Figure 2. The evolution of birthright citizenship laws across the world in the post-war period

Citizenship laws in 1948	Citizenship laws in 2001			
	Ius sanguinis	Mixed	*Ius soli*	Total
Ius sanguinis	46	20	1	67
Mixed	11	6	2	19
Ius soli	31	9	36	76
Total	88	35	39	162

Note: Mixed countries include elements of both *ius soli* (citizenship by birthplace) and *ius sanguinis* (hereditary citizenship).

Source: Bertocchi, G., and C. Strozzi. "The Evolution of Citizenship: Economic and Institutional Determinants." *Journal of Law and Economics* 53:1 (2010): 95–136 [6].
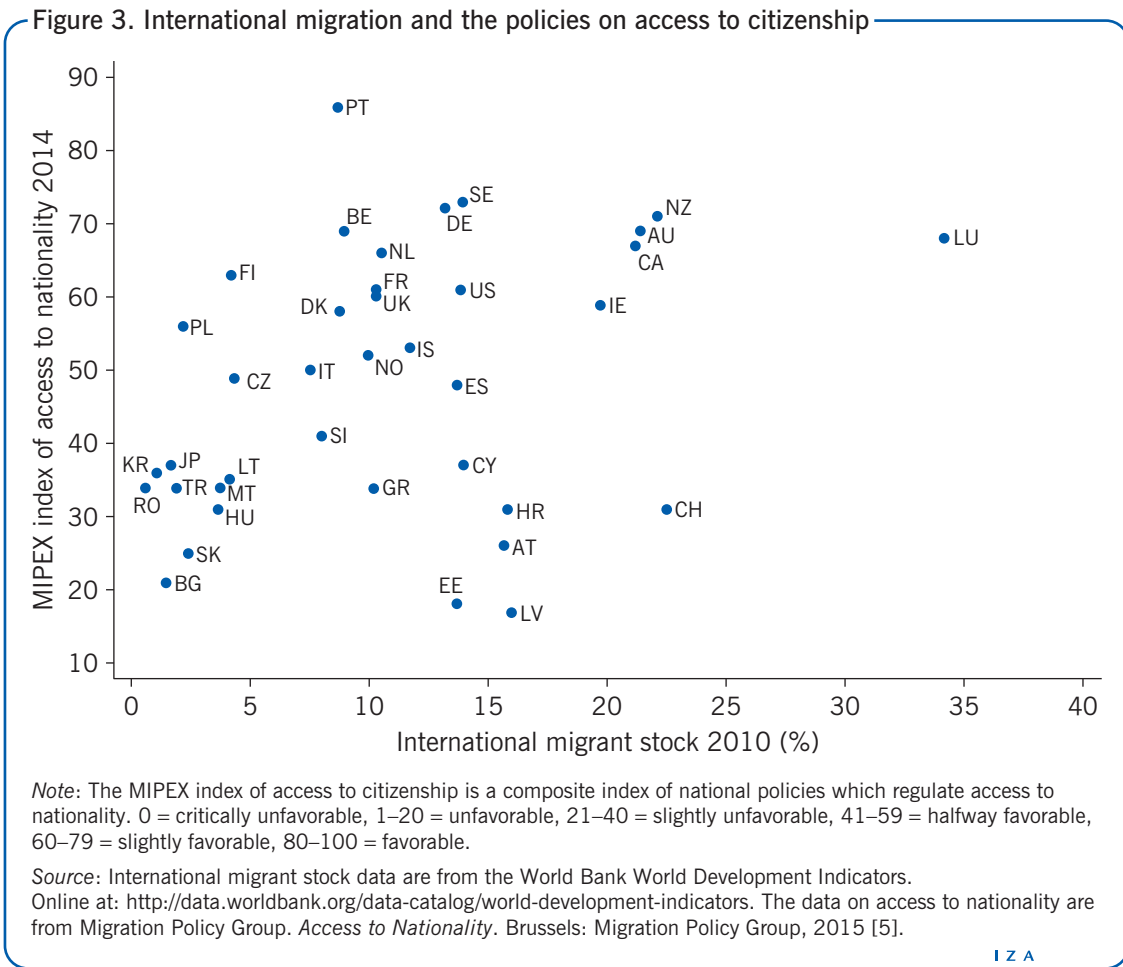
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Determinants of the evolution of citizenship laws

Contemporary socio-political and economic scholars have indicated several potential determinants of the evolution of citizenship laws. Notwithstanding the differences in their contributions, a number of common explanations emerge. The legal tradition of a country appears to affect the legislation that regulates the acquisition of citizenship at birth: most countries with a common law tradition have indeed adopted the *ius soli* principle, while most countries with a tradition of civil law have adopted the *ius sanguinis* principle. Border instability and historical events, such as de-colonization, have a negative impact on inclusiveness: indeed, former *ius soli* colonies have abandoned this in favor of *ius sanguinis* after having achieved independence [6]. A higher level of democracy is instead associated with more inclusiveness: the countries that were democratic in the 19th century have developed a more inclusive concept of national identity and have been more inclined to allow foreigners to become members of society.

Furthermore, being a former colonial power is an important determinant of the evolution of citizenship laws: these states generally have been more inclusive toward the people belonging to their colonies [1]. Citizenship laws have been also strictly related to migration flows. Large-scale migration, in general, has produced a negative impact on inclusiveness, but in *ius sanguinis* countries it has led to a shift of the legislation toward a mixed regime, with both *ius soli* and *ius sanguinis* elements [6].

Finally, some political factors play a role in the development of citizenship laws. The presence of strong populist parties and the introduction of particular petition campaigns appear to be negatively related to citizenship liberalization (e.g. in Austria, Denmark, Italy, and Germany). At the same time, liberalization has occurred in some countries where far-right political parties are weak or absent (e.g. in Spain and Portugal) [1].

In sum, the evidence shows that citizenship laws have responded endogenously and systematically to historical, economic, and institutional factors and that they have been jointly determined with other institutions.

Figure 3. International migration and the policies on access to citizenship

Note: The MIPEX index of access to citizenship is a composite index of national policies which regulate access to nationality. 0 = critically unfavorable, 1–20 = unfavorable, 21–40 = slightly unfavorable, 41–59 = halfway favorable, 60–79 = slightly favorable, 80–100 = favorable.

Source: International migrant stock data are from the World Bank World Development Indicators. Online at: http://data.worldbank.org/data-catalog/world-development-indicators. The data on access to nationality are from Migration Policy Group. *Access to Nationality*. Brussels: Migration Policy Group, 2015 [5].

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New measures of citizenship and migrant integration policies

There has been a boom in the development of citizenship and migrant integration policy indicators, which has given rise to a growing body of comparative research on the topic [7]. All the available indices and indicators classify citizenship regimes on a scale that goes from the most liberal (inclusionary) to the most restrictive (exclusionary). Apart from policies regulating access to citizenship, migrant integration policies generally include policies related to anti-discrimination, access to labor markets, labor migration, family reunification, political participation, and educational, cultural, and religious rights.

Currently, the major indexes of citizenship policies are the following: MIPEX [8]; the Citizenship Policy Index (CPI) [1]; the Barriers to Naturalization Index (BNI) [9]; Koning's index on naturalization policies [10]; the Indicators for Citizenship Rights of Immigrants (ICRI) [11]; and the EUDO "Citizenship Law Indicators" (CITLAW) [7].

In the presence of global changes in citizenship and migrant integration policies, the use of these new comparative indices can be extremely useful for undertaking cross-country analyses that can fully investigate the determinants of these policies and their effects on the socio-economic and political integration of migrants.

Citizenship policy is certainly a central step in the process of formal incorporation of immigrants. However, although it is necessary for full integration it is only one element

of social and economic integration of immigrants. Taking this into account, a significant amount of research has been conducted on developing more general indices of migrant integration, which collect and analyze information on policies, such as the procedures for immigration admission, naturalization, and other migrant integration policies.

Citizenship in multicultural societies

As previously discussed, the traditional concept of citizenship does not explicitly embrace cultural diversity, and so fails to accommodate the cultural differences that characterize today's multicultural societies. Defining multiculturalism, however, is not simple. For example, it can be defined exclusively in demographic terms, in philosophical terms, or it can be recognized as a political orientation by government or institutions toward ethnically and culturally diverse societies. It has been argued that multiculturalism undermines social capital, social cohesion, and national cultural values. This view has contributed to the recent surge of far-right political parties in many European countries, including the Netherlands, Sweden, Finland, Denmark, Norway, and France. At the same time, there have been concerns over multiculturalism within the political mainstream. In 2010, the German Chancellor, Angela Merkel, admitted that multiculturalism was a failure in Germany, and in 2015 she confirmed her previous belief, saying that it remains "a life lie" and is a "sham" [12]. The former British Prime Minister, David Cameron, was of the same opinion in 2011, arguing that multiculturalism failed to promote a sense of common identity within society. According to these political views, multiculturalism is potentially a problem, mainly because it can lead to the emergence of isolated societies within host countries.

Although there is a perception that the multicultural approach has failed, the evidence tells that in contemporary Europe most countries adopted multicultural policies in the latter part of the 20th century and have maintained this approach into the first decade of the new century, though with some exceptions (e.g. the Netherlands). According to the Multiculturalism Policy Index, in 2010 most Western liberal democracies were characterized either by an intermediate or a strong level of multiculturalism: the countries with a higher degree of multiculturalism were Australia, Canada, Finland, and Sweden (Figure 4) [13].

LIMITATIONS AND GAPS

Citizenship laws in many countries have undergone a process of significant transformation over the last decades. However, there does not appear to be a common direction of these changes. Indeed, not only have there been both liberal and restrictive reforms (also within the same country), but it is also not straightforward to classify the type of citizenship policies that have been configured. Indeed, citizenship regimes simply cannot be reduced to a unique dimension of inclusiveness: they may be inclusive toward some people while exclusive toward others. For example, they can be inclusive toward emigrants, and exclusive toward immigrants, or vice versa. Alternatively, they can be inclusive toward both groups or toward neither of them [7].

Although there have recently been many reforms of policies that regulate access to citizenship, overall they remain a major area of weakness for most European countries.

Figure 4. Multiculturalism Policy Index for immigrant minorities, 2010

Strong - 6.0 to 8.0
Modest - 3.0 to 5.5
Weak - below 3.0
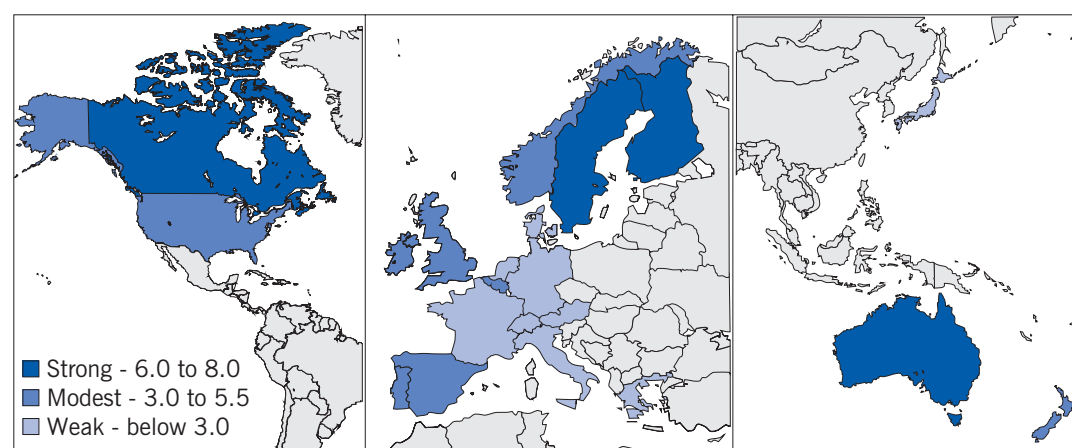
Note: The Multiculturalism Policy Index collects information on multiculturalism policies in 21 Western democracies. For immigrant minorities, the index lists eight of such policies (e.g. the existence of a multicultural education and the tolerance of dual citizenship).
Source: Queen's University. Multiculturalism Policy Index. Online at: http://www.queensu.ca/mcp/

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In many countries the path to citizenship is difficult, long and costly: the result is that foreign people are discouraged from becoming new citizens, and the naturalization rate is consequently relatively low [5].

To date, there are many different measures of citizenship and migrant integration policies, and the presence of such a number of indices is certainly an important contribution to the growing body of research on the dynamics and determinants of the evolution of citizenship laws. However, selecting the "right" index is far from straightforward, for a number of reasons. First, there are many different indices that attempt to measure the same phenomenon. Second, some indices describe only citizenship policies, while others consider citizenship policies in the broad context of migrant integration policies. Among the major indices mentioned above, while CPI, BNI, and CITLAW only include a classification of citizenship policies, ICRI and MIPEX also include information on other migrant integration policies. Third, there is no consensus on the definition of an appropriate citizenship policy indicator. Last but not least, all these indices include very little or no information about migration policies related to refugees, asylum seekers, and illegal immigrants, who are often the mainspring of political action directed at restricting immigration. All these issues can lead to misinterpretations and complicate the possibility of correctly identifying and interpreting the dynamics of citizenship laws and migration policies.

SUMMARY AND POLICY ADVICE

Citizenship laws have undergone a process of continuous transformation in many countries of the world over the last decades. They have evolved in many different ways, and the differences across countries remain significant. Recent changes in citizenship laws show a combination of both liberalizing and restrictive measures, yet there has been a lack of convergence across countries. To better understand the current and past dynamics of citizenship and migration policies, a growing body of research has elaborated various

comparative measures of citizenship and migrant integration policies. However, selecting the "right" index is a difficult task and it is not always easy to interpret and identify the underlying dynamics of citizenship laws.

The laws that regulate access to citizenship are a key element of migrant integration, but it is not the only one: politicians should take into account citizenship policy alongside the role of labor market and educational policies in migrant integration. An explicit or implicit multicultural policy also plays a role in this process. This is particularly the case when taking into account the fact that immigrants living in countries where multicultural policies are in place are also more likely to become citizens. Reforms in citizenship policies should therefore be coupled not only with other migrant integration policies, but also with a multicultural approach that facilitates migrant integration and increases the benefits of diversity.

In today's globalized world a more comprehensive understanding of the relationships between citizenship and migration is needed. The study of citizenship and migration should be investigated from a range of different perspectives. Social scientists as well as politicians should consider the implications of large-scale migration for the traditional notion of nation-state citizenship. A new concept of citizenship should be considered— one in which citizenship is not based on cultural belonging or on nationality and does not have an ethno-nationalistic conception. In a multicultural world in which people are mobile across countries, citizenship and the associated rights and duties should be based mainly on the principle of residence in a territory (*ius domicilii*), where the reference territory is the destination country. This principle does not necessarily exclude the possibility to hold some civil and political rights in another country (e.g. the country of origin), but shifts the focus onto the actual possibility for a migrant to be fully included in the social and political life of the country where s/he lives. This view has consequences that can be perceived under both a subjective and an objective dimension; on the one hand it can reinforce the link between citizenship and individual self-determination, and on the other hand it can strengthen social inclusion.

In many countries the naturalization process is linked to the number of years of residence, but often this requires an interval of uninterrupted residence in the destination country that is too long to be considered a real incentive for a migrant to become part of the host society. Moreover, while in some countries measures have been adopted to reduce the period of residence necessary to qualify for citizenship, at the same time there have been restrictive reforms related to civic integration requirements for applying for citizenship (such as tests assessing the language and knowledge of the host country). Arguably, a period of around five years' uninterrupted residence should be sufficient for a migrant to apply for citizenship, provided that there is not the obligation of passing some civic integration tests and/or of demonstrating a certain minimum level of income (in line, for example, with the current citizenship law reform proposal in Italy). Otherwise, citizenship would be strictly related to a certain level of civic and national "identity" and/or to census.

For children of migrants, or young people who arrived in the host county before the age of majority, a requirement for applying for citizenship could be the completion of a certain minimum number of years in the education system in the host country (*ius culturae*), which is also in line with citizenship reform proposals in some countries (e.g. Italy). What is most important, though, is that provided the necessary conditions are verified, citizenship should be a right for everyone, in line with other political, social, and human rights, and not a concession by the state in response to a request by the migrant.

Citizenship education would be a key tool for enlightening society and for providing citizens and non-citizens with the capacities, skills, and intercultural competencies that are appropriate and necessary for engendering a more inclusive approach to citizenship. Minimum requirements in this respect would be: an ability to see things from another's perspective; an ability to listen, to adapt, and to build relationships from a point of cultural humility; respect for difference. Policymakers should consider encouraging, developing, and implementing educational programs across political, social, and cultural institutions in order to engender a society that would pave the way for a more enlightened approach to citizenship and appropriate legislation.

Acknowledgments

Competing interests

The IZA World of Labor project is committed to the *IZA Guiding Principles of Research Integrity*. The author declares to have observed these principles.

REFERENCES

Further reading

Brubacker, R. *Citizenship and Nationhood in France and Germany*. Cambridge, MA: Harvard University Press, 1992.

Marshall, T. H. "Citizenship and social class." In: *Class, Citizenship, and Social Development. Essays by T. H. Marshall*. New York: Anchor Books, 1964.

Key references

[1]   Howard, M. M. *The Politics of Citizenship in Europe*. Cambridge: Cambridge University Press, 2009.

[2]   Hansen, R., and P. Weil. "Introduction: Citizenship, immigration and nationality: Towards a convergence in Europe?" In: Hansen, R., and P. Weil (eds). *Towards a European Nationality: Citizenship, Immigration and Nationality Law in the EU*. New York: Palgrave, 2001; pp. 1–23.

[3]   Joppke, C. "Comparative citizenship: A restrictive turn in Europe?" *Law and Ethics of Human Rights* 2:1 (2008): 1–41.

[4]   Goodman, S. W., and M. M. Howard. "Evaluating and explaining the restrictive backlash in citizenship policy in Europe." In: Sarat, A. (ed.). *Special Issue: Who Belongs? Immigration, Citizenship, and the Constitution of Legality* (*Studies in Law, Politics and Society, Volume 60)*. Bingley, UK: Emerald Group Publishing Limited, 2013; pp. 111–139.

[5]   Migration Policy Group. *Access to Nationality*. Brussels: Migration Policy Group, 2015.

[6]   Bertocchi, G., and C. Strozzi. "The evolution of citizenship: Economic and institutional determinants." *Journal of Law and Economics* 53:1 (2010): 95–136.

[7]   Vink, M., and R. Bauböck. "Citizenship configurations: Analysing the multiple purposes of citizenship regimes in Europe." *Comparative European Politics* 11:5 (2013): 621–648.

[8]   Huddleston, T., J. Niessen, E. Ni Chaoimh, and E. White. *Migrant Integration Policy Index. MIPEX III*. Brussels: Migrant Integration Policy Index, British Council, and Migration Policy Group, 2011.

[9]   Janoski, T. *The Ironies of Citizenship. Naturalization and Integration in Industrialized Countries*. Cambridge: Cambridge University Press, 2010.

[10] Koning, E. "Ethnic and civic dealings with newcomers. Naturalization policies and practices in twenty-six immigration countries." *Ethnic and Racial Studies* 43:11 (2011): 1974–1992.

[11] Koopmans, R., I. Michalowski, and S. Waibel. "Citizenship rights for immigrants: National political processes and cross-national convergence in Western Europe, 1980–2008." *American Journal of Sociology* 117:4 (2012): 1202–1245.

[12] Noak, R. "Multiculturalism is a sham, says Angela Merkel." *The Washington Post*, December 14, 2015.

[13] Banting, K., and W. Kymlicka. "Is there really a retreat from multiculturalism policies? New evidence from the multiculturalism policy index." *Comparative European Politics* 11:5 (2013): 577–598.

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