one's own way emerged as high priorities. But, even then, the purpose, as Ryan points out, was not to disincentivize naturalization but rather "to favour direct progression to British citizenship" (2009, p. 289), as opposed to lingering in a stage of permanent residence. As a result, review of the Bill in the Houses of Commons and Lords never contested the increased residency duration, but instead discussed the notion of promoting voluntarism through "active citizenship"[14] and debated the suitability of the term "probationary" for what is really a transitional period.[15] The British Citizenship Act (BCA) 2009, with provisions for eight years residence and possible residence reduction to six years with the completion of "active citizenship," received Royal Assent in July 2009. But, as mentioned above, the new Conservative-led government chose not to implement it.

Overall, the United Kingdom is an illuminating case for assessing claims of both restrictive change and a backlash or convergence. The origin, design, and outcome of the civic integration requirements, which are typically viewed as restrictive, reveal the motivation to be incentivization, not restriction. As Fig. 2 shows, the trend in naturalizations since the 2002 NIA has been upward.[16] Although the lengthening of the residency requirement and the inclusion of "active citizenship" are unambiguous restrictions, and their emergence is consistent with the theoretical explanations, the lack of restrictive implementation suggests that they were primarily political and rhetorical issues.

In spite of accomplished and abandoned change, the core of British citizenship policy remains firmly and fundamentally liberal. As with the

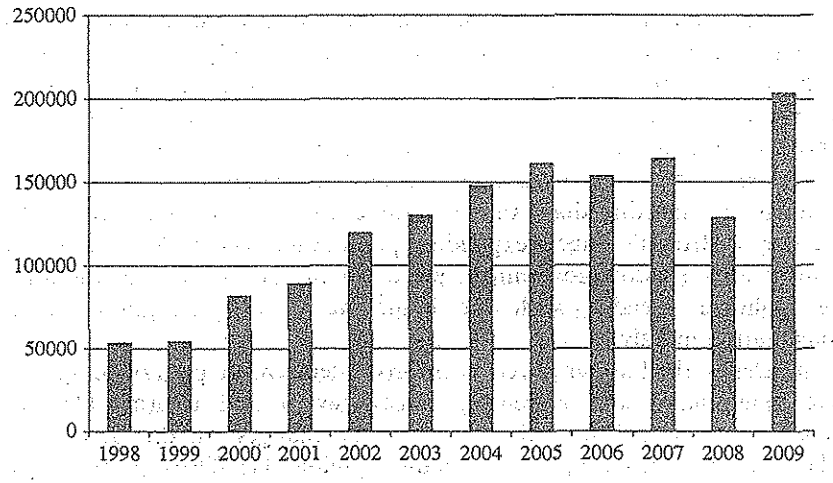


*Fig. 2.* Acquisition of Citizenship in the United Kingdom, 1998–2009. *Source*: Eurostat; Home Office.

German case, the causes for the proposed restrictive measures were politically motivated, resulting from the activation of anti-immigrant public sentiment and its introduction into policy and electoral debates, but their blockage signifies a real challenge to descriptions of restrictive change and backlash.

## BELGIUM: NORMALIZING, NOT RESTRICTIVE CHANGE

Finally, we briefly consider recent reforms in Belgium to illustrate both that far-right parties can play an important role in politicizing citizenship (in this case, specifically as a membership category) but also that "restriction" is a careful label not always applicable to the proposed addition of new requirements. Belgium has long been a beacon of liberal citizenship policies within Europe, having maintained *jus soli* for third-generation immigrants, dual citizenship, acquisition through simple declaration after seven years, and naturalization after three years of residence – the lowest residency requirement in all of the European Union. And, with the 2000 Belgian Act, it also bucked



against "assimilationist" trends (Joppke & Morawska, 2003) by removing a requirement that demanded language as proof of a "willingness to integrate." The purpose of this change was to eliminate "procedures that can be a deterrent to naturalization" (Foblets & Yanasmayan, 2010, p. 277), particularly in light of studies showing that the mechanism for determining integration – assessment by a local police office – yielded "highly subjective and unequal treatment" (Huddleston, 2011). However, merely a decade later, the government adopted a bill to increase the residency requirement from three to five years, and it reintroduced language (French, Dutch, or German) and willingness to integrate requirements. Since Belgium's record-breaking inability to form a government has delayed implementation of these policies, its Naturalization Committee passed a set of internal guidelines in January 2011. These include deferring applicants who cannot "prove they are making efforts to understand and speak the language of their place of residence and to participate in local life" (Huddleston, 2011). The two additional years of residence are only required if, after the required three years of residence, an applicant is unable to demonstrate adequate knowledge of French, Dutch, or German (Galant, 2011).

Despite these recent measures, Belgium's restrictive change is not tantamount to restrictive policy. While the new policies will certainly make it more difficult for prospective citizens to acquire Belgian citizenship in comparison to the 2000 law (nicknamed the "quickly-Belgian-law"), the requirements for naturalization can more accurately be described as "normalized" with other inclusive European countries, such as France, Ireland, and Sweden. Moreover, the absence of application fees or integration tests, along with the continued allowance of dual citizenship, maintains it as one of the most liberal citizenship policies in Europe (Goodman, 2010b).[17]

That said, what explains this 2011 policy change? We examine two conditions: the move by far-right regional parties to raise the profile of anti-immigrant politics and the inherently fractious – and ultimately unstable – character of national government. These two factors explain not only why citizenship policy change is possible but also how it can be an important political instrument in divided societies.

The most staunchly vocal anti-immigrant party in Belgium has been the *Vlaams Blok* (Flemish Block). Following the success of anti-immigrant parties in France and the Netherlands, nationalist parties in Belgium took a cue to transform their political agendas (Coffé, Heyndels, & Vermeir, 2007). This strategy proved to be an effective one for Vlaams Block, evidenced by its receipt of 10.3% of the vote of Flanders during the 1991 federal elections. This was followed by a steady increase in popularity for the party: 12.6% in

the 1994 European elections; 15.4% in the 1999 parliamentary and European elections; 24% in the 2004 regional elections (Barker, 2007). As Anton Derks concludes, "Flemish electoral survey research has shown that negative attitudes towards immigrants have often strongly shaped voters' preferences for Vlaams Blok" (2006, p. 181). In fact, Vlaams Blok had become so anti-immigrant that it was shut down by the High Court for "permanent incitation to discrimination and racism" (European Election Database). Supporters either migrated to the New Flemish Alliance (*Nieuw-Vlaamse Alliantie*, or N-VA), a popular Flemish nationalist party, or stayed with VB, now under a new name of Vlaams Belang.[18] Under their new name, public incitement on the issue of immigration continued.

In prizing Flemish culture, the Dutch language, and the superior economic growth of Flanders as compared to French-speaking Wallonia, VB was able to simultaneously call for a need of Flemish independence and a hardening of immigration policies. The party, along with N-VA, proliferated ideas of immigrants diluting Flemish culture as well as causing general economic strain. According to VB leader Filip DeWinter, "The multicultural society has led to the multicriminal society" (Metro, 2005), faulting Belgium for its lax immigration policy and overly tolerant attitudes and identifying commonalities between Flanders and the Netherlands in dealing with integration (Metro, 2005). Reflecting this emphasis on community preservation and the perceived threat diversity plays to it in the context of VB's electoral successes, the introduction of compulsory integration courses for new immigrants in Flanders in 2003 was both uncontested and smoothly implemented (Foblets & Yanasmayan, 2010, p. 291). This policy was not replicated nationally,[19] in Wallonia, or Brussels-Capital region, but it shows a direct tie between the impact of far-right public mobilization and restrictive policy adoption.

On the francophone side of Belgium, the National Front (FN) also achieved more modest but notable political success through an anti-immigrant platform. Since 2003, the FN has won one seat in both the chamber and the senate in each election. Similar to the Vlaams Bloc, the far-right FN leader, Daniel Feret, was found guilty of publishing racist election pamphlets, though anti-immigrant parties and their messages have been less successful than their Flemish equivalents. Perhaps as a result, recent proposals for integration courses and French language training for immigrants "are not intended as mandatory measures" (Yanasmayan & Foblets, 2010, p. 34).

Despite the ebb and flow of anti-immigrant parties in national politics, making political ground more fertile for a restrictive policy, no issue could



eclipse the political coalition crises that dominate Belgian national politics and serve as a continued reminder of the fractious nature of subnationalism. Elites had maintained that the liberal citizenship policy would lead to a "more integrated population" (Howard, 2009, p. 155), recognizing the inherent divisions that a federated, multilingual regionalism convey. This cosmopolitan approach, "along with the contested nature of Belgian identity itself helps to explain why Belgium bucked the trend of adding civic integration requirements" (2009, p. 155). However, in the context of growing anti-immigrant sentiment, and rising popularity of anti-immigrant *regional* parties, citizenship became a contested issue. According to Dirk Jacobs and Andrea Rea, "the apparent uniform vision at the federal level has masked important divergences between Flemish and French-speaking communities with regard to nationality law" (Foblets & Yanasmayan, 2010, p. 2479). These divergences were visible during the vote in the Naturalization Committee over new guidelines; the final vote was 9-8, with the majority consisting entirely of Flemish parties and a sole francophone – Committee President Jacqueline Galant (Huddleston, 2011).

The real puzzle, then, may not be why the "normalizing" revisions to the citizenship law were proposed in 2010, but why it took so long. Foblets and Yanasmayan attribute the delay to the failure of "federal governments to stay in power for a full term" (2010, p. 299). The most recent reform, for example, was passed right before Prime Minister Yves Leterme resigned (Migration News, 1998). While the fate of the bill's implementation, as with national governments in Belgium, is uncertain, resulting changes to naturalization requirements reveal the unavoidable nature of immigrant politics.

## CONCLUSION

The comparison between Germany, the United Kingdom, and Belgium shows that behind the term "restriction" there are a variety of different meanings and outcomes. Added to the broader picture presented in Table 1 – showing multiple combinations of restrictive and liberalizing changes – these three brief case studies, which were selected to portray the array of post-2000 "restrictions," show that it is inaccurate to refer to a broader "restrictive turn" within Europe. Even the application of restrictive change within cases over time should be qualified by existing conditions and motivations. The German case seems to be one of a genuine restrictive backlash, continuing and perhaps increasing over the past decade as a

reaction to the liberalizing change of 2000. In contrast, the United Kingdom has introduced harsher rhetoric alongside mildly restrictive measures, while remaining staunchly liberal policies and practices – still in line with its long-standing traditions. And the Belgium case shows how the normalization of citizenship in a highly liberal citizenship regime can be confused with restrictive change, while also highlighting the divisive role that subnationalism can play in citizenship politics, and in government formation more generally. Declarations of a "restrictive turn" in Europe are therefore premature and inaccurate.

In all three cases, the causes of these changes seem to go beyond basic sweeping arguments about demographics, changing European norms, or ethnicization, all of which tell a very incomplete and indeterminate story about policy change. What does still seem to matter is *politics*. Just as in the countries of liberalizing change, where the politicization of anti-immigrant public sentiment effectively blocked the elite liberalizing pressures, the recent occurrences of new citizenship restrictions have occurred for very similar reasons, even within different political contexts.

## NOTES

1. This approach to citizenship can be distinguished from early analysis of citizenship as either "ethnic" or "civic" (Brubaker, 1992). These labels are derived from historical forms of nationhood, and therefore employ the language of the nationalism literature. While a useful lens for identifying enduring differences between understandings of belonging, as a deductive model for analysis it shows many weaknesses. For more, see Bertossi and Duyvendak (2012).

2. We can especially hold these questions separate in countries that do not require permanent residence status for citizenship eligibility, thus nullifying the "double-barrier" a migrant might have to endure for naturalization. For example, in Austria, migrants are required to complete 5 out of 10 years of their time toward citizenship as a permanent resident. In Germany, Denmark, or the Netherlands, there is no such requirement of permanent residence.

3. Unlike the CPI, this first-cut look leaves out spousal residence changes, naturalization rates, and does not distinguish between *jus soli* granted *at birth* versus *jus soli* granted *after birth*.

4. Note that our purpose here is not to measure the *extent* of change. For a more precise analysis that measures and compares the extent of change across the Citizenship Policy Index, see Howard, 2009. For more analysis on the extent of restrictiveness imposed by the civic integration requirements of specific countries, see Goodman, 2010a.

5. Although the argument could plausibly run in the opposite direction—particularly more recently, as the number and percentage of immigrants continue to increase—most scholars have found that the arrival of immigrants in the last several decades of the 20th century resulted in a liberalizing pressure to accommodate them.

6. This notion of counterbalancing, however, does not seem consistent with Joppke's account of the fundamental reconstruction of citizenship, articulated in the very same article: "the entire citizenship construct, which had once been kept strictly separate from the exigencies of migration control, has in effect been fused with and subordinated to migration control, with the delicate consequence that the rights of citizens becomes downwardly approximated to the rights of legal immigrants" (Joppke, 2008, p. 11).

7. Indeed, as Douglas Massey (1999, p. 313) writes, "Most citizens [...] are poorly organized and politically apathetic, leaving immigration policies to be determined quietly by well-financed and better-organized special interests operating through bureaucratic channels."

8. Green (2012) provides a second interpretation of the oath, noting that it was strategically included to have legal grounds to exclude "those applicants from citizenship where concrete suspicions (*tatsächliche Anhaltspunkte*) cast doubt on their willingness to conform to Germany's constitutional order (*freiheitlich demokratische Grundordnung*) – a provision targeted at applicants with extremist political tendencies."

9. We thank an anonymous reviewer for this point.

10. One example of a question asked in this exam includes "Is it right that women obey their husbands, and for men to beat their wives when they are disobedient?" (de Groot et al., 2009, p. 59).

11. Notably, sufficiency in English was a condition for naturalization since the British Nationality Act of 1981. The 2002 changes added the country knowledge component and provided a standardized mechanism for evaluating language and country knowledge proficiency (the test or completion of an English-language course with civic content).

12. Those able to speak English, Welsh, or Scottish Gaelic "to a reasonable standard" are required to pass the "Life in the UK Test." That standard is defined as ESOL Entry Level 3, or Scottish Intermediate Level 1. Applicants who take the course route do not need to attain Entry Level 3 proficiency but must progress by at least one level from the level at which you were assessed at the beginning of the course.

13. In an Ipsos/MORI poll taken in intervals since 1989, over 50% of respondents have been in total agreement that "there are too many immigrants in Britain." Retrieved from http://www.ipsos-mori.com/researchpublications/researcharchive/poll.aspx?oItemID=53&view=wide

14. See House of Commons Committee Sitting #4 (June 16, 2009).

15. See Lords Consideration of Commons Amendments, July 20, 2009.

16. The decline in naturalization in 2008 does not reflect any policy change or politics. The Home Office accounts for this anomaly because "staff resources were temporarily transferred from decision-making to deal with administration of new applications" (Home Office, 2010, p. 1). In other words, demand overwhelmed the system.

17. Belgium is exceptional, however, in being one of the only EU Member States (along with Bulgaria, Malta, and Poland) to have no obligation to justify negative

decisions on citizenship applications. It also (along with Bulgaria, Malta, Poland, and Denmark) does not provide for a right of appeal. On both, see Goodman, 2010b, p. 23. One can claim that this administrative discretion undermines the overall label of "liberal citizenship" (see Huddleston, 2011), but this limited perspective on administrative procedures also omits that applications for citizenship in Belgium are free – an enormously inclusive practice.

18. It is important to note that this change was entirely cosmetic. In the words of party leader Filip DeWinter, "The changes in the name of the party, the modernisation of the statutes and the structure of the party, the remodelling of the style and use of language … and the updating of a twenty-five year old declaration of principle have nothing to do with content but everything to do with tactic" (Erk, 2005, p. 498).

19. As Foblets and Yanasmayan point out, "The power to make laws with respect to nationality and naturalization rests with the federal legislator. When it comes to the integration of immigrants, the responsible bodies are the communities, since this is a matter pertaining to personal affairs" (2010, p. 274).

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