

What liberalism is committed to and why current citizenship policies fail this test

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Hardly anybody would disagree with Christian Joppke's (Christian thereafter) observation that 'whenever the new citizenship tests are informed by the notion that the liberal state is one only for liberal people, the threshold of the illiberal is passed'. Nor would liberals disagree with Christian's contention that only the external behaviour of people - neither their hearts nor their minds - should trigger law's intervention. Christian makes this argument with clarity and rigour. But in distinguishing between 'good' and 'bad' citizenship tests, that is, justifiable tests, on the one hand, and 'illiberal possibilities and exceptions from the liberal norm', on the other, my main worry is that liberalism's remit becomes somewhat narrowed.

The judgement about the extent to which contemporary European citizenship tests are liberal or illiberal centres on their specifics; that is, their content, the nature of the questions they entail, the easiness or difficulty of the test, the possibility of retaking it and so on. Although this is a legitimate focus, it is also one-sided. "Zooming in" on citizenship tests, or on anything indeed, needs to be accompanied by a "zooming out" exercise. And if the parallel processes of zooming in and out lead to congruent findings, then one can safely conclude that the case for the liberal character of citizenship tests has been made quite persuasively. In the brief commentary that follows I intend to "zoom out" in order to examine whether citizenship tests in general meet liberal (and not national) prescriptions. I will then seek to paint a more panoramic picture by examining their context, timing, the official discourses surrounding them and their effects with a view to establishing whether they are in conformity with liberalism. In other words, this brief commentary will focus on the "before" and "after" of Christian's analysis.

How liberal is it to test whether burden-sharers qualify for membership?

Liberalism exists in several modalities. Irrespective of the differences among various liberalisms, however, it is true that all liberals subscribe to the principle of equal human dignity and uphold the moral claim that all individuals deserve equal concern and respect (Dworkin 1985). Individuals deserve to be treated as equals not because they belong to the same class, caste, race, gender or nationality, but because they have the same moral personality irrespective of their class, caste, race, gender or nationality. A second distinguishing characteristic of liberalism is an aversion to, or disapproval of, state repression, authoritarianism and, generally speaking, manifestations of state power that unnecessarily interfere with individuals' lives so as to impede their self-development (Locke 1689, Mill 1861, Hobhouse 1911, Dewey 1931). In other words, it is very difficult to dissociate liberalism from egalitarianism and the expectation that state authority must be exercised in a prospect or life enhancing way. True, these tenets are not unaffected by balancing exercises in everyday life and politics. Nor are they immune to exceptions. But it is generally recognised that exceptions and deviations from the liberal norms have to be justified by principled considerations and overriding reasons of public interest. Having said this and taking an overall view, liberalism cannot sanction domination, discrimination and unequal treatment, the stigmatisation of certain individuals and the consistent devaluation of their contributions as well as abuses of dominant positions be they on the part of the state or of majorities of all sorts.

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If my understanding of liberalism is correct, then it seems to me that citizenship tests fail to meet the above mentioned liberal prescriptions. When newcomers are called upon to share the burden of the commonwealth, neither their nationality nor their newcomer status are relevant considerations. States treat them as equal burden sharers; as members of the commonwealth, they are expected to pay taxes and national insurance contributions and to be law abiding. No allowance is given to the facts that their new 'home' may enjoy, or exploit, human resources and investment for which another country has paid, that their health has been looked after by another welfare state or indeed that their residence may not be 'forever', thereby disabling them to draw pensions and other benefits from the public purse to which they would have contributed. Nor is any state willing to adopt a system of graduated taxation based on the duration of residence, as far as I know, or to incorporate a settlement allowance, such as the one given to new members of corporations and other organisations. Newcomers have an obligation to contribute to the commonwealth in the same way as anybody else and their past, including the tag of nationality they carry, is completely irrelevant for their burden sharing duties.

Yet, when it comes to the enjoyment of the benefits of membership, including the right to be treated as a full and equal member of the society and to have a say in how your monetary contributions are being spent, equal burden sharers find themselves caught in graduated schemes of membership and unequal statuses because of their 'alien' nationality. Neither equal burden sharing status nor law abidingness nor prolonged residence is sufficient for citizenship acquisition. Citizenship becomes a privilege to be conferred on 'deserving persons'; that is, on those who have attended obligatory language courses, have passed formal examinations and have accumulated factual information about the history, institutions, values and ways of life of the country to which they have contributed for a prolonged period of time both in monetary and non-monetary terms. Equal burden sharers are thus de jure and de facto unequal beneficiaries. And this is the case because European governments have decided to change the rules of engagement in the new millennium and to put emphasis on the traditional markers of national identity, that is, on linguistic assimilation, knowledge of the history, the civics and ways of life, oaths of allegiance and citizenship pledges, as opposed to the facticity of residence and equal contribution. I struggle to see anything liberal in this state-led asymmetrical treatment.

In addition to the unfairness of treating individuals as equals and fully integrated into society, when it comes to the extraction of their resources, and unequals, who must fulfil integration requirements, when it comes to the enjoyment of benefits, it should not be disregarded that citizenship tests open the way for the state to engage in practices of "othering" and to play an unduly interfering, and often coercive, role. Christian has clearly shown this with respect to the Dutch and the UK's probationary citizenship reforms. Actual contributors and members of the public are not accorded the equal respect they deserve; they are deemed to be non-belongers, undeserving, deficient, probationary citizens, unworthy or less worthy than citizens. They have to prove their willingness to integrate, to recertify their commitment to the country at various gates, to take part in mandatory language training courses, mandatory language and civic integration tests, pay for them and so on. Their path to citizenship is ridden with the hurdles that national executives have raised. It is immaterial whether the hurdles are too high or a bit lower. The crux of the point is that naturalisation is not liberalised; it is made more restrictive. And migrants do not have the option of disregarding integration requirements, cannot engage in dialogue with the relevant authorities about their content or the attributes they believe to be important for citizenship capacity, cannot contest their terms, put forward alternative suggestions and so on. They are expected to play no other part apart from complying with them. Their subjection to the disciplinary power of the state, coupled with the mandatory, test-based and sanctions-oriented character of integration tests, show that the aim of citizenship tests is not to enhance citizenship capacity (have not burden sharers already demonstrated this?) and the free and unimpeded development of the self in manifold associations with others (Dewey 1927: 150), but to enhance governments' control of membership of the polity and the disciplining of the migrant population.

How liberal are the policy goals behind the contemporary citizenship tests in Europe?

Although the foregoing discussion has given rise to doubts about the extent to which citizenship tests meet liberal prescriptions, it is necessary to examine whether other important variables, such as their socio-political context, timing, discourse and effects might disprove this conclusion. By placing citizenship tests in their contextual setting, a different picture from the one painted by Christian emerges. Citizenship tests are part of a civic integration paradigm that has taken root in Europe in the new millennium. Interestingly, the countries that have adopted citizenship tests require also migrants to meet integration requirements in the form of language and civic orientation classes and tests in order to enter, obtain temporary or permanent residence and to have access to social benefits. In the Netherlands, France, Germany and Denmark integration requirements must be met by spouses seeking reunification with their loved ones. In the latter case of “long-distance integration”, states’ new requirements function as switches for the family migration journey and may well contravene the right to family reunification under Article 8 ECHR. As such, they are more closely associated with exclusionary practices and restrictive migration control than with the ideal of liberal autonomy and civic republican concerns about the promotion of active citizenship in free and enriching associations.

Their timing, too, coincides with Islamophobic campaigns and the increasing influence of right-wing parties that underpin elites’ concerns to reduce (unwanted) migration as well as the number of naturalisations. The notion of “naturalisation tourism” has recently been added to the spectre of ‘asylum shopping’ (Perchinig 2010). These concerns feature in parliamentary debates and in the explanatory memoranda to integration laws (van Oers 2010). Christian reminds us of the negativity associated with ‘liberalism’s presumed others, Islam and Muslims’, and the official discourses surrounding the introduction of integration tests, not only in the domain of naturalisation, but also with regard to migration and family reunification, contain a great deal of it. Normality and normativity (Balibar 2004: 75) have been replaced by ethnocentricity, the association of “foreignness” with inferiority and/or deficiencies that need to be corrected before “every day citizens” and tax payers become officially recognised as citizen-voters. The astonishing thing is that this happens at a time when multilingualism, irrespective of whether it includes knowledge of the language of the host country, is widespread, documents can easily be translated by computer software, yahoo and google, countries’ important historical and political events feature in wikipedia and other internet sites and individuals can have simultaneous access to state-controlled and independent media in several countries.

Finally, any judgement about the liberal character of the citizenship tests that have recently been introduced in European countries must also take into account their effects. Restrictions and the tightening of existing requirements logically lead to reductions in the number of naturalisations and, if country reports and national studies confirm this, it would be difficult to talk about liberal citizenship tests or the liberalisation of political belonging in Europe.

Illiberal exceptions or a general disregard for liberal norms?

Christian argues that ‘the flagged illiberal possibilities in some citizenship tests and rules are just that – possibilities and exceptions from the liberal norm’, but I would argue that liberal norms do not permit such exceptions. Individuals should be valued, not evaluated and tested; should be respected, not presumed to be deficient, backward or inferior; should be encouraged to feel ‘at home’ in their new country, not discouraged or selected; and should be allowed to get on with their lives without having to conform to elites’ perceptions of what it means to be a “good citizen” or how to be a national – perceptions to which a large number of autochthonous “citizens” would fail to conform. More importantly, as actual contributors to the commonwealth, they should be recognised as equals and rightful beneficiaries. Disregarding the above and disseminating discourses about countries’ and individuals’ “integration capacities” is a manifestation of political irresponsibility.

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