

**Do the means affect the end?**  
**Implementation of naturalization policy as a catalyzer for procedural injustice**

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## **Abstract**

The debates on naturalization policies often tend to focus on the binary outcome of whether or not immigrants naturalize. The extent to which the navigation of informal bureaucratic practices as part of the naturalization process affects this idealized outcome has been paid little attention. This paper explores the effects of the implementation of naturalization policy on migrants' negotiation of affective loyalties such as trust towards the state. We focus on Germany, which is a particularly relevant and timely case given its multi-level approach that leads to variance in implementation. To analyze the impact of the naturalization application process, the paper relies on thirty in-depth interviews with Syrian forced migrants conducted in Berlin and employs a procedural justice framework as an analytical lens, which underlines the significance of being treated fairly in interactions with state agents. Specifically, we highlight perceived lack of transparency, legal illiteracy, and mistrust that are inscribed in the interactions between the migrants (would-be citizens) and bureaucratic institutions. We argue that the procedural injustice evoked during citizenship application processes can erode the possibility of productive relationships with state institutions of these "new citizens".

**Keywords:** Naturalization, Citizenship, Germany, Forced Migrants, Syria

## **Introduction**

Countries naturalize foreigners, in part, to strengthen and expand a sense of unity by distinguishing desirable residents from the "less desirable" (Fortier 2013, 702). While citizenship policies essentially function as a filter everywhere, the criteria for naturalization differ widely. Compared to other liberal democracies, Germany has among the strictest integration conditions and longest residency requirement for ordinary naturalization (Vink et al. 2021). Germany's stringent requirements are meant to ensure that those naturalized will increase the share of loyal, well-informed, and active citizens who can contribute to the society (Badenhoop 2021). Debates surrounding the efficacy of naturalization policies tend to focus on the outcome in a binary manner, that is, whether or not immigrants naturalize, and to a lesser extent whether citizenship acquisition indeed fosters loyalty and identification (for exceptions see Ersanilli and Koopmans 2010; Hainmüller et al 2017; Author 2). What has received even less scrutiny is the effect of the individual application process on the negotiation of affective loyalties and attachments. The naturalization application process is often perceived simply as a box that needs to be checked, a means to an end (see Bloemraad 2002; Huddleston 2020 for an exception). In this article, by focusing on the procedural aspects of naturalization, such as putting together the documentation and bureaucratic encounters necessary for the application, we seek to reverse the angle and understand whether the means affect the end.

To answer this question, we concentrate on how the implementation of citizenship policy and experiences incurred during the navigation of the naturalization process affect migrants' perception of procedural justice and attitude towards the state. In Germany, while citizenship policy and the requirements to naturalize are set at the federal level, States (*Länder*) have the right to interpret the policy and prescribe implementation procedures to local administrators, who exercise final discretion over the decision. The decentralized nature of citizenship policy implementation enables local governments to adapt federal policies to fit differing local political agendas (Farahat and Hailbronner 2020), and leads to widely differing bureaucratic practices (Courtmann and Schneider 2021), which, in some cases, subjects' applicants to opaque delays, ad hoc discretion, and limited understanding of the process.

Implementation studies has typically concentrated on the perspective of policy makers (Infantino and Sredanovic 2022), focusing on how decisions made at various levels of governance and communication reflect or obscure the original intent of legislators. But seldom on how the experience or navigation of policy may produce emotions and opinions that adversely affect future willingness to cooperate with state institutions. The general deterioration of legitimacy in state institutions makes citizens less likely to participate civically (Bruch et al. 2010). With evidence from thirty in-depth interviews conducted with Syrian forced migrants in Berlin, we demonstrate how negative interactions with and perceived lack of transparency and fairness of bureaucratic institutions can erode relationships between migrants and the state, in turn undermining the legitimacy of authorities and limiting trust in state institutions. We employ a procedural justice framework (i.e. Tyler 2017) inspired by literature on navigation of bureaucracy and authority to analyze how specific encounters and experiences influence affective loyalties. We specifically build on Borrelli and Wyss (2022) who emphasized transparency (or lack thereof), legal literacy, and trust as core tenets of procedural justice and prerequisites to productive relationships with state institutions. We first begin by motivating the particularities of Germany and Berlin as a significant site for the study of citizenship law, and implementation procedures relevant for future comparisons.

### **Many layers of citizenship policy**

With respect to implementation of citizenship policy and procedures, Germany, in general, and Berlin, in particular, are both well suited to research the impact of the naturalization process given Germany's role as a comparative case and Berlin's as a "most likely" case since the strain resulting from considerable backlog and decentralized nature of review system make it an ideal location to observe the effects of implementation respectively (Levy 2008, 12). The federal structure of Germany's government—which enables policy to be interpreted and implemented on several levels—and frequent amendments to its citizenship laws make Germany an ideal basis for cross-national comparison. Germany operates as a parliamentary democracy and is divided into 16 federal states (*Länder*). Federal legislative power is divided between its bicameral parliament where the *Bundestag* houses representatives directly elected by the people

and the *Bundesrat* houses representatives from each of the 16 *Länder*. Once a law is passed, implementation is largely left to the discretion of the *Länder* insofar it does not conflict with existing administrative procedures (Farahat and Hailbronner 2020).

Germany's multi-level approach to citizenship governance paired with both significant recent and planned legislative changes make naturalization in Germany a relevant case for comparison. To start with the latter, despite scoring among the nations with strictest conditions for citizenship acquisition, Germany has come a long way from being the archetype of "ethnic nationhood" (Brubaker 1992), slowly opening up its membership regime and currently seeking more progressive reforms. As of April 2023, with respect to the Federal guidelines, for an adult to qualify for standard naturalization, he or she must reside in Germany for at least eight years, be financially independent, have a sufficient command of the German language, and pass a citizenship test and renounce their citizenship of origin. Many Syrians who arrived as forced migrants also qualify for a distinct and more generous track which lessens some requirements. Upon completion of a recognized integration course the residency requirement is reduced to seven years, and in exceptional cases it can be further reduced to six. Similarly, the requirement to renounce previous citizenship is waived for applicants who are recognized as a refugee. Furthermore, the current federal coalition government has included amending current citizenship laws to facilitate naturalization as one of their primary objectives for this legislative cycle. In the most recent draft of the bill, they propose "abolish[ing] existing naturalization barriers" (SPD, 46) which includes specifically reducing the time required for ordinary naturalization from eight to five years as well as removing the ban on multiple citizenship. Hence not only that the deep transformation of German society and politics merits closer scrutiny (Hess and Simon 2016) but it also entails comparative lessons for states going through substantial changes.

Since 2000, when the German Parliament passed the Nationality Act to overhaul many of the criteria and standards for naturalization set in the previous Nationality Law of 1913, the implementation of the laws began to diverge, as legal changes significantly outpaced implementation guidelines (Farahat and Hailbronner 2020). While the *Bundestag* has passed several<sup>1</sup> amendments to the Nationality Act since 2000, there have been no updates to the administrative and procedural regulations, which govern how the laws are to be implemented. The federal government attempted to address the diverging implementation in 2009 to encourage a more uniform implementation by publishing a preliminary implementation guide for the Nationality Act (*vorläufige Anwendungshinweise*). However, the document is not legally binding since the enactment of administrative regulations requires not only the consent of the *Bundestag* but also of the *Bundesrat*, within which some *Länder* refuse to ratify the updated implementation guide (*ibid*). In addition to their legally non-binding nature, the existing administrative guidelines offer limited direction as to how applications should be reviewed and how legal requirements should be interpreted. This leaves a wide margin for interpretation vested to the *Länder* governments. Taking inspiration from Hooge and Mark's (2001) original iteration of the multi-

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<sup>1</sup> Amendments updated 2004, 2007, 2009, 2014, and a flurry of changes between 2015 and 2019 (Farahat and Hailbronner 2020; Hruschka and Rohmann 2021)

level governance framework, the boundaries between federal, regional, and municipal jurisdictions can aptly be described as flexible given the overlapping legislative and administrative responsibility across different levels of government. Schmidtke (2021, 1351) describes the *Länder* as playing a “peculiar” role in the policy field of migration governance in that the decentralized implementation of policy has enabled the *Länder* to become policy entrepreneurs by developing more robust community practices and administrative capabilities. Moreover, for *Länder* that do not have a centralized procedure to review applications, experiences can also vary depending on the municipality in which the application is submitted (Gülsau, Schneider and Courtman 2022).

Our specific focus is here on Berlin, which has a localized implementation of naturalization procedures and high impact as a popular destination for migrants in Germany bolsters it as a “most likely” case where one can expect to observe impact of implementation (Levy 2008, 12). In Berlin, the processing of applications is not yet centralized, so to apply applicants must first apply for an initial consultation at their local individual neighborhood office (*Bezirksämter*). These offices typically have around 80 officers and can collectively process between 5000–8000 applications annually, however, that is not nearly enough to meet current demand (Fahrin et al. 2023). As of March 2023, there was a reported backlog of over 20,000 applications, contributing to the considerable delays associated with the process (*ibid*). Berlin does not release statistics about average duration of applications, but an independent report estimated that the average wait time to naturalize in Berlin was approximately two and a half years (*ibid*). During the initial consultation, applicants present their documentation and are told what additional documentation they will need to submit or in some circumstances that they have met criteria that exempts them from certain requirements (e.g., reduced residency for discretionary naturalization). Unlike systems that are centralized, individual employees can make discretionary decisions about documentation requirements on a case-by-case basis. For example, to clarify one's identity and nationality, Berlin specifies that this must be a valid passport, unless the applicant is an EU citizen, in which case a national ID would suffice. This requirement is at the center of much debate, given for individuals with refugee status who do not have a valid passport, getting a new one is an arduous task. It requires the applicant to either return to the country that they fled from or to the embassy, both of which leave them vulnerable to having their protected status revoked. Some employees may choose to waive this requirement in favor of another form of identification, but the decision is discretionary. This discrepancy, the fact that similar applications are not always treated alike, is central to the perception that injustice and arbitrariness are embedded in the procedures themselves. After submitting the required documentation and scheduling an appointment, applicants then have a second interview where an employee of the *Bezirksämter* reviews their documents and makes a decision about their application. The stress placed on administrators resulting from the large number of applicants and less-than-adequate resources to process them paired with the discretionary power allotted to these employees creates an environment that is susceptible to variable implementation of naturalization policy and procedure.

## **The effect of implementation on the lived experience of policy: a procedural justice framework**

Broadly speaking, implementation studies is concerned with the efficacy of policy. The two primary approaches within the field of implementation studies as identified by Infantino and Sredanovic (2022) —top down and bottom up— are similar in that their overarching goal is to improve policy effectiveness by aligning policy outcomes with the vision of the policy’s creators. Top-down analysis weighs policy outcomes against the intent of legislators (Pressman and Wildavsky 1973), whereas bottom-up analysis emphasizes the decision-making capabilities of street-level bureaucrats (Lipsky 1980, 2010).

Both top-down and bottom-up approaches have been applied to evaluate citizenship policy outcomes. Top-down analysis is particularly adept for understanding how specific policies or policy changes made by legislators translate to naturalization rates or uptake. Recent research has looked at how changes to access to information (Hotard et al. 2019), composition of benefits (Jørgensen 2021), or method of approval (Galeano, Pont, and Wanner 2021) affect naturalization outcomes. Likewise comparative research between citizenship policies (Dronkers and Vink 2012; Vink and de Groot 2010) or the effect of changes to dual citizenship restrictions (Peters and Vink 2021; Weinmann 2021) and civic requirements (Borevi, Jensen, and Mouritsen 2017; Meer et al 2015) have been analyzed with this approach. Bottom-up analysis tends to focus on the role and prevalence of informal practices and how bureaucrats enforce regimes of conditional inclusion for certain applicants. Lori (2012; 2021), in her research on precarious citizenship in the Gulf states, has explored how street-level bureaucrats play a key role in citizenship policy as they have the ability to delay specific minority immigrant groups’ applications as part of an effective but largely overlooked strategy of boundary policing. Similarly, Schinkel (2020, 557) details the many encounters and unspoken tests a migrant must traverse before acquiring citizenship. He frames the processes as ‘a testing concours’, in order to highlight the multiple and varied tests (read: interactions with bureaucrats) that a migrant must navigate along their trajectory to become a citizen.

Notably missing from these policy-analysis approaches, and the so-called third wave of implementation studies (Goggin 1990), is the perspective of those affected by policy. Yet an adjacent literature concerned with the lived experiences of migration and citizenship bureaucracy have focused on the salience of policy and policy outcomes on individuals’ perceptions of the state. In light of some of the perceived injustices within integration bureaucracy and increasingly restrictive civic requirements, several authors have emphasized the perceived exclusion felt by migrants (Aptekar 2015; Fortier 2013; Leitner and Ehrkamp 2006; Miller-Idriss 2006; Monforte et al. 2019). Badenhop (2017, 2021) captured these findings in her ‘Super Citizen’ framework, a concept that encapsulates the increasingly restrictive and transformative nature of contemporary naturalization procedures. Drawing from relevant literature on subject-formation, Badenhop developed a framework to classify migrants' reactions and perceptions to the naturalization process as a whole. A theme that cuts across individual responses and that lies at the core of the framework is the effect of increased selectivity and tokenization of citizenship that arises from the

performative nature of citizenship acquisition. For some respondents the process has an “exclusionary, alienating, and differentiating effect” (Badenhoop 2021, 578), which follows from the perceived arbitrariness and discrimination reported through individual experiences with citizenship bureaucracy.

We aim to contribute to the literature on lived experiences of naturalization processes and implementation studies by not only bringing them in conversation with each other but also by complimenting them with a procedural justice framework. Doing that allows going beyond the immediate outcomes and attachments and the emphasis on reducing the gap between policy outcomes and the intent of policy makers. Distrust in state institutions and decreased willingness to participate may not have an immediate impact on policy outcomes, but can influence the uptake of future policies (Cheng 2018; Ryo 2017). To motivate the relationship between the effect of the perception of policy implementation and trust in state institutions, we expand on the literature on procedural justice below.

Procedural safeguards exist to guarantee due process for both citizens and non-citizens interacting with the government. In addition, individuals’ belief that the law will be applied impartially serves as the bedrock of the state’s legitimacy (i.e., their ability to compel citizens to comply) (Cheng 2018). Moynihan et al. (2015, 47) note that “[i]ndividuals care as much or more about the process of their interactions with the state as they do about the outcome” (see also Lind and Tyler 1988). Scholarship, centered on relationships between citizens and the justice system, sought to answer how people perceive these institutions and under what circumstances individuals choose to comply with authorities (Tyler 1988; Tyler 2006; Nagin and Talep 2017). Tyler (2017), a pioneer of the field, identified the perception of impartial, rule-based application of the law, benevolent intentions of decision makers, opportunities for voice, and an atmosphere of trust as core tenets of procedural justice and foundations of authorities’ legitimacy. These observations arose from a case study on citizens’ interactions with the police, but more recently the general principles of procedural justice—how individuals’ perception of and experiences with authority affects their future willingness to cooperate—has been applied to the domain of migration law and the same principles largely hold true (Dahlvik 2018). Yet, applications of procedural justice framework to migration studies remain few and far between, particularly in the European context (but see Author 2).

One recent exception is the study from Borrelli and Wyss (2022), who, building partially on Tyler’s (2017) core tenets, developed a framework to exemplify how the systematic infringement of specific safeguards erodes procedural rights, a prerequisite for those interacting with the state to experience procedural justice. In their analysis, they identify three key procedural safeguards paramount to preserving the credibility of procedural justice within migration law, which form the basis for legitimacy of state institutions and that we use as our framework to analyze our data. The first safeguard they identify is *transparency*—the perception that laws are implemented evenly and with non-arbitrary rationale. The emphasis here is whether or not claimants can anticipate or reasonably predict how the law works in practice. The second safeguard identified is *legal literacy* or the ability to make informed decisions. Borrelli and Wyss (2022)

allude to the practice of ‘temporal governance’ (Griffiths 2017, 56) in which time is strategically manipulated to govern people indirectly through the control of processes (Reneman and Stronks 2021). This practice is particularly pervasive in the domain of asylum where the acceleration of migration enforcement leaves asylum-seekers insufficient time to access information that may be relevant to their case (Crage 2016; Griffiths 2014; Reneman and Stronks 2021). However, since naturalization procedures are not typically subject to the same acceleration and deceleration practices common with asylum and deportation proceedings, we apply an alternate definition. Eule and his colleagues (2018, 113), in their study of how law is accessed and exchanged in migration regimes, put forward another definition of legal literacy. They examine how informal practices render the legal system ‘illegible’ for migrants, uncertain what is required from them and overwhelmed by state practices and requirements. Drawing from their interpretation, we evaluate migrants’ ability to access and understand relevant citizenship requirements and accompanying practices. Finally, the third safeguard Borrelli and Wyss present is *trust* —the belief that decision makers are trying to do what is just for the people with whom they are dealing (Tyler 2017, 33). What constitutes trustworthiness is difficult to isolate given perceptions of transparency and legal literacy certainly play a role in generating an atmosphere of suspicion. However, the general belief that authorities act benevolently, or at a minimum without prejudice, is a necessary prerequisite to feel fairly treated (Borrelli and Wyss 2022; see Hough et al. 2010 or Madon et al. 2022 for work on policing).

## **Data collection and methodology**

Our data consists of thirty interviews conducted with Syrian forced migrants in Berlin at various stages of the naturalization process (women, n = 11; men, n = 19). The interviews took place between October 2021 and April 2022 and were limited to individuals who had resided in Germany for at least five years. Our qualitative methodology and individual-level data enables us to gain a deeper insight into the inner workings of naturalization application procedures and shed light on the inner-workings of the process. Previous emphasis of quantitative methods in research on the determinants of naturalization exaggerated the simplicity of the naturalization process, characterizing it as a simple “flick of a switch” (Bliersbach 2022, 7). This in turn produced an assumption of immediacy of the process for qualified applications, leaving the impression that those left waiting were somehow less qualified or less deserving. The in-depth nature of our interviews allows us to shed light on the intricacies of the process and relevant experiences.

Participants were primarily recruited through Facebook and subsequent snowballing. Individuals who had displayed interest in the topic of naturalization in Germany through Facebook groups such as ‘The Syrian house in Germany (البيت السوري في ألمانيا) or “Permanent residency and citizenship in Germany” (الإقامة الدائمة والجنسية بألمانيا), were contacted and asked if they would be willing to share their opinions on citizenship acquisition and experiences navigating the process, if applicable, at an in-person interview. By considering the perspective of those who were in early

stages or in the midst of the naturalization application process we were able to include the perspective of a group typically overlooked by traditional quantitative studies in the field.

The interviews themselves were semi-structured to elicit opinions and experiences regarding naturalization processes, but not to limit other relevant discussion concerning prior relevant experiences and future plans with respect to citizenship. All interviews followed a similar outline. Participants were first informed about the purpose of the interview and notified that their identity would remain anonymous before consent was confirmed verbally. Next, participants were asked a series of open-ended biographical questions concerning their life in Germany (e.g., current employment, living situation, local networks, and language abilities). On the topic of naturalization, applicants were first asked if they were aware of the requirements in order to naturalize and whether they have interest in applying. Depending on respondent's answers, we subsequently probed with targeted questions about motivations and hurdles to apply and concluded with a discussion about the respondent's future plans. Experiences with the naturalization process were certainly not monolithic. Differing access to resources, experience with integration bureaucracy, and ability to traverse bureaucracy contributed to varying outcomes, but there were some requirements and challenges specific to Berlin that affected many respondents similarly.

## **Production of procedural injustice in implementation**

### **Transparency**

During the implementation of policy, the simplest of requirements can take different turns. One significant practice we encountered in Berlin related to the obligation to clarify one's identity and nationality. In Berlin, applicants are required to show a valid passport, unless the applicant is an EU citizen, in which case a national ID suffices. This requirement is at the center of much debate, given individuals with refugee status often lack a valid passport and getting a new one is an arduous task. It requires the applicant to either return to the country that they fled from or to the embassy, both of which leave them vulnerable to having their protected status revoked. Some bureaucrats may choose to waive this requirement in favor of another form of identification, but the decision is discretionary.

A frustration shared by many of our respondents is the belief that their success depends not only on the merits and content of their application, but also on where and with whom they apply. A common justification provided for this belief is the perception that bureaucrats wield excessive authority, enabling them to make unilateral decisions. The combination of discretion and what is perceived to be inconsistent decisions in turn leaves applicants feeling clueless about how their application will be evaluated and powerless against a system that is perceived to operate unjustly. For forced migrants in particular, contact with the law and street-level bureaucrats during integration bureaucracy takes place in an asymmetrical power dynamic given their precarious legal situation and limited ability to challenge unfavorable decisions. Eule et al. (2018, 112) describes

this as the law holding “an almost magical power”, which can open up new opportunities but also inevitably “serves to reproduce existing power relations.”

An observation that arose during several interviews is that the law is not applied transparently and that the outcome depends heavily on the disposition or ‘mood’ of whomever reviews the application. Yousra, at the time of our interview, was in the process of applying for citizenship. On the topic of eligibility, she stressed the significance of the discretion that the bureaucrat who reviews applications possess in determining the final outcome:

It depends on the office or the employee. They decide in the citizenship office you can’t just [get] it, everyone wants to [get] it, but it depends on the mood of the employee. It depends on their mood if they want to give it, or make it easy or not. (Yousra)

Amir is more explicit in his criticism of the citizenship bureaucracy. Rather than the ‘mood’ of the employee playing a role, he hints that their decisions are biased by perceptions of deservingness based on race. When asked if he believed the system was fair, Amir replied:

No of course not, the system isn’t fair. There [are] differences between one employee to another employee. It could be because of a racist background but also simply from one office to another the employee that [reads your file] plays a big role in the final decision (Amir)

In Amir’s assessment, the lack of standardization of the decision-making process and the ability for employees to flex the law to their own interpretation produces inconsistent outcomes and is unjust. These findings and experiences have also been identified by researchers in the domain of the asylum processes. Schittenhelm and Schneider (2017, 1702), writing on the mechanics of the asylum process in Germany, recount experiences of asylum case workers in various local branches noting that their decisions depend significantly on the applicants’ “performance” and interpretation of the case worker, and not necessarily on the content of one’s file. This emphasis on the unmeasurable is reflected in the outcomes themselves and in the perceptions of asylum outcomes (Fontanari 2015).

The perceived injustice and arbitrariness of bureaucrats’ decisions is further aggravated by the belief that they are not accountable to the law and are free to make ungrounded decisions. Mahmud, speaking on the nature of integration bureaucracy generally, said employees making unilateral decisions has affected not just himself:

They make a decision that might not be in the law. For example, I know a lot of people who have actually brought the law printed out and have said under this law I can do this and this and this and then the employees say no you can’t. There are some employees that don't want to read it. They just say send us an email and we’ll make our decision (Mahmud)

Mahmud's experience touches upon the general perception that street-level bureaucrats are not concerned with the law and that individuals have a limited ability to control their own destiny faced with discretion allocated to bureaucrats. Mahmud described the existence of many informal processes and rules to be 'confusing', and he was not alone. In a separate interview, Hassan described the process as 'unprofessional', he said "when you speak with people outside of Germany, they imagine everything is going really well but in reality, you really see a different side of things" alluding to the fact that the perception of efficient German bureaucracy does not align with the reality he has experienced.

### **Legal Literacy**

The inconsistency of decision makers not only renders the review process opaque, but also contributes to the 'illegibility' of the requirements (Eule et al. 2018), leaving applicants unaware of the 'real' requirements and experiencing policy as absurd or overwhelming. Some respondents expressed that they, despite being generally well informed, were unaware of the current naturalization regulations. Rafiq who mentioned even though he has a keen interest in politics the frequency of changes to the law or procedures was a significant obstacle to know what would be required of him:

I'm someone who reads a lot of news and I'm aware of what I need in some circumstances [and] what they need from me, but like I said the rules change all the time so I cannot say I am 100% sure (Rafiq).

Rafiq, at the time of our interview, had not yet applied for citizenship, and it should be noted that Berlin has attempted to address this concern with the introduction of an initial consultation where individuals are informed of the specific documents they will need to submit. But, to many, what is ultimately required remains unclear, in part due to the perceived inconsistencies among decision makers. Even when individuals were aware of what was in theory needed, collating the documents with the correct translations or approvals proved to be difficult to navigate. Riyadh an accountant, who said despite being adept at working with bureaucracy because of his profession, admitted that the process was difficult to navigate. He used the German word '*papierkram*' to describe the experience, a pejorative term to describe the nuisance of dealing with formalities and paperwork.

Rumors, misinformation, and discrepancy among *Länder* also influenced respondents' understanding of relevant laws and procedures in the absence of accessible and legible information. Several respondents when asked about their knowledge of the requirements or procedures shared experiences, they had heard either first hand from friends or family or rumors and hearsay based on more distant experiences. In response to questions about specific requirements, respondents frequently cited information relayed to them by friends who were engaged in the process. Jamila, after being asked if she knew anyone who was applying or had

received citizenship, responded with a story which, if true, would be an exception to any written law. She said:

I've heard about a lot of people who have gotten citizenship after working for two years most of them just give money to the lawyers and heard a couple of days ago about a guy who after five months of coming here he took a good lawyer and he got citizenship in only five months – and I was like is it true I don't know is it real does that happen? (Jamila)

Beyond knowledge of procedures, hearsay and other stories also greatly affected respondents' perception of the process in general. Rafiq recounted the widely reported story of a Lebanese doctor who despite passing the naturalization exam was denied citizenship because he refused to shake hands with the woman administering the interview (Embury-Dennis 2020). Rafiq said:

...maybe you've heard in the media the story of this doctor from Lebanon. He did a really stupid thing. He didn't want to shake the hand of the employee and she told him that's it. You don't get [citizenship]. This happened and you can read in the media too. And this is the only story that I've heard on this, but I can imagine what happened there (Ali)

The pervasive and influential nature of these stories largely aligns with similar research on the impact of information networks and rumors for knowledge transfer (Ozkul and Jarrous 2021; Wyss 2022) as well as the role of misinformation in asylum (Ruokolainen and Widén 2020). The case concerning the Lebanese doctor was upheld by a local court in Baden-Wurttemberg (Embury-Dennis 2020). While the incident was isolated, the decision and the judicial confirmation is exemplary of the autonomy that *Länder* possesses when making discretionary decisions. Not limited to citizenship bureaucracy, in the context of asylum proceedings Schneider, Segadlo, and Leue (2020) in their analysis of discrimination within the Germany asylum system quantified this autonomy and variation between *Länder* by demonstrating how the socio-economic characteristics of a state (*Land*) and its political situation affect street-level bureaucrats' decisions.

## Trust

Habib arrived in late 2015 and after situating himself for two months he decided to stay in Germany and learn German full time. He studied in his free time and practiced with customers while working in a restaurant to earn enough money to support himself through university. When asked about his goals, he told me that he learned if he reached C1 within three years he would qualify for permanent residency quicker. Three years later he passed his C1 exam and began studying computer science in a local university. He is set to graduate in one year, and was accepted to an internship in London that he would like to complete before he graduates, however without a passport he is unable to travel internationally prompting him to apply for citizenship.

Despite a professional level of German and qualification in a highly sought after field Habib's experience navigating the application process has been marred by exorbitantly long waiting times to get an initial appointment and skepticism by bureaucrats. When asked why he thought it was so difficult to get an appointment, Habib explained:

They don't want everyone to get it. That's my opinion, they could do it in one month if they want but maybe in Berlin you have to wait maybe two years. (Habib)

Regardless of whether the delays are systemic or intentional and whether discretionary decisions are being applied properly, there exists the perception that bureaucrats have the ability to operate outside of the law and this behavior is largely sanctioned. Habib, later when describing his exchange with an employee at the citizenship bureau (*Staatsangehörigkeitsbehörde*) to submit his documentation was surprised when he was asked his opinion on vaccines:

I thought I have to be as nice as possible to show the other people that I'm nice and friendly. [The administrator] asked me "what do you think about the vaccination". I thought okay damn, I don't know how to answer because if I say ah yeah it's a great thing and she doesn't think that, then that wouldn't be very good (Habib)

He goes on to describe the pressure that he felt, attempting to navigate this conversation, careful not to offend the employee taking his application by having an opinion on vaccine or vaccine mandates that differed from their stance. Beyond simply trying to be polite, Habib was acutely aware of the discretion bureaucrats wield and how his response could potentially be used against him.

I thought maybe it's a kind of test for me...it was interesting to deal with it in a short time. And as I said, you have to be nice to the [employees], try as much as you can to be liked by the [employees] because they have the power to say to you, okay everything is fine, but they can also say or not and you will have to wait long time (Habib)

In the end Habib responded as neutrally as he could. He said that he got the vaccine because his university mandated it, but does not have a strong opinion on the subject. Reflecting on the topic, he emphasized that when dealing with bureaucrats "you cannot show your true side". To what extent this line of questioning was pertinent to the application process or simply banter about a topical issue is unclear, but also irrelevant. The fear that one's opinion may be used against you is evidence of the suspicion that dominates these interactions. His choice of words and perception of the process as a "test" is also emblematic and shows the flipside of Schinkel's (2020) analysis in that these interactions are not only meant as tests but also perceived as such.

## Conclusion

This article examines the lived experiences of forced migrants facing various, informal obstacles during the naturalization process in Germany. In building a bridge between implementation studies, chiefly focused on the state institutions, and lived citizenship experiences, chiefly focused on migrants themselves, we make use of the lens of procedural justice that allows for accounting affective loyalties invoked in the process. Relying on thirty in-depth interviews, conducted in Berlin with Syrian forced migrants, we demonstrate how inconsistent application of the law and opaque procedures create a vague understanding of the legal requirements and elicit perceptions of arbitrariness and injustice which colors migrants' trust in the state.

First, our article underscores the analytical value associated with scrutinizing the impact of implementation from the perspective of non-citizens who must navigate the naturalization process. The most popular “top-down” and “bottom-up” approaches to the study of implementation center their analysis on the perspective of the state. While analysis from the perspective of the state is adept at understanding how changes to formal laws and procedures affect outcomes on a high-level, it neglects how different procedures and experiences can influence individuals' relationship with the state and general perception of state institutions. By contributing the perspective ‘from below’ we establish a link between individuals' experience navigating the implementation of policy and associated perceptions of arbitrariness and injustice with the efficacy of policy, a central tenet in the study of implementation.

Second, the article provides a novel case study of naturalization procedures in Germany where we apply the theoretical framework of procedural injustice to the realm of migration and citizenship. The pervasiveness of suspicion and mistrust in the interactions between state agents and forced migrants, particularly during the asylum determination processes, has previously been documented in the scholarship. As we argued, Germany and Berlin make for a significant case-study due to its multi-level governance structure that leaves much leeway for discretionary implementation as well as due to its gradual transformation process from a staunch “not-an-immigration country” stance to current progressive reform agenda. The prevalence of bureaucratic practices that bring out perceptions of injustice on the part of forced migrants indicates that the transformation process is far from complete and has only found limited resonance at the bureaucratic level. This is evidently also aggravated by the governance structure that leaves room for the following of local or individual political agenda.

Last but not least, by extending the lens of procedural justice, we have moved beyond an attention to the immediate effects and outcome of naturalization policy. This has confirmed the literature in that individuals care as much about how fairly they were treated in the process as they do about the outcome. Therefore, the experiences of injustice experienced during the process of naturalization have the peril to carry themselves well beyond, transforming into a general sense of mistrust to state institutions. This is particularly crucial for citizenship policy if we consider naturalization as a tool for formation “new citizens” . Therefore, it serves as a good reminder that the means to the end matters as much as the end itself.

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