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Debating Citizenship

Debating Citizenship

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The chapters in the following part, *Debating Citizenship*, bring concrete empirical political debates on citizenship explicitly to the fore. They examine discussions and political struggles over the concept of citizenship with regard to access, rights and political activity that take place in parliaments and related arenas. The four chapters of *Debating Citizenship* examine topical themes demarcating citizenship, including territorial and, above all, political and conceptual demarcations. Each is considered to have important implications for the concept of citizenship, each posing new questions and demands for analysis. While investigating how citizenship is interpreted, negotiated and struggled over, the chapters show how new questions are emerging and become the foci of debate. As the history of the concept of citizenship is about inclusions and exclusions, common to all of the chapters in this part is precisely the inclusive and, in particular, the exclusive politics of citizenship.

The chapters in *Debating Citizenship* apply the reflexive and constructivist approach to concepts in different ways. The authors analyse debates taking place in different national and international fore, including national parliamentary settings. These arenas are considered sites for politics and loci of conceptual debates: Here citizenship is politicised, interpreted, revised, new conceptualisations are introduced, and different categorisations and conditions for access are made up. As each of the chapters demonstrates, isolated definitions and singular end results are less interesting for our analysis of citizenship than the debates and struggles that take place over the concept in particular contexts and arenas involving political actors.

The debates analysed refer to different dimensions of the relation between citizens and political communities: Access to citizenship (Björk), migrants' rights as well as debates around the recognition of particular rights (Kivistö; Nielsen), and the tension between the state, international law and non-state citizenship in connection to the struggle for indigenous citizenship of the Sámi people (Valkonen and Valkonen).

All chapters refer to the complex relation between citizenship and nationality and the multitude of ways in which it is problematised. They all focus on the margins of citizenship and on the persons who live in these margins: Migrants, asylum seekers and refugees as categories of non-citizens in the chapters by Björk, Kivistö, and Nielsen and the indigenous Sámi people in the chapter by Valkonen and Valkonen, as examples of people for whom nation-state based citizenship has not guaranteed full political membership. As the margins are considered crucial in shaping and contesting citizenship (see also Clarke et al. 2014), in *Debating Citizenship* they are brought explicitly to the centre of the analysis.

A particular demarcation is the one between citizens and non-citizens. The latter is an analytical and political category that refers to persons who do not have legal membership to a particular polity granted by citizenship. Full citizenship status has manifold dimensions on conceptual, legal, practical and symbolic levels, all of which are discussed throughout this volume. Non-citizens—e.g. asylum seekers, refugees, migrants, posted workers, permanent residents, and foreign students—lack the legal and political status of membership while being subjected to national legislation. Non-citizens' access to rights and possible forms of agency are regulated and constituted by the state in which they reside. Whereas it is within their own power to either strive for, or refrain from seeking full citizenship, the state nonetheless defines the rules for access and membership.

Björk's chapter focuses on this problematic, in particular, and on the construction of the rules and conditions for access to citizenship, their definitions and explications in the political debates analysed. The chapter shows how different statuses for immigration imply different possibilities and limitations for active participation for future residents and citizens. The analysis of the UK case is connected to the broader framework by European states of introducing new requirements and procedures for naturalisation, immigration, and applying for permanent residence since the early 2000's and its implications for the politics of citizenship. Here, as well as in other chapters in *Debating Citizenship*, citizenship is conceptualised from the point of view of its borders. Hence the question of who citizens are and what the conditions are for citizenship constitute the concept of citizenship: When the limits and rules for accessing the status of citizenship or even partial rights are being debated, the norms and values of the polity are also being problematised (see Björk 2011 and 2014).

The variety of concepts, categories, labels and (legal) definitions related to the non-citizenry, and the ways in which non-citizens are “classified, labelled, problematized and constituted” (Isin 2002, 263), require careful conceptual and political analysis. As has been said in the introduction, we understand categorisation as never innocent and as a political act in itself. Moreover, each category, definition and label, even those that might be normative, is historically contingent and socially constructed. Both citizenship and immigration bring forth formal statuses and status categories of different kinds. In regard to citizens as well as non-citizens, the respective status— e.g. “legal” or “illegal”—status has considerable practical significance in relation to, for instance, the legal rights one is entitled to (see Gündoğdu 2015; McNevin 2011). Defining and/or the granting of a status, such as the status of citizen, or of a refugee, or the non-status of an undocumented, or irregular migrant, therefore is a decisive act of defining power relation and individual life chances. Addressing the conceptual divisions—and how they are used for different political purposes—is vital for the analysis of the

inclusive and exclusive politics of citizenship and the uses of citizenship as a tool for political exclusion.

The chapters by Björk, Kivistö and Nielsen all examine the sovereign practices by states related to non-citizens in the context of political and legislative changes. Kivistö's chapter focuses on debates related to the right of asylum in the context of Germany and the UN in the immediate post-war period; Nielsen's chapter explores the debate related to extending the right to medical care to irregular migrants in Sweden, whereas Björk addresses the conditions of access for immigrants by analysing a debate from the UK. These debates and different empirical case studies not only resonate well in contemporary political and scholarly discussions in Europe related to migration and the challenges it poses to nation-state citizenship, but they also demonstrate how the state practices connected to claims of entry and access, recognition and exercise of rights depend on the status (or non-status) of the person: Kivistö's chapter highlights the historical particularity of refugees and asylum seekers as a specific category of migrants in terms of admission, whereas irregular migrants are persons in exceptional situations in present day Europe without official status or legal residence, as Nielsen's chapter shows. The conceptual hierarchical demarcations of non-citizenry and, in particular, the temporalities related to accessing different categories of non-citizens are discussed in the chapter by Björk.

In addition to the boundaries between the citizens and non-citizens, the chapters address demarcations related to rights. Kivistö's and Nielsen's chapters both manifest the idea of citizenship as a "right to have rights" as formulated by Hannah Arendt, which has not only historical but also present day relevance for the political struggles related to migrants (see e.g. Gündoğdu 2015). In the chapter by Kivistö, Arendt's notion is used to approach and rethink the problematic connection of citizenship and rights in the analysis of both historical and

present day debates. The chapter investigates political and conceptual struggles related to the right of asylum as a particular right of non-citizens. Whereas asylum is a contested right in Europe and a central question on political agendas, the theme also has historical significance in terms of analysing a state's obligations and responses towards the rights claims presented for the protection of non-citizens. In the chapter by Nielsen, the relationship between citizenship rights and human rights is discussed by analysing struggles over the right to medical care with reference to irregular migrants. Whereas social rights are rights that have been closely connected to citizenship in the Marshallian model (see Marshall 1950), by investigating the Swedish case example Nielsen challenges this notion and argues for a discursive and conceptual shift in the understanding of access to medical care as a right that can be seen as a right regardless of the legal status of the resident. Nielsen's chapter shows how the language of human rights is used to mobilise the discussion concerning the right to medical care that has previously been seen as a right of membership.

Each of the chapters in *Debating Citizenship* examines political boundaries related to memberships and political communities. Whereas the movement of people across borders challenges old political boundaries, the contested notions of membership are also evident in the chapter by Valkonen and Valkonen, who discuss the political struggle related to the indigenous Sámi people in Northern Finland. By addressing questions related to belonging and struggles related to the claims of recognition, the chapter contests the idea of nation-state membership of citizenship. The authors investigate conceptual and political disputes involved in the notion of indigenous citizenship as a form of non-state citizenship. Indigenous citizenship is also an example of the internal diversification of citizenship: The Sámi in Finland, Norway, Russia and Sweden have national citizenship in their states but also a distinct status "beyond" the state. This status is both intra-state and transnational and involves divisions both at the intra-state and transnational levels. The chapter explores the intersection

of citizenship with ethnicity and identity and sheds light on many similar situations from different contexts. The politics of the concept of indigenous people, therefore, resonates well with the contestedness of citizenship analysed in the various contributions of this volume.

Citizenship, finally, can be understood as a formal, legal status, but it can also be conceptualised as “being political” (Isin 2002), which is not based on the status of the citizen. Therefore, non-citizens, when claiming their rights just like citizens would do, or the indigenous Sámi people when struggling for political recognition, develop new forms of political agency, new ideals and diversifications of citizenship. Whether related to the claiming of rights or requests for entry and access, these conceptual readings help us to understand the politics of citizenship and the demarcations created by the exclusiveness of citizenship. The exclusiveness constitutes strangers and outsiders (see Isin 2002), but the outsiders, non-members, persons at the margins of citizenship also constitute citizens and citizenship, politicise new questions, challenge old self-evident conceptions, categories and power relations as well as require new theorising. Citizenship is, therefore, shaped in each of the political debates, conceptual contestations, struggles over recognition, and the articulation of rights analysed in *Debating Citizenship*.

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