PART III

Integration

12

THE GOVERNANCE OF CITIZENSHIP AND BELONGING IN EUROPE AND THE EUROPEAN UNION

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Introduction

Citizenship describes a legal bond between a person and a state. Along with this legal aspect, the concept of citizenship has a number of other dimensions such as rights and obligations, participation and national identity (Bosniak, 2006). Modern citizenship is based on the idea of a congruence of scope between legal inclusion, political participation and national belonging. Whereas this model has rarely materialised in practice, the ideal of uniform national citizenship has been embedded in the modern regimes of citizenship, often with the explicit or tacit acceptance of liberal political philosophers.

The historical link between citizenship and the nation state explains why citizenship policies in the past routinely included and excluded people on grounds of culture, ethnicity and race. Over the last half a century, however, we witnessed a gradual liberalisation and denationalisation of citizenship (Joppke, 2005). This trend is visible in the elimination from citizenship laws of explicit discriminations on grounds of gender, ethnic or national origin, and in the gradual expansion of access to citizenship for immigrants and their children. The change of focus from obligations (such as military ones) to rights, and the shift in the basis of most individual rights from citizenship status to residence status have led to a 'lightening' of citizenship (Joppke, 2010). Citizenship has been gradually dissociated from national identity and allegiance, as evidenced by the development of an 'international law on citizenship' and by the rapid spread of dual citizenship (Spiro, 2011).

A number of recent developments, however, have shown the limits of these general trends towards liberalisation, lightening and hollowing of citizenship. Along with a revival of citizenship as an ideal of civic and political participation (Kymlicka and Norman, 1994), citizenship policies have recently become more contested and politicised and a privileged battlefield for conflicting ideas about national identity. In an era of increased international migration, economic globalisation and supranational integration, citizenship laws have become a multi-purpose device to be used for, among others, sorting out deserving from undeserving immigrants, reinforcing national identity, punishing terrorists and replenishing state coffers.

This chapter discusses key citizenship developments in Europe from the perspective of the enduring tensions between lightening and thickening and between denationalisation and renationalisation. It focuses on five major issues that challenge the ideal type of modern citizenship

as territorial, political and national membership, namely, international migration, cross-border ethnic minorities, home-grown terrorism, marketisation of citizenship and supranational citizenship.

Immigrant integration

The historical development of modern citizenship laws in Europe was influenced by factors such as juridical traditions, experiences of colonialisation and migration, processes of democrat-isation and nation state building (Weil, 2001; Howard, 2009). After the Second World War, citizenship regimes in Western Europe were strongly shaped by the diffusion of human rights norms, such as norms on gender equality and non-discrimination. They were also affected by the need to integrate the large number of immigrants who arrived in order to fill up the labor gaps in the post-war European economies. Once it became clear that, despite the expectation of receiving countries, many immigrants would not return to their countries of origin, European countries gradually began to expand access to citizenship to immigrants and their children through more inclusive birthright citizenship and naturalisation.

As the experience of traditional countries of immigration shows, *ius soli* citizenship (where citizenship is granted in virtue of birth on the territory of the state) plays an important integ-rative function because it ensures the automatic inclusion of children of immigrants into the body of citizens. One clear example of immigration-induced liberalisation of citizenship in Europe is the adoption by Germany of conditional *ius soli* provisions in 1999 (Joppke, 2008). However, although many countries in Europe are home to a significant numbers of immigrants, only Moldova (which has an immigrant population of under 4 per cent) provides for uncondi-tional *ius soli* citizenship. In fact, European countries with strong *ius soli* traditions, such as the United Kingdom and Ireland, have moved towards more conditional *ius soli* provisions in response to postcolonial immigration and European integration. Ireland was the last European country to abolish unconditional *ius soli* citizenship in 2004. The most common conditions for *ius soli* citizenship are a minimum residence in the country by parents, as in Albania, Belgium, Germany, Ireland, Portugal and the UK. In Belgium, France, Greece, Luxembourg, the Neth-erlands, Portugal and Spain, children born in the country can acquire citizenship if their parents were also born in the country (EUDO Citizenship/GLOBALCIT, 2015a). An additional restriction to *ius soli* citizenship is the prohibition of dual citizenship, which means that children of immigrants can obtain citizenship only if they renounce their parents' citizenship, as required in Austria and Spain. In Germany, a similar restriction was softened in 2014, when *ius soli* citizens were allowed to retain dual citizenship if they lived and attended school in the country for a period of time. In Europe, *ius soli* citizenship remains a limited practice that is largely con-fined to the Western part of the continent (Figure 12.1 shows the countries that have/do not have provisions of *ius soli* applicable from the child's birth).

Whereas the rules of birthright citizenship have changed only slightly in the last decades, naturalisation rules, on the contrary, have been the privileged arena of legal experimentation and normative debates about citizenship and national belonging in Europe and the EU. Spread-ing perceptions about immigrants' failures to integrate, reinforced and exploited by populist anti-immigration parties, have led to a hardening and renationalisation of naturalisation policies. Although some of the objective requirements of naturalisation have been eased, such as the requirements regarding minimum residence, the more subjective conditions have been tightened.

Many European countries have adopted new provisions requiring candidates for naturalisa-tion to prove that they possess certain knowledge (command of language, knowledge about the
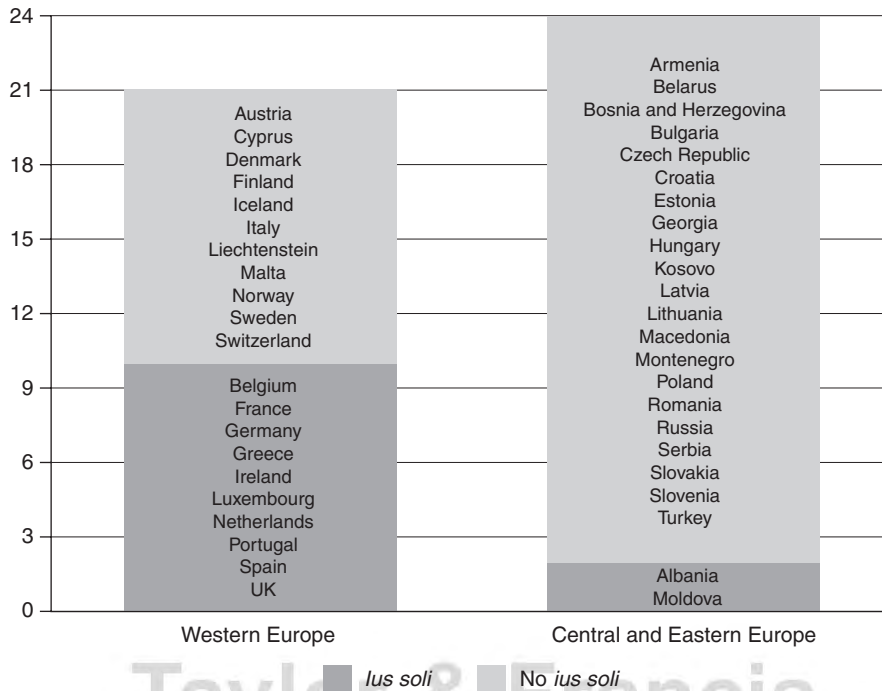
	Western Europe	Central and Eastern Europe
No *ius soli*	Austria Cyprus Denmark Finland Iceland Italy Liechtenstein Malta Norway Sweden Switzerland	Armenia Belarus Bosnia and Herzegovina Bulgaria Czech Republic Croatia Estonia Georgia Hungary Kosovo Latvia Lithuania Macedonia Montenegro Poland Romania Russia Serbia Slovakia Slovenia Turkey
Ius soli	Belgium France Germany Greece Ireland Luxembourg Netherlands Portugal Spain UK	Albania Moldova

Ius soli   No *ius soli*

Figure 12.1   Ius soli in Western Europe and in Central and Eastern Europe

Data source: EUDO Citizenship/GLOBALCIT.

constitution and the country), have an appropriate behaviour (criminal and employment records), or display certain dispositions and commitments (willingness to integrate, loyalty) (Goodman, 2010). This development indicates a reversal of an integration paradigm, in which citizenship is no longer a prerequisite of integration but the crowning of a completed integration process (Bauböck *et al.*, 2006). The rapid spread of citizenship tests in Europe is a clear illustra‐ tion of this change of paradigm. Whereas comprehensive citizenship tests may increase the level of objectivity in the naturalisation process, and thus reduce discretion and arbitrariness, their rationale and scope are often problematic. This is the case, for example, when citizenship tests are devised in order to scrutinise the inner beliefs of particular groups of people, to assess indi‐ vidual behaviour in specific social interactions or to measure a person's engagement with par‐ ticular aspects of a country's high or popular cultures (Joppke, 2008; Van Oers, 2013). The message is that citizenship is no longer a passive status to be received in virtue of mere presence in the territory but an earned status, obtained through active participation and commitment to the country where one lives. The obvious normative weakness of this position is the fact that the overwhelming majority of (native) citizens acquire citizenship by virtue of birth and are never required to prove their compatibility, attachment or commitment to their country of birth (Shachar, 2009).

One of the major contemporary citizenship trends is the increasing tolerance of dual citizen‐ ship. This is both a global and a European trend. Whereas only about 20 per cent of the coun‐ tries in the world allowed naturalised citizens to retain another citizenship in 1960 (28 per cent of European countries), this share grew to about 60 per cent by 2013 (69 per cent of European

countries) (Vink *et al.*, 2016). The toleration of dual citizenship is a consequence of the general application of the principle of gender equality in citizenship matters, which generates dual citizenship for children of parents with different citizenship, and of a rethinking of citizens' military duties and expectations in the context of Western Europe's low security risks. However, in 24 European countries candidates to naturalisation are still obliged to renounce another citizenship in order to naturalise (see Figure 12.2). The prohibition of dual citizenship during naturalisation is more prevalent in Central and Eastern Europe than in Western Europe.

The arrival in Europe of more than 1 million refugees and immigrants in 2015 alone is set to affect, in the long run, the citizenship regimes of European countries. Due to their geographical proximity to the conflict zones, the Central and Eastern Europe (CEE) countries have been frontline countries that had to deal first with the inflows of refugees. Given the relatively limited experience of these countries with immigration, the arrival of a large number of people has posed immediate challenges of accommodation and integration of newcomers and has reframed political debates about the preservation of national identity in multicultural and multi-ethnic states. The increase in the number of foreign residents might, in the long run, force CEE countries to adopt rules of *ius soli* citizenship and to revise provisions prohibiting dual citizenship. However, as the recent case of Greece shows, the path towards more inclusive (birthright) citizenship is neither straightforward nor free from political contestation. In 2010, Greece initiated a reform of its citizenship law in order to establish *ius soli* citizenship. However, the provisions were blocked and then cancelled by the Council of State, Greece's Supreme Administrative Court, the ground that automatic ius soli citizenship was incompatible with the state's right to assess the 'national consciousness' of every future citizen.
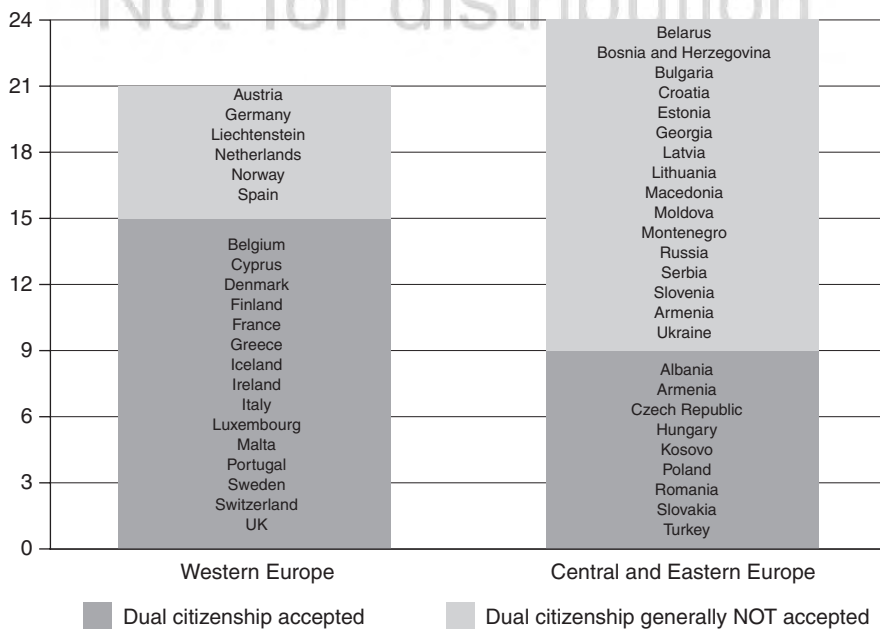

Figure 12.2   Dual citizenship in Western Europe and in Central and Eastern Europe

Data source: EUDO Citizenship/GLOBALCIT.

National redefinition

The dissociation of individual rights from citizenship status in Europe have led authors to proclaim the advent of a new era of 'postnational membership' (Soysal, 1994), in which rights are grounded in territorial rather than formal membership. However, recent restrictions on immigration and immigrants' rights and the attempts to revitalise citizenship as the core basis of national membership contradict this thesis. Citizenship in Europe has recently been renationalised in several ways. In Western Europe, naturalisation policies have been used to test the cultural compatibility of immigrants, particularly of immigrants or descendants of immigrants of Muslim faith (Joppke, 2008). Citizenship policies have also become instrumental to new strategies aiming at reconnecting the state with emigrant diaspora for pragmatic or symbolic reasons (Gamlen, 2008). Many countries in Europe have maintained or upgraded their citizenship ties with peoples living outside borders on the basis of colonial history, past emigration, or ethno-national solidarity. For example, between 1998 and 2010, Italy granted citizenship to about one million people of Italian descendants from several Latin American countries (Tintori, 2012). Similar policies of ancestry-based citizenship exist in Germany, Spain and Portugal (Harpaz, 2015).

In CEE, the renationalisation of citizenship has been triggered by disputes over the situation of cross-border ethnic diasporas. After 1990 most countries in the region acted as 'nationalising states' (Brubaker, 1996), seeking to secure the control of the core ethnic majority over state institutions and over the official definition of the nation. Citizenship policies have been used to ensure the unity of the nation within and across state borders (Pogonyi *et al.*, 2010). Whereas the explicit exclusion from citizenship based on ethnic grounds was prohibited by international norms, which most of these countries were forced to accept as a condition for European and transatlantic integration, indirect exclusion based on seemingly legitimate grounds was still possible. For example, Estonia and Latvia effectively denaturalised large proportions of their populations by reinstating their pre-Soviet citizenship laws and thus excluding from citizenship all Soviet-era immigrants and their descendants (Gelazis, 2000).

The various projects of national reintegration in CEE have also been pursued via policies of preferential citizenship for co-ethnics. In these cases, co-ethnicity is defined directly by reference to ascriptive and subjective characteristics, such as descent, self-identification and national consciousness, or indirectly, through requirements related to markers of ethnicity such as language and territorial origin (Dumbrava, 2015). A number of countries have granted facilitated access to citizenship to co-ethnics living in neighbouring countries without conditions of residence or the obligation to renounce other citizenship. Co-ethnics constitute the primary channel of citizenship acquisition in several CEE countries. About 1.1 million persons acquired Croatian citizenship between 1991 and 2006 on the ground of belonging to Croat ethnicity; about 600,000 persons are estimated to have obtained Hungarian citizenship between 2011 and 2014 on the basis of Hungarian origin; and about 230,000 persons acquired Romanian citizenship between 1991 and 2012 with the title of restitution (Dumbrava, 2017).

While delinking citizenship from territory, these policies of extraterritorial citizenship do not amount to a denationalisation of citizenship. On the contrary, they renationalise citizenship by reconstructing the state as a trans-border entity in the service of a geographically scattered nation. Given the complex history of ethno-national relations in the region, it is not surprising that such citizenship policies have triggered several diplomatic conflicts, such as the one between Hungary and Slovakia (Bauböck, 2010). When the massive distribution of passports abroad is accompanied by full political inclusion through external voting, the worry is that external citizens obtain an unfair influence on democratic politics because they participate in political

decisions but are not directly affected by them. While this concern is valid for cases of diaspora political participation more generally, in the CEE the cross-border character of ethnic diasporas, in the context of historically contested statehood and fragile democratic institutions, make extra-territorial citizenship particularly dangerous.

Citizenship deprivation and terrorism

Citizenship laws make and un-make citizens. The overwhelming majority of people acquire citizenship at birth and retain it throughout their life. However, there is a small proportion of people who gain citizenship after birth (through naturalisation), as well as a fraction of people who lose their citizenship before their death. Despite the fact that the right to a citizenship has been proclaimed on many occasions, starting with the Universal Declaration on Human Rights, the state enjoys a sovereign right to regulate citizenship. This sovereign power appears starkly in the case of the deprivation of citizenship.

Most citizenship laws in Europe contain various and often ambiguous provisions on the involuntary loss of citizenship, including in cases of acquisition of another citizenship, residence abroad, taking service in a foreign army, acts of disloyalty or treason, and fraudulent acquisition of citizenship. In 21 European countries, persons can be deprived of citizenship on grounds of treason or disloyalty. The actions covered by these grounds include: committing serious crimes against the country (Belgium, Bosnia and Herzegovina, Bulgaria, Denmark and the Nether-lands) acting against a country's constitutional order and institutions (Denmark, Estonia, France, Latvia and Lithuania), showing disloyalty by act or speech (Cyprus, Malta and Ireland) and, more generally, acting against national interests (Greece, Kosovo, France, Moldova, Monte-negro, Romania, Slovenia, Switzerland, Turkey and the UK) (EUDO Citizenship/GLOBAL-CIT, 2015b). In Belgium, Bulgaria, Cyprus, Estonia, France, Ireland, Lithuania and Malta, these grounds of deprivation apply only to naturalised citizens. Involvement in terrorist activities is explicitly mentioned as reasons for withdrawal of citizenship in Montenegro, France and the Netherlands.

The recent terrorist attacks in Europe and the subsequent intensification of security concerns among citizens and policy-makers have pushed a number of states to reactivate and expand legal provisions on deprivation of citizenship in order to deter, punish and discredit terrorists. The UK has gradually expanded the grounds for the deprivation of citizenship. Whereas before 2006 the deprivation of citizenship was triggered by acting against the UK's 'vital interest', after 2006 the Secretary of State gained the power to withdraw citizenship if this was 'conducive to the public good' (Gibney, 2013). In response to the terrorist attacks on Paris in November, 2015, the French president proposed a revision of the constitution in order to allow the government to withdraw citizenship from French citizens by birth if they engaged in terrorist activities. The proposal was abandoned after the Justice Minister Christiane Taubira presented her resignation. Following the Charlie Hebdo attack in Paris, the Belgian government pushed through a pro-posal allowing the withdrawal of citizenship from naturalised dual citizens who have been sen-tenced to more than five years in prison for a terrorist offence. Similar proposals were discussed but later discarded in Sweden and the Netherlands.

The new emphasis on citizenship deprivation has been interpreted as both a sign of strength-ening and of weakening citizenship. Defenders of citizenship deprivation argue that withdraw-ing citizenship from those who pose imminent and existential threats to the state 'strengthens citizenship by reaffirming the conditions on which it is based' (Shuck, 2015, p. 9). Critics respond, however, that the practice weakens citizenship because it makes it contingent on citizens' performance. It also increases 'the discretionary and arbitrary power of the executive,

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at the expense of all citizens, and of citizenship itself' (Macklin, 2015). While supporting, in principle, the power of the state to withdraw citizenship as a matter of punishment, Joppke (2016) interprets the return of citizenship deprivation as another aspect of the process of the 'lightening' of citizenship: easier to get, easier to lose.

One of the most important legal and theoretical objections against citizenship deprivation is the duty of states to prevent statelessness. This legal constraint explains why most deprivation provisions only concern dual citizens. But making the citizenship of dual citizens less secure than that of mono-citizens raises questions about citizenship equality. In a similar way, distinguishing between naturalised citizens and native citizens for the purpose of citizenship deprivation leads to the creation of different classes of citizens. Lastly, there are doubts about the actual usefulness of citizenship deprivation as an instrument for fighting terrorism, given that other means (such as criminal sanctions and withdrawing mobility rights) could better serve the purpose. While cutting off terrorists from citizenship might bear some political and symbolic significance, it is unclear how further securitising citizenship reaffirms the value of citizenship and ensures the much sought-after loyalty and commitment of citizens.

Citizenship for sale

If restricting access to citizenship to immigrants and expanding access to citizenship to emigrants and co-ethnics are markers of the renationalisation of citizenship in Europe, making citizenship easily available to investors and wealthy people could be seen as a sign of the denationalisation of citizenship. Although the number of those who become citizens in exchange for financial or other economic contributions is still relatively low, the spread of such practices raises a number of important questions about the meaning and the functions of citizenship in a globalised world.

Selling citizenship may be considered as one form of market-oriented membership policies, along with various immigration schemes designed to attract highly skilled workers, emigrants or entrepreneurs. Most citizenship laws in Europe have provisions for the exceptional naturalisation of persons with special talents, extraordinary achievements or who bring significant contributions to the state. This channel is often used to naturalise sportsmen or artists, and occasionally, investors and wealthy people.

Bulgaria, Cyprus, Malta, and Romania have developed specific investor citizenship programs, comparable to those of the island states of Antigua and Bermuda, Saint Christopher and Nevis and the Commonwealth of Dominica (Dzankic, 2015). Cyprus introduced its investor citizenship scheme in May 2013 in the context of a severe economic crisis that prompted its international bailout. The scheme aimed, on the one hand, to attract much needed capital – it offered citizenship in exchange of an investment of at least five million euro in the country – and, on the other hand, to compensate foreign investors who lost their investments (at least three million euro) due to governmental measures targeting the crisis. Apart from these financial contributions, the applicants were required to have a clean criminal record and to have visited Cyprus at least once. In October 2013, the Maltese government adopted a decision to allow persons who invest at least 650,000 euro in the country to obtain quick access to Maltese citizenship. The scheme did not require the investors to take up residence in Malta or to comply with any other naturalisation conditions. The investor citizenship programs of Bulgaria and Romania require applicants, among others, to reside in the country (one year in Bulgaria and four years in Romania).

The case of investor citizenship brings to the fore key questions about the meaning of citizenship (Shachar and Bauböck, 2014). Exchanging citizenship for money seems to go against a

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well-established idea that citizenship should be based on a 'genuine link'. As defined by the
International Court of Justice (ICJ) in the *Nottebohm* case (1955), citizenship is 'a legal bond
based on a social fact of attachment, a genuine connection of existence, interests, and senti-
ments, together with the existence of reciprocal rights and duties'. While the legal doctrine of
genuine link remains contested, its echoes could be observed in a number of international law
documents on citizenship matters. For example, the 1997 European Convention on Nationality
allows states to withdraw citizenship from persons who habitually reside abroad (provided that
they do not become stateless), thus interpreting residence in the country as proof of
genuine link.

A strong normative objection against selling citizenship is that citizenship represents mem-
bership in a political community and, given the nature and the value of such membership, it
cannot and should not be for sale (Shachar, 2014). Selling citizenship undermines citizenship
equality, corrupts democracy, and gives the rich unfair advantages. Investor citizenship is also at
odds with recent attempts to reframe citizenship in terms of active social integration and sharing
in a common identity (Barbulescu, 2014). Defenders of investor citizenship, however, retort
that taking citizenship on the market brings benefits for everybody and creates additional chan-
nels for global mobility (Kochenov, 2014). Investor citizenship is also not the only problematic
way of acquiring citizenship, as most other channels of citizenship acquisition, such as birthright
citizenship, are equally arbitrary. The marketisation of citizenship is arguably only a symptom of
a larger trend of devaluation and hollowing of citizenship (Spiro, 2014). However, the fact that
the Maltese scheme generated heated debates, both at national (according to a poll, the majority
of Maltese disapproved of it) and European level, casts doubt over claims about the inevitable
demise of traditional models of national citizenship based on more substantive links than
cold cash.

Apart from normative considerations, investor citizenship raises a series of practical concerns
about tax evasion, corruption, extradition and security. The practice has been tainted by a number
of scandals. For example, in 2009, an Austrian politician promised facilitated citizenship to a
Russian investor in exchange of five million euro (a share of which to be donated to the politi-
cian's party). In 2011, Cyprus granted citizenship to Rami Makhlouf, the cousin of President
Bashar al-Assad, only to revoke it in 2012. These scandals parallel similar ones related to co-ethnic
citizenship policies in CEE. Although the rationale of co-ethnic citizenship is completely different
than that of investor citizenship, in practice, many persons abuse the rules of co-ethnic citizenship
by 'buying' passports from corrupt bureaucrats and middlemen. For example, in 2012 the Roma-
nian authorities unveiled a series of corrupt practices and abuses related to the facilitated acquisition
of Romanian citizenship. In 2014 investigative journalists have uncovered a complex network of
corrupt officials and middlemen cashing up to 10,000 euro in exchange for a Hungarian passport,
while reporters of the *Telegraph* released a video of a Bulgarian businessman offering them a 'fast
track' to a Bulgarian passport at the cost of 180,000 euro.

EU citizenship

The EU citizenship was established in 1991 by the Treaty on European Union in order to
promote European values and identity. The Treaty confers EU citizens a set of rights, such as
the right of free movement, the right of diplomatic protection, the right to vote in and stand in
the elections for the European Parliament. Some of these rights can be exercised only when
moving from a member state to another. This primary focus on individual rights and the virtual
absence of (EU) citizen obligations makes EU citizenship an ideal candidate for the title of post-
national citizenship or, as Joppke called it, 'citizenship lite' (2010).

EU citizenship depends strictly on national citizenship since EU citizens are only those who already hold the citizenship of an EU member state. Member states preserve the right to regulate the acquisition and loss of national citizenship in ways that reflect their interests and identities. However, although the EU does not have legal competences in the area of acquisition or loss of national (and thus EU) citizenship, the European Court of Justice (ECJ) has gradually broadened the scope of EU citizenship in relation to national citizenship by imposing certain limits to the power of member states to regulate national citizenship (Shaw, 2011).

In the Micheletti case, the ECJ held that that EU member states can lay down the conditions for the acquisition and loss of citizenship but they cannot restrict the effects of the granting of citizenship of another member state by imposing additional conditions for the recognition of that citizenship. The possession of the formal status of citizenship of a member state should trigger effective access to EU citizenship rights. In the *Chen* case, the ECJ distinguished circumstances in which the basic rights of EU citizenship need to be asserted against, or independent of, the status of national citizenship. In this case, the ECJ granted a non-EU citizen the right to stay on the territory of a member state in order to provide care for a minor EU citizen. The case prompted Ireland to restrict *ius soli* provisions in order to eliminate perverse incentives to give birth in the country.

In the *Rottman* case, the ECJ maintained that the loss of EU citizenship fell 'by reason of its nature and its consequences, within the ambit of European Union law'. Rottman was a former Austrian national who naturalised in Germany but then lost German citizenship. Being unable to reacquire Austrian citizenship, Rottman effectively lost the status of EU citizen when Germany withdrew its citizenship. In its Opinion on the Rottman case, Advocate General Maduro stated that 'Union citizenship assumes nationality of a Member State but it is also a legal and political concept independent of that of nationality'. Given the important function of European citizenship, as the legitimising the Community legal order, Maduro argued, 'the conditions for the acquisition and loss of nationality must be compatible with the Community rules and respect the rights of European citizen'. Holding that measures to deprive persons of EU citizenship affect the rights conferred in the EU legal order, the ECJ asked national courts to apply a proportionality test to establish whether that loss of citizenship was justified in view of the impact of the measure on European citizenship.

The Maltese case of investor citizenship had a clear European dimension because Malta deliberately sought to sell its citizenship as a package together with the, arguably more valuable, status of EU citizenship. Although some commenters argued that the Maltese policy did not breach EU law (Shachar and Bauböck, 2014), the case raised concerns about the reciprocal obligations of member states. The general EU legal principles of sincere or loyal cooperation require member states to assist each other in carrying out tasks that flow from the Treaties and to 'refrain from any measure which could jeopardise the attainment of the Union's objectives'. This principle was (unsuccessfully) invoked previously with regard to Spain's' programmes of mass regularisation of immigrants and against Romania's extensive policy of granting citizenship to large numbers of non-EU citizens. Whereas in the past the EU institutions have expressed only limited concerns on such issues, their stance toughened noticeably in the Maltese case. In a resolution of January 2014, the European Parliament (2014) stated that the 'outright sale of EU citizenship undermines the mutual trust upon which the Union is built'. It maintained that 'EU citizenship implies the holding of a stake in the Union' and this 'should never become a tradable commodity'. The European Commission (2014) followed up on this debate by arguing that member states should 'use their prerogatives to award citizenship in a spirit of sincere cooperation with the other member states and the EU' and that 'investor citizenship schemes providing for the possibility to obtain naturalisation in return for investment alone do not meet the minimum

requirement of a genuine link to the country'. As the Commission threatened to launch formal infringement proceedings, Malta amended the scheme to include a one-year residence requirement. Whether a one-year of residence in the country creates the necessary genuine link for access to citizenship is, of course, an open question.

The Maltese affair and the unprecedented political reactions at the EU level have provided an opportunity to re-examine the relationship between EU citizenship and national citizenship and to bring forward the principle of sincere cooperation in citizenship matters. However, by framing EU citizenship in terms of a genuine rather than formal link, the EU may indirectly encourage member states to misuse the idea of genuine link in order to legitimise nationalistic and exclusionary citizenship policies (Carrera, 2014).

Conclusion

Despite talks about the inevitable demise of citizenship in an era of increased international migration, economic globalisation, and transnational connections, citizenship remains a privileged, though not always legitimate or effective, tool for tackling challenges as various as integrating immigrants, reuniting the nation beyond borders, putting off terrorists or navigating the waters of financial crisis. This rebirth of citizenship comes with both opportunities and risks. Reaffirming and debating citizenship could help building more legitimate institutions and more inclusive narratives of belonging. For this further research is needed on the impact of citizenship rules on different levels of integration and more critical reflection on the legitimate purposes and limits of (national) citizenship. With nationalism rising in Europe and elsewhere, there is a clear danger of the renationalisation of citizenship. This could revert some of the liberal achievements with regard to immigrants' easier access to citizenship, greater acceptance of dual citizenship, and stronger guarantees against citizenship deprivation. Retaking control of national citizenship could also impede progress on developing international legal standards on citizenship, such as on preventing statelessness, and could bring to a halt the project of building a genuine EU citizenship.

One of the main approaches to the study of citizenship in social sciences has been to identify and elaborate specific (national) models or philosophies of integration, that describe relatively stable sets of institutions and norms; i.e. French republicanism, German ethno-nationalism, American multiculturalism, Dutch multiculturalism, etc. These national models, however, have been increasingly criticized as empirically unreliable, conceptually confusing and normatively suspicions (Bertossi and Duyvendak, 2012). Refocusing on the politics of citizenship, on the political mobilisation of immigrants and their descendants, and on the political implications of demographic changes (e.g. shifts in the ethnic or racial composition of populations in Europe and the US) may offer promising alternatives or correctives to the traditional approach of national models.

The comparative research on citizenship laws has grown impressively and has moved beyond simple inventories of selected citizenship rules and beyond the geographical confines of Europe and the West. This wealth of contextualised data should give researchers a formidable grounds for exploring citizenship configurations, testing hypotheses about the determinants and the implications of citizenship policies, and developing much needed empirically-grounded normative theories.

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