



# IMISCOE POLICY BRIEF

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## Decentralised citizenship politics: Between national justice and municipal particularities

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**Citizenship policies can vary within the same nation state**

**Switzerland shows the most extreme local-level variations**

**This brief discusses the mechanisms, advantages and problems of Swiss local naturalisation policies**

**Main conclusions:**

- **Guarantee transparency**
- **Formal procedures at national level**
- **No subjectivity**
- **Involvement population**

**Summary** Although the nation-state is commonly regarded as a crucial actor and the most relevant level when it comes to citizenship politics, related policies are often executed or even shaped at the regional and the local levels. As a consequence, policies can vary from region to region or from town to town within the very same nation-state. Most typically, high variations of citizenship politics can be observed in federal states, but even in centralised countries such as France, variations occur. Switzerland constitutes the most extreme case when it comes to local-level variations in citizenship policies. In this country, every municipality – be it a town of 100,000 inhabitants or a village of population 400 – is attributed its own right to decide the criteria for naturalising foreigners. As a result, we observe a large range of different naturalisation policies – from the very generous to the very restrictive – between regions, cities and even villages.

This policy brief addresses national and local policymakers who are involved in local citizenship politics and/or are concerned with reforms of decentralised citizenship systems. Following is a discussion of the mechanisms that influence local naturalisation policies, as well as advantages and problems that come with a decentralised system. Based on the IMISCOE-Amsterdam University Press publication *Practising Citizenship and Heterogeneous Nationhood. Naturalisations in Swiss Municipalities* (2008), this policy brief draws on data collected through research on Swiss local naturalisation politics. This innovative research project compiled data from a survey conducted in 200 Swiss municipalities and information from fourteen detailed case studies. It enabled us to analyse why certain municipalities pursue a more restrictive citizenship policy than others. We conclude that:

- Decision-making processes should follow certain standardised procedures and that, in a decentralised system, transparency should be guaranteed at the local level both for the applicants as well as the decision makers.
- Because foreign residency necessarily implies being part of a national community, citizenship policies should be regulated in detail at the national level with regard to both the formal procedures and the applied criteria.
- Decisions should not depend on merely subjective impressions

and evaluations.

- The better part of the population should be involved when it comes to establishing citizenship regulations because they concern formation and modification of the national community, and should thus reflect how the population perceives their nation.

**Local variations in citizenship policies in Germany, Austria, US and France**

**Local citizenship and integration policies in Europe and the US** In many countries, citizenship politics are decentralised. Germany constitutes one of the most prominent cases: while citizenship law is regulated at the national level, it is actually executed on the sub-national level (by the *Länder*). This is where naturalisation procedures are organised and the decisions are taken on naturalisation criteria. Various studies have shown that naturalisation rates and citizenship politics differ significantly between Germany's various *Länder*. In other countries, divergent practices of citizenship can also be observed at the regional level in Austria. A case in point, some Austrian provinces require applicants to adapt to the so-called 'Austrian way of life'; they also expect applicants to be active in local associations and have a high level of language proficiency. Other Austrian provinces are much more liberal, by contrast. In the American naturalisation programme, formal procedures and interpretations of naturalisation criteria vary greatly across different district offices. There are, for example, differences with regard to language testing, but also how and when people are persuaded to withdraw their application should they be deemed ineligible for naturalisation. Differing implementations of naturalisation laws can even be witnessed in highly centralised states such as France. Various researchers have observed cases that clearly contradict the voluntaristic citizenship model with which France is often associated. In some regional offices, candidates are even manifestly dissuaded from applying for French citizenship.

**The Swiss case: regulations on federal, cantonal and local level**

**Naturalisation is responsibility of municipalities**

**Local naturalisation politics in Switzerland** Switzerland probably constitutes the most interesting case with regard to local variation in citizenship politics. Each individual is not only a citizen of the country, but also of his or her canton and his or her municipality. Swiss citizenship is therefore regulated on federal, cantonal and local levels. The naturalisation of alien residents, however, is to a large extent mainly the responsibility of municipalities. Whereas decisions by the Confederation and cantons constitute rather formal and administrative procedures on the basis of clearly specified criteria (such as the required time of residence), municipalities mainly preside over political decisions. In some Swiss municipalities (up until July 2003 anyway), final votes on naturalisation processes were determined by the ballots that Swiss citizens cast at a municipal assembly or via their representatives in the local parliament or executive administrative bodies.

**Criteria for naturalisation can differ between municipalities in the same canton**

Applicants for Swiss citizenship usually must pass a test or an interview to prove they are familiar enough with the Swiss political system, Swiss history and the language of the respective region. Local administration and decision makers determine if, and to what extent, candidates must pass such examinations. Criteria for naturalisation can therefore even differ between municipalities in the same canton. A closer look does indeed reveal that a large range of different naturalisation procedures exists on the local level, from the very generous to the very restrictive.

**Research shows that variation in local politics is influenced by local political systems and citizenship paradigms**

**Explaining local variation: local struggles over cultural boundaries** In most studies investigating local variation of citizenship and integration policies, it is argued that local policies are largely influenced by national systems and that local political structures shape the ways migrants become integrated. Various empirical studies have demonstrated, however, that local integration and citizenship policies cannot be explained exclusively by their being embedded in a national system. This has been shown not least by the fact that varying citizenship and integration policies are pursued within the same country. In such studies, the heterogeneity found across local politics surrounding immigrants is mainly attributed to differences between local political systems and prevailing citizenship paradigms.

**The Swiss study shows that 1) political and cultural factors mainly influence local citizenship policies**

In our study on local citizenship attribution in Switzerland, we came to similar conclusions. Two of the main results are of utmost relevance for policymakers: (1) Local citizenship politics do not depend on structural and/or economic aspects of a town, such as the ratio of immigrants or unemployment rates. Rather, cultural and political factors are crucial: the outcome of naturalisation policies is highly influenced by the attitudes of the most dominant political actors. (2) The more open the decision-making process is, the more restrictive citizenship politics become. When the entire population is involved in citizenship politics, many more applicants are denied Swiss citizenship. Let us briefly discuss these findings in more detail.

**2) openness leads to restrictiveness**

**In the Swiss study: large Muslim presence did not lead to restrictive attitudes**

**Local citizenship struggles** It is often argued that real or perceived socio-economic or structural threats lead to hostilities against foreigners. Most commonly put forward is the idea that the growth of immigration, economic crises and high unemployment rates lead to tensions between native citizens and foreign residents. As a result, it is believed that acts of discrimination rise and more restrictive citizenship policies are implemented. In our study, we analysed correlations between the ratio of foreigners living in a municipality, unemployment rates and the ratio of applicants from Muslim countries (the largest naturalisation group) vis-à-vis naturalisation policies. Our analysis revealed that none of the three factors had an impact on citizenship policies: a large Muslim presence in one municipality did not automatically yield more restrictive attitudes towards them.

**Implementation of citizenship policies depend on attitudes political actors**

**Differing ideas what Swiss nationality means and political struggles how to draw cultural boundaries**

**More openness in decision making lead to more restrictive policies**

**Public debates dominated by actors pursuing restrictive policies**

**Arbitrariness of municipal decision-making processes disputed**

Contrary to those who expect structural and socio-economic factors to have an impact on citizenship politics, we found that cultural and political characteristics are most relevant when it comes to the creation of naturalisation policies. We discovered that the implementation of citizenship policies depends a lot on the attitudes that the most important political actors have towards citizenship. In other words, we have to account for the interpretation of citizenship by those who influence – if not actually make – the most important decisions. Accounting for the local political level, however, does not mean that we encounter homogeneous and stable units: even within municipalities different ideas of what Swiss nationality means exist and, as much as nation-states evolve, local citizenship models change over time. Depending on which political actors gain or lose power, citizenship politics become more or less restrictive over time. What we clearly observe are political struggles over how to draw cultural boundaries, resulting in questions such as: how do we see ourselves? How do we see our nation? What criteria must be met to become a full member of a national community? Which foreigners are integrated enough to be part of society?

***Open decision-making arenas*** While in some Swiss municipalities policies are passed within the executive body or parliament, in others, the entire population is involved in a decision-making process through local assemblies or popular votes. In line with other studies, we found that citizenship policies are less liberal and more discriminatory when decisions are reached through such mechanisms. It makes a difference, both in terms of the processes involved and the actors implicated, whether immigration and citizenship policies are the object of intense political mobilisation and public debates, or whether the status of foreigners is discussed mainly within the bureaucracy. In the public arena, political parties get the opportunity to attract popular attention to these issues. In the case of immigration and citizenship, public debates are often dominated by actors pursuing restrictive immigration and citizenship policies. Marginal actors such as extreme-right parties who would otherwise lack channels of access to the restricted policy venues take this opportunity to forward their positions. They thus exploit political issues such as unemployment, the social security system or criminality in order to mobilise support and restrict naturalisation procedures.

***Enforcing national justice or allowing local particularities?*** Our research proved that a decentralised system such as Switzerland's can lead to high variations in citizenship politics and, alas, to discriminatory decisions. The chances of becoming a Swiss citizen are higher in some municipalities than in others. In the last few years, the Swiss naturalisation system has led to numerous political and judicial debates after, in some municipalities, candidates of the former Yugoslavia were regularly refused Swiss nationality. Opponents of the existing system criticised the arbitrariness of these

municipal decision-making processes that exposed candidates to the attitudes of the local population and politicians. In July 2003, the Swiss Federal Court rendered a verdict that making decisions by ballot on naturalisation requests violates the Swiss Constitution. Advocates of the existing system criticise this verdict for violating the autonomy of Swiss municipalities and the democratic electoral rights of Swiss citizens.

**Should citizenship policies be decentralised?**

This debate leads us to a general question regarding whether or not citizenship policies should be decentralised. The advantage of a decentralised system is that regulations and laws can be implemented by accounting for regional or local specificities. Moreover, local political actors and administrative officials are closer to those people who seek to be naturalised or need to be integrated; they may also be better equipped to evaluate the applications. However, it remains questionable if foreigners should be treated differently within the same nation-state. The crucial issue here is: which is the most relevant level at which a foreigner becomes inscribed as a member of Swiss society? In processes of naturalisation, is a foreigner first and foremost becoming a member of a local community or becoming a member of a nation-state? Even if we agree that a foreign resident is becoming a national citizen and that criteria for naturalisation must thus be regulated at the national level, variations of implementation practices can hardly be avoided. The example of France, where naturalisation policies are not decentralised, has shown this. Administrative bodies themselves have different interpretations of national laws. We argue, therefore, that variations are not a problem so long as decision-making processes follow certain standardised procedures.

**Variations of implementation practices can hardly be avoided**

**Decision-making processes should follow standardised procedures**

**In Switzerland decisions depend a lot on the personal opinions of people**

Most critics of the current system in Switzerland do not so much bemoan the local variations as much as they resent the opacity of decisions and their discriminatory consequences. In the large majority of Swiss municipalities, there are no formal or detailed regulations as far as the criteria to be fulfilled. It is therefore often not clear on which grounds decisions are taken. Accordingly – and our study has confirmed this – decisions depend a lot on the personal opinions of those people who are involved in decision-making procedures. In a decentralised system, transparency should be guaranteed at the local level. In Switzerland, the federal law on citizenship merely stipulates that only those foreign residents can be naturalised who have lived in Switzerland for at least twelve years. They must, moreover, respect the legal order, not compromise the interior or exterior safety of the country and be deemed integrated and familiar with Swiss customs and habits. The first three criteria are quite clear, easy to verify, and are always checked by the federal administration. By contrast, questions of integration and familiarity give rise to vague requirements and leave municipalities with much room to interpret decision making.

**Criteria for naturalisation are left to interpretation**

Because foreign residency necessarily implies being part of a national community, citizenship policies should also be regulated in detail at

**Citizenship policies should be regulated at the national level**

the national level with regard to both the formal procedures and the applied criteria: the same criteria should be applied for every candidate, and decisions should not depend on subjective impressions and evaluations. A standardised system guarantees even more that the general will of the society is reflected since detailed regulations are the result of a deliberative process during which varying opinions and convictions could be accounted for.

**The same criteria should be applied to all candidates**

**Clear-cut criteria assist both local decision makers and candidates**

A detailed regulation at the local and the national levels also facilitates the work of local decision makers. In our interviews, we often got the impression from various political party representatives that they find it difficult to make decisions because they do not know what the general standards should be. Clear-cut criteria, furthermore, make it easier for potential candidates to know what a country expects from them and how they should proceed to fulfil the criteria.

**The better part of the population should be involved**

A last point concerns the openness of the decision-making arena. It is important that the better part of the population is involved when citizenship regulations are established. After all, naturalisation is about formation and modification of a national community, and this national community should have a say. Naturalisation norms and criteria should reflect how all individuals perceive their nation.

**Decisions should be taken within an administrative body to avoid arbitrariness**

It is another matter altogether when it comes to the application of these criteria. At this stage, there must be a guarantee that the will of the people is respected and that political actors cannot alter the rules of the game as they like. It is therefore most useful if decisions are taken within an administrative or executive body. Does this imply that bureaucrats and members of executive bodies are any less arbitrary than ordinary citizens? Not necessarily. A government can comprise representatives of rightwing populist parties and bureaucrats can easily interpret regulations in a restrictive way. However, their leverage is rather limited as they, first and foremost, must defer to the existing laws and regulations. As such, their actions would be institutionally constrained, thereby at least reducing the possibility of arbitrary decisions. Finally, administrative decisions have to be justified on the basis of existing laws or regulations that, in most liberal democracies anyway, will follow the principle of equal treatment.

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## Suggested reading on local citizenship and integration politics

- Bousetta, H. (1997), 'Citizenship and Political Participation in France and the Netherlands: Reflections on two Local Cases', *New Community* 23 (2): 215-231.
- Cinar, D. & H. Waldrauch (2006), 'Austria', in R. Bauböck, E. Ersboll, K. Groenendijk & H. Waldrauch (eds.), *Acquisition and Loss of Nationality. Policies and Trends in 15 European States (Volume 2: Country Analyses)*, 19-61. Amsterdam: Amsterdam University Press.
- Costa-Lascoux, J. (1996): "'Devenir français aujourd'hui..." Réflexion sur la sociologie des naturalisations', in H. Fulchiron (ed.), *"Etre français aujourd'hui..." Premier bilan de la mise en oeuvre du nouveau droit de la nationalité*, 137-159. Lyon: Presses universitaires de Lyon.
- Dornis, Ch. (2001), 'Einbürgerung in Deutschland: Die Verwaltungspraxis in verschiedenen Regionen im Vergleich', in L. Akgün & D. Thränhardt (eds.), *Integrationspolitik in föderalistischen Systemen (Jahrbuch Migration)*, 63-99. Münster: Lit.
- Garbaye, R. (2000), 'Ethnic Minorities, Cities, and Institutions: A Comparison of the Modes of Management of Ethnic Diversity of a French and a British City', in R. Koopmans & P. Statham (eds.), *Challenging Immigration and Ethnic Relations Politics: Comparative European Perspectives*, 283-311. Oxford: Oxford University Press.
- (2004), 'Ethnic Minority Local Councillors in French and British Cities: Social Determinants and Political Opportunity Structures', in R. Penninx, K. Kraal, M. Martinello & S. Vertovec (eds.), *Citizenship in European Cities. Immigrants, Local Politics and Integration Policies*, 39-56. Aldershot: Ashgate.
- Hagedorn, H. (2001a), 'Föderalismus und die deutsche Staatsangehörigkeit: Die Einbürgerungspolitik der Bundesländer', in L. Akgün & D. Thränhardt (eds.), *Integrationspolitik in föderalistischen Systemen (Jahrbuch Migration)*, 91-117. Münster: Lit.
- (2001b), 'Einbürgerungspolitik in Deutschland und Frankreich', *Leviathan* 29 (1): 36-57.
- Helbling, M. (2007), *Practising Citizenship and Heterogeneous Nationhood. Naturalisations in Swiss Municipalities*. Amsterdam: Amsterdam University Press.
- (2008), 'Switzerland: Contentious Citizenship Attribution in a Federal State', *Journal of Ethnic and Migration Studies* (forthcoming).
- Helbling, M. & H. Kriesi (2004), 'Staatsbürgerverständnis und politische Mobilisierung: Einbürgerungen in Schweizer Gemeinden', *Swiss Political Science Review* 10 (4): 33-58.
- Moore, D. (2001), *Ethnicité et politique de la ville en France et en Grande-Bretagne*. Paris: L'Harmattan.
- (2004), 'Migrants as Mediators in a Comparative Perspective', in R. Penninx, K. Kraal, M. Martinello & S. Vertovec (eds.), *Citizenship in European Cities. Immigrants, Local Politics and Integration Policies*, 127-138. Aldershot: Ashgate.
- North, D. S. (1985), *The Long Grey Welcome: A Study of the American Naturalization Program*. Washington: NALEO Education Fund.
- (1987), 'The Long Grey Welcome: A Study of the American Naturalization Program', *International Migration Review* 21 (2): 311-326.
- Penninx, R., K. Kraal, M. Martinello & S. Vertovec (eds.) (2004a), *Citizenship in European Cities. Immigrants, Local Politics and Integration Policies*. Aldershot: Ashgate.
- (2004b), 'Introduction: European Cities and their New Residents', R. Penninx, K. Kraal, M. Martinello & S. Vertovec (eds.), *Citizenship in European Cities. Immigrants, Local Politics and Integration Policies*, 1-16. Aldershot: Ashgate.
- Rogers, A. (2000), 'Citizenship, Multiculturalism and the European City', in G. Bridge & S. Watson (eds.), *A Comparison to the City*. Oxford: Blackwell.
- Rogers, A. & J. Tillie (eds.) (2001), *Multicultural Politics and Modes of Citizenship in European Cities*. Aldershot: Ashgate.
- Steiner, P. & H.-R. Wicker (2000) (eds.) (2004), *Paradoxien im Bürgerrecht. Sozialwissenschaftliche Studien zur Einbürgerungspraxis in Schweizer Gemeinden*. Zürich: Seismo.
- Thränhardt, D. (1999), 'Regionale Ansätze und Schwerpunktaufgaben der Integration von Migrantinnen und Migranten in Nordrhein-Westfalen', D. Thränhardt (ed.), *Texte zu Migration und Integration in Deutschland*, 45-121. Münster: Arbeitsstelle für interkulturelle Kommunikation.
- Waldrauch, H. & D. Cinar (2003), 'Staatsbürgerschaftspolitik und Einbürgerungspraxis in Österreich', in H. Fassmann & I. Stracher (eds.), *Österreichischer Migrations- und Integrationsbericht*, 261-281. Klagenfurt: Drava Verlag.