

The Role of Citizenship in Migration and Displacement

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Agenda



- I. Conceptual development
- II. The German context
- III. Research: A "not so natural" decision

Pause

- IV. Citizenship as a Catalyst
- V. Group discussion
- VI. Research: The lived experiences of naturalization processes

Motivating questions



- Motivation and ability to naturalize
 - Who can acquire citizenship under the conditions, costs and expectations placed on the naturalisation process?
 - What role do bureaucrats play in determining who accesses the process of naturalisation and how it ends?
- Relationship between citizenship and integration
 - Does citizenship necessarily produce or follow integration? (here we mean social, cultural, economic, and political incorporation)?
 - O How does the naturalization process itself affect integration?





Citizenship, Mobility, & Integration



Citizenship

Traditional to recent conceptualisations

- Traditionally understood as:
 - Bundle of rights political & eco. rights
 - (legal) status ——— security & safety
 - Identity marker———feelings of belonging
- Increasingly under fire due to global condition:
 - Granting of rights independent of citizenship
 - Identities are not territorially bounded

- Rise of strategic / compensatory / instrumental citizenship
 - Investor schemes, ancestorial / ethnic-kin
 Routes, European citizenship
 - Closely connected with mobility rights vs. sign of settlement
 - Mobility/citizenship nexus
- How does this apply to refugees?



Citizenship

Modes of acquisition

Birthright citizenship

- Jus soli
- United States, Canada, Central and South
 America
- Jus sanguinis
- o UAE, Turkey, UK, Australia

'Naturalization'

- What does it mean to become naturalized?
- Differing legal requirements and ability
- A global perspective

GLOBALCIT



What is it?

• The Global Citizenship Observatory (GLOBALCIT) is an online observatory committed to fact-based and non-partisan analysis of citizenship laws and electoral rights around the world.



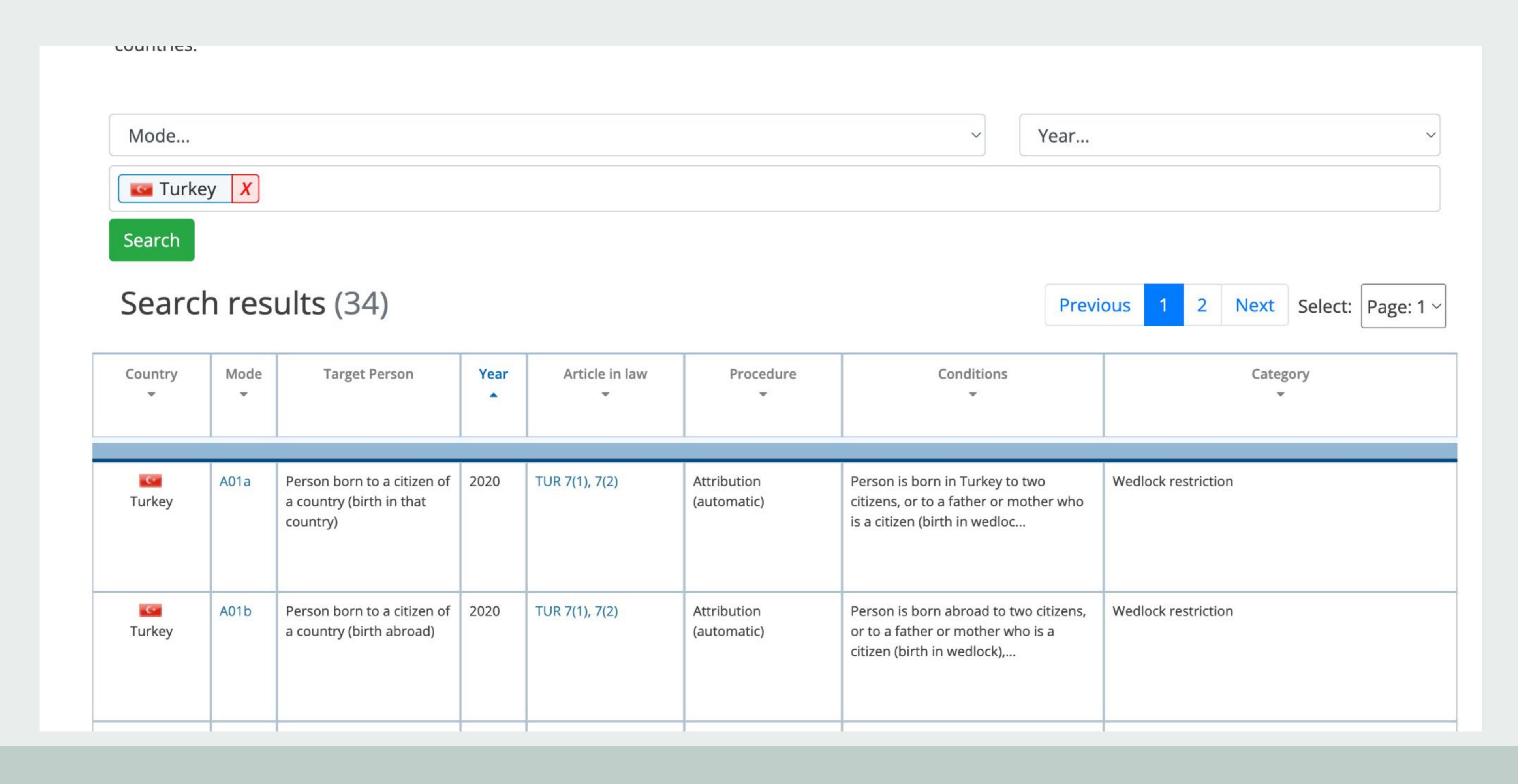
Databases

- Global Nationality Laws Database
- International Legal Norms Database
- Citizenship Case Law
- GLOBALCIT Citizenship Law Dataset
 - Modes of acquisition of citizenship
 - Modes of loss of citizenship
- CITLAW Indicators

GLOBALCIT- Example search



Modes of acquisition of citizenship



ncludes

- Target person
- Year
- Article in Law
- Procedure
- Conditions
- Category

Mobility at the center stage



- The 'mobility turn' in social sciences (e.g. Sheller, Urry, Cresswell, Adey)
- Mobility in connection to immobility as well as embedded in power relations (e.g. Glick Schiller and Salazar, Kalir, Meier and Frank)
- Everyday dimensions or 'human face' of global mobility (e.g. Favell, Ryan, Mullholland, Conradson and Latham)
- Mobility defined as a fundamental aspect of social life that is not merely a set of physical movements across space, but also a cognitive experience of travel towards self-development, away from the routine and social pressure.
- Mobility neither starts nor ends with movement.

Mobility Nexuses



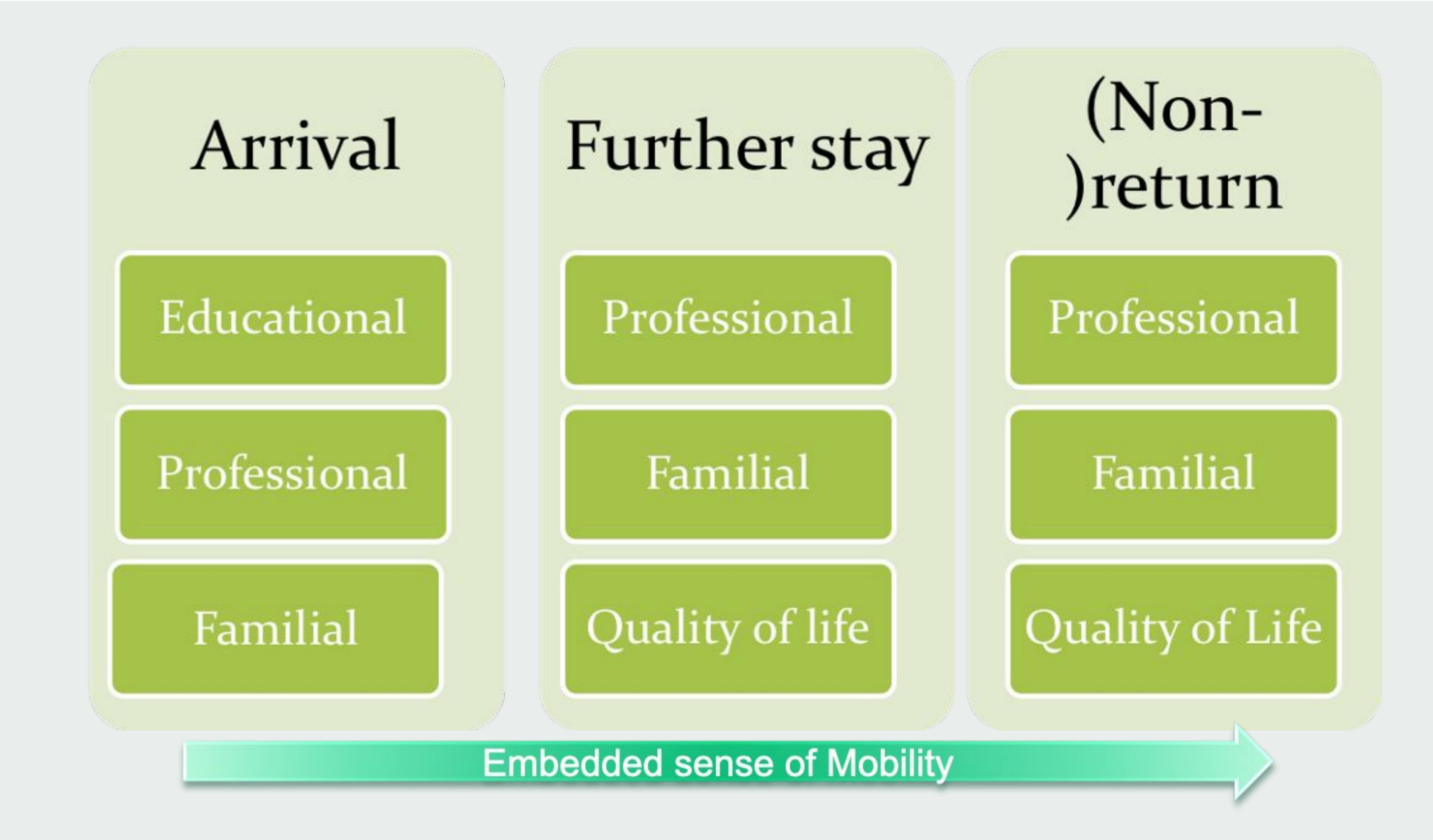
Mobility/Migration Nexus

Mobility/Citizenship Nexus

Mobility/Dwelling Nexus

Mobility Nexuses





Integration



- There is no single agreed understanding of the term 'integration'
 - There is agreement that it is economically wasteful and democratically deficient if immigrants remain marginalized
- "Conceptual problems relating to 'integration' extend to the question of who is defining the term"
- Integration x forced migration
 - In the context of the refugee studies literature, integration is mainly understood in terms of practical or functional aspects of integration.
 - housing, language training, education and re-training, and access to the labour market

Citizenship-Integration Nexus



Naturalisation is evidence both of integration and a catalyst for it

Assumptions built into theoretical and empirical frameworks

- What is the function of citizenship?
 - Citizenship as a vehicle of incorporation? Debate on citizenship as a Catalyst versus
 Crown?
- Frames of deservingness
 - The **policies** and **processes** of citizenship acquisition (including civic integration tests language requirements, and other generalized "integration" prerequisites)

Methodologies to question these assumptions

examining instead lived experiences of belonging of communities of immigrants and EU citizens in Europe





German context: Population trends & legal framework



Access to citizenship

From ethnic to civic requirements

De-ethnicization of citizenship

• Since 2000: a form of jus soli access in place.

Civic turn

• Institution of naturalization exams (2008) & official language criteria (2007): disproportianate effect on disadvantaged groups such as elderly, low-educated, women & refugees (van Oers 2020)

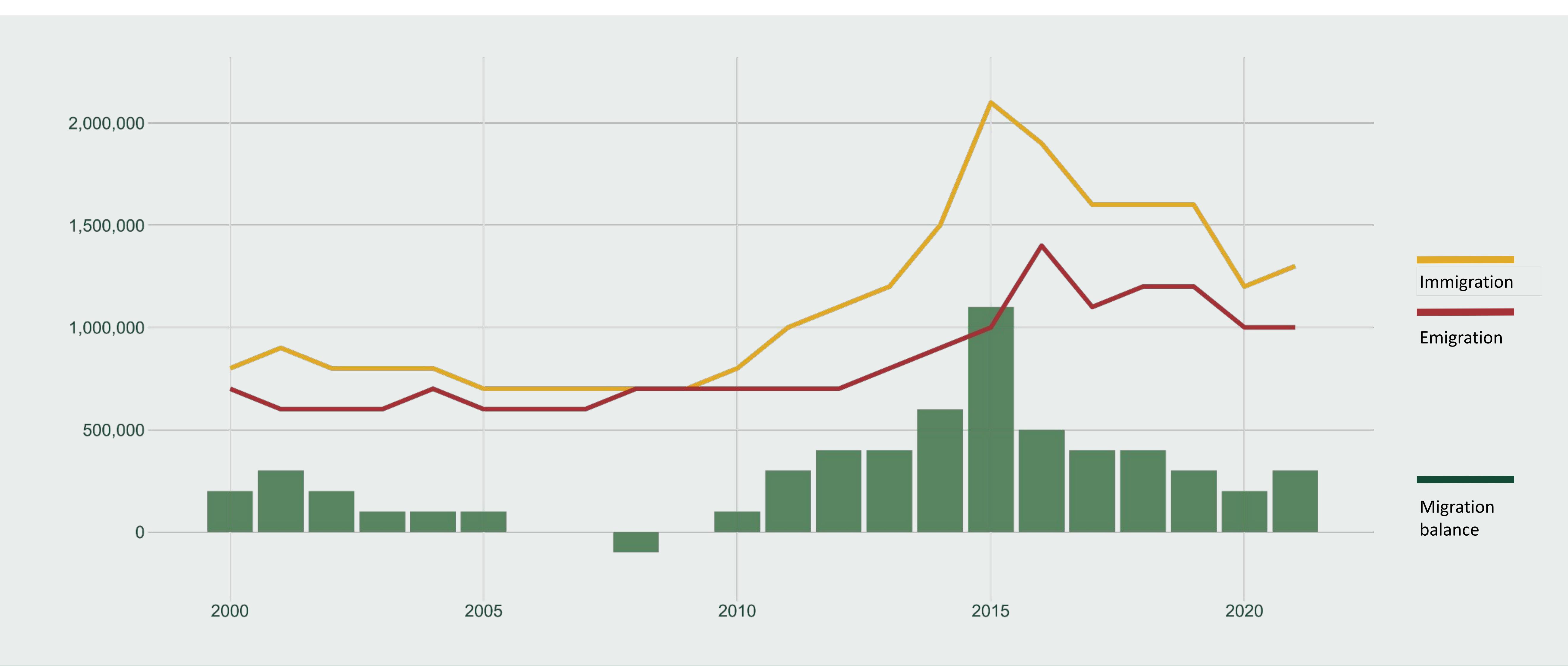
Current Requirements

- Residence (8 years with exceptions)
- Naturalization exam
- Financial independence
- Administrative fees

- Sufficient language skills
- Clean criminal record
- Renunciation of former citizenship (with exceptions)

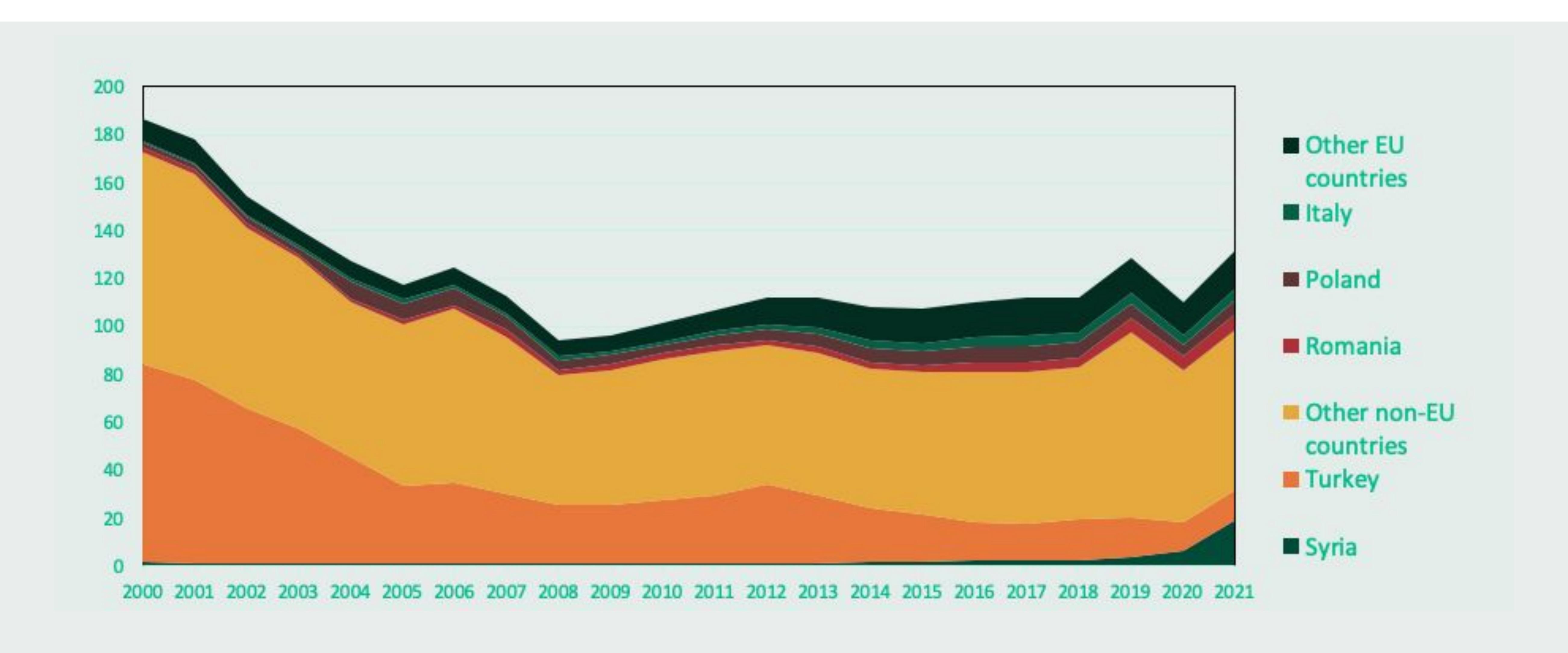
Foreign population has increased





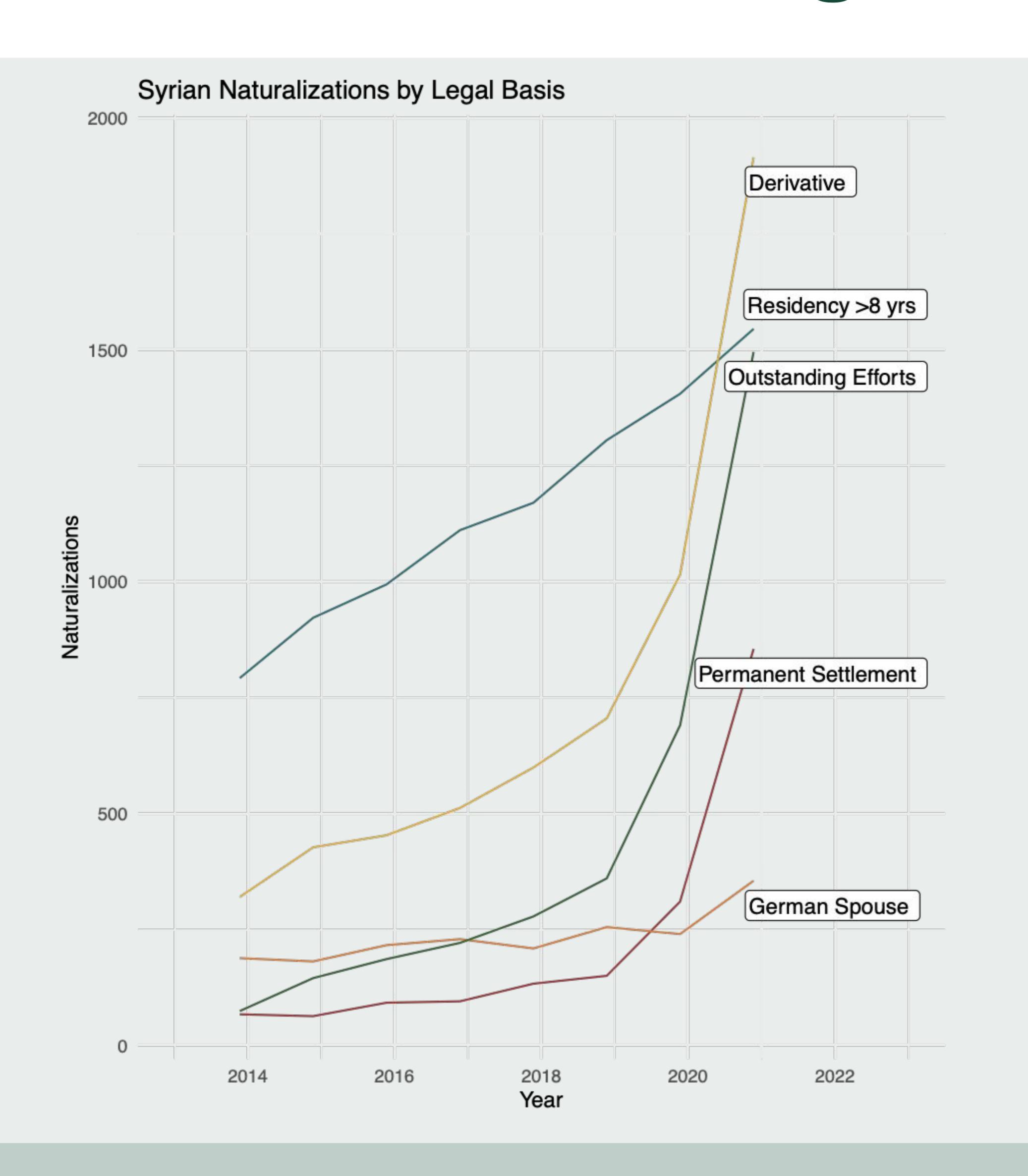
Naturalizations have decreased

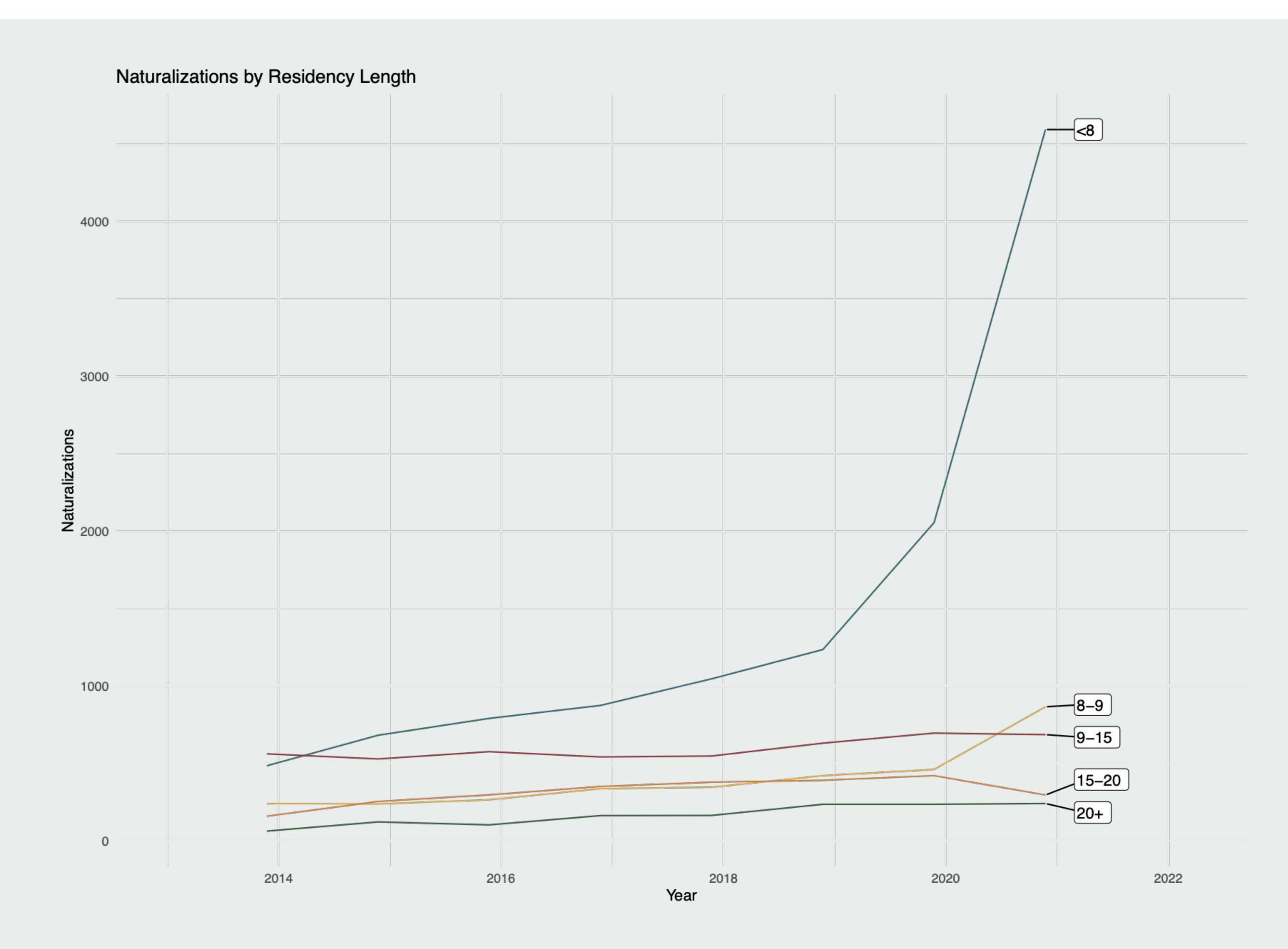




Who is naturalizing?

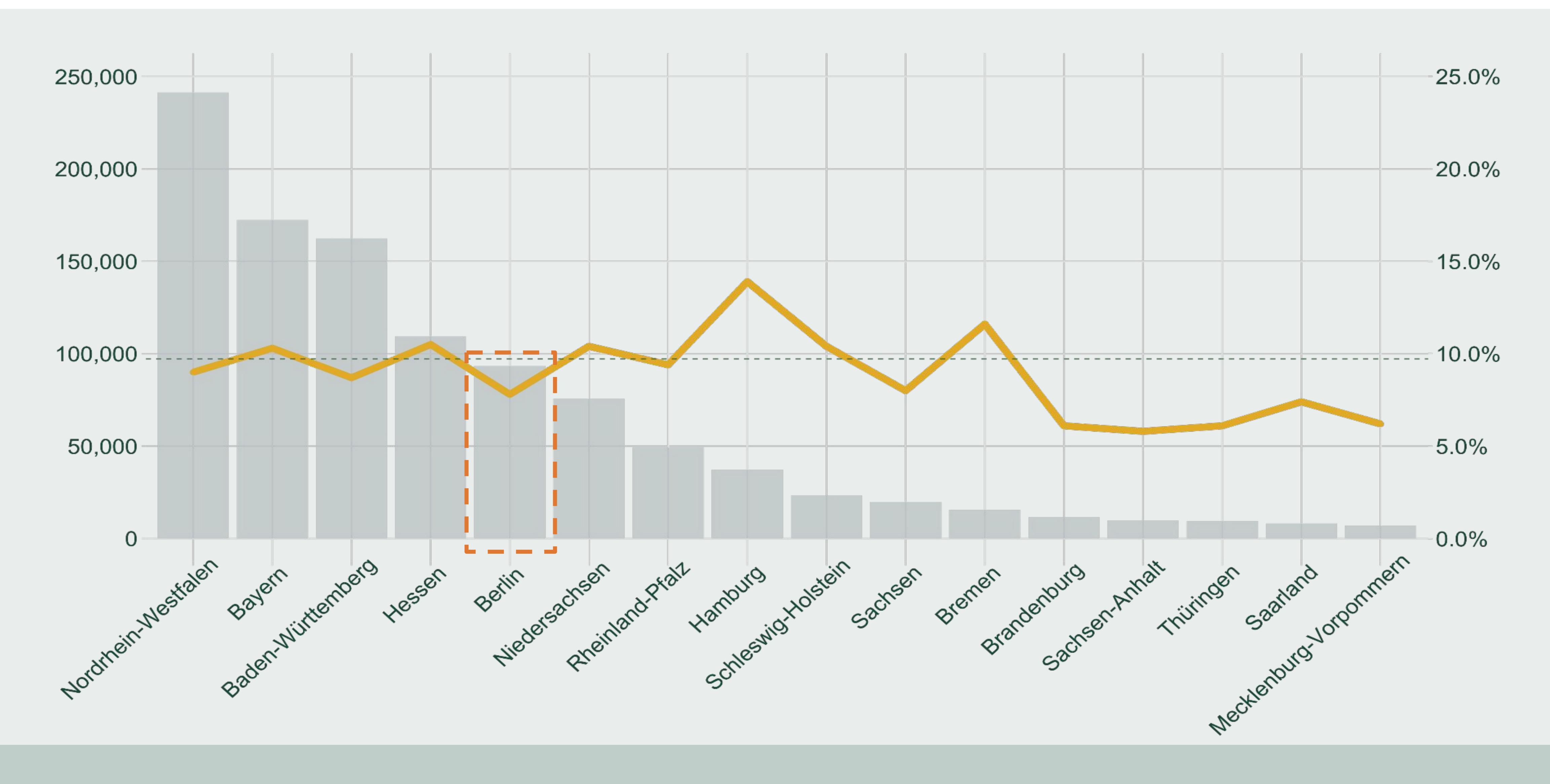






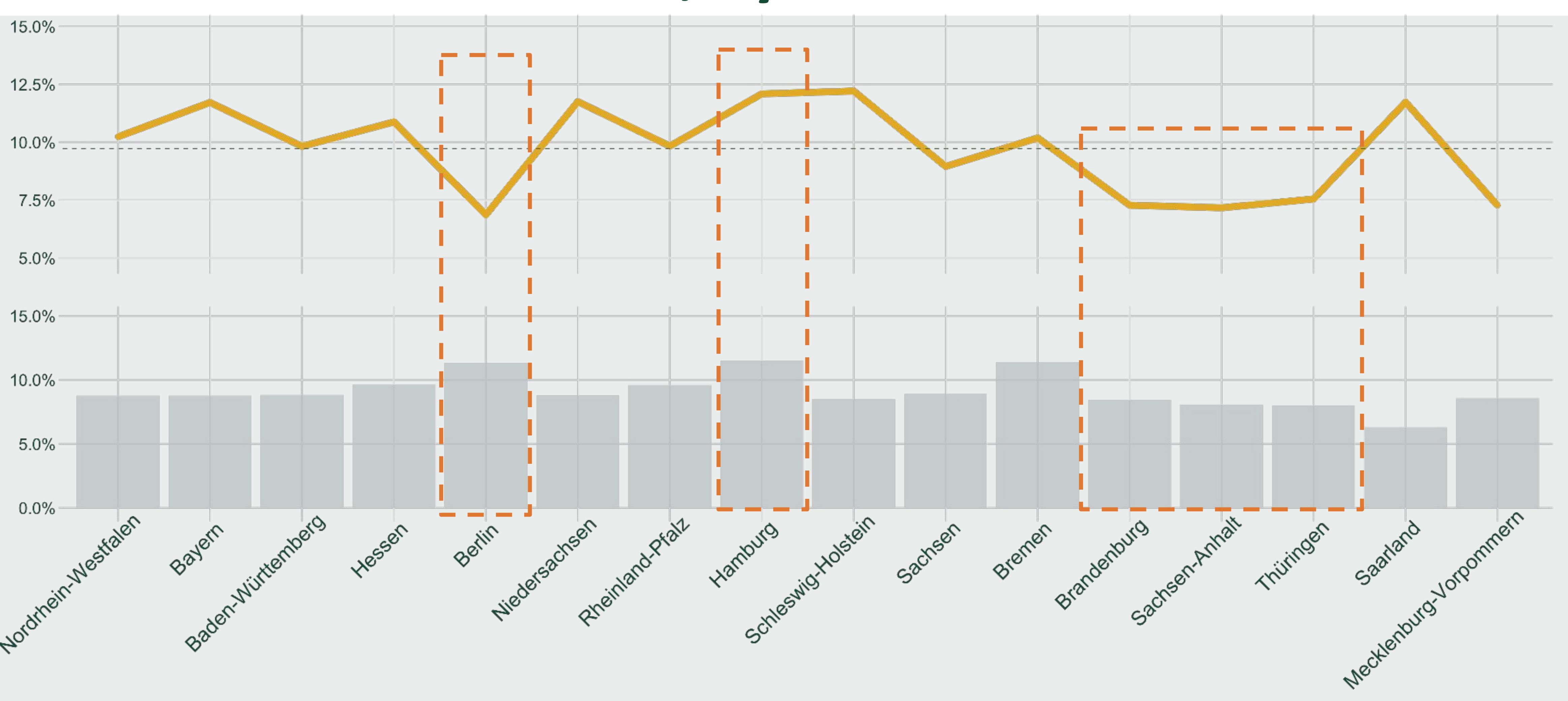
Population eligible to naturalize and naturalization rate, by state





Percent of population eligible to naturalize and naturalization rates, by state





A 'hyperactive' legislator

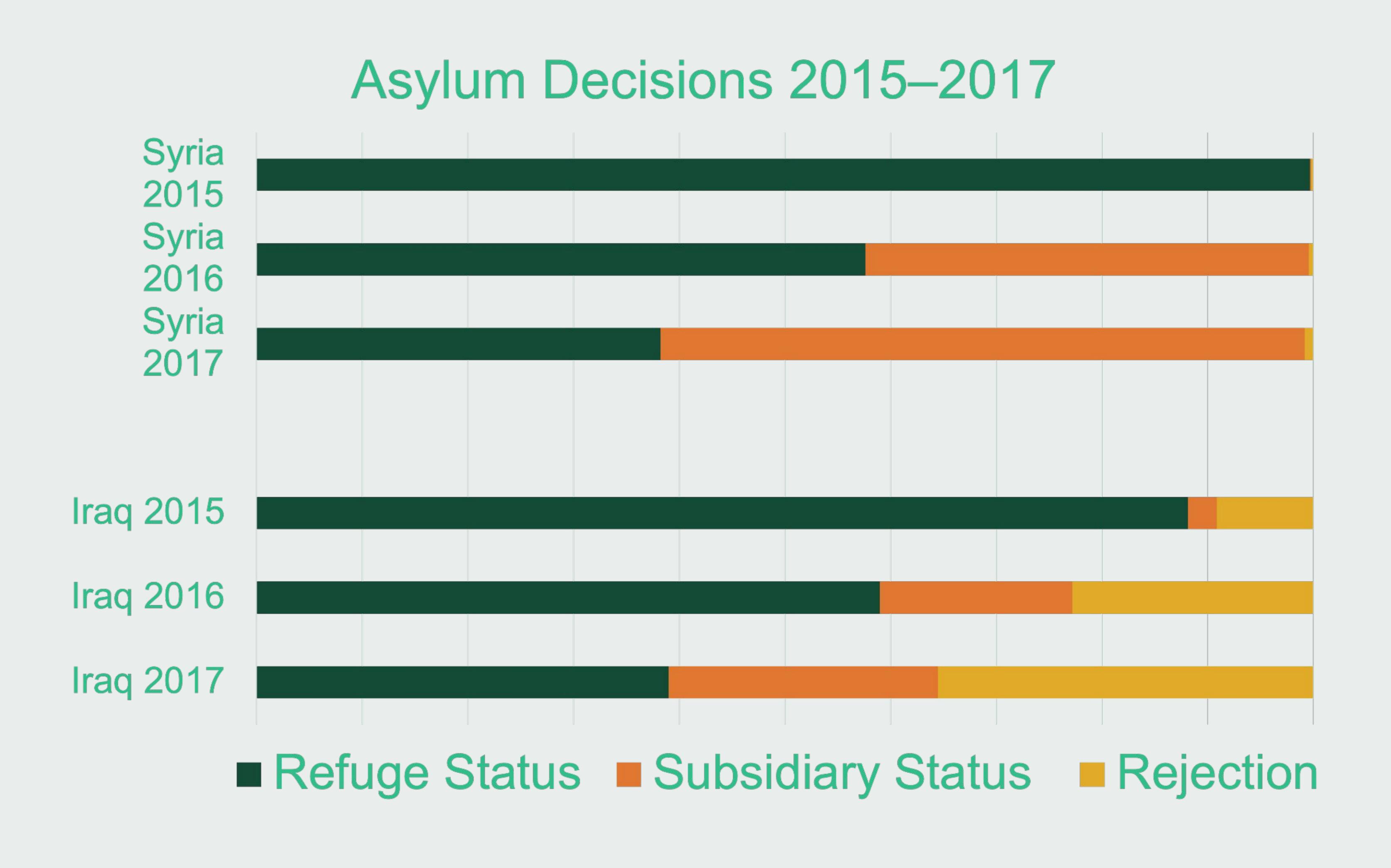


- Dublin regulation & Willkommenskultur
- A perceived loss of control
 - Lack of clarity on unified asylum agreement on EU level and rapid increase in asylum applications caused German government to go into 'crisis mode'
- A 'hyperactive' legislator
 - efficiency, integration, facilitation of deportations, prevention of abuse, recution of security threats



More labels, fewer refugees









A 'not so natural' decision

Impact of bureaucratic trajectories on forced migrants' intention and ability to naturalize





Administration & bureaucracy within the integration process

Street-level bureaucrats



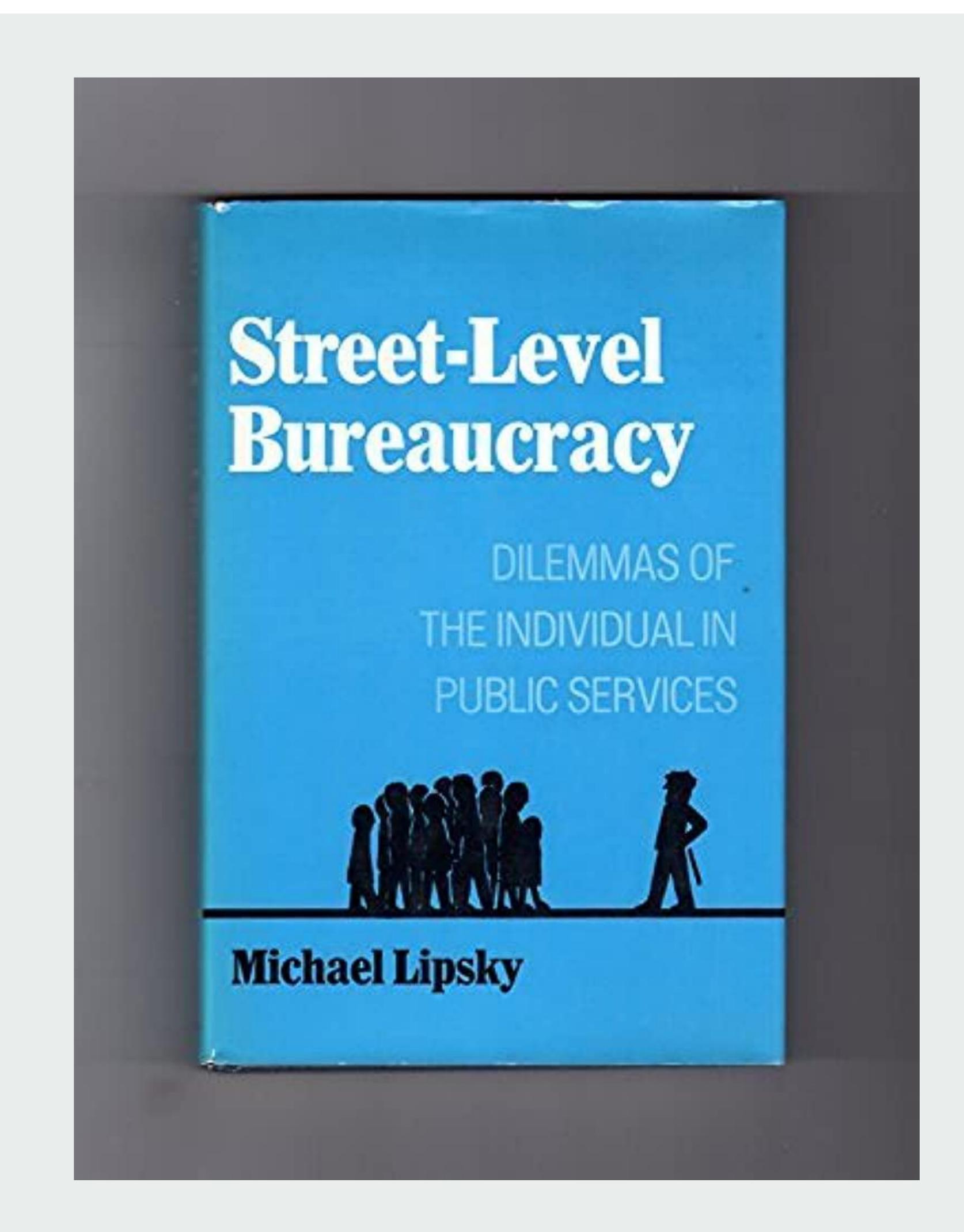
Who are they?

 "the class of administrative officials that interacts directly with ordinary citizens and are responsible for the allocation of benefits and resources"

Conditions (generally speaking)

- These offices are understaffed and individual officers lack the resources necessary to respond properly to individual cases
- They are often left to interpret vague laws and are rarely scrutinized about the decisions they make
- Role of discretion and evaluations of deservingness

Contemporary research





Bureaucratic trajectory

Status & residency

Waiting for Asylum

- Suspended time -- up to six months for Syrians during peaks
- perceived stagnation combined with the unpredictability of the asylum outcome can have detrimental effects on the well-being of applicants

Experiences of asylum case workers

- Decisions depend significantly on the applicants' 'performance' and sole interpretation of the case worker.
- Reliance on information that is uncertified and highly limited perpetuates perceptions of arbitrariness among applicants



Bureaucratic trajectory

Employment & Civic requirements

A german system for germans

- Job Center --the primary point of interaction between refugees and the administration
 - responsible for distributing social support and housing assistance
- A downward class journey

German 101

- The extent to which civic requirements foster integration is debatable
- These requirements have clearly served a meaningful gatekeeping role and further entrenched the state in the lives of migrants with additional bureaucracy





The mechanics of naturalization decisions



Naturalization decisions

Pioneering research

- Early research sought to identify key characteristics of individuals, countries of origins and destinations that affected naturalization outcomes
- Naturalization as a question of supply and demand

Next Generation

- Less emphasis on administrative data
- research that frames naturalization as the crowning achievement of the integration process suffer from a similar bias in that it tends to equate eligibility with willingness

Naturalization decisions in the litearture



- Literature emphasizes individual, communal and contextual factors:
 - Higher levels of education, income and occupational status associated with higher levels of naturalisation. (e.g. Chiswick and Miller 2008; Hochmann 2011; Logan et al 2012; Reichel and Perchinig 2015).
 - Family situation impacts on the decision (Helgert and Bevelander 2016; Street 2014).
 - The less attractive the economic and political situation in the country of origin, the higher is the propensity to naturalise (Helgert and Bevelander 2017; Vink, et al 2013)
- Ethnographic studies on naturalisation constitute a minority (e.g. (Alvarez 1987; Ersanilli 2010; Foblets *et al.* 2004; Gilbertson and Singer 2003)



Naturalization decisions

Intention-Ability framework

- Studies based on adminsitrative- and survey-level data
- Quant Interest—Ability framework (by Huddleston)

Methods

- Population statistics
- 30 in-depth interviews with refugees from Syria who arrived prior to 2017 in Berlin

Intention - willingness to engage with the government and desire to acquire citizenship

Ability - fulfill officially-stated requirements, navigate red tape, luck



Intention

Why do some qualified individuals choose not to apply?

"We didn't allow you here in Germany for you to fulfill your dreams. We allowed you here because we need workers, so go work in a bakery or work as a nurse — do anything. We have a lot of artists already."

Jamila

- Aspires to leave the EU and live in North Africa or the Middle East
- Anxious to engage with additional bureaucracies
- Applying would be 'giving in' and undignified

Ajmal

- Arrived as an unaccompanied minor, and lived alone until reunited with family
- On track to receive Abitur
- Actively trying to get an appointment to naturalize for two years

Ability



Why does ability 'on paper' not translate to ability in practice

Ability to navigate red tape

sent 10 emails. I sent my documents many times and they always rejected me... but when I spoke with a lawyer he got it done in like four or five months...what's the difference between me and the lawyer? ... He took the same papers that I had and just sent it.

Discretion

You cannot decide. Like you give everything that you have and you're sure about it, but you cannot decide. The [official] decides themself whether or not you get it... It's not that it depends on the laws or each office, it depends on which employee you see that day. It's shit





Citizenship as a Catalyst

- How citizenship and status affect future (im)mobility?
- How the naturalization process affects perceptions of justice and equality?



A catalyst for subsequent mobility

How is citizenship acquisition linked to an unequal capacity to move aka motility and how can naturalizing remove legal barriers to mobility?

Citizenship to stay

For some citizenship is viewed as a stabilizing factor in order to protect against deportation

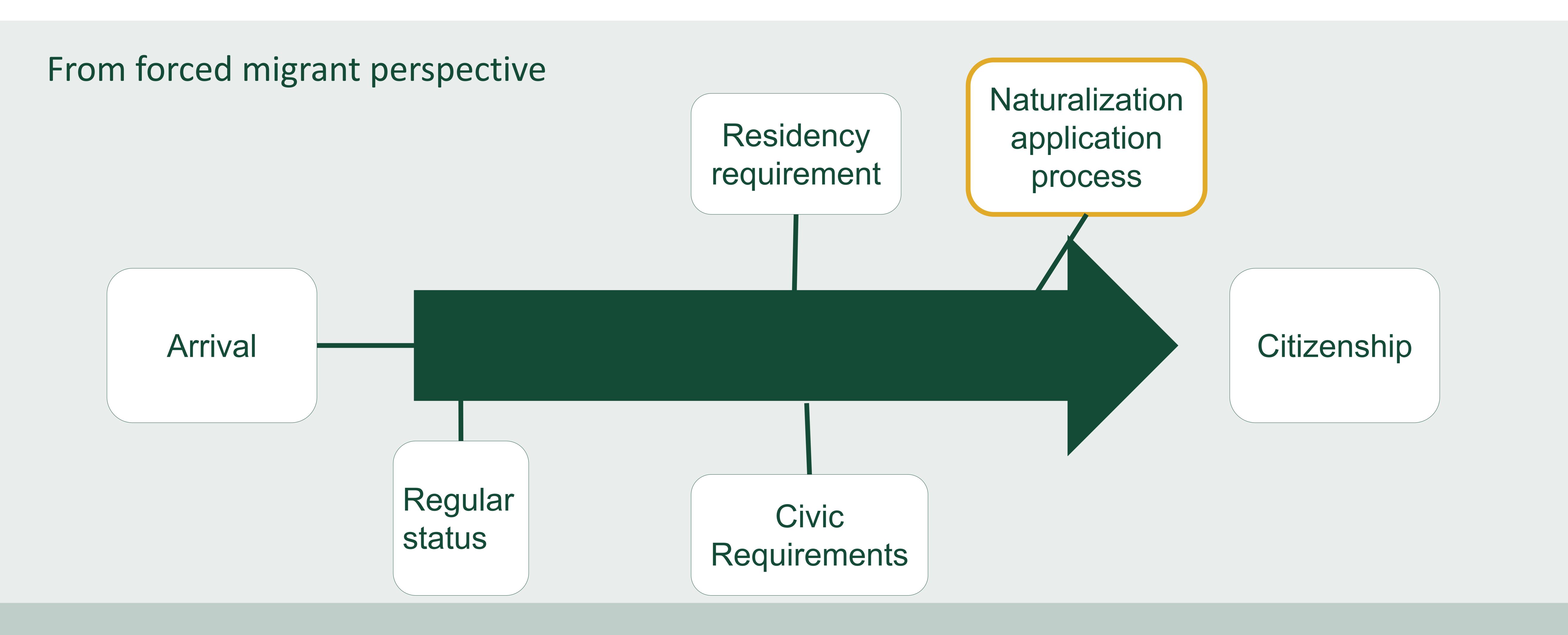
Citizenship to go

gaining citizenship can be a necessary component to pursue international mobility

An approach that **neither naturalizes mobility nor stasis** allows one to understand why naturalization is desired, in an apparently contradictory way, both to stay and to move



A catalyst for procedural injustice







Discussion

Discussion



How does the naturalization process differ for *forced* migrants compared to other immigrants?

Questions to consider

- Who can acquire citizenship under the conditions, costs and expectations placed on the naturalisation process?
- What role do bureaucrats play in determining who accesses the process of naturalisation and how it ends?
- Does citizenship necessarily produce or follow integration? (here we mean social, cultural, economic, and political incorporation)?
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The lived experience of naturalization processes

Implementation of naturalization policy as a catalyzer for procedural injustice

Research context



Implementation studies is concerned with the efficacy of policy

Top Down -- Top-down analysis weighs policy outcomes against the intent of legislators

Bottom up -- bottom-up analysis emphasizes the decision-making capabilities of street-level bureaucrats

Procedural safeguards exist to guarantee due process for both citizens and non-citizens interacting with the government

- 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)
- "[i]ndividuals care as much or more about the process of their interactions with the state as they do about the outcome"

Production of procedural injustice in implementation



Transparency

Transparency —the perception that laws are implemented evenly and with non-arbitrary rationale

"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)

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)

Production of procedural injustice in



Legal Literacy

implementation

Legal literacy -- the ability to make informed decisions

Vague or rapidly changing requirements

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).

Rumors, misinformation, and internal discrepancies

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)

Production of procedural injustice in implementation



Trust

Trust -- the belief that decision makers are trying to do what is just for the people with whom they are dealing

Citizenship and vaccines?

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)



Vielen Dank!