The double shift in Germany: securitisation of citizenship?
Reactions of organised Muslims

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Abstract. The changes in the German migration regime since the turn of the century include an opening up of the ethnic nationality concept due to the introduction of ius soli elements in the Act on the Reform of Nationality Law in 2000. At the same time, the terrorist attacks of September 11 and subsequent events were followed by a tightened security policy that aims at the fight against Islamist terrorism. Both changes are interlinked and represent a so-called double shift in German legislation. In light of the theoretical debate on securitisation, which can be applied to the three security dimension state-, societal-, and human security, this paper highlights the emphasis on a threat rhetoric in relation to migration-security linkages with a focus on the changes in the nationality law. In this context the opinions of Muslim migrant organisation are presented because their members are targeted by the discussions on both naturalisation and securitisation. One has to conclude that a securitisation of citizenship takes place on all three security dimension which might provide an explanation for the sinking naturalisation rates since 2000. The paper includes a discussion on the following topics related to the naturalisation debates: German language acquisition, integration courses, ability to ensure self subsistence, naturalisation tests, dual citizenship, and local voting rights.
Introduction

Until the end of the 20th century, German nationality law was dominated by its *ius sanguinis* tradition, which led to the situation that naturalisation processes were an exception rather than a rule (Hailbronner 2006: 213). On 15 July 1999, reforms in the nationality law were finally agreed upon including for the first time *ius soli* elements in paragraph 4 (Federal Government 1999). When the Act to Amend the Nationality Law entered into force on 1 January 2000 the procedures to become a German citizen were eased for immigrants which will be discussed in more detail below (Federal Ministry of the Interior 2008a: 112ff.). Despite these changes towards a more open citizenship regime, continuous debates on the content of the law, especially regarding the naturalisation test and restricted dual citizenship options, have existed. This paper analyses the embeddedness of these arguments in the context of new security developments following the attacks on 11 September 2001 (9/11) in the USA. It poses the question if one can refer to a securitisation of the citizenship regime? The research focuses on the perspective of Muslim migrant organisations towards these developments.

Their views are highlighted because in the aftermath of the terrorist attacks they are affected most by the security related discussions. As advocates of residing immigrants they also raise their voices explicitly towards the questions of citizenship and related civil rights. Their claims take place in the context of culturalised politics – which is expressed in Germany in the debates on a “core culture” and the fight against “parallel societies” –, and securitised multiculturalism especially vis-à-vis Muslim communities which are often expected to demonstratively deny any links to Islamist terrorism.

This paper focuses on the German development regarding its incorporation strategies because it represents an interesting case due to the two-fold dimension of change at the turn of the century. On the one hand the late political declaration that Germany is an immigration country opened up possibilities for an inclusive approach towards immigrants. On the other hand, public and media attention after the terrorist attacks on 9/11 and following attacks in Madrid (2004) and London (2005) were often characterised by an exclusive tendency towards foreigners and especially towards Muslims, which also holds true for changes in the security policies. Both developments, which can be labelled as a regulative and political double-shift, contradict each other in their general message towards organised Muslims within the German society. The contradiction of inclusion and exclusion also holds true with regards to changes in the nationality law, which opened up from the exclusive *ius sanguinis* tradition to incorporate *ius soli* elements in 2000. At the same time, new conditions such as a
naturalisation test, links to anti-terrorism policies and other institutional expectations have been tied to the process of citizenship acquisition. Perhaps this is one of the reasons why a drop in naturalisation figures from 248,206 in 1999 to 113,030 in 2007 can be observed. The changes in the naturalisation rates (see table 1) are connected to the changes following the German Aliens Act of 1990 (Federal Government 1990), which was supposed to facilitate naturalisation of long term residents and of young aliens. This Act coincided with the acquisition of German nationality by ethnic Germans once they were admitted to German territory which led to a significant increase of naturalisationsiv (Hailbronner 2006). As of August 1999, ethnic Germans are no longer counted in the statistics which partly explains the drop of naturalization rates in 2000. Nonetheless, naturalisation rates of other groups are also declining. Regarding the Turkish migrants for example the figures sank from 82,861 in 2000 to 28,861 in 2007 (Destatis 2009b).

Table 1: Naturalisation Numbers in Germany 1987-2007

<table>
<thead>
<tr>
<th>Year</th>
<th>Naturalisation Numbers</th>
</tr>
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<tbody>
<tr>
<td>1987</td>
<td>230000</td>
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<tr>
<td>1988</td>
<td>220000</td>
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<tr>
<td>1989</td>
<td>210000</td>
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<td>1990</td>
<td>200000</td>
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<td>1991</td>
<td>190000</td>
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<tr>
<td>1992</td>
<td>180000</td>
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<td>1993</td>
<td>170000</td>
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<td>1994</td>
<td>160000</td>
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<td>1995</td>
<td>150000</td>
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<td>1996</td>
<td>140000</td>
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<td>1998</td>
<td>120000</td>
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<td>1999</td>
<td>110000</td>
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<td>2000</td>
<td>100000</td>
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<td>2001</td>
<td>90000</td>
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<tr>
<td>2002</td>
<td>80000</td>
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<td>2003</td>
<td>70000</td>
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<td>2004</td>
<td>60000</td>
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<tr>
<td>2005</td>
<td>50000</td>
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<tr>
<td>2006</td>
<td>40000</td>
</tr>
<tr>
<td>2007</td>
<td>30000</td>
</tr>
</tbody>
</table>

Source: Destatis (2009a)

In order to answer the question if one can assert a securitisation of citizenship, the following sections will introduce at first the concept of securitisation and provide an overview on security theories and their relation to questions of immigration and integration. The emphasis on the “threat” scenario with regards to migration is secondly presented for the German case with an emphasis on the changes in the citizenship-law and related political discourses. This is followed by the ensuing debates from the point of view of Muslim umbrella organisations, which try to defend their member’s interests and claim public legitimacy at the same time. Finally, a conclusion regarding the changes in the citizenship regime is drawn.
Theories of securitisation

The “migration-security nexus” (Faist 2005, efms 2007) or the “securitisation of migration” (Guiraudon/Joppke 2001; Huysmans 2000; Ibrahim 2005) have received scholarly attention in diverse disciplines. Although the linking of the two topics itself is not new the terms have received heightened public and academic attention after the terrorist attacks of 9/11. Publications are ranging from political science national security studies (Adamson 2006a, b; Kirshner 2006; Rudolph 2003), to the rights of immigrants in the processes of European integration (Levy 2005; Sasse 2005), law studies (Tumlin 2004; Eckert 2008b), organisational case studies (Schiffauer 2008) and even psychoanalytic studies (Davids 2006). In 2005 Maggie Ibrahim summarised the state-of-the-art literature regarding the link between migration and security questions under the title “The Securitization of Migration: A Racial Discourse”. He comes to the following conclusion:

“The migration-as-a-threat narrative is reaching a climax in the wake of September 11th. With links between migrants and threat already in place, fears of terrorism have strengthened this discourse. [...] Due to assertions of international organizations, states, academics and journalists, migration has become synonymous with a new risk to the liberal world. This discourse has reached its pinnacle, normalizing the view that migrants are a threat” (Ibrahim 2005: 173, 163).

What are the facts that lead Ibrahim to this challenging conclusion that accuses a wide variety of actors of supporting the view that migrants can be perceived as a “threat” to the “liberal” world? Overall, the linking of migration and security questions and the subsequent creation of discourses can be interpreted with Foucault as an exercise of power (Foucault 2002: 93). This focus on power relationships can be summarised under the headline “securitisation of migration”. According to Ole Wæver and the Copenhagen School, securitisation refers to a “speech act” that determines what security stands for. In this sense, security is seen as a social construction and no longer as an objective truth (1995: 55). Actors thus play an important role since they define the “referent object”, which is the object that is threatened, and the source of the “threat”. Wæver et al. (1993b: 186ff.) and Bigo (2001) both claim that this decision power is held by elites. Bigo analyses in this context the role of security professionals who have the legitimacy and institutional power for the “social construction of a threat” (Bigo 2001:121). According to his study, security professionals “manufacture” an unsettled environment with regards to immigrants in order to legitimise their position in safeguarding the public from this new “threat” (Ibid: 122). Bigo stresses with reference to Murray Edelman that “security agencies benefit from the social construction of threat that turns immigration (legal or illegal) into the cause of society’s problem and boost their budget and legitimacy” (Ibid: 128). A
successful securitisation strategy from their point of view is characterised by an embedding of the “threat” in the “ordinary public sphere”.

Overall, at least three different concepts of security exist in the literature today: that of national security (Kirshner 2006; Poku/Graham 1998), that of human security (Paris 2001; UN 1994) and that of societal security (Buzan/Wæver/Wilde 1998; Wæver et al. 1993a, b). All three of them highlight security dimensions on which linkages between issues of migration and security can be observed and securitisation strategies be embedded.

On the one hand, the national security concept highlights questions such as state sovereignty, the balance of power, or the threat of violent conflicts. Traditionally this realist approach referred only to military threats but now it also includes threats towards non-state actors as well as non-military scenarios (Adamson 2006; Paris 2001).

On the other hand, human security points to moral and ethical questions of insecurity facing individuals. The latter includes questions regarding citizenship, employment, refugee status or human rights and follows an “emancipatory discourse” (Poku/Renwick/Glenn 2000). The UN coined this people-centred human security definition in its 1994 United Nations Human Development Report which marks a shift from the definition of security in terms of states and military capacities. It lists several new threats to populations such as unchecked population growth, environmental degradation, narcotics production, trafficking and excessive international migration. Ibrahim argues that the mentioning of migration within this list of potential threats increases the vulnerability of migrants who should rather receive international protection (Ibrahim 2005: 168-9). Other scholars criticise that the human security concept lacks a precise definition (Paris 2001). Generally, the 1994 UN report has to be seen in relation to the end of the Cold War, when nation states started to view individual migrants as persons and no longer as citizens of a state from the Eastern or Western block. This shift towards the individual level in security terms led to a redefinition of security discourses and a pluralisation of security approaches. Although most recently, in response to the terrorist attacks, Eckert announces that “the security discourse elevates state security above all other forms of (individual or societal) security…” (2008: 24).

In the context of the debate on citizenship, the concept of societal security is most relevant. Societal security – a term that was coined by Wæver et al. (1993a) – is based on the notion of a common societal identity that has to protect itself from external influences. According to Wæver et al., the “survival of a society is a question of identity” (Ibid: 24), while state security as a parallel concept is linked to the question of sovereignty (Wæver 1995: 67). With the help of the “societal security” concept the authors can take the security issue from an
external immigration level and a matter of border control to the internal integration question. Thus, the underlying framing of “us” against “them” is reiterated by the perception of security in terms of a threat in societal identity terms. Consequentially, in regards to the discussion of “parallel societies” and the assimilation/integration discourse, Wæver’s arguments can be used in order to justify exclusionist arguments against those who do not support the general identity of the society. The author himself acknowledges this in a footnote, where he points to the possible political misuse of threat scenarios either with regards to state sovereignty or societal identity (1995: 82). With reference to the concept of societal security Heisler and Layton-Henry (1993) for example describe the danger of illegal immigration and the loss of state control over its borders which in turn leads to feelings of societal insecurity. Furthermore, Buzan (1993) emphasises the threat of migrants who do not assimilate towards the receiving countries. He states that:

“The threat of migration is fundamentally a question of how relative numbers interact with the absorptive and adaptive capacities of society […]. This threat works on the societal level when the incoming population is of a different cultural or ethnic stock from those already resident. It is amplified when migrants seek to maintain their identity rather than adapting to that prevailing in their adopted country” (Buzan 1993: 45, cited after Ibrahim 170).

Buzan’s quote and the work of the Copenhagen School in general, imply the idea that a society can be defined in terms of common traditions and values, which is expressed in attempt to construct a single societal identity. Mc Sweeney (1996) criticises this objectivist assumption that societies simply have one identity that people belong to, without taken into account the process character of identity discourses and the possibility of personal choices. Consequently, McSweeney warns that these assumptions postulated in Wæver et al. (1993a) “will make claims for the protection of national identity all the easier to substantiate” (McSweeney 1996: 91). Exactly this development can be seen in the German debate on a common “Leitkultur”, which can be translated with the term “core culture”. This debate ignores the constant flux of societal values and traditions. The implication of the superiority of a German core culture versus immigrant cultures or other subcultures often blends out positive contributions of migrants, as for example their economic contribution to the development of nation states, or their cultural and language diversity, which enriches mutual understanding and daily life. Nonetheless, the adaptation to German values remains one of the central institutional expectations raised towards migrants and their organisations by German politics. McSweeney additionally criticises that the assumed focus on identity threats does not
take into consideration the security concerns of the people who comprise “society” (Ibid. 85) – a critique that will be met for the German Muslim community in this analysis. Contrary to McSweeney, Williams (2003) defends the “securitisation” approach because it enables an analysis of the processes of the construction of a single societal identity under the condition of attempted securitisation. The given fact that every society has multiple identities is tried to be transformed through the “speech act” of securitisation. Williams argues that this process of securitisation is something to be avoided according to the Copenhagen School (Ibid: 523). This “ethico-political critique” on the political act of manufacturing threats is expressed by the term “desecuritisation”. Huysmans argues that one can unmake the threat scenarios through sociology of everydayness by “de-dramatizing security questions by contextualizing them in a wider social, economic, and political problematic expressed in everyday practices” (Huysmans 1998: 574, 588). Similarly to Huysmans (1998: 575 ff.), Williams (2003: 515ff.) criticises the ethical implications that are caused by revoking a Schmittian understanding of politics, meaning a friend-enemy antithesis, which is implied in the securitisation theory. He claims that this ethical problem can be solved through a focus on the audience who has to judge the success of securitisation attempts vii. Another criticism on the securitisation theory concerns its limitation to speech acts without taking into account the power of media and images in the production of security threats (Williams 2003: 524ff.).

According to the three security concepts mentioned above, arguments regarding the link between migration and security can be separated along the target question “security for whom?” – Security from the point of view of the nation state, who has the mandate to protect its citizens and its territory, societal security which is framed as threats to its given identity, or security for the individual migrant? And who holds the decision power within or for these three groups upon the interpretation and framing of the migration question regarding the continuum between threats and benefits of migration? In the following matrix this continuum of opposing arguments is depicted. On the one end, the “rhetoric of insecurity” (Bigo 2001:122), which supports the portrayal of immigration as a security threat, is situated. This is contrasted with arguments that stress immigration as a benefit in terms of security, which represent the other end of the spectrum. The presentation of opposing arguments can demonstrate the complexity of immigration and its various effects based on the particular point of view.
Table 1: Links between migration and security

<table>
<thead>
<tr>
<th>Migration dimensions that are linked to security dimensions</th>
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<tbody>
<tr>
<td>Threat</td>
</tr>
<tr>
<td>State security:</td>
</tr>
<tr>
<td>Terrorism</td>
</tr>
<tr>
<td>Societal security:</td>
</tr>
<tr>
<td>Threats in identity terms: “parallel societies”</td>
</tr>
<tr>
<td>Human security:</td>
</tr>
<tr>
<td>Welfare state fraud</td>
</tr>
<tr>
<td>Crime</td>
</tr>
<tr>
<td>Benefit</td>
</tr>
<tr>
<td>Demographic change</td>
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<tr>
<td>Workforce potential</td>
</tr>
<tr>
<td>Diversity</td>
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<tr>
<td>Higher living standard</td>
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</tbody>
</table>

Source: author’s creation

This matrix of employed frames of references represents a brief overview on concepts that could be highlighted in order to counter the negative framing of migration in relation to security questions, which has long been existent. An analysis of the regulative and normative changes after the terrorist attacks of 9/11 concludes that a shift towards the left side of the table has to be noted. It is assumed that Muslims in Germany perceive the dominance of the left column – the “threat” scenario – in their every day life. This assumption and the reaction strategies of Muslim umbrella organisations towards this development are analysed in the ongoing Ph.D. project. In this paper, the subject of citizenship is highlighted and it is asked whether the emphasis on a “threat” scenario has found its way into the related political discourse.

Germany: an immigration country and its security

This chapter focuses on the development in Germany with regards to immigration with a focus on the new citizenship-law. The regulative dimension is characterised by a twofold change: on the one hand, the migration regime changed at the turn of the century and on the other hand, the security laws were tightened at the same time due to the terrorist attacks of 9/11. It can be observed that both regulative levels are increasingly linked with each other. In the conclusion this leads to a consideration of the three dimensions of security issues concerning immigration and integration issues as well as with regards to the citizenship law.

The shift towards an immigration country

On 15 July 1999, reforms in the nationality law were finally agreed upon, which eased the way for immigrants to become German citizens (Federal Government 1999, 2008b; Federal Ministry of the Interior 2008a: 112ff.). The Act on the Reform of Nationality Law entered
into force on 1 January 2000. According to this compromise, children born in Germany after the enactment of the law automatically receive German citizenship parallel to any other nationality that they might possess, under the condition that their parents have a secure resident status. When they are 18 they have to decide whether they want to keep their German citizenship in which case they have to give up any other citizenship by the age of 23. This is called the “optional model” (Federal Government 2008b: §29; Hailbronner 2006: 214, 224). Furthermore, adults receive the right to become German nationals after 8 instead of after 15 years. Overall, the naturalisation process is linked to knowledge of the German language, commitment to the German Basic Law, proof of self subsistence, and as of 1 September 2008 the passing of a naturalisation test.

In 2000, in addition to the new Nationality Act, the German government also issued for the first time a work permit scheme for computer experts similar to the US green card initiative. This represents a policy change after the long lasting recruitment stop of foreign workers that was initiated back in 1973. The attempt to attract IT specialists received public acceptance but only led to 17,931 admissions until the end of 2004 (Federal Office for Migration and Refugees 2005: 89ff.). Encouraged by the wide acceptance of the program, the Federal Minister of the Interior appointed an Independent Commission on Immigration which underlined in its first report the long immigration tradition of Germany and the necessity of future immigration due to global competition and demographics. In this context, immigration should be managed properly rather than being prevented (Independent Commission on Migration to Germany 2001). Shortly afterwards, the Federal Interior minister Schily from the ruling Social Democrat Party presented a draft for a new immigration law that was in many details more restrictive than the Commission’s proposals. The following debate on the bill and on the position of the Independent Commission on Immigration coincided with the 9/11. In the subsequent discussions in Germany security aspects gained increasing relevance (efms 2001). Cyrus and Vogel claim that the attacks on 9/11 and the economic decline of the IT industry “fuelled the renaissance of non-immigration options” (2007: 136). Due to national political struggles, the new immigration law came only partly into force in 2002. It was stopped in December 2002 by the Constitutional Court due to formal procedural flaws. The legal intervention was issued by six states which were governed by the Christian Democratic Union parties (CDU and CSU). Afterwards, Angela Merkel (CDU) and Edmund Stoiber (CSU) raised the following claims for further negotiations:

Firstly, immigration has to be strictly regulated according to "Germany's national interests". Secondly, the Union parties will accept no further grounds for granting refugee status, thus rejecting all proposals to go beyond the protection provided by the
Due to the fact that the coalition of SPD and Green Party continued to stay in power after the federal elections in 2002, while the Christian Democrats held the majority in the second chamber, a consensus was necessary in order to pass a reformed immigration law. “Following a long and difficult legislative process and intense discussions in public and in the Bundestag and Bundesrat” (Federal Ministry of Interior 2009) the new Law for Managing and Containing Immigration and for the Regulation of the Residence and Integration of EU Citizens and Foreigners, also called Immigration Act, came into force on 1 January 2005 (Federal Government 2004). It is made up of the Residence Act and the Freedom of Movement Act/EU. One of its important aspects is the introduction of obligatory integration courses for new entrants which focus on language acquisition (600 hours) and an orientation course to familiarise participants with Germany’s history, culture and legal system (now 45 hours). They are publicly financed with a contribution of 1 € per hour by the immigrants, which might be waived in case of low income. Earlier immigrants may also participate if seats are available or if they are obliged to participate by the authorities due to integration deficiencies (Federal Government Commissioner for Migration, Refugees, and Integration 2005: 218). Nonetheless, humanitarian actors criticised that the law failed to address the needs of immigrants already residing in Germany (Cyrus/Vogel 2005: 4). Regarding the security issues the Immigration Act of 2005 continues the policies of the Counter-Terrorism Act, which will be discussed below, regarding the issues of expulsion and deportation.

The overall tenor of these laws is summarised in the general framework of argumentation aiming at “not only supporting but also at challenging immigrants in their efforts to integration into German society” (Federal Ministry of the Interior 2009) - a theme that is repeated in order to defend the integration courses, the language skill acquisition, and the acceptance of the “legal and social order” as conditions for “anyone who wishes to make use of the countless opportunities offered by our free society to each and every individual” (Ibid). Generally, these developments are part of the “paradigmatic shift” (Cyrus/Vogel 2005) in attitude towards the notion that Germany is an immigration country, which had been denied for a long time by the German government. Until the end of the 1990s, Chancellor Helmut Kohl, who was Germany’s head of state between 1982 an 1998, avoided the official use of the term immigration. Instead, migration movements were categorised as “the return of ethnic Germans, the temporary recruitment of workers, or the temporary reception of asylum seekers and civil war refugees” (Cyrus/Vogel 2007: 127). With the legal changes depicted above it
can be asserted now that Germany is not only a de-facto but also a de-jure immigration country (Bade/Oltmer 2007: 169) which acknowledges the need to integrate immigrants successfully.

It was expected that the major political shift towards a long term oriented migration and integration policy which was started in 1998 continued after the election of the grand coalition government between the SPD and the Christian Democrats (CDU and CSU) in 2005. But overall, Cyrus and Vogel describe the work of this new government rather pessimistically.

“This new government emphasizes the difficulties rather than the opportunities related to migration. The new government continues with the legislation projects of its predecessors but stresses restrictive instruments and authoritative measures in order to control migration, return unwanted immigrants and demand more integration efforts from immigrants” (Cyrus/Vogel 2007: 130)

Especially the Act to Implement Residence- and Asylum-Related Directives of the European Union (EU-Directives Implementation Act), which went into force on 28 August 2007 (Federal Government 2007d), led to much criticism by Turkish migrant organisations. The reason was mainly the required proof of German language skills as a condition for family reunification and the lifting of the minimum age of spouses migrating to Germany from 16 to 18 years of age. Overall, the EU-Directives Implementation Act also serves “to implement the results of the evaluation of the Immigration Act and to take into account security aspects” (Federal Ministry of the Interior 2009). The government thus emphasises once again the links between immigration and security related policy developments and stresses its expectations towards a stricter regulation that stops previous abuses “through bogus marriages, bogus adoptions” and aims at “combating forced migration”. Regarding the latter, the minimum age of 18 for family reunion of spouses was introduced, which shall improve the prospects of a successful integration. Additionally, in order to prevent welfare fraud the control of sufficient means of livelihood is now applied to all applicants regardless of their age.

Germany had worked together with Austria and the Netherlands to implement an optional clause in the EU directive 86/2003/EC on family reunification rights for third country nationals (TCNs) that enables the nation states to require the compliance with integration measure from the immigrants (European Council 2003; Rosenow 2007; 2009). The subsequent change in national legislation regarding language skills and integration courses represents the consequential use of this optional clause. Overall, Germany therefore follows the trend of other “old hosts” such as the Netherlands for example that also installed stricter integration obligations for new immigrants (Gropas and Triandafyllidou 2007: 363). One aspect that differs between the two countries, and which splits the EU countries, is the
possibility to grant local voting rights to TCNs, who are not nationals of an EU member state. In Germany, Austria, France, and Italy, among others, no local voting rights are granted, while the Netherlands, Spain, Sweden, and the UK grant full voting rights at the local level conditional to the fulfilment of special requirements (Ibid: 374). The German case therefore underlines the necessity to acquire German citizenship in order to rise from the status of a “denizen” (Hammar 1990: 12-20) with restricted rights, to a citizen that enjoys participation rights on all levels\textsuperscript{viii}. Nonetheless, beside the voting rights many TCNs with a long term residence status now have comparable rights to national citizens due to bilateral agreements (Sezgin 2007) and most recently due to the EU directive 2003/109 on the status of TCNs who are long-term residents which was implemented into German legislation in the above mentioned acts.

In addition to the legal changes, the grand coalition elected in 2005 also initiated a measure in order to foster a dialogue between the different actors regarding integration issues. This led to the establishment of the annual Integration Summit and the Islam Conference. The first Integration Summit took place on 14 July 2006 and aimed at the creation of a joint strategy on integration by summer 2007. This was achieved through a dialogue with migrants, in order to talk “with them and not about them” (Federal Government 2007f). 87 participants from the Federal Government, Federal States, local authorities, migrants, institutions and organisations from science, media, culture, sports, trade and industry, trade unions, and religious groups discussed in six working groups the following issues: integration courses, German language skills, education and vocational training, the situation of women and girls, local integration activities and the strengthening of civil society. The working groups continued to meet and produced a common document called “The National Integration Plan – new paths, new opportunities” that was presented at the second Integration summit on 12 July 2007. The 200 page document contains over 400 measures and voluntary commitments relating to integration\textsuperscript{ix}. The common principle for this process is for the government to lend support while requiring migrants to do their part (EUNET 2007), which is summarised in the German phrase “förder und fordern”. The first Islam Conference similarly aimed at a dialogue with organised and non-organised Muslims in order to create a broad consensus regarding the compliance with social principals and politics of religion, while emphasising the adherence to the liberal democracy as enshrined in the Constitution (Federal Government 2007g).

\textit{The shift in the security laws}

According to Lepsius, throughout the 1970s and 1980s the left-wing terrorist actions by the Red Army Faction (RAF) started a development in German law that privileged security
demands over civil liberty rights (Lepsius 2004). During these years, security was for the first time declared as a basic right which needs to be guarded by the state. Zöller (2004: 473) concludes that the introduction of extended eavesdropping in private homes in 1998 in order to fight organised crime and terrorism tilts the balance towards an emphasis on the security dimension. Regarding the balance between liberty and security 9/11 therefore represents no caesura. Nonetheless, the legislative changes after 11 September 2001 deepened the emphasis on security, while focusing on preventive action (Denninger 2003: 52; Schiffauer 2007: 361). Cesari points out that the tightening of security laws led to an “almost total identification of domestic security and the international war against terrorism” (2005: 41). Accordingly, Eckert emphasises that this development includes a new concept of danger, which is no longer connected to the actions of individuals but to an omnipresent threat emanating from Islamist terrorist networks (Eckert 2008b: 12). The main legislative changes in this context are the security packages I and II which were both decided upon by the end of 2001. Security package II was enacted in the form of the Counter-Terrorism Act on 1 January 2002 (Terrorismusbekämpfungsgesetz (TBG), Federal Government 2002), which was evaluated and amended five years later (Terrorismusbekämpfungsergänzungsgesetz (TBEG), Federal Government 2007b). Regarding the rules of expulsion the Counter Terrorism Act provided in its article 11 changes in the Aliens Act that were implemented in section 54 of the Residents Law of 2004 (Federal Government 2008c, Federal Ministry of the Interior 2007b). Accordingly, a person can be expelled when they endanger the free democratic order, or the security of the Federal Republic of Germany, participate in acts of violence, publicly incite violence, or threaten the use thereof, opposes the constitutional order or the concepts of international understanding, are or were a member of an organisation which supports terrorism or is unappealably banned, support or have supported such an organisation, or make false or incomplete statements regarding their contacts to persons or organisations who are suspected of supporting terrorism (Ibid.: 54 (5-7)). Zöller sees one of the main problems in the vague language of the law, which does not define the terms “terrorism” or “support” leaving the subsequent decisions to the authorities. The law is used for example to deny naturalisation to members of the Islamic Community Milli Görüş (IGMG) and members of other organisations, or even to withdraw acknowledged naturalisation on the ground of incomplete statements regarding their contacts to persons or organisations who are suspected of supporting terrorism (Ibid.: 54 (5-7)). According to changes in the Naturalisation Act on 5 February 2009 the insertion of paragraph 35 and changes in paragraph 42 strengthened the possibilities to withdraw citizenship up to five years
after approval and to punish false or incomplete statements during the naturalisation process with up to five years of imprisonment or a fine (Federal Government 2009).

The public debates on naturalisation: voices by Muslim umbrella organisations

Overall, Muslim umbrella organisations in Germany differ in their public activities in influencing policy decisions (Sezgin 2007). In this section, six main Sunni umbrella organisations and their internet publications on the topics of legal changes regarding citizenship rights, and related topics such as integration-, loyalty-, and language tests or voting rights are analysed. Among the organisations are the Association of Islamic Cultural Centres (VIKZ), the Islamic Community Milli Görüş (IGMG), the Turkish-Islamic Union of the Office for Religious Affairs (DITIB), and three peak organisations including the Central Council of Muslims in Germany (ZMD), the Islamic Council for the Republic or Germany (IR), as well as the Coordination Council of Muslims in Germany (KRM). The latter is an umbrella organisation that unites the before mentioned Muslim organisations in Germany. The KRM was recently founded on 28 March 2007. Its president changes every six months and alternates between the four organisations (DITIB, IR, VIKZ, and ZMD). Regarding the public participation in the political discourse on citizenship rights, measured in the frequency of press statements, IGMG is the most active organisation followed by DITIB and the KRM, while the IR, the VIKZ and the ZMD only publish statements in their alternating role as spokesperson for the KRM. This proportionality does reflect the overall activity of online press statements issued by these organisations. IGMG is the only organisation that also includes news features on its webpage, which were included in the following analysis due to their thematic relevance.

The following summary of organisational remarks upon the political debates and the implied messages towards their members and towards the general public is limited to changes in the nationality law. Nonetheless, the Immigration Act and the EU-Directives Implementation Act provoked much criticism as well due to the paragraphs that tightened the conditions for immigration of spouses who have to prove language skills and have to be at least 18 years old when immigrating in order to prevent forced marriages (Federal Government 2008c: §30). The Turkish organisations lament that the law discriminates against their nationals because immigrants who do not require visas are exempt from the new immigration conditions. They argue that this stipulates that these countries are not concerned with forced marriages although no data regarding the frequency of forced marriages exist (IGMG 2005a, 2006a; KRM 2007).
The ensuing protest of the Turkish community in Germany against the legal changes led to a boycott of the second Integration Summit in 2007 by DITIB and by the Turkish Community Germany (TGD) along with two other organisations because they felt that they were not adequately involved in the legal process (DITIB 2007b; Unknown 2007).

**Changes in the citizenship law: Entitlements to naturalisation**

In its detailed press statement of 3 July 2007 shortly before the enactment of the EU-Directives Implementation Act the KRM criticised diverse points of the new law and its influence on the immigrant community. It also highlights the declining naturalisation numbers and argues against that the laws emphasise the dimension of “challenging” immigrants while the “supportive” function that can be achieved through the naturalisation process is marginalised in the legal development. Furthermore, it does not become evident according to the KRM which efforts the Federal Government pursues in order to facilitate the naturalisation process (KRM 2007: II.2). This statement can be seen as a summary of the overall complaints. Its details regarding the citizenship and the naturalisation conditions are presented below. Although the KRM issued only one press statement, it can be seen as a summary of claims made by its member organisations. The KRM therefore, fulfils its function as a spokesperson for the organised Muslims in Germany and thus tries to meet the expectations raised at the political level towards it.

**German language acquisition and integration courses**

According to the Nationality Act paragraph 10 (6) foreigners applying for naturalisation have to prove German language efficiency through an oral and written language examination at the level B1 within the Common European Framework of Reference for Languages (Federal Ministry of the Interior 2007a). The KRM criticises that this new prerequisites is an insurmountable barrier for most first generation migrants who often did not receive any education higher than primary school level (KRM 2007). Additional criticism is expressed regarding the integration courses and the introduction of a 1000 € fine and possible expulsion as sanctions for people who do not participate in the integration courses. Furthermore, according to the KRM, those migrants who do not successfully complete the B1 examination after the 630 hours of classes are not adequately supported. Finally, the KRM criticises that the different authorities (social-, work-, and youth authorities) have to inform the municipal immigration office if they detect integration deficits, which leads to high pressure especially to newly arriving immigrants. The KRM therefore demands an end of the sanctions and an emphasis on supportive and educative measures.
At the same time, the organisations have acknowledged for a long time the need for German language acquisition for their members. DITIB has offered since 1986 language courses for 18,000 participants and celebrates its successful participants on its website (DITIB 2009a, b). The DITIB website features press statements since 20 August 2005 and one can discern a rising importance of the presentation of the integration courses due to the increasing presence of DITIB officials at the certificate ceremonies and the lengths of their press statements (cf. DITIB 2007a, c). In these statements their engagement to foster integration and active participation is stressed. This is also expressed in the creation of the “proMotivation” project which was initiated in 2008 in order to educate local DITIB organisations on political debates, institutions and management skills (DITIB 2008d).

Naturalisation test

During the first half of 2006 a fierce debate on the introduction of a naturalisation test in the state of Baden-Württemberg erupted due to its focus on nationals of the 57 countries of the Islamic Conference. The limitation of this “loyalty test” to Muslim applicants to naturalisation is motivated by the “doubts of the Ministry of Interior, if one can generally assume that their commitment during the naturalisation process also represents their actual inner attitude” (Ministry of the Interior Baden-Württemberg 2005, translated by the author). In a joint press statement 16 Muslim and Turkish organisations strongly opposed the test because it discriminated against Muslims – who were portrayed as a security threat –, it reproduced stereotypes on Islam, and it massively intruded into the private and intimate sphere, as well as into the freedom of consciousness and opinion (IGMG 2006d). In the following campaign against the introduction of the loyalty test the IGMG was the strongest spokesperson against it, frequently citing public opinions of other opponents such as the foreign minister Steinmeier (2006e), a major of one of the main cities in the state of Baden-Württemberg (2006b), and the President of the International League for Human Rights Gössner, and the OECD (2006c). Consequently, the Islamic Council, of which IGMG is a member, also issued a critical press statement demanding the interior ministers of the German states (Bundesländer) to refuse this test (IGMG 2006f). Two years later IGMG also announced that the state of North-Rhine Westphalia (NRW) has demanded nationals of 26 countries to fill out a “loyalty test” prior to their next application to prolong their residence status. Before 2007, the test had been used only for visa applicants. The content of the test is secret and the process led to debates among the NRW ministry and Münster University which tried to protect its students and staff from this measure (IGMG 2008a, cf. Refugee Council NRW 2008).
The massive protests against these loyalty tests and their limitation to certain immigrant groups resulted in the introduction of a German wide naturalisation test. Since 1 September 2008 all immigrants have to pass a naturalisation test in order to apply for German citizenship according to paragraph 10 (7) of the Nationality Act (Federal Government 2008a, b; Federal Ministry of the Interior 2007a). In 60 minutes the applicants have to answer 17 out of 30 questions correctly. The questions are drawn from a list of 300 questions on the topics “life in a democracy”, “history and responsibility” and “man and society”. Ten additional questions for every state also exist that are asked according to the residence of the applicant. The questions can be downloaded in advance in order to practice. Nonetheless, the test presents another barrier to the naturalisation process. The Muslim organisations criticise the content and the existence of the test. They argue that even for Germans with a school diploma the passing of the test is difficult without prior preparation. In-depth knowledge of the German language, culture, history and political order is required, which could be sufficiently introduced in the integration courses rendering the requirement of an additional test obsolete (DITIB 2008a).

The additionally required confirmation of a commitment to the free democratic constitutional system enshrined in the Basic Law of the Federal Republic of Germany, does not pose any problems according to the Muslim umbrella organisations. IGMG did discuss this issue back in 1999 and concluded that the Basic Law is in accordance with Islam and that Muslims are required according to sura 16 verse 92 of the Koran to keep up this contract with the German state once they have signed their naturalisation request (IGMG 1999b).

The ability to ensure self subsistence
The new provision of paragraph 10 (1) no.3 requires that everyone has to prove his or her own subsistence and that of his or her dependents without recourses to social benefits (Federal Ministry of the Interior 2007a). Before, this provision was not applicable to foreign residents below the age of 23 in order to secure their right to education. According to the KRM (2007), this change is counterproductive to the naturalisation campaign that aims especially at young migrants who will now have to work in order to fulfil this condition for naturalisation. Similarly, DITIB demands at the end of 2008 with regards to the third integration summit that the condition of self subsistence shall be lifted for everyone under the age of 27 (DITIB 2008c). In general, this provision aims at the “threat” of welfare state fraud.

Dual citizenship
The migrant organisations were especially interested in a dual citizenship option that was originally advocated by the coalition of the SPD and the Green Party that came into power under Chancellor Gerhard Schröder after the federal elections in 1998. This dual citizenship option led to a strong controversy that culminated in a signature campaign by the CDU and the CSU with over five million signatures being collected against the introduction of it, which was criticised by the Islamic Community Millî Görüş (IGMG 1999a). In the following local state elections in Hesse in early 1999 the Social Democratic and the Green Party were defeated and subsequently a compromise was decided upon on 15 July 1999 (Faist/Gerdes/Rieple 2004: 19; Hailbronner 2006: 229f.). The new Nationality Act consequently does not allow for dual citizenship once German citizenship has been acquired by an immigrant. Nonetheless, exceptions exist if the foreigner is unable to give up his or her old citizenship, or if he or she is only able to do so under very difficult conditions, the requirement is waived. This usually applies also to refugees and victims of political persecution. The ban on dual citizenship collided with a practice of Turkish nationals, who returned their Turkish citizenship in order to receive the German one and afterwards regained their Turkish citizenship as a second citizenship (Cyrus/Vogel 2007: 129; Sezgin 2007: 96). According to a change of paragraph 25 (1) of the Nationality Act, which now does not grant dual citizenship anymore to those who live in Germany (Inlandsklausel), now, everyone loses the German citizenship once another nationality is acquired. The concerned immigrants were asked to contact the authorities until 30 June 2005 in order to secure their resident status but many did not report themselves and cannot be identified by the authorities either. In 2005 IGMG reports administrative complications and occasional preventions of re-naturalisation requests by Turkish immigrants (IGMG 2005b). According to Turkish officials 50.000 Turks regained their Turkish passport since 2000 while only 21.500 cases are known to the authorities. A proposal by the Left party for an amnesty regulation for the remaining 30.000 cases was denied by the German Parliament (Federal Government German Bundestag 2008). In reaction to the renewed debate in 2008, the criticism on the legal changes gained political momentum again. This was also due to several court decisions that prevented the withdrawal of German citizenship from minors on the ground that only the father lost his German citizenship after the acquisition of another one (Federal Administrative Court 2008). IGMG reported on these issues and expressed its discontent with the legal situation in various statements (IGMG 2008b, c, d, e, f). Overall, the Turkish organisations have continuously demanded the introduction of dual citizenship for everyone and an end to the twofold strategy that allows dual citizenship since August 2007 for citizens of EU member states (Federal
Government 2008b, or Federal Ministry of the Interior 2007a: Section 12; DITIB 2008c). They claim that dual citizenship does not prevent but fosters integration in cases where immigrants do not want to choose between two home countries (DITIB 2008b)

*Local voting rights*

As mentioned earlier, the German legislation so far does not grant immigrants from non-EU countries local, regional, or national voting rights while EU citizens have local voting rights and the right to vote for EU Parliament. This situation has been a constant matter of complaint on the side of migrant organisations. They claim equal rights comparable to EU citizens and demand local election rights in order to meet the basic demands of “participation, equality and plurality in democratic and open societies” (DITIB 2008c, translation by the author). They criticise that in some areas 30% of the population cannot vote and thus participate politically in their community (DITIB 2008d). Generally, the organisations request their members to participate in the elections whenever they are able to do so (IGMG 2002, ZMD 2004).

**Conclusion**

The concept of securitisation refers to a “speech act” conducted by elites who construct what security stands for and which “referent object” is threatened (Waever et al. 1993a, b; Waever 1995). The three security concepts (state, societal, and human security) highlight different “referent objects” in relation to the “threat” caused by migration. Regarding the German case study, where both the migration and the security regime underwent decisive changes since the turn of the century, the focus on a threat scenario can be observed on all three security dimensions. Firstly, this includes the focus on terrorism as a threat to state security, which is often associated with Islamist extremism in the context of the security and immigration legislative and related debates (Federal Government 2002, 2004). The second frequently employed frame in German integration discussions concerns values and norms compromising a “core culture” (Leitkultur) which conflicts with the “threat of parallel societies”. This can be analysed well within the framework of societal security, where securitisation of migration refers to a threat of the societal identity. Both concepts “core culture” and “parallel societies” express the expectation that foreigners should integrate into German society and not separate themselves into their own ethnic quarter, which in turn requires an adaptation of German values. This idea follows the concept of assimilation, which was invented by the Chicago School of Sociology in the 1920s, and which assumes a static concept of the culture of the host society and of the migrants, who lose their cultures and traditions over time in the U.S.
“melting pot” (Hoerder et al. 2007: 48). The political emphasis on this static scenario ignores the fact that the host society’s culture is constantly influenced and changed through immigration. In terms of the securitisation theory this strategy is used in order to justify the legal changes by referring to “threat” in identity terms. Finally, the third dimension, meaning the individual level of human security, is highlighted when references to welfare state fraud and criminal activities of immigrants are made – a fact that takes place on the political as well as on the media level (Müller 2005; Ruhrmann et al. 2006). The analysis can therefore conclude that for the German case that an emphasis of the threat dimension with regards to the linking of migration and security issues is dominant, while the benefits on the three security dimensions have been increasingly neglected since 9/11.

More specifically, this paper focused on the sub-question if a securitisation of the citizenship law takes place, too. With reference to the cited press statements of Muslim migrant organisations, which are targeted by the proclaimed threat rhetoric and which therefore, respond to it publicly, the assumption of a securitisation of the citizenship law has to be confirmed. Nearly all of the legal changes regarding the entitlements to naturalisation (German language acquisition, integration courses, the ability to ensure self subsistence, the naturalisation test, dual citizenship, and local voting rights) can be connected to the concept of securitisation on one of the three security levels – with the concept of societal security being the most relevant. The overall idea of challenging and supporting immigrants, which characterises the new German migration regime, is connected with new expectations and demands that are justified in security terms. Firstly, the introduction of language- and naturalisation tests as well as the prevention of dual citizenship with certain states, point to the construction of a need to protect and foster German societal identity and cohesion. In order to prevent a threat to this imagined identity, which is characterised by language skills, as well as by legal and social traditions and values, applicants to naturalisation now have to prove their loyalty and willingness to integrate. The focus is laid on challenging them, which is expressed in the tight regulations that are applied to the participation in language classes in and outside of Germany, as well as in the discussions on the necessary tests. Secondly, especially the conflict on the loyalty test points to a culturalisation of the policy developments. The focus on one migrant group, here all Muslim immigrants, which was required to prove its legitimacy prior to naturalisation, was interwoven with the security policy changes and their general suspicion against Islamist terrorism. At this point the distinction between terrorists and Muslims was not made by the state authorities in Baden-Württemberg because all Muslims were treated as potential threats to state security. In the end, this differentiation has not been
upheld and the German wide naturalisation test is now presented to every applicant regardless of their nationality or religion, with exclusion of ethnic Germans who automatically acquire German nationality if they fulfil the conditions of the Federal Expellee Act (Federal Government 2007e). Nonetheless, differences regarding nationals from different states exist as the example of the dual citizenship legislation shows. Generally, the prevention of dual citizenship shall strengthen societal identity through the creation of a single loyalty to one nation state. This absolute concept goes hand in hand with the denial of local voting rights in Germany. However, taking into account the recent changes in this assumption regarding EU nationals, the denial of these rights to one of the major immigrant groups in Germany (the Turkish immigrants) becomes a questionable practice. On the one hand, this is once again possibly related to the concept of cultural identity, which poses less of a problem with the other EU countries. On the other hand, the policy developments on the EU level forced Germany to loosen its citizenship law. Finally, the concept of human security and its negative dimension of welfare state fraud are expressed in the condition to prove self subsistence and the lack of criminal records (Federal Government 2008b: §10(1)3; §12a).

Generally, the press statements of the Muslim umbrella organisation point at this dominance of a security threat rhetoric, although their complaints often focus on the daily life of their members. It has to be seen, in how far the easier access rights to German citizenship for children will lead to higher naturalisation figures starting in 2008, when the first children with dual citizenship turn 23 and have to choose one of them. At the moment, the falling naturalisation rate rather points to the fact that the securitisation scenario and the above mentioned changes rather prevent the naturalisation processes.

Overall, it has to remain on the top of the agenda to strengthen the supportive part in German integration policies and to achieve the economic, social and political integration of immigrants living in Germany. As Hailbronner (2006: 33) concludes, “changes in nationality law have an influence upon integration, but that they are not by themselves a means of integration”.

Notes

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** The current Nationality Act (Staatsangehörigkeitsgesetz, StAG) is available in German only; see Federal Government 2008b and amendments of 2009. An unofficial translation is available by the German Ministry of the Interior including changes up to 19 August 2007; see Federal Ministry of the Interior 2007a.

*** Today, more than 3 million Muslim inhabitants live in Germany, which is one of the largest Muslim populations within the European Union along with from France (about 5 million) and Great Britain (about 1.6
A little over 1 million Muslims are German citizens, while the majority of Muslims are of Turkish origin. At the end of 2005, 2,437,000 persons of Turkish origin lived in Germany, with 673,000 of them having German citizenship (Rohe 2008: 49; Federal Government 2006: 7.)

vii The definition power of the security professionals can be challenged by the audience of the security speech act because “security (as with all politics) ultimately rests neither with the objects nor with the subjects but among the subjects” (Buzan et al. 1998: 31). Therefore not all securitisation attempts have to be successful.

viii See Hailbronner 2006: 220ff. where he elaborates on the position of the Federal Constitutional Court in Germany that actually prevents the granting of local voting rights without nationality acquisition.

ix The National Integration Plan is only published in German and Turkish. See Federal Government (2007c).

x In 2004 the Constitutional Courts deems much of the original law (“Großer Lauschangriff”) as unconstitutional, see Federal Constitutional Court (2004).

xi In fact, the exemption for people coming from countries that do no require visas for Germany only applies to the proof of language proficiency (exemption to § 30 sentence 1 no. 1 and 2(4)). The age restriction and the language proof might be lifted for highly-skilled immigrants §19, researchers §20 and people in possession of a self-employed status under §21 (Federal Government 2008c).

xii In the Imperial Nationality Act (Reichs- und Staatsangehörigkeitsgesetz) of 22 July 1913 paragraph 25 regarding the loss of German citizenship only applied to a German who does not have his or her habitual residence in Germany: “§ 25. Ein Deutscher, der im Inland weder seinen Wohnsitz noch seinen dauernden Aufenthalt hat, verliert seine Staatsangehörigkeit mit dem Erwerb einer ausländischen Staatsangehörigkeit (…)“, this exception was erased with the new Nationality Act in 1999 (Federal Government 1999).

xiii Until now it was difficult to measure the general acceptance of the Citizenship Law of 2000 because the first generation of dual citizenship holders has to decide upon their citizenship in 2008. This is due to the transitional provision (Section 40b of the Nationality Act) that granted the right to German citizenship to children up to the age of ten who were born before 1 January 2000 (Federal Government 2008b).

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