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Illiberal Integrationism: Assimilation, Orientalism, and Constitutional Patriotism in the Federal Republic of Germany

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by

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ABSTRACT

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In March of 2016, German right-wing nationalist-populist political party Alternative für
Deutschland took the second and third largest seat shares across three state-level elections.
These electoral successes, in combination with the rise of anti-immigrant groups such as
PEGIDA, have prompted a renewal of public discussion about what constitutes Germanness
and who can really be German. This thesis engages with these two questions formulated
thusly: (1) what does it mean to be a German national, and (2) to what extent do German
citizenship and naturalization policies promote national exclusion? Drawing on the literature
on nation and citizenship, this thesis takes a comparative historical approach to
understanding German national exclusion by examining changes to the German national over
time as well as taking a cross-sectional approach to contemporary legal developments. The
first section draws on citizenship law in combination with popular debates over the content of
the German national in order to construct an understanding of what it means to be German
and how citizenship law produced and maintained legal boundaries around the national
community. Further data includes analysis of the content of the citizenship test, which was
introduced in 2007, and workbooks used in integration courses, introduced in 2004, both of
which contribute to understanding how *Ausländer* are expected to "integrate." The consensus

understanding of the German nation and nationalism is currently that Germany is a nation-state that established itself through ethnic nationalism that has been shifting more towards civic nationalism. Ultimately, this study finds support, however, for the presence of longstanding barriers to citizenship predicated on being culturally national. Most notably, this study finds that what it means to be national is now cast in terms of Western liberal-democratic norms, which allows for and encourages essentialist distinctions between Occident and Orient.

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Introduction

German Citizens and German Nationals

On March 13, 2016, *Alternative für Deutschland* (AfD) [Alternative for Germany], a right-wing populist political party founded in 2012 under the name *Wahlalternative 2013* [Electoral Alternative 2013], surprised everyone by receiving the second largest share of votes in the state election for Saxony-Anhalt, and the third largest share in both Baden-Württemburg and Rheinland-Palatinate. Certainly, this level of success from such a new political party is surprising, but what has concerned news outlets, establishment politicians, and onlookers is the slate of policies supported by AfD: they are a Eurosceptic, populist political party with a distinct anti-immigrant and anti-Islamic agenda.

As a party, AfD opposes Germany's continued participation in the European Union. For example, Armin Paul Hampel, who is the director of AfD's branch in Lower Saxony and was one of the party's candidates in the last European Parliament election, has opposed immigration within Europe, claiming that "other parties want immigration only so that they can incorporate Germans into a large European slurry."[1] Furthermore, many have attributed this recent electoral success to popular backlash against Merkel's acceptance of substantial numbers of Syrian refugees over the past year. In fact, it seems that AfD's open and verbose antipathy towards Muslims and immigrants has helped them gain support. For example,

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[1] "Andere Parteien wollen Zuwanderung nur, damit die Deutschen in einem großen europäischen Brei aufgehen." Hampel's quote here is expressing a common AfD view that Germany is losing more of its character the more it integrates into Europe and acts as a part of Europe. Like many right-wing populist parties and movements, AfD politicians frequently claim that Germany is under attack, its character is being lost, and the German nation will disappear if things continue as they are going. Matthias Zahn, "Die AfD und die rechtspopulistichen Töne," Tagesschau, http://www.tagesschau.de/multimedia/politikimradio/audio119582.html.

Beatrix von Storch, a member of the European Parliament for AfD, has said that the "greatest threat for democracy and freedom today comes from political Islam" and that Islam is a "political ideology incompatible with the Basic Law."[2] In similar comments, the director of AfD in Brandenburg, Alexander Gauland, argued that "Islam is not a religion like Catholicism or Protestantism, but is instead always associated with the takeover of the state. As a result, the Islamization of Germany is a danger."[3]

AfD's slogan, *Mut zur Wahrheit* [the courage to tell it like it is], is particularly salient in Germany, where certain types of talk and the expression of Nazi ideology are not only taboo, but sometimes illegal.[4] Indeed, many were particularly compelled by AfD politicians' willingness to "call things by their name" [*endlich einmal beim Namen nennen*] and to "shoot straight" [*die Meinung geigen*].[5] The success of right-wing populist political parties is not limited to Germany or this particular election. Indeed, Austria's Freedom Party, Greece's Golden Dawn, France's National Front, the United States' Tea Party and its spiritual successor in Donald Trump's faction of the Republican Party, Denmark's Danish People's Party, Lega Nord in Italy, the Swiss People's Party, and the Sweden Democrats are all receiving substantial popular and electoral support. Therefore, it would be more accurate to say that in all of "the West" open support for xenophobic and exclusionary policies and parties is again in vogue. In each case, support for these parties tends to hinge on narratives of cultural infiltration, immigrants and refugees who cannot or will not integrate, and liberal

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[2] "Die größte Bedrohung für Demokratie und Freiheit geht heute vom politischen Islam aus," and "Der Islam ist an sich eine politische Ideologie, die mit dem Grundgesetz nicht vereinbar ist." "Von Storch: 'Islam ist nicht mit Grundgesetz vereinbar,'" <u>Frankfurter Allgemeine Zeitung</u>, May 13, 2016, http://www.faz.net/aktuell/politik/inland/von-storch-islam-nicht-mit-grundgesetz-vereinbar-14182472.html.

[3] "Der Islam ist keine Religion wie das katholische oder protestantische Christentum, sondern intellektuell immer mit der Übernahme des Staates verbunden. Deswegen ist die Islamisierung Deutschlands eine Gefahr." "Von Storch: 'Islam ist nicht mit Grundgesetz vereinbar,'"

[4] See <u>Strafgesetzbuch</u> §86.

[5] Robert Pausch, "Partei der radikalisierten Mitte," <u>Die Zeit</u>, March 14, 2016, http://www.zeit.de/politik/deutschland/2016-03/afd-analyse-erfolg-landtagswahlen-partei-waehler.

societies protecting themselves from "illiberal people."[6] These arguments about essentially different peoples, often from the Near East, and the need to defend the nation from them are not new, and find their roots deep in the Western tradition of Orientalism. In fact, that same tradition is very much alive today not only in the explicit xenophobia of right-wing populist movements, but also in the "centrist" (right _and_ left) politics of Christian Democrats and Social Democrats across Europe.

Indeed, it is not only AfD politicians and their compatriots in the National Front and the Sweden Democrats, for example, who oppose Turkey's membership in the European Union. Opposition to Turkish accession has been widespread and consistent. Perfectly "liberal" politicians – such as former French Prime Minister Jean Pierre Raffarin and former French President Nicolas Sarkozy – and newspapers have regarded the topic of Turkish accession to the EU as untenable because Turkey and Islam are incompatible with European values.[7] The incompatibility between Europe, or "the West" more broadly, and Islam is a well-trodden topic of conversation outside of extreme right-wing politics. Indeed, debates about whether or not Muslim immigrants can or will integrate into German society are commonplace. In fact, the founding of the German anti-Islam group PEGIDA (Patriotic Europeans against the Islamization of the West),[8] the _Charlie Hebdo_ shooting and Paris attacks, and the European refugee crisis have all contributed to building anti-Islamic sentiment in Germany in 2014 and 2015.

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[6] Chistian Joppke,"How liberal are citizenship tests? A rejoinder," (working paper, Robert Schuman Centre for Advanced Studies, EUDO Citizenship Observatory, 2010). http://eudo-citizenship.eu/commentaries/citizenship-forum/citizenship-forum-cat/255-how-liberal-are-citizenship-tests?showall=&start=10

[7] Thomas Koenig, Sabina Mihelj, John Downey, and Mine Gencel Bek, "Media Framings of the Issue of Turkish Accession to the EU," Innovation: The European Journal of Social Science Research, 19 (August 2006).

[8] PEGIDA in German stands for _Patriotische Europäer gegen die Islamisierung des Abendlandes_. It is worth noting that the German word "_Abendland"_ can also be translated as Occident, although PEGIDA uses "the West."

Germany provides an excellent case study for analyzing nationality and exclusion, especially within the context of the European Union, for several reasons. First, Germany is one of the driving forces of EU policy, as a result of its status as the strongest economy in the Eurozone, its geographical location, and its commitment to active involvement in establishing EU policy programs. Second, as I argue below, German identity and politics after the Holocaust relied heavily on being European and integrating into "the West." This is particularly important to note because prior to World War II, Germany was considered neither Western nor Eastern European. Instead, German scholars asserted that Germany had its own "special path" [*Sonderweg*] or development.

In addition to its geopolitical position, Germany's current and historical domestic politics provide a unique and important set of concerns. Beginning with the establishment of a single German state in 1871, Germany has since had several different political systems, including a federal parliamentary monarchy, a federal republic, a fascist dictatorship, and a second federal republic. Each of these changes in systems of governance included a shift in the state's relationship with national symbols and history as well as with nationalism. These varied from extreme devotion to the nation promoted through state-spread propaganda reliant on national symbols to extreme distancing from nationalism and state use of national symbols. In addition, Germany's system of citizenship ascription followed both of the major ideal-typical models outlined by Rogers Brubaker in his Citizenship and Nationhood in France and Germany.[9] Until 2000, Germany had been characterized as having a system of citizenship *jus sanguinis* [by blood]; this meant that citizenship was granted at birth only to

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[9] Rogers Brubaker, Citizenship and Nationhood in France and Germany (Cambridge, MA: Harvard University Press, 1992).

those of German descent.[10] After major reforms went into effect in 2000, German citizenship law included instances of citizenship *jus soli*, or by birth on German soil. As a result, Germany provides a case for analysis of how exclusion can be formulated under both models in the same national context. Finally, Germans have been actively and publicly engaged with the national question since the eighteenth century. Indeed, questions of nation and nationalism have been at the front of German public discourse and an ever present concern from Johann Gottfried Herder's call for the revitalization of German national art and culture in the late 18th Century and Johann Gottlieb Fichte's Addresses to the German Nation in 1808 to the *Leitkultur* [guiding culture] debates in 1999 and debates over the place for multiculturalism in Germany after 2010.[11]

All of these historical and political factors and concerns have led to the following questions: What does it mean to be "national" in Germany? What qualities, beliefs, and knowledge grant an individual membership in the national community? Has this changed over time, and if so, how? How has exclusion from the national community been framed and expressed in German public discourse? Do the boundaries of the national community correspond to the boundaries outlined by the state in citizenship law? Furthermore, how do state institutions and policies, specifically citizenship law and its accompanying institutions, articulate these boundaries and set expectations for immigrants? Does membership and involvement in the European Union have an impact on national identity and national exclusion? Do Orientalist narratives of essential differences and unbridgeable divides between East and West inform German national identity, both in the past and the present?

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[10] I explore what this means in more detail in Chapter 3.

[11] To quote Cynthia Miller-Idriss: "The trouble with Germans, Napoleon reportedly once remarked, is that they are always becoming, never being. Indeed, the German nation has been in an almost perpetual state of change." Cynthia Miller-Idriss, Blood and Culture: Youth, Right-Wing Extremism, and National Belonging in Contemporary Germany (Durham: Duke University Press, 2009), 46.

And finally, if Orientalist narratives are present, how are these supranational narratives translated into national ones?

Chapter Overview

This thesis seeks to understand the relationship between institutional exclusion and nation in Germany between 1945 and 2015. More specifically, I aim to evaluate how exclusion is derived from and embedded in German national ideology through the language of Orientalism, understood as politics and culture. In pursuit of this objective, this thesis proceeds as follows.

Chapter One outlines and evaluates theoretical contributions to the study of nations, the national, and nationalism. The chapter argues that the national, the ideological content around which each community called nation is organized, is constantly negotiated and renegotiated by politicians, intellectuals, bureaucracies, and the public. It also argues that exclusion is both an inherent part of nation and its institutional expression.

In Chapter Two I discuss the methodological basis for this study. This includes an in-depth discussion of the state of comparative historical research, as well as an outline of the research design and data-gathering processes undertaken in this study. Ultimately, I argue for the importance of longitudinal study of the German national and citizenship in order to better understand both the current hegemonic German national and how it is shaped and informed by previous iterations.

Chapter Three explores the development of institutional expressions of nationhood in Germany from 1870 to 1999. More specifically, it focuses on the importance of the language

of culture in the exclusion of non-nationals in a period typically understood as being dominated by the language of ethnicity. To that end, it examines changes in citizenship and naturalization law as informed by changes in common understandings of what makes someone "national" as expressed in public discourse and public debates. In looking at 130 years of history together, it becomes apparent that systematic exclusion continues to be articulated through a language of culture in German public discourse, which is a tradition that precedes the Nazi period, even though the race-based language of exclusion has largely disappeared in the contemporary period.

Chapter Four examines how policy following the substantial reforms to citizenship law passed in 1999 established "integration" as the primary criteria for naturalization, as well as standards for what integration meant and should look like. To do so, I zoom in from the broad comparative historical view of the previous chapter to focus on two sets of texts that represent two contemporary institutions in German naturalization law: integration courses and the citizenship test. What emerges here are narratives of justifiable exclusion bound up in Germany's placement within Europe and revisionist national historical accounts of Germany as having developed alongside Western Europe – essentially boiling down to a reworking of the Occidental-Oriental divide.

Finally, the Discussion and Conclusion discusses key trends and patterns in the language of the national and in institutional forms of exclusion. I summarize overarching arguments and narratives, while also addressing three key themes present in chapters Three and Four. Furthermore, it explores the role of Orientalism and Orientalist divisions between East and West in German national narratives over time. In doing so, it connects trends and commonalities from previous chapters, bridging the *jus sanguinis* and *jus soli* citizenship

regimes in Germany, and argues that national exclusion is still very much a central part of German citizenship law and nationhood.

Chapter I

On the Production and Reproduction of National Meaning

At a conference at the Sorbonne in 1882, Ernest Renan famously rejected common ethnic

and linguistic definitions of the nation, instead proposing the nation to be a "daily plebiscite"

that "presupposes a past but is reiterated in the present by a tangible fact: consent."[1] Indeed,

Renan found the idea of a natural basis for the nation insufficient. Specifically, he asserted

that ethnic and racial ties were recent fabrications, allegiances and sentiments cannot be

derived from language, and the geography that bounds a national community often changes

over time. As a result, Renan found each of these insufficient as a definition for the nation.

He instead posited the nation as a community of will, predicated on living a solidarity built

on the back of shared suffering, sacrifices made, and a willingness to make them once more.

Importantly, Renan maintained a separation between the nation and the state that was

lacking in many later theories. For example, building on Renan's understanding of the nation

as "a soul, a spiritual principle,"[2] Max Weber described the nation as a "community of

sentiment" that would normally produce its own state.[3] This definitional linkage between the

nation and the state became the standard, so much so that it was often an unstated underlying

assumption in discussions of nation or nationalism.[4] Some, such as Eric Hobsbawm or

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[1] Ernest Renan, "What is a Nation?" in Qu'est-ce qu'une nation?, trans. Ethan Rundell (Paris: Presses-Pocket, 1992).

[2] Ibid

[3] Max Weber, Hans Heinrich Gerth, and C. Wright Mills, From Max Weber: Essays in Sociology, (Oxford: Oxford University Press, 1946), 176.

[4] For more on this argument, see: Ulrich Beck, What is Globalization? (Cambridge: Polity Press, 2000); Rogers Brubaker, "In the Name of the Nation: Reflections on Nationalism and Patriotism," Citizenship Studies 8 (June 2004); Andreas Wimmer and Nina Glick Schiller, "Methodological nationalism and beyond: nation-state building, migration, and the social sciences," Global Networks 2 (October 2002).

Rogers Brubaker, reversed the direction of the process and considered nations and nationalisms to be possible only through the state. Specifically, Eric Hobsbawm asserted that the nation "belongs exclusively to a particular, and historically recent period" and "is a social entity only insofar as it relates to a certain kind of modern territorial state."[5] Furthermore, he argued that these things we call nations and nationalisms are only worth discussing insofar as we discuss their relation to the state specifically because they cannot be disentangled. In spite of the reversal of the direction of the relationship between the two, such theories of nation and state still maintain an inseparable bond between the two.

Similar to the interconnectedness of the nation and state, there is a tendency to conflate the nation and nationalism such that they are difficult to separate. The bulk of the literature on nations characterizes them as always either subsumed by, in the throes of, or the direct result of nationalism. Those who regard nationalism purely as a discursive formulation often run this risk. Craig Calhoun asserted that nationalism produces nations, which are "particular way(s) of thinking about what it means to be a people."[6] Similarly, Ernest Gellner asserted that nationalism "invents nations where they do not exist," making nationalism the determining process and, therefore, the object of study.[7] Consider, also, Rogers Brubaker's definition of the nation as a political claim on a group of people.[8] He rejected the idea of the nation as a meaningful community and replaced it with the political discourse around the nation. In attempting to break down the nation as an analytical tool and category, Brubaker replaced the nation with nationalism and examined practices of nationalist political discourse.

This conflation of terms is not uncommon. Indeed, the nation is frequently replaced

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[5] Eric Hobsbawm, Nations and Nationalism since 1780: Programme, Myth, Reality (Cambridge: Cambridge University Press. 1990); Ernest Gellner, Nations and Nationalism (Oxford: Basil Blackwell Publisher Limited, 1983), 9.
[6] Craig Calhoun. Nationalism (Buckingham: Open University Press, 1997), 99.
[7] Ernest Gellner, Thought and Change (Chicago: University of Chicago Press, 1964), 168.
[8] Brubaker, "In the Name of the Nation."

by nationalism, or, at the least, explained as the result of nationalism, after which point nationalism becomes the object of study.[9] Studies that treat the nation as its object are few and far between, and, more often than not, they are either histories of particular nations or studies of nationalism masquerading under a different name. Similarly, some, such as Walker Connor, have argued that identification with the state is frequently mistaken for identification with a nation for the same reasons that multinational states are often misidentified as nation-states.[10] Ultimately, as Connor argued, there is a great deal of confusion and debate within the academic community as to what nations, nationalism, and states are, where one begins and the other ends, and the degree to which these concepts are actually bound to one another in practice as opposed to in theory. Any study that considers one of these concepts its object must carefully theorize each of them.

The state, like the nation, has been subject to a great deal of terminological confusion. In addition to its conflation with the nation, the state is also frequently mistaken for "government" or "territory." Governments, however, are only a form of authorized agency granted legitimacy by a particular social relationship called "the state." The lifespan of any given state could be measured by the governments that have served its interests. That is, governments and states are not identical; while governments and regimes change, the state and its apparatuses remain the same. Modern rational bureaucratic governments are only manifestations of a particular (and dominant) type of state apparatus.[11]

Here, Weber's definition of the state as "a human community that (successfully)

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[9] See, for example, Etienne Balibar, "Is There a Neo-Racism," in <u>Race, Nation, Class: Ambiguous Identities</u>, ed. Etienne Balibar and Immanuel Wallerstein (Brooklyn: Verso, 1991); Gellner, <u>Nations and Nationalism</u>; Hobsbawm, <u>Nations and Nationalism since 1780</u>.
[10] Walker Connor, <u>Ethnonationalism: The Quest for Understanding</u> (Princeton: Princeton University Press, 1994).
[11] Edward Heath Robinson, "The Distinction Between State and Government," <u>The Geography Compass</u>, 7 (August 2013).

claims the *monopoly of the legitimate use of physical force within a given territory*" is

particularly helpful.[12] His definition casts the state as: (1) a social relationship of domination

that (2) relies on legitimacy and, therefore, cooperation and (3) is tied to a given territory.[13]

The pairing of state and nation that we have witnessed is a particular means by which to

grant the state legitimacy. Myths of historic territory, which are important for national

imaginaries and which I will discuss in more detail below, tie the state to the territory it

administers through a relationship of legitimacy granted through a claim on the nation. For

this reason, states seek out nations as a particular route through which to grant their

domination legitimacy.[14] At the same time, nations seek access to state apparatuses so as to

better administer their boundaries and control which bodies may and may not enter the

national community. State apparatuses can include administrative bureaucratic structures,

legal systems, military organizations, education systems, etc. As a result, states and state

apparatuses are often involved in producing nationals, nationalizing foreigners, and policing

the boundaries of the national.

That said, the processes by which modern national symbols are created and nationals

are reproduced needs to be elaborated. Studies of nation and nationalism have been deeply

and primarily concerned with the genesis of nations.[15] While this is certainly an important

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[12] Weber, Gerth, and Mills, <u>From Max Weber</u>, 78.

[13] It is worth noting that the relationship between the state and its territory is one of administration. National myths, such as Manifest Destiny, may describe the nation as being destined to overtake a greater territory than it possess, or may attribute to the nation a greater territory than the state administers, as had been the case for Germany from inception to reunification. National aspirations for territorial gain often inform state policy or, at the very least, share its goals of expansion.

[14] Weber famously described the nation as a community in search of a state. I would argue that both statements are true. States seek to establish and maintain their legitimacy through attachment to a nation, while nations seek states in order to administer the territory they inhabit. The relationship is symbiotic.

[15] Benedict Anderson, <u>Imagined Communities: Reflections on the Origin and Spread of Nationalism</u> (New York: Verso, 1983); Connor, <u>Ethnonationalism</u>; Gellner, <u>Nations and Nationalism</u>; Liah Greenfeld, <u>Nationalism: Five Roads to Modernity</u> (Cambridge, MA: Harvard University Press, 1992); Liah Greenfeld, <u>The Spirit of Capitalism: Nationalism and Economic Growth</u> (Cambridge, MA: Harvard University Press, 2001); Atsuko Ichijo and Gordana Uzelac, <u>When is the Nation? Towards an Understanding of Theories of Nationalism</u>

topic on which we have not yet reached consensus, we are losing sight of how nations

operate in the modern era. Transnational citizenship, globalization, and cosmopolitanism are

all used to back up the argument that the nation-state is dying, if not already dead, and that

identification with a nation is greatly diminished as well. In order to combat these assertions

– if, indeed, combat is merited – we need to develop a new understanding of how nations

function in the neoliberal era. Such a project necessitates an untangling of the concepts

addressed above, as well as a theory of reproduction that explains how the nation becomes

ingrained enough to survive at the micro-level. Below, I will engage with existing literature

on the nation and nationalism with the goal of establishing a theory of nation and nationalism

that describes modern iterations of these phenomena. After that, I will construct a theory of

the reproduction of nationals through interaction with other individuals and state apparatuses.

From this can come a theory that enables study of nationalism at the micro level, which is

sorely lacking, based on understandings of the symbols and meanings produced and

disseminated by the state and its controlling elites.

Nation - modernity and imagination

In the face of substantially different definitions of the nation and a tendency to lose sight of

the nation in the midst of nationalism and the state, it seems necessary to approach the

concept cautiously and meticulously. Is the nation a political claim on a people's allegiance,

a means of understanding the world, or a legitimate community? Are nations modern

creations, continuations of earlier forms of kinship, or have they always existed? Does the

nation come into being and exist from below, or is it created and maintained by and through

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(New York: Routledge, 2005).

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elite action? Each of these questions addresses a point on which the scholarly debate around the nation has hinged.

Defining the nation is a difficult task. Umut Özkirimli, echoing Brubaker, hesitated to define the nation so as not to fall into the social scientific habit of reifying social categories of practice.[16] This concern over treating social constructs as real analytical categories is not unfounded. Too often social scientists have mirrored or approximated the nationalist narrative of nations as eternal or existing outside of narratives and myths.[17] However, to abandon the reality of nations is to risk throwing the baby out with the bathwater. There is room for a concrete definition of the nation that does not reify the category or regard it as existing outside of the social. Unfortunately, formulating such a definition requires a piecemeal approach. Neither objective nor subjective criteria can be the sole basis for a constructive and exhaustive definition of the nation. For every set of objective criteria posited by a theorist there is at least one exception. Even within the subset of cases that meet a given set of criteria, said criteria might not be valued as "national" by the people that make up a given nation. Similarly, defining the nation solely in terms of subjective criteria, such as solidarity, loyalty, internal and external recognition, etc., makes it difficult to differentiate nations from other forms of identity or community, including religious groups, sports clubs, or political parties. If not a list of criteria, then a discussion of the shared characteristics of nations is a means by which to develop a definition of the nation.

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[16] For more on this, see Brubaker, "In the Name of the Nation;" Umut Özkirimli, Theories of Nationalism: A Critical Introduction (New York: Palgrave McMillan, 2010).

[17] For examples of theoretical reification of nations and national categories, see Hall's summary of Gellner's criticism of Miroslav Hroch in John A. Hall, "Introduction," in The State of the Nation: Ernest Gellner and the Theory of Nationalism, ed. John A. Hall (Cambridge: Cambridge University Press, 1998). See also, John Armstrong, Nations before Nationalism (Chapel Hill, NC: University of North Carolina Press, 1982); John Hutchinson, "In Defence of Transhistorical Ethno-Symbolism: A Reply to My Critics," Nations and Nationalism, 14 (January 2008); Anthony D. Smith, The Ethnic Origins of Nations (Oxford: Blackwell, 1986). See also Andreas Wimmer's critique of Hutchinson's ethno-symbolist approach in: Andreas Wimmer, "How to Modernise Ethno-Symbolism," Nations and Nationalism, 14 (January 2008).

Concern over reifying the nation is not unfounded. There is a very thin line between recognizing that people hold national identities or understand themselves as situated in a national community and treating nations as things that exist outside of politics, relations, or experience. Certainly, nations are not the immutable and eternal communities of fate that the nationalist discourse would have us believe.[18] Instead, they are communities maintained through their very perception of community and the production of community-effects. That is, nations are communities only insofar as they are believed and understood to be communities by their members; they are, however, communities nonetheless. On the other hand, internal identification is not a sufficient condition for nationhood, for if solidarity and self-awareness are sufficient for constituting a nation, then a barbershop quartet could be a nation just the same as the Catalan.[19] Any scholar, nationalist, or state official would attest that nations are qualitatively different from other forms of social organization, and if they are to be so, then there must be more to them than simply community-effects.

What characteristics, then, differentiate nations from other forms of collective identity? Some have suggested that it ought to be objective characteristics, such as shared language, race, ethnicity, or territory.[20] Renan addressed and dismissed each of these traits in his 1882 address; since then, others have continued to refute these qualities. For example, one can learn German without becoming German in much the same way that one can live in

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[18] For discussions of the naturalistic myth, see: Patrick J. Geary, The Myth of Nations, (Princeton: Princeton University Press, 2002); Gellner, Nations and Nationalism.

[19] See Anderson, Imagined Communities. Anderson notes that nations are imagined communities specifically because they are comprised of individuals who will likely never meet or encounter one another, but consider themselves to share membership in the same community. In fact, Anderson suggests that all communities which expand beyond immediate face-to-face interaction must be considered imagined. This does not, however, make them "false" communities, which would imply that there are "real" communities. Instead, it is the process of imagining that is interesting and which differentiates one imagined community from the next.

[20] See, among others, Hutchinson "In Defence of Transhistorical Ethno-symbolism"; John Hutchinson and Anthony D. Smith, Nationalism (Oxford: Oxford University Press, 1994); Smith, Ethnic Origins; Anthony D. Smith, National Identity (London: Penguin, 1991).

France without being or becoming French. Similarly, there are ethnic groups and self-identified nations that cross territorial boundaries – consider Russians in Georgia, Belarus, Ukraine, and other post-Soviet states; Basques in France and Spain; Macedonians in Greece, Bulgaria, Albania, and Serbia; or the Kurds who span Turkey, Syria, Iraq, and Iran – as well as territorial states that are home to multiple ethnic groups – the Igbo, Hausa-Fulani, and Yoruba in Nigeria; the Scots, Welsh, Irish, and English in the United Kingdom; or the Catalan, Castilians, Basque, and Valencians in Spain. To borrow from Walker Connor: "How much simpler it would be if adopting the Polish language, living within Poland, and adhering to Catholicism were sufficient to define membership in the Polish nation."[21]

Nevertheless, objective criteria may be points of organization in some nations. In such cases, however, it is not the presence of these objective criteria but their perceived presence around which people are organizing. Myths of ethnic or cultural homogeneity, rather than objective and measurable homogeneity, are the central points of organization for nations. Otto von Bismarck called on Germans to "think with [their] blood" when urging them to unite into a single state;[22] Benito Mussolini emphasized the existence of racial difference between Italians and other Europeans;[23] and Maximilien Robespierre remarked that based on their anti-monarchist republicanism alone, one might regard the French as another species altogether.[24] These claims of homogeneity, however, were claims to fictive or recent homogeneities. Bismarck's appeal was made to Germans from thirty sovereign states regarding the unification of territory home to Prussians, Germans, Poles, Czechs, and Slavs. Mussolini's Italy had, until 1870, been a group of disjointed states so culturally distinct as to

[21] Connor, Ethnonationalism, 197.
[22] Ibid. 198.
[23] For more on appeals to fictive homogeneity, see Chapters 5 and 8 in Connor, Ethnonationalism
[24] Lynn Hunt, Politics, Culture, and Class in the French Revolution (Berkeley: University of California Press, 1984), 100.

prompt Antonio Gramsci's famous musings on the lack of an Italian national-popular culture.[25] In the same way, France's revolutionary party emphasized the importance of these shared republican ideals in the face of very real regional sectarianism. Nonetheless, appeals of this sort are often oriented towards creating or drawing on false memories of a mutually shared past or towards a mythic present which begins a new era.

There are some who argue, however, that nations and national identities have premodern origins. Liah Greenfield and Miroslav Hroch, for example, each placed the origins of nations in the Middle Ages. For Greenfeld, rather than being a condition of modernity, nations caused it,[26] while for Hroch, it took centuries for the processes through which the objective and relational bases for nations to unfold.[27] On the other hand, Anthony Smith and John Hutchinson emphasized the value and durability of pre-modern ethnic and cultural ties.[28] Smith, in particular, argued there were nations in the classical and medieval periods, including the Hellenistic Greeks and 5th Century Armenians. In addition to seeing nations in pre-modern eras, Smith argued that shared memories and myths, as well as inhabiting an historic territory, are objective criteria for identifying nations. These criteria constituted an essence derived from pre-modern ethnic ties upon which modern nations are built or from which they were derived.

Arguments focusing on *la longue durée* have their share of criticisms. Eugen Weber's

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[25]See sections VI and IX in Antonio Gramsci, Selections from Cultural Writings, ed. David Forgacs and Geoffrey Nowell-Smith (Chicago: Haymarket Books, 2012). See also Massimo d'Azeglio's famous statement: "We have made Italy, now we have to make Italians" quoted in Hobsbawm, Nations and Nationalism.

[26] Greenfeld, Nationalism; Greenfeld, Spirit of Capitalism.

[27] See Miroslav Hroch, Social Preconditions of National Revival in Europe: A Comparative Analysis of the Social Composition of Patriotic Groups among Smaller European Nations (Cambridge: Cambridge University Press, 1985); Miroslav Hroch, "Real and Constructed: the nature of the nation," in The State of the Nation: Ernest Gellner and the Theory of Nationalism, ed. John A. Hall (Cambridge: Cambridge University Press, 1998).

[28] See Hutchinson, "In Defence of Transhistoical Ethno-symbolism"; Hutchinson and Smith, Nationalism; Smith, Ethnic Origins; Smith, National Identity

empirical study of the development of French national identity is credited with providing strong evidence for the recency of nations. In it he showed that during 1870s and as late as the First World War, most French citizens living in isolated, rural villages did not identify themselves as Frenchmen. In fact, Frenchmen did not really begin to exist outside of urban centers until after the First World War.[29] Others, including John Breuilly, Craig Calhoun, and Geoff Eley and Ronald Suny have argued against Smith's conception of nations as contingent upon pre-modern *ethnies* in various ways, either by emphasizing the recency of widespread nationally-based identity or by providing examples of nations without ethnic bases and ethnic groups that did not become nations. One of Connor's critiques of Smith's argument that the only real nations are ethnic nations is particularly salient here: Connor contended that where Smith saw objective criteria, he ought to have been seeing fictions that are perceived as real.[30] It is not that a people has a real and essential connection to a historical territory, but that they believe themselves to. This relates to substantial and compelling research that supports the thesis that nations draw on pre-modern ties to create and recreate historical fictions or fictions of homogeneity. Consider, for example, that Mussolini's designs for public architecture in Rome during the 1930s and 1940s relied heavily on architectural styles that recalled Roman facades and columns so as to reinforce the myth of fascist Italy as the inheritor of the Roman Empire's legacy.[31] Nations may be inventions or fictions, but they must have a basis in something. These fictions, argued Gellner, must come from some sort of

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[29] Eugen Weber, <u>Peasants into Frenchmen: The Modernization of Rural France, 1870-1914</u> (Stanford: Stanford University Press, 1976).

[30] Connor, <u>Ethnonationalism</u>, 197

[31] John Agnew, "The Impossible Capital: Monumental Rome under Liberal and Fascist Regimes, 1870-1943," <u>Geografiska Annaler. Series B, Human Geography</u>, 80 (December 1998); Dianne Yvonne Ghirardo, "Italian Architects and Fascist Politics: An Evaluation of the Rationalist's Role in Regime Building," <u>Journal of the Society of Architectural Historians</u>, 39 (May 1980).

"pre-existing differentiating marks... even if... these are purely negative."[32]

This debate around the origins of nations sheds light on two important characteristics of nations. The first of these is the importance of memory in creating and sustaining of nations. Historical error, as Renan pointed out, is fundamental to nation-building. Forgetting and misremembering are key, particularly to the homogenizing processes that produced and continue to produce nations.[33] However, recognizing nations as modern constructs does not negate the importance of shared myths, memories, or notions of an historic territory. Instead, it regards these not as components of an immutable essence, but rather as fictions around which members of a community organize and through which they understand the landscape of their social world and their position within it.

Second, if we consider nations to be communities organized around fictive memories and homogeneity, then we must consider nations always to be works-in-progress. Who can be included in the national community might change across decades or centuries in much the same way that the myths, symbols, and traditions that those included deem salient will change across time. The perceived fixity of the nation is a shared illusion. Part of the historical error that is fundamental to the nation is a misremembering or ignorance of the changes made to the content around which the community organizes. Most Americans easily forget or are unaware, for example, that "under God" was only added to the Pledge of

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[32] Gellner, Thought, 168.

[33] See Anderson, Imagined Communities. Here, Anderson noted the importance of print capitalism in the development of national consciousness from above. The existence of a single "national" language enabled communication on a field below Latin but above local and regional vernaculars, a fixity which created the illusion of antiquity, and a centralizing tendency not present in previous languages-of-power. Each of these factors enabled the mass imagining of a community of individuals speaking and reading the same language despite never coming face-to-face.

See also, Gellner, Nations and Nationalism, and Gellner, Nationalism. Similar to Anderson, Gellner argued that the existence of high culture is a defining characteristic of nations, which could only emerge in the modern industrial era. Specifically, high cultures enable standardized communication through an intolerance of local, context-dependent communication and exchange. The emergence of a standardizing high culture which pervades (is imposed upon) "entire populations and not just elite minorities" is the condition through which agro-literate societies become part of larger nations.

Allegiance in 1954, while the pledge itself had only been formally adopted twelve years prior.

This discussion leads us to a definition of the nation that differentiates it from other forms of imagined community. We can understand nations as communities of people who share a perception of their internal homogeneity, are internally and externally recognizable, and share myths of history and territory, symbols, traditions, and fictions. Certainly elements of this definition still pertain to other communities; internal and external recognition, for example, which still applies just as well to fans of a football club, remains insufficient. Similarly, objective criteria such as shared language, shared ethnicity, or shared territory are revealed for what they are - fictions grounded in shared perception. The question is not whether the objective criteria are present or not, but if members, at some intuitive and subconscious level, "know" them to be present.[34] Shifting the question in this way prevents the reification of nations and treats them, instead, as a social relationship that must be carefully maintained, as well as produced and reproduced. In addition, by regarding the nation as a social relationship organized around myths, symbols, traditions, etc., it becomes possible to focus on the processes through which they are created, adjusted, and institutionalized, as well as the ways in which different groups fight over which meanings dominate.

National - politics and representation

National characteristics and meanings are not static. Myths, symbols, and meanings must change over time in order for the nation to remain compelling as an imagined community. As

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[34] Connor, Ethnonationalism, 215.

technology broadened our capacity for connecting with people from different regions and cultures while simultaneously working to homogenize culture, knowledge, and ideologies, how could 19th century conceptions of national communities remained salient? New symbols, traditions, and readings of history were and are regularly produced to fortify national identification and perpetuate the nation as a lens through which to understand the world and our position in it. How, then, is the national – those meanings, symbols, myths, etc. around which people are organizing to form a nation – changed and how are these changes spread and accepted?

Theories of nation and nationalism have taken a primarily top-down perspective. This seems counterintuitive if nations are, in part, communities of people holding similar understandings of their social world as well as of how this connects them to other people with the same understanding. Along this line, Connor argued that nationalism is an entirely mass phenomenon, rather than an elite one; interest in nations and nationalism, he argued, stems from the fervency and intensity it engenders not in small bands of elites, but in an entire population. Studying only the written word, then, to answer questions about the genesis of nations only offers insights into the feelings and allegiances of elites and literati, telling us nothing about the sentiments of the masses.[35] Hobsbawm raised similar concerns, noting that the emergence of writers, philosophers, and politicians musing on the existence of some eternal community, while not meaningless, cannot be sufficient evidence for the existence of such a community. Indeed, neither official ideologies nor cultural artifacts provide a perfect road map to the sentiments of even the most nationalistic member.[36] Similarly, it is not necessarily the case that meaning and symbols transfer directly from elites

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[35] Walker Connor, "The Timelessness of Nations," in History and National Destiny: Ethnosymbolism and its Critics, ed. Montserrat Guibernau and John Hutchinson (Oxford: Blackwell, 2004).
[36] Hobsbawm, Nations and Nationalism, 11.

to masses. For example, the use of Hercules as a representative of the French people during the Revolution was meant to act as a subversion of his use as a representation of French monarchs, a practice that dated back to the reign of Francis I. However, this subversion was evident only to the educated and literate. Instead, Hercules was, to the masses, nothing more than a symbol of the strength, courage, and masculinity of the peasant.[37]

However, Hobsbawm's concern for pragmatism is not the only compelling reason for research on the national to take a top-down approach. Elites, particularly the intelligentsia and those with access to or control of state apparatuses and the media, have the greatest capability for institutionalizing and naturalizing meaning.[38] Any popular understanding of fascist Italy as a continuation of the Roman Empire emerged and was disseminated through state sponsorship of rationalist architecture and imperially inspired murals.[39]

The state is unique in its capacity for distributing, institutionalizing, and naturalizing meaning. In addition to creating meaning, the state often promotes or silences meanings from other actors. Eric Hobsbawm and Terence Ranger suggested that meaning, specifically traditions, can be invented by a wide variety of actors, including individuals, parties, movements, or popular groups. These other creators of symbols and traditions, however, typically lack the resources, power, and capabilities required to disseminate, institutionalize, and normalize these meanings. Public education, holidays, ceremonies, and law all serve to institutionalize and distribute meaning to a large territorial population with greater efficiency and efficacy than can be achieved through other means. For example, maypoles, despite their

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[37] Hunt, Politics , 101-3
[38] Christopher Hill, National History and the World of Nations: Capital, state, and the rhetoric of history in Japan, France, and the United States (Durham, NC: Duke University Press, 2008); Hobsbawm, Nations and Nationalism; Eric Hobsbawm and Terence Ranger, The Invention of Tradition (Cambridge: Cambridge University Press, 1983).
[39] Borden W. Painter, Jr. Mussolini's Rome: Rebuilding the Eternal City (Hampshire: Palgrave McMillan, 2005).

origin in peasant culture as a symbol of rebellion, did not become a symbol of the French

Revolution until they were appropriated by the Convention and made to be staples of public

festivals celebrating the Republic, which resulted in over 60,000 planted by 1792.[40]

The state has been involved in the maintenance of the nation through the production

of the national from the start. Fernando Lopez-Alves argued that nations were created

through conceptualizing processes led by the state's bureaucratic, legal, and military

apparatuses.[41] States were and remain the primary engine of nation-formation and nation-

building.[42] Again, the Convention relied on the institutionalization of ritual – such as

celebrating Republican holidays around maypoles, burning effigies of Louis XVI, executing

traitors, or the invention of a national civil uniform – to homogenize and create the French

people. Similarly, Napoleon used continental war to institutionalize meaning and create a

homogeneous Frenchness. In this case, conceptualizing is important here because it is a

process that is never complete. The process of conceptualizing, however, needs to be

understood as a contested and circular process between elites and masses, rather than a pure

and unfettered injection of meaning from the top down. Elites inject or suggest new

meanings, traditions, histories, etc. into the public sphere, and it is the degree to which they

are accepted by the masses that determines whether or not these meanings become national

meanings. Furthermore, mass and popular movements around the national contest elite

conceptualizations and offer their own from the bottom up. These mass/popular meanings

can be accepted by the elite and incorporated into the dominant conceptualization of the

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[40] Hunt, Politics, 59.
[41] Fernando Lopez-Alves, "Which State, Which Nation? States and National Identity in Europe, South America, and the United States Compared, 1750-1930," Working Paper 510 (Universidad del Cema, 2013).
[42] Balibar, following Gellner, notes that the states engage and manipulate the nation by appropriating the sacred and, more specifically, by centralizing the administration of the everyday. This process of appropriating the everyday makes the state "the 'Supreme Court of Appeal' in matters of the normalization of fundamental cultural processes." For more on this, see Chapter 2 in Etienne Balibar, We the People of Europe? Reflections on Transnational Citizenship (Princeton: Princeton University Press, 2004).

national.

Hobsbawm and Ranger's perspective, which focused on the ways in which new meanings are created and those that have faded away are revived and reinstated, is important for understanding the national. Symbols and myths that become national are not immune to attack and can certainly die out, either as a result of changing structural and social conditions or of efforts by competing groups to reconstitute the national. The transitory and precarious nature of national symbols and myths,[43] in combination with the state's capacity for institutionalizing and ritualizing meaning, implies two deep and intrinsic connections between the national and politics.

First, politics is the primary site for competition over national meaning. Politicians, bureaucrats, elites, and popular groups all have preferred versions of the national that they want to be not only dominant, but also hegemonic.[44] The dominant form of the national – those symbols, rituals, and meanings that have become institutionalized and pervasive – can be considered hegemonic precisely because of their reliance on legitimation. The national is a patchwork of meaning that has reached a "'compromise equilibrium' by incorporating ideological elements from competing nationalist projects, and embarks on a process of self-reproduction and naturalization until its values become 'common sense.'"[45] Hegemony is not achieved through manipulation or force, but through the compliance and consent of

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[43] Certainly some meanings and myths are much harder to supplant than others. Those meanings which are closer to the center of the nation's organization, such as its myths of origin, homogeneity, or symbols signaling continuity, are much less malleable or susceptible to attack. However, these too can fade away or be replaced when dramatic enough pressure or events question their legitimacy or value. Germany's myth of ethnic homogeneity was questioned as a value only after the Holocaust. Nonetheless, its resilience and centrality to the German nation is what underpinned the West German government's decision not to recognize East Germany's sovereignty and enabled reunification in 1990.
[44] See Michael Billig, Banal Nationalism (Thousand Oaks, CA: Sage Publications, 1995) and Özkirimli, Theories of Nationalism.
[45] Özkirimli, Theories of Nationalism

competing factions and those over whom hegemony will be exercised.[46] This complicity has important implications for the substantial role of civil society and non-state actors in reproducing the national and national identity.

As addressed above, there are always different, competing national projects, in addition to non-national identity projects, being pursued and promoted by civil groups, politicians, and elites who are trying to establish a hegemonic national meaning. New symbols and myths are constantly being injected into and tested within public discourse, which either become national or fade away, while the hegemony of existing meanings is tested and retested through this process. As a result of this, hegemony is never complete; instead, it is a process that is always being negotiated, recreated, and modified.[47] Because of the state's substantial capacity for ritualizing and naturalizing meaning, access to state apparatuses becomes the primary means through which groups can engage in this process of meaning-making. As a result, those attempting to create new national symbols, myths, or meanings tend to pursue access to state apparatuses, whether through being elected to office or obtaining positions within the bureaucracy, in order to increase the potential for their myths and meanings to become hegemonic.

Second, because access to the state determines a faction's potential for ritualizing and naturalizing meaning, politics is predicated on the national. When myths or symbols become national, they exercise a constraint on political discourse, dictating the range of positions,

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[46] This point is emphasized James C. Scott, <u>Weapons of the Weak: Everyday Forms of Peasant Resistance</u> (New Haven, CT: Yale University Press, 1985). Scott noted that opposition can only be voiced through the language of the hegemonic and, as such, reinforces and further legitimizes the hegemonic. A similar argument is made regarding symbolic power in: Pierre Bourdieu, <u>Language and Symbolic Power</u> (Cambridge: Harvard University Press, 1991). For Bourdieu, symbolic power could only be exercised with the complicity of those over whom it is exercised, much like hegemony. In the same way, the political field "produces an effect of censorship by limiting the universe of political discourse, and thereby the universe of what is politically thinkable…" (172). See also: Billig, <u>Banal Nationalism</u>; Nigel Harris, <u>National Liberation</u> (London: I.B. Taurus, 1990).
[47] Raymond Williams, <u>Marxism and Literature</u> (Oxford: Oxford University Press, 1977).

statements, and appeals that are allowable and realistic within it. Politicians, elites, or popular

groups seeking access to state apparatuses must either promote issues and policies that exist

on the continuum of the allowable or, if oppositional, must be framed in its language.[48]

Access to office, as well as potential for injecting meaning, is contingent upon perceived

legitimacy as a member and representative of the nation.[49] Those not seen as members of the

nation are substantially less likely to gain access to office or create new meaning that will

become hegemonic. Electoral politics, especially, is full of appeals to national symbols and

myths. Candidates pursuing office often make these appeals either to present themselves as

representing the nation's interests or to present competitors as antagonistic to those interests,

whatever they may be.[50] During the 2008 American presidential election, for example, Tea

Party pundits and leaders did not make the claim that Barack Obama is a Muslim because it

legally disqualified him from office. Instead, the assertion was meant to delegitimize him as a

representative of the national community and as an embodiment of the national. Furthermore,

continuously making the claim "Barack Obama is Muslim" did nothing to invalidate his

candidacy or speak to his qualifications, but instead discursively aligned him with people

who were and are framed as not only un-American, but also outside of the realm of political

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[48] The constraints that the national places on politics regarding the positions and meanings that are expressible speaks to the inertia of national meaning. It is largely resistant to grand changes except perhaps in times of crisis specifically because it limits the range of allowable and expressible discourse. For more on the ways in which hegemonic ideology limits the range of allowable political expression, see Jacques Ranciere, The Politics of Aesthetics: The Distribution of the Sensible (New York: Continuum International Publishing Group, 2004).

[49] This is true of both authoritarian and democratic politics, although to varying degrees. Post-colonial nationalisms, for example, were as much affirmations of the nation's capacity for and right to self-governance as rejections of illegitimate foreign rule. For more on post-colonial nationalism and nationalist movements, see Partha Chatterjee, Nationalist Thought and the Colonial World: A Derivative Discourse (New Jersey: Zed Books, 1986).

[50] This is not to say that these appeals are always consciously creative or made with the explicit intention of structuring and restructuring the national. They may, for example, be making these strategies with only a vote- or office-maximizing logic in mind. For more on the internal logic of vote- and office-seeking politicians, see Anthony Downs, An Economic Theory of Democracy (New York: Harper and Row Publishers, 1957); Adam Przeworski and John Sprague, Paper Stones: A History of Electoral Socialism (Chicago: University of Chicago Press, 1986); Kaare Strom, "A Behavioral Theory of Comparative Political Parties," American Journal of Political Science 34 (May 1990).

reality and feasibility.[51] In making appeals to the national, politicians and bureaucrats test

their legitimacy or the legitimacy of their competitors as well as their conceptualization of

the national. Their appeals are not simply references to rigid meanings that exist in perpetuity

once they have been established, but also attempts adding to the range of meanings that

constitutes the national and establishing themselves as nationals.[52]

This is particularly important because it reveals something about the nation-state.

Recently, many scholars have brought into question the nation-state formula and its status as

the standard global political unit. For some, the existence of multinational states, states that

administer a territory that is home to multiple nations, as well of nationless states provide

evidence that the nation and state need to be analyzed separately and that this separation must

be maintained. Indeed, Connor's efforts to draw attention to what he called "terminological

chaos" in nationalism studies had precisely this goal. He argued that scholars needed to keep

unquestionably clear the distinction between nation and state, as well as nationalism and

patriotism. There is, however, a notable problem with these criticisms: states continue to

claim to represent a particular group of people - more specifically a particular national

people. Even those states that are welcoming to migrants or are referred to as multicultural or

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[51] This is very similar in structure to the claims made against John F. Kennedy as a practicing Catholic. There are, however, two substantial differences between the two cases. First, the claim that Obama is a Muslim is a racialized claim which works specifically because of his skin color. While Kennedy's legitimacy as a representative as well as his priorities were also called into question, comments made regarding Kennedy's potential allegiance to the Pope are not coded statements about his race. Commenting that Obama might be Muslim, however, is simultaneously and subtextually commenting on the color of Obama's skin. Second, the claim that Obama is a Muslim not only sets him outside the nation, but intends to portray him as directly antagonistic to it. Similar to concerns raised Kennedy's allegiance was to the Pope rather than America, these claims suggest that Obama's primary allegiance would be with peoples considered to be not only non-American "Others," but also national enemies.

[52] Drawing on Bourdieu, Engin Isin argued that groups can only be said to exist when there are people who can impose themselves as authorized to speak on behalf of the group specifically because these authorities can be recognized as members of it. Bourdieu and Isin's arguments regarding the mutually constitutive nature of the group and its leaders is key for understanding the mutual embeddedness and constitution of the national community and its symbols. For more on this, see Bourdieu, Language and Symbolic Power; and Engin Isin, Being Political: Genealogies of Citizenship (Minneapolis: University of Minnesota Press, 2002).

multinational require that immigrants engage in a process of "integration" in order to naturalize and acquire citizenship.[53] Becoming a citizen - that is, a person for whom the state recognizes itself as responsible - is impossible without subjecting oneself to a homogenizing process. States create naturalization processes and citizenship tests to ensure that they continue to represent only those who hold the characteristics that mark them as a member of the nation. Such processes require that migrants learn cultural, civic, political, and historical knowledge that is deemed as confirming that an individual knows, gain particular values, and be able to call upon the range of symbols, myths, and meanings which are valued by the nation.[54] In other words, applicants are expected to prove that they: (1) are willing to consider themselves members of this nation; (2) have internalized national symbols, meanings, etc.; and (3) possess the requisite knowledge and values to be considered as members as well.

The process through which these laws are created, then, is not only affirming already existing meanings by treating them as boundaries to national membership, but also creating or reviving them. Such meanings are tested in the court of public opinion, succeeding or failing based on how coherent they are within the context of already salient meanings. Again, the range of meanings that can be classified as realistic or viable is dictated and bounded by the already existing national. From such a perspective, changes to the national come either incrementally or as the result of moments of great historical rupture.[55] Institutionalizing

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[53] What it means to integrate into a "multicultural society" will be discussed at length below, particularly in Chapter 4.

[54] For more on citizenship tests, see Christian Joppke, "Through the European Looking Glass: Citizenship Tests in the US, Canada, and Australia," Citizenship Studies, 17 (January 2013). For work on the incorporation of cultural restrictions into citizenship tests, see Liav Orgad, "Illiberal Liberalism: Cultural Restrictions on Migration and Access to Citizenship in Europe," The American Journal of Comparative Law, 58 (2010).

[55] Here, I aim to differentiate between the sorts of changes that emerged in post-World War II Germany and the types of changes we can see emerging in any given historical period. Conceptions of the national in post-war Germany required immediate substantial changes as a result of the ways in which national memory, ethnic homogeneity, and other salient symbols had been used as the basis for genocide and fascist nationalism. This type of immediate, radical change to conceptions of the national is rare and can only come from these moments of intense crisis. Otherwise, change to the national occurs as a result of constant, unflinching competition over

meaning through state apparatuses is a means by which to safeguard myths and symbols against challenge. When they have been codified in law or recognized as national holidays, putting forward new and contradictory meanings is difficult at the national level. For example, efforts to replace Columbus Day, the American national holiday recognizing the "discovery" of North America by Christopher Columbus, with Indigenous Peoples' Day, a celebration of the peoples indigenous to North America, have received recognition and legitimation in only a select few cities, but have gained little traction at the national level. The resistance stems, in part, from the age and longevity of the discovery myth and in part from its institutionalization as a federally recognized and celebrated holiday. Columbus' position in the myth of American origin is entrenched and, by virtue of this entrenchment, resists being supplanted by another, directly contradictory myth. The myth of Columbus' discovery is the history that is known, which presents the nation in a positive light, and that regards the United States as having a racially white beginning. Each of these contributes to the myth's resilience and helps to explain why myths that compete directly with this one gain very little traction among nationals.

Conceiving of the national as the set of symbols, myths, etc., which have been made hegemonic, often in the arena of politics, allows for politics and political products to be sources of data for analysis of the national itself. Speeches given by public figures, laws and constitutions, and political party platforms are all methods through which officials and elites inject, test, and institutionalize meaning. Specifically, law that directly targets the range of acceptable behaviors, including dress or cultural practices, as well as citizenship and naturalization law, are methods of codification. In any state that claims to represent a nation – that is, with leading officials who make such a claim that is believed by its subjects –

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the interpretation of relevance of symbols and myths.

citizenship law can be understood as the institutionalization of agreed upon meanings. Its legitimacy stems from its acceptance by the people it governs rather than forceful imposition from above. Consequently, the boundaries the law sets forward for citizenship must reflect those that bound membership in the national community closely enough for it to be hegemonic. The remaining question, then, regards how the national is taught and made available to the national community. How does a Frenchman become French or a German become German? Through what processes are nationals made? Where do we look to see their production and reproduction?

Nationalism - reproduction and exclusion

Contrary to what national myths would have us believe, no one is born a national. No amount of blood, no matter how red, can make someone an American. Nationals do not occur naturally, but are instead produced through processes of socialization.[56] Because the national is constantly being tested and, perhaps, altered, the production of nationals is an ongoing process. More than that, nationals are produced and reproduced through interaction with institutions, other individuals or groups, and the symbols and myths which make up the national. Production is, at its core, a process of differentiation, designating those bodies, values, and cultures that can be considered national. It is another process through which the national is recreated and naturalized. For those who are marked as non-national by legal-bureaucratic apparatuses, the alterity of their bodies or visible cultural practices is confirmed and reproduced through micro-level interactions with nationals and macro-level interactions

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[56] "Right of return" policies, for example, are predicated on there being an ethnic basis for membership in the nation. The underlying assumption, however, is that those who can be designated "ethnic Germans," for example, would continue to practice Germanness and socialize their children to German symbols and meanings, such that they are essentially German nationals living abroad. This is also the case for Russia's right of return policies in the wake of the dissolution of the USSR. I explore this in more detail below.

with the state.

Understanding nations as social relations rather than natural groups with objective signifiers, highlights interaction as a site for boundary maintenance. Indeed, interpersonal and intergroup interactions become one of the primary sources of day-to-day boundary maintenance. Recognition of another individual as a group member, Fredrik Barth argued, carries with it recognition of shared "criteria for evaluation and judgment… [that is] the assumption that the two are fundamentally 'playing the same game.'"[57] Constructing the national simultaneously constructs alterity because exclusion is the soul of the national.[58] Once a value or attribute is incorporated into the national, competing values or attributes become associated with the Other. Exclusion from the national community, then, depends on the salience of these categories within the community. Those meanings that are closer to the center of the national – that is, more entrenched within the national – demarcate those boundaries that are not crossable. Individuals on the other side of these boundaries are excluded from aspects of social life. Such Others need not be external to society, however. Engin Isin, for example, argued that citizens are constructed in opposition to Others within the state's territory rather than those external it. That said, the national has historically been constructed and represented as opposing outsiders near and far. There are "proper" capitalist Americans standing in opposition to communist traitors, but there are also freedom-loving Americans standing opposite the Soviets, the Vietcong, and the Chinese. Both of these myths are vital to creating the American. Using these particular sets of meaning, Americans can differentiate between and police one as true or legitimate Americans as well as police the

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[57] Fredrik Barth, Ethnic Groups and Boundaries: The Social Organization of Culture Difference (Long Grove: Waveland Press, 1998; orig. Oslo: Universitetsforlaget, 1969), 15. Although Barth was writing on ethnic groups, his treatment of ethnic groups as cultural groups sharing symbols and meanings allows for his theories to carry over to nations.

[58] Balibar, We the People.

external boundaries of the national community.

Micro-level boundary maintenance can cross over into macro-level maintenance when considering interaction between individuals and the bureaucracy. In particular, states with a decentralized bureaucracy rely heavily on bureaucrats, equipped with specialized knowledge that "presuppose[s] and constitute[s] at the same time power relations," to ultimately make the decisions about which applicants will be recognized as national through the ascription of citizenship.[59] While each state has qualifications upon which the decision is expected to be based, individual bureaucrats are able to use their authority to create Kafkaesque circumstances in order to bar applicants from citizenship.[60] Making the process appear lengthy and unwieldy, overstating the difficulty of tests or applications, or sending applicants to other offices or to the back of the line for arbitrary errors on forms are all ways for bureaucrats to police the boundaries of the national community from a position of authority without necessarily mirroring state policies.

Boundary maintenance through interaction is, however, a process of second-order socialization. Individuals can only police the boundaries of the national community if they are already familiar with the range of meanings that they hold as representing the national. It is primarily through first-order processes of socialization that individuals come to be aware of and internalize the national. This includes socializing processes that occur at home, with peer groups, in the media, and in schools. The primary production of nationals occurs in the

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[59] Michel Foucault, Discipline and Punish: The Birth of the Prison (New York: Random House, 1995; orig. Paris: Editions Gallimond, 1975), 27.

[60] One is reminded, here, of Franz Kafka's parable *Vor dem Gesetz* in which a man approaches a gate to the law and asks for entry. The guard there tells the man that he cannot be permitted to enter, and that the guard is only the first of many guards, each of whom is more fearsome than the last. The guard never physically bars the man from accessing the realm of the law, but the guard's discouragement and stories of a long and difficult process is enough to prevent the man from actively pursuing entrance, eventually dying without having ever gotten past the first barrier.

school, which is a strong and naturalized homogenizing institution.[61] Schools are tasked with

the responsibility of producing nationals through the presentation of historical narratives,

symbols, and rituals as not historically contingent and socially constructed, but as objectively

real. It is in schools that Germans are taught the works of Johann Wolfgang von Goethe,

Rainer Maria Rilke, and Franz Kafka, but never required to know of Turkish folk authors,

such as Cemal Süreya. Similarly, it is in the classroom that American students learn of the

noble Revolution against tyranny in the name of Freedom, ritually pledge their allegiance to

a symbol of the nation-state, and are taught the value-system which makes for "good"

Americans. Textbooks, therefore, become home to the national as well as a site for its

contestation. In 1958, E. Merrill Root argued that the Cold War would be lost not to the

strength of the USSR, but to weaknesses in American schools. Authors of textbooks, he

argued, were misrepresenting history such that the freedom and opportunity of the individual

was no longer central to American institutions and history. "Our American Revolution is

unique" he wrote "because it aimed at setting *the individual* free to work out his own

problems in his own way."[62] By losing sight of this fact of history, this system of meaning

that makes Americans who they are, he argued, America would lose its spiritual and

ideological war for the survival of its own soul.

Contemporary contestations over the representation of the American Civil War is

another case that lends credence to the argument that textbooks and schools are central to the

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[61] The school is, according to Althusser, the dominant ideological state apparatus of the modern capitalist era. Where Althusser focused on the reproduction of the worker via the naturalization of the ideology of the ruling class, I am emphasizing the creation of nationals through education. Such an approach is consistent with an understanding of the national as hegemonic, as the goal of ideological state apparatuses is to reproduce a particular class of individual not through repressive force, but through the naturalization and internalization of the ideology of the ruling class. For more on this, see Louis Althusser, "Ideology and Ideological State Apparatuses," in Lenin and Philosophy and Other Essays, ed. Louis Althusser (New York: Monthly Review Press, 1971).

[62] Merrill E. Root, Brainwashing in the High Schools (New York: The Devin-Adair Company, 1958).

socialization of nationals. There is an ideological war in the United States over whether the South seceded to keep its right to maintain slavery or as a matter of states' rights. Contests over the narrative of national history are contests over the representation of the nation. Most nations aim to be represented in a positive light that matches national values. If a nation values the individual over the collective, historical events that highlight the individual and narratives that represent an event as highlighting the individual will be prioritized and given a greater deal of focus. It is the perceived loss of a central American value in accounts of American history that Root and many Southerners cited as a threat to the nation, which they are fighting to prevent or reverse. It is important to note that negative representations of the nation can be central to national history. Germany, for example, constructed and legitimated a great deal of its civic values - many of which have attempted to replace ethnicity as the basis for the modern Germanness - on the back of the Holocaust. Indeed, I will argue below that the modern system of German national meaning includes what appears, at first glance, to be anti-national sentiments informed by experiences of extreme, fascist nationalism during the 1930s and 1940s.

Schools are responsible, then, for the presentation of myths and symbols as facts and values. It is in schools that youth are made to understand themselves in terms of the national. Schooling presents a process of deconstruction and reconstruction in which students are to be integrated into the national community through a lengthy process of homogenization. However, there are other identities that are resistant to integration and, as a result, become the object of legal action or exclusion. Both the French and German "secular" states, for example, have placed bans on religious iconography in schools; such laws ought to be read as

specifically targeting forms of the veil worn by Muslim girls and women. [63] Indeed, much of

Europe has struggled to integrate Muslims into the national community specifically because

the values and history they ascribe to Islam do not match the values and history of Christian

Europe. Despite claiming to be secular, much of Europe maintains Christianity as the default

setting for its national community, and so the veil represents a marker of irreconcilable

difference against which the state must legislate.

What is taught in schools is how to be a national. Students within a national territory

learn a relatively homogeneous curriculum teaching them the same set of skills, values,

myths, and symbols that allow them to operate in social space in the same way. The content

of the curriculum becomes natural, such that changes in the framing of historical events of

significance or the underlying values is met with popular resistance from people who have

been out of school for decades. Such personal investment in schools is not an investment in

objective truth, but rather an investment in meanings that make up the national as a lens

through which to understand and evaluate the world. For this reason, it is vital to evaluate the

content of the material being taught to youths and adults attempting to assimilate. It is the

source of knowledge about the national and the source of the boundaries that are maintained

through interpersonal interaction and law.

Towards a methodology for studies of nation and nationalism

National communities are reflexive communities. They exist only because their members

recognize the community as existing. Members continue to actively reproduce national

communities through the reproduction of the symbols and meanings around which this

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[63] Trica Danielle Keaton, <u>Muslim Girls and the Other France</u> (Bloomington, IN: Indiana University Press, 2006).

community organizes. For this reason, the character of a nation may shift across time through the unending contestation of its symbols and myths. Taking such an approach to nations incentivizes study at two levels. First, studying the nation at the macro-level, at the level of the national, allows us to understand the symbols and meanings around which people are organizing. It helps us to identify the particular modalities that nationalism and national appeals can take. Once that is known, we can understand the ways in which the national community is bounded and policed. While most, if not all, nations will have similar methods for policing the community, the differences in meanings will allow particular nationalisms to go unnoticed. Such nationalisms may be occluded through seemingly absurd comparisons to more overtly fascist nationalisms, as is the case in much of Europe, or may hide in antinationalist rhetoric as a wolf in sheep's clothing. Similarly, differences in state apparatuses and the historical development of the national community will impact the ways in which the state interacts with the national and directly polices it.

Second, and equally important, is analysis at the micro-level. Some of this work has been done already and follows from Michael Billig's analysis of everyday reproduction in Banal Nationalism. Billig argues that much nationalism goes ignored because it does not look like separatist movements, revolutions, fervent pride, or fascism. Instead, what is being missed is the nationalism that must exist in the everyday. If not for this every day, "cold" nationalism, how would we know how to act during moments of extreme, "hot" nationalism? Nations do not end when major geopolitical events or moments of fervor do. The nation and its symbols become a part of daily life during these interstitial moments. We do not forget what it means to be American, Vietnamese, French, etc. precisely because we interact with the national on a daily basis. Micro-level understandings of nationalism cannot stop with

interactions between individuals and symbols. Indeed, part of what differentiates this neoliberal period from previous eras is the state's ability to conscript individuals into processes of monitoring and policing.[64] The understanding of symbols and meaning gained from macro-level approaches, especially those aimed at analyzing politics and education, ought to inform micro-level analysis. Schools and politics produce nationals, informing and reminding them of what is and ought to be salient. What they do with that knowledge, that nationalism which they have internalized, and how they use it to police the boundaries of the nation needs to be better understood.

This is not to say that grand theorizing is fruitless or undesirable, but rather that deep knowledge of cases is invaluable.[65] Politics that may appear transnational, multinational, or even directly anti-national at first glance may, in fact, be national politics. This, however, can only be known through direct engagement with the materials and processes through which the national is created and disseminated. Specifically, understanding the messages that politicians infuse into national discourse and institutionalize in law and educational curricula allows for a deep knowledge of particular cases. Although studying the written word cannot give us insights into the hearts of nationals, it informs our understanding of the range of meanings that might exist in their hearts. In the following two chapters, I examine precisely these areas in Germany, a nation-state that established itself through ethnic nationalism and,

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[64] Foucault, <u>Discipline</u>.

[65] Miguel Centeno and Fernando Lopez-Alves made a similar argument in *The Other Mirror: Grand Theory through the Lens of Latin America*. The volume's central thesis is that because grand theory on nations was developed from a unique and atypical set of primarily Western European cases, it is not as comprehensive as it claims and aims to be. Indeed, such theories, they argued, are insufficient when moving beyond the scope of the cases upon which the theories are founded. Their critique of grand theory on the development of nations and nationalism was much needed and provided interesting and meaningful reconceptualizations of influential social theorists, such as Barrington Moore, Samuel Huntington, Benedict Anderson, and Karl Polanyi. In a similar manner, I assert that relying on grand theorization about the genesis of nations to explain modern nations is restricting the scope of cases and outcomes that we can understand and analyze. For Centeno and Lopez-Alves' argument, see Miguel Angel Centeno and Fernando Lopez-Alves, <u>The Other Mirror: Grand Theory though the Lens of Latin America</u> (Princeton: Princeton University Press, 2001).

over the last twenty years, has been shifting more and more towards civic nationalism. In addition, Germany's fascist past has led to a national community that prides itself on its lack of nationalism or explicit national pride. All of these components have culminated in a unique set of meanings that still take the form of the national. Ultimately, this study aims to be a grounding for future interaction-based studies of micro-level nationalism in Germany.

Chapter II

Theoretical Framework and Methodology

Eric Hobsbawm put it best when he wrote: "official ideologies of states and movements are not guides to what is in the minds of even the most loyal citizens or supporters."[1] Although institutional practices are not informed solely or necessarily primarily by popular understandings of ideology, they do however structure material outcomes for individuals living within the region administered by a given state. Therefore, macro-level institutions structure access to rights and goods made available by the state. Analysis of institutional practices and state expressions of ideology, however, can never produce an understanding of "nation" as it is practiced and understood at the micro-level. Similarly, these institutions can, at least in some capacity, be understood as produced from a range of options that maintains a party's electability.[2]

What is considered the ideological content of a nation is not static. At both the individual and aggregate levels, the conceptual content around which national identity and national community are organized, which I call "the national," is constantly being supplemented, called into question, modified, and adapted. Emerging demographic, military, political, economic, and academic concerns all impact how academics, politicians, media personnel, and the public negotiate the national and what content becomes the focus of these negotiations. Consequently, cross-sectional analyses of national ideology are likely to lose

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[1] Eric Hobsbawm, Nations and Nationalism since 1780: Programme, Myth, Reality, (Cambridge: Cambridge University Press. 1990), 11.
[2] Anthony Downs, An Economic Theory of Democracy, (New York: Harper and Row Publishers, 1957).

sight of how institutional understandings of who qualifies as "national" change over time, as well as how entrenched powers resist that change. In order to study the national, therefore, it is absolutely necessary to use a method that allows for longitudinal comparison within a single case.

The comparative historical methodology opens up options for study. [3] Its small-N orientation allows for more thorough contextualization of the phenomena being studied and for an attention to historical detail that is not feasible in large-N studies. Even in studies with a substantial universe of available cases, comparative history is suitable for inquiry investigating social change over large spans of history. Comparative history also represents a unique relationship with theory: it can be used both deductively to test hypotheses derived from existing theory and inductively to generate and extend theory from cases. Comparative history is a method that allows for several types of studies; more specifically, it supports both small-N and relatively large-N, synchronic and diachronic, archival research and ethnographic research, etc. As a result, constructing a research design requires knowledge of what comparative historical methods can do. As a result, this chapter proceeds as follows: first, I discuss key works of comparative history, emphasizing how they conceptualize the relationship between method and theory. With this in mind, I outline the research design, data, and data collection methods I employed in conducting this study.

Comparative Historical Methodology

[3] I am using James Mahoney and Dietrich Rueschmeyer's definition of comparative historical research as having three components: "a concern with causal analysis, the exploration of temporal processes, and the use of systematic and contextualized comparison typically limited to a small number of cases…." James Mahoney and Dietrich Rueschmeyer, "Comparative Historical Analysis: Achievements and Agendas," in <u>Comparative Historical Analysis in the Social Sciences</u>, ed. James Mahoney and Dietrich Rueschmeyer. (New York: Cambridge University Press, 2003).

Comparative historical analysis has a relatively long history in the social sciences. Adam Smith's The Wealth of Nations, for example, constitutes an early instance of comparative historical methodology. Many of the seminal texts that influenced the development of political science and sociology are works of comparative history.[4] Indeed, much early sociological and political scientific theory was generated through the use of the comparative method.[5]

Karl Marx's works on the development of capitalism in the West, considered foundational to the discipline of sociology, are important works of comparative history.[6] His analysis, which resulted in his theory of class conflict as the driving force of economic and, thereby, political change, relied heavily on cross-temporal comparisons between modes of production, as well as on cross-spatial comparisons within the same mode of production. Capital and Grundrisse, especially, feature discussions of Western European feudalism as a contrast for his characterization of class relations under capitalism as well as analyses of capitalism in more than one society. Marx's application of comparative historical methods was aimed at generating a grand theory that could describe all historical and future economic and social change.

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[4] See, for example: Emile Durkheim, The Elementary Forms of Religious Life (New York: The Free Press, 1995); Marc Bloch, Feudal Society Volume 1: The Growth of Ties of Dependence, translated by L.A. Manyon (Cornwall: T.J. Press, 1993; orig. London: Routledge, 1961); Marc Bloch, "Toward a Comparative History of European Societies," in Enterprise and Secular Change: Readings in Economic History, ed. Fredric C. Lane and Jelle C. Riemersma (Homewood: R.D. Irwin, 1953); Alexis de Tocqueville, Democracy in America, translated by Harvey C. Mansfield and Delba Winthrop (Chicago: University of Chicago Press, 2000); W.E.B. Du Bois, Black Reconstruction in America, 1860-1880 (New York: The Free Press, 1998 [1935]); Karl Marx, The 18th Brumaire of Louis Bonaparte (London: Wildside Press, 2008); Karl Marx, Capital Volume 1: A Critique of Political Economy (New York: Penguin, 1992); Max Weber, Economy and Society: An Outline of Interpretive Sociology, ed. Guenther Roth and Claus Wittich (Berkeley: University of California Press, 1978); Max Weber, The Protestant Ethic and the Spirit of Capitalism (London: Routledge, 2001).

[5] Matthew Lange provides an insightful account of the development, refinement, and systematization of the comparative historical method. Matthew Lange, Comparative Historical Methods (Thousand Oaks: Sage Publications, 2013). See also: Reza Azarian, "Potentials and Limitations of Comparative Method in Social Science," International Journal of Humanities and Social Science, 1 (April 2011).

[6] For more on this, see: Emil Oestereicher, "Marx's Comparative Historical Sociology," Dialectical Anthropology, 3 (May 1978).

W.E.B. Du Bois' work is another major selection of early comparative historical sociology. In Black Reconstruction, he made use of primary source data, statistics, biography, and inter-state comparisons to argue that, contrary to the prevailing argument of the time, Reconstruction was "a missed opportunity to achieve social democracy in America."[7] Du Bois also argues that economic interests drive politics and political transformation. In doing so, he provided an intersectional analysis that linked the economic exploitation of Southern Blacks and poor Southern whites to racism as well as to the failure to create real democracy in the South. Furthermore, Du Bois blended a concern with grand theory, namely structuralism and materialism, with an attention to the contingent and contextual nature of Reconstruction. As a result, Black Reconstruction both develops theory and explains a particular case.

Max Weber's contributions to the comparative historical methodology are perhaps the most notable.[8] Much of Weber's work was oriented towards "wedding general, transhistorical concepts ('historical models,' or ideal types) to specific courses of events ('secular theories')."[9] It is from his detailed and case-oriented work that he developed key theories, concepts, and definitions, including but not limited to the topics of: rationalization, *Verstehen*, ideal types, bureaucracy, legitimate authority, the state, the development of the Western city, and capitalism.

In one of the most famous works of comparative history, The Protestant Ethic, Weber examined why rational capitalism emerged only in particular Western societies. Making use

[7] Isaac Martin, "The Comparative Historical Sociology of W.E.B. Du Bois," Trajectories, 27 (April 2016), 23.
[8] Stephen Kalberg explored Weber's contributions to the comparative historical methodology in great detail in: Stephen Kalberg, Max Weber's Comparative Historical Sociology (Chicago: University of Chicago Press, 1994).
[9] Edgar Kiser and Michael Hechter, "The Role of General Theory in Comparative-Historical Sociology," American Journal of Sociology, 97 (July 1991), 3.

of comparisons between those Western societies that had developed rational capitalism and those that had not, as well as between Western rational capitalistic societies and non-Western societies, Weber argued that ideology had a strong impact on the economic development of the West. More specifically, he argued that because the acquisition of wealth was associated with heavenly salvation in Calvinism, the spiritual drive towards rational capitalism present in predominantly Calvinist regions enabled economic developments that did not occur elsewhere. This was a strong departure from previous comparative historical work on economic development and capitalism, which had focused on structural conditions as generating economic change.

Protestant Ethic and especially Economy and Society present another major departure from the standard in comparative historical research: Weber's concern with multicausality.[10] Where previous works emphasized a single causal process and the value of general theory, Weber argued for multicausal approaches and a retreat from general theory, which could never accurately describe every context equally well. For example, he further complicated his linear argument from Protestant Ethic that particular religious ideologies generated the drive towards capitalism thusly: "religion nowhere creates certain economic conditions unless there are also present in the existing relationships and constellations of interests certain possibilities of, or even powerful drives toward, such an economic transformation."[11] Weber's works in Economy and Society included extensive essays on methodology and comparative history. These included essays devoted to developing the ideal type as a heuristic device, arguing for limited theoretical generalization, arguing for equal attention to

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[10] For a detailed account of Weber's insistence on multicausality, see Chapter 2 in Kalberg, Max Weber's Comparative Historical-Sociology.
[11] Weber, Economy and Society, 577.

the multiplicity of potential causes, and supporting a focus on contextual analysis. Despite Stephen Kalberg's assertion that Weber's methodological work had been largely overlooked, his contributions to the method have been invaluable.

As should be clear from this discussion of early comparative historical work, the relationship between the method and theory generation is a curious one. On the one hand, there are works of comparative history aimed at producing general theory that can explain all instances of a phenomenon. On the other, there are works like those of Max Weber and W.E.B. Du Bois, which focused on generating explanations for particular events and cases, as well as on testing theoretically and logically derived hypotheses. Both have been valuable as forms of macro-social inquiry and allow for the examination of large social units – states, nations, governing systems, etc. – and large social questions – nationalism, democracy, economic development, path dependency, historical materialism, etc. However, the relationships between comparative history and theory influence not only the types of questions researchers ask, but also the number and type of cases they select for using them.

Method, case selection, and theory

Comparative history, as derived from Mill's methods, is particularly valuable for macro-social analysis; [12] that is, it allows for deductive approaches that use large units of analysis,

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[12] The logic for the two primary modes of comparative historical analysis stems from John Stuart Mill's <u>A System of Logic</u>, in which he outlined two applications of the method: the "Method of Agreement" and the "Method of Difference." To use the Method of Agreement, the researcher must establish a set of cases that share in common the result of interest and also share a set of causal factors. On the other hand, Method of Difference contrasts cases that share both the causes and the phenomenon-of-study with cases in which the causes and phenomenon are missing. These methods allow for variation between cases, but seek to highlight crucial similarities and differences, respectively. That is, the Method of Agreement does not require that cases be identical, but rather that the key causal variables and the resulting phenomenon are shared. Similarly, cases selected for the Method of Difference do not need to be different in every conceivable way; rather, they need

such as the world system, nations, states, economies, regions, etc., to answer questions across societies or systems.[13] With this in mind, comparative history is well-suited to hypothesis testing, causal analysis, and the generation of grand theory. Indeed, many of the most well-known and influential works of comparative history are those that address large macro-social problems. Such studies and their research questions tend to prefer, or often require, analysis of several cases in order to evaluate existing theories and generate new ones. This is, in part, because comparative historical analysis "encourages one to spell out the actual causal arguments suggested by grand theoretical perspectives… [and] succeeds only if it convincingly fulfills this goal."[14]

In Social Origins of Dictatorship and Democracy, for example, Barrington Moore Jr. analyzed several cases in order to explain the possible trajectories that produce modern societies. Moore's interest in the structural conditions that produced democracies, fascist dictatorships, and communist societies relied heavily on his belief in the capacity for comparative history to produce grand theory. Indeed, in the preface to Social Origins, he wrote:

> Comparisons can serve as a rough negative check on accepted historical explanations. And a comparative approach may lead to new historical generalizations. In practice these features constitute a single intellectual process and make such a study more than just a disparate collection of interesting cases. For example, after noticing that Indian

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only differ in outcome and in key causal variable, while other variables may be shared. A third type of comparative historical analysis, Qualitative Comparative Analysis, is discussed below. John Stuart Mill, A System of Logic: Ratiocinative and Inductive, ed. J.M. Robson (Toronto: University of Toronto Press, 1981).

[13] For examples of such analyses, see: G. Reginald Daniel, Race and Multiraciality in Brazil and the United States: Converging Paths? (University Park: Penn State Press, 2006); Christopher Hill, National History and the World of Nations: Capital, state, and the rhetoric of history in Japan, France, and the United States (Durham, NC: Duke University Press, 2008); Frances V. Moulder, Japan, China and the Modern World Economy: Toward a Reinterpretation of East Asian Development ca. 1600 to ca. 1918 (Cambridge: Cambridge University Press, 1977); Immanuel Wallerstein, The Modern World System: Capitalist Agriculture and the Origins of the European World-Economy in the Sixteenth Century (New York: Academic Press, 1974).

[14] Theda Skocpol, States and Social Revolutions: A Comparative Analysis of France, Russia, and China (Cambridge: Cambridge University Press, 1979), 19.

peasants have suffered in a material way just about as much as Chinese peasants during the nineteenth and twentieth centuries without generating a massive revolutionary movement, one begins to wonder about traditional explanations of what took place in both societies and becomes alert to factors affecting peasant outbreaks in other countries, in hopes of discerning general causes.[15]

It is unsurprising that Moore's theory of political developmental trajectories emerged from a multi-case approach. He built his causal argument for each trajectory from detailed knowledge of three cases each; that is, for example, to develop the trajectory characterized by the transition from bourgeois revolution to democracy, Moore drew on England, France, and the United States. Approaching each case longitudinally, he was able to increase the diversity of cases in his analysis by looking at shifts in coalitions between peasants, aristocrats, and bourgeoisie, as well as at historical moments in which the scales of a given society were tipping towards one ideal type or the other. For example, he argued that Britain and France both had reactionary periods, which might have led to fascism, as well as revolutionary periods, which resulted in capitalist democracy. Having a range of cases for each trajectory and then breaking each case into several smaller cases enabled both inter- and intra-category comparisons, which in turn allowed for a more detailed elaboration of causal processes and, therefore, a more developed argument.[16]

Theda Skocpol's study of the causes and outcomes of social revolutions took a similar approach. In States and Social Revolutions, Skocpol drew heavily on three cases of

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[15] Barrington Moore Jr., Social Origins of Dictatorship and Democracy: Lord and Peasant in the Making of the Modern World (Harmondsworth: Penguin Books Ltd., 1966), x.

[16] By increasing the number of cases at his disposal, Moore was able to use both of Mill's methods for comparative historical analysis. Moore is able to validate his arguments for each trajectory by comparing it to the causal processes he argues are at play in the other two (Method of Difference). Similarly, by comparing different periods within the same nation, Moore is able to use the Method of Agreement to develop his causal argument for each trajectory. That is, comparisons between revolutionary France and Civil War America help Moore develop the causal processes, which he then validates by comparing France's bourgeois revolution to that led by the reactionary Junkers in Germany, for example.

social revolution – the French, Russian, and Chinese Revolutions – and contrasted them with

negative cases, in which conditions were similar but the result was different, such as

England, Japan, and Prussia.[17] Like Moore, Skocpol also relied on cases with similar

processes and outcomes, in spite of substantial inter-case differences, to develop a theory of

social revolutions; following this, she contrasted her positive cases with those in which a

social revolution failed to occur, despite being similar in "every apparently relevant respect

except for the causal sequence that the contrast is supposed to validate."[18] Skocpol's cases are

revolutionary moments rather than nations or states, which allows for the same nation to

produce multiple cases. For example, she draws on two cases from Russian history: the failed

revolution of 1905 and the Russian Revolution of 1917.

       For Skocpol, comparative history operates akin to "a kind of multivariate analysis…

[for] causal statements about macro-phenomena for which, inherently, there are too many

variables and not enough cases."[19] Others have since made use of this approach to make

grand theoretical arguments about macrosocial phenomena. In National History and the

World of Nations, for example, Christopher Hill drew on Japan, France, and the United

States in order to construct an argument about the conditions under which national history is

produced and reproduced. Hill selected these particular cases both because "[t]riangular

comparison resists the reductive, binary conclusions that are likely to develop when

investigating phenomena like nationalism that hold essential qualities dear" and because their

substantial systemic differences allowed him to emphasize global capitalism. [20] Essentially,

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[17] Theda Skocpol, States and Social Revolutions.
[18] Ibid, 37.
[19] Theda Skocpol and Margaret Somers, "The Uses of Comparative History in Macrosocial Inquiry," Comparative Studies in Society and History, 22 (April 1980), 182. See also, Theda Skocpol, States and Social Revolutions, 36.
[20] Christopher Hill, National History and the World of Nations: Capital, state, and the rhetoric of history in

case selection allowed Hill to emphasize a particular causal process, using the same Method of Difference as Skocpol.

Ruth Berins Collier and David Collier's work on the processes through which organized labor movements were incorporated into national politics in Latin America used comparison of eight cases to develop a theory of social change in countries with long histories of urban and commercial development. Collier and Collier's approach was very similar to Moore's: cases were grouped into categories around similar processes of incorporation, from which they developed theories about social change, and then they compared across categories in order to validate the different theories. In addition to generating hypotheses and grand theory through a multi-case approach, Collier and Collier also utilized in-depth analyses of individual cases in order to "evaluate whether the dynamics of change within each country plausibly reflect the same causal pattern suggested by the comparison among countries."[21] Thus, unlike Moore and Skocpol, Collier and Collier incorporated the second use of comparative history into their study. They not only used comparative history of multiple cases to generate grand theory, but also comparative history of single cases in order to demonstrate or undermine theory.

This second form of comparative history, based in reconsideration and evaluation, is most clearly exemplified by Fernando Lopez-Alves and Miguel Centeno's edited volume, The Other Mirror: Grand Theory Through the Lens of Latin America. Each chapter in the volume used a Latin American case to re-evaluate the ubiquity of various grand theoretical traditions. Samuel Valenzuela's chapter, for example, re-evaluated Moore's theory of

Japan, France, and the United States (Durham, NC: Duke University Press, 2008), X.
[21] Ruth Berins Collier and David Collier, Shaping the Political Arena: Critical Junctures, the Labor Movement, and Regime Dynamics in Latin America (Notre Dame: University of Notre Dame Press, 2002), 5.

political transformation in the Chilean context. He argued that Chile's political transformations cannot be adequately described by Moore's model, basing this conclusion on detailed accounts of Chilean class status and relations. According to Valenzuela, the coalition between large landowners and the rural *iniquilinos* is seemingly counterintuitive if understood exclusively from Moore's perspective, but viewed through the lens of mutual Catholic interests, the coalition seems to make more sense. Other chapters take the same approach to reconsidering grand theorization through the lens of single-case comparative history.

Another of the most prominent works of comparative history, E.P. Thompson's The Making of the English Working Class, evaluated traditional Marxist theories of class formation through a description of the constant making, re-making, and unmaking of the English working class.[22] Thompson examined the contributions, coalitions, and actions of several groups and individuals who would be considered as members of the "working class" in England during the Industrial Revolution. From this approach, he produced an understanding of English history that was difficult to fit neatly into the Marxist tradition. As a work of comparative history, The Making of the English Working Class is a diachronic, descriptive single-case work that developed middle-range theory about class formation derived exclusively from the English case.

Other single-case comparative histories take a similar diachronic approach to a single nation-state, political system, or trading company. These include Charles Frye's "Parties and Pressure groups in Weimar and Bonn;" Julia Adams' "Principals and Agents, Colonialists and Company Men;" Philippe Schmitter's Interest Conflict and Political Change in Brazil;

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[22] E.P. Thompson, The Making of the English Working Class (New York: Vintage, 1966).

John Agnew's "The Impossible Capital;" and, in some ways, Rogers Brubaker's <u>Citizenship</u> <u>and Nationhood in France and Germany</u> and G. Reginald Daniel's <u>Race and Multiraciality in</u> <u>Brazil and the United States: Converging Paths?</u>.[23] Single-case analyses applying the case study method can be used to generate hypotheses, gather data for later theory-building, or test theoretical propositions.[24] While such studies cannot produce or invalidate theory on their own, they are invaluable to long-term processes of theory-building and evaluation. Furthermore, the single-case method can be used inductively to develop middle-range theory from detailed knowledge of the case.

Middle-range theory is especially valuable to comparative historical research because it provides starting points for generating hypotheses in studies oriented towards grand causal theory. The relationship between John Foran's <u>Taking Power</u> and <u>Fragile Resistance</u>, for example, provides a particularly compelling example.[25] In <u>Fragile Resistance</u>, his sweeping comparative historical analysis of Iranian social change since 1500, Foran took the single-case approach, comparing various periods of Iranian history to one another, as well as briefly to other countries. From this study, he developed the theoretical concept of "political cultures of opposition," which he later integrated into a model of multiple conjunctural causation in

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[23] Julia Adams, "Principals and Agents, Colonialists and Company Men: The Decay of Colonial Control in the Dutch East Indies," <u>American Sociological Review</u>, 61 (February 1996); John Agnew, "The Impossible Capital: Monumental Rome under Liberal and Fascist Regimes, 1870-1943," <u>Geografiska Annaler: Series B, Human Geography</u>, 80 (December 1998); Rogers Brubaker, <u>Citizenship and Nationhood in France and Germany</u> (Cambridge: Harvard University Press, 1922); G. Reginald Daniel, <u>Race and Multiraciality</u>; Charles E. Frye, "Parties and Pressure Groups in Weimar and Bonn," <u>World Politics</u>, 17 (July 1965); Philippe Schmitter, <u>Interest Conflict and Political Change in Brazil</u> (Stanford: Stanford University Press, 1971).

      Both Brubaker's and Daniel's works include more than one case. In spite of this, they are valuable examples of how to build middle-range, as well as grand, theory from a single case approached diachronically. In Brubaker's case, his longitudinal analyses of the French and German cases were the basis for building ideal-types. Similarly, Daniel's comparisons between the US and Brazil relied heavily on initial diachronic study of both nation-states.

[24] Arend Lijphart, "Comparative Politics and the Comparative Method," <u>The American Political Science Review</u>, 65 (September 1971).

[25] John Foran, <u>Fragile Resistance: Social Transformation in Iran from 1500 to the Revolution</u> (Boulder: Westview Press, 1993); John Foran, <u>Taking Power: On the Origins of Third World Revolutions</u> (Cambridge: Cambridge University Press, 2005).

Taking Power, where he sought to create a causal model that would explain the success or failure of a Third World revolution.

Foran's comparative history in Taking Power did not, however, rely on the Millsian logic outlined above that dominates comparative historical research. Instead, Foran made use of Charles Ragin's Qualitative Comparative Analysis. One of the key differences between Mill's Methods of Agreement and Difference and Ragin's Qualitative Comparative Analysis (QCA) is that QCA allows for a researcher to test multiple paths that lead to the same outcome.[26] This is especially important when attempting to understand failure as an outcome. For example, Foran explored the multiple causes of movement failure in Taking Power, and found six causal models that explained the failure of three categories of failed revolutions. While valuable for analyses that hypothesize multiple causes of the same outcome, QCA is less useful for single-country analyses that are looking to develop middle-range theory.

Limitations and concerns

As with every methodological paradigm, comparative history has limitations, several of which I will address briefly. One of the primary critiques levied against comparative historical methodology is that of bias, including bias in the selection of cases and biased conclusions resulting from case selection. Derived from the logic of quantitative analysis,

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[26] Qualitative Comparative Analysis uses Boolean algebra, a branch of algebra and mathematical logic also used frequently in the philosophy of logic, to evaluate and simplify the internal logic of causal arguments. Researchers using QCA rely on deep contextual knowledge of the cases to evaluate the presence or absence of the variables in their model. These data are then represented via truth tables and condensed to determine which combinations of variables are required to produce particular outcomes (paths). In this way, Qualitative Comparative Analysis is similar to spatial modeling or game theory, insofar as they are all methods by which to formalize and test arguments and theories. For more on the method, see: Charles C. Ragin, The Comparative Method: Moving Beyond Qualitative and Quantitative Strategies (Berkeley: University of California Press, 1987); Charles C. Ragin, Fuzzy-Set Social Science (Berkeley: University of California Press, 2000).

several scholars have argued that comparative historical studies are inherently biased because they select cases for their outcome, rather than sampling randomly.[27] Without variation in the dependent variable, it is impossible to discern what is causing a particular outcome. However, comparative historical analysis does not follow the same logic as quantitative analysis. Specifically, studies seeking to understand the necessary conditions for an outcome benefit from reducing variation in the dependent variable.[28]

In addition to concerns about selection of cases based on outcome, bias in the selection of cases for comparison can result in biased or incomplete conclusions. For example, the *Sonderweg* thesis, which developed out of the Bielefeld School in the 1960s, argued that Germany's path from feudalism to democracy was unique and all but guaranteed the development of fascist ideology and control. Historians promoting the *Sonderweg* thesis supported the argument by comparing German development to that of Britain and France. However, reflecting on the *Sonderweg*, Jürgen Kocka argued that "[t]he Western comparative perspective makes National Socialism appear deviant; from a southern or south-eastern European perspective, Nazism becomes part of a phenomenon spread across large parts of the continent."[29]

Lopez-Alves and Centeno's edited volume The Other Mirror is focused on addressing precisely this concern. The volume ultimately highlights how biased case selection – focused in this particular instance on Eurocentrism in the production of grand theory – resulted in

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[27] Barbara Geddes, "How the Cases You Choose Affect the Answers You Get: Selection Bias in Comparative Politics," in Political Analysis, volume 2, ed. James A. Stimson (Ann Arbor: University of Michigan Press, 1990); Gary King, Robert O. Keohane, and Sidney Verba, Designing Social Inquiry: Scientific Inference in Qualitative Research (Princeton: Princeton University Press, 1994).

[28] James Mahoney, "Strategies of Causal Assessment in Comparative Historical Analysis," in Comparative Historical Analysis in the Social Sciences, ed. James Mahoney and Dietrich Rueschmeyer (New York: Cambridge University Press, 2003); Ragin, Fuzzy Set Social Science

[29] Jürgen Kocka, "Aysmmetrical Historical Comparison: The Case of the German *Sonderweg*," History and Theory, 38 (February 1999), 49.

biased conclusions and theory that struggle to explain cases outside of Europe. Comparative historical researchers, therefore, need to be sensitive to how case selection biases conclusions and outcomes, by either limiting the scope of their conclusions or being more conscientious in case selection.[30] Fortunately, Mill's logics for comparison are oriented toward precisely this: cases are selected based on exactly how they vary and on which variables.

Another related problem stems from the unevenness of case knowledge. This comes, in large part, from researchers extending beyond their "specialty." In multi-case studies, for example, the researcher certainly is more familiar with some cases than others, just as the researcher studying one case across time is likely more familiar with some periods than others. This risk is inherent to comparative analysis precisely because deep and detailed contextual knowledge requires substantial investment from the researcher; gaining this sort of familiarity for several cases would require a lifetime of research. However, this limitation is present for any methodology concerned with multiple variables or units of analysis. As with concerns about bias stemming from case selection, the solution here is reflexivity. John Foran's admission in Taking Power that he has a "best case" in Iran and relied on country and area specialists to bolster his knowledge of other cases is precisely how researchers should handle this.[31]

Finally, comparative historical analysis assumes that cases (units) are independent, despite this very rarely being strictly true. As Skocpol stated in her study of revolutions: "these phenomena occur in unique world-historical contexts that change over time, and they

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[30] Arend Lijphart cited this as one of the means through which to strengthen comparative historical research more generally. Arend Lijphart, "Comparative Politics and the Comparative Method."
[31] Foran, Taking Power, 27-8.

happen within international structures that tie societies to one another."[32] Some researchers attempt to address this concern directly by limiting the cases available for analysis. Moore, for example, consciously barred smaller European and Asian states because "the decisive causes of their politics lie outside of their own boundaries… [and] their political problems are not really comparable to those of larger countries."[33] Skocpol and Foran shared this concern in their respective studies of revolution. Both scholars recognized that revolutionary movements happen in a world that sees the results and may learn from or be inspired by them. Studies of contemporary phenomena have even greater difficulty with this as information is even more available and sources of news and information are more deeply penetrating than previously.

As with the previous limitations, a solution to this concern is to be conscious of the ways in which selected cases are interdependent and influenced by one another. Skocpol, for instance, paid particular attention to the fact that Russian revolutionaries played a direct role in the Chinese revolution. Sensitizing oneself to the connections between selected cases encourages the researcher to identify whether the connections and interdependencies are relevant to the analysis at hand. It is also worth noting that a lack of independence does not signal that nothing can be gained from comparison: only perfectly dependent cases produce no new information.

Research Design

This study takes a diachronic single-case approach to examining the intersections of nation,

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[32] Skocpol, <u>States and Social Revolutions</u>¸39.
[33] Moore, <u>Social Origins</u>, X.

nationalism, and citizenship. Because of the hegemonic nature of "the national," the only

method of observing changes in national identity, character, symbols, traditions, etc., is to

observe them over relatively long periods. [34] That is, changes in "the national" are the result

of what Paul Pierson called "cumulative causes," which itself constitutes a "cumulative

outcome."[35] For example, demographic change, geopolitical shifts, institutional development,

and cultural production all contribute to the production of "the national" and are all

cumulative processes. Furthermore, one of the benefits of a diachronic study is that a "long

sequence of historical development offers … a large number of theoretically relevant

observations that may rule out or suggest the revision of a whole series of propositions."[36]

My research questions are not concerned with generalizations or the development of

grand theory; rather, they are concerned with evaluating existing theory by applying it to a

single case. Specifically, I am seeking to understand transformations in the criteria that

determine who can be a German national and what it means to be one. Rather than taking a

deductive approach oriented towards hypothesis testing, I am approaching my questions

inductively. I am guided by past theories on the concepts of nation, nationalism, and the

national, as well as theories of citizenship and Orientalism. My goal, however, is not to fit the

data to these theories, but rather, to use these theories as sensitizing concepts that guide my

analysis.

In order to facilitate the use of the comparative historical method, my unit of analysis

will be the nation-state at various historical moments. In a manner similar to Moore, Skocpol,

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[34] For more on "the national" as hegemonic ideology, see Chapter 2 above.

[35] Paul Pierson, "Big, Slow-Moving… and Invisible: Macro-social Processes in the Study of Comparative Politics," in Comparative Historical Analysis in the Social Sciences, ed. James Mahoney and Dietrich Rueschmeyer (New York: Cambridge University Press, 2003).

[36] Dietrich Rueschmeyer, "Can One or Few Cases Yield Theoretical Gains?" Comparative Historical Analysis in the Social Sciences, ed. James Mahoney and Dietrich Rueschmeyer (New York: Cambridge University Press, 2003), 311.

Foran, and others, I separate the German case into historical periods in order to highlight the similarities that exist despite substantial structural, systemic, and contextual differences. Indeed, by dividing the German case into three distinct periods, I can control for the effects of changes in (or the emergence of) the international system, changes in political system, industrialization, and other major macro-level changes. This decision does limit the scope of the conclusions that can be drawn from the data. However, by sacrificing generalizability I reduce variation in case knowledge, which makes it easier to establish validity.

Data Collection

Engaging in comparative historical research, especially the comparative history of institutions and the artifacts they produce, necessitates an archival approach. As a result, this study draws on both primary and secondary texts as data. Specifically, I examine citizenship law, constitutional amendments, parliamentary debates, the German citizenship test, public speeches, newspaper articles and editorials, educational materials, and secondary histories. Focusing on these sources of data allows me to examine contestations over the content of the German national not only through analysis of the content that becomes hegemonic, but also through analysis of the contests over hegemony. Much of these data are available either through the German government or the newspapers themselves.

My analysis in this study relies heavily on the online archives of the *Reichsgesetzblatt* and *Bundesgesetzblatt*, hosted by Universität Regensburg and Bundesanzeiger Verlag respectively. The Reichsgesetzblatt (RGBl) was a public gazette published between 1868 and 1944 that published full-length copies of German laws as produced by the Reichstag. From 1868 to 1871, the RGBl was published by the North German Confederation (Norddeutsche

Bund). Publication of the RGBl was picked up by the German Empire (Deutsches Reich and later Großdeutsches Reich) between 1871 and 1944. After the dissolution of the Deutsches Reich and the formation of the Federal Republic of German (Bundesrepublik Deustchland) in 1945, the publication was renamed the Bundesgesetzblatt. These archives, combined with Kay Hailbronner, Günter Renner, and Hans-Georg Maaßen's Staatsangehörigkeitsrecht – which collects laws pertaining to citizenship, naturalization, refugees, etc. and provides commentary and analysis of the changes – contain the full scope of laws, regulations, and guidelines relating to citizenship law.

Much of the data are available online, including many of the newspaper articles. However, I did need to find physical copies of some of the news articles, speeches, parliamentary debate records, and law. The educational materials consist of lists of approved workbooks published by the German government and the workbooks themselves. Each of the workbooks used as data in this study is on the list of books approved for use in integration courses that is published by the German *Bundesamt für Migration und Flüchtlinge* [Federal Ministry for Migration and Refugees]. The six approved workbooks are all written and published by different private publishing houses, and are available for purchase through online retailers. The *Bundesamt* also publishes a curriculum for the integration courses which is available for download on their website and is used as data.

All of my sources for this study are available either for free or at minimal cost and cited as descriptively as possible in the interest of replicability and, therefore, reliability. Many of the primary sources are available only in German, and I use the original German for almost all sources that are available in both English and German. Almost all of the translations in this study are my own, unless otherwise specified. For most translations, I

include the original German, either in the text or in an attached footnote.

Chapter III

Citizenship and the German Nation, 1870-2000

Writing in the wake of German reunification, which was arguably the greatest triumph of *jus sanguinis* citizenship policy, Rogers Brubaker asserted that "there is no chance that the French system of *jus soli* will be adopted [in Germany]; the automatic transformation of immigrants into citizens remains unthinkable...."[1] Brubaker's argument could not foresee either Germany or France straying from their respective paths, which had been shaped by their own respective histories, precisely because he saw their histories as building inertia. However, in the twenty-two years following the publication of Citizenship and Nationhood in France and Germany, the Bundestag passed substantial reforms to the German Nationality Act. This law opened up pathways to naturalization and broadened the ascription of citizenship at birth to incorporate non-ethnic Germans. Brubaker's prediction did not materialize, but why was he so far off the mark?

Christian Joppke, like many scholars, sees these German reforms as being a symptom of processes of globalization that are divorcing the nation and the state. If we believe that this divorce is underway, then, according to Joppke, "Brubaker's well-known argument that citizenship is determined by long-standing traditions of nationhood has to be rejected. Following this line of reasoning, Germany could never have had its citizenship reform of 1999, and this proverbial ethnic nation could not, as it does now, grant condition *jus soli*

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[1] Rogers Brubaker, Citizenship and Nationhood in France and Germany (Cambridge, MA: Harvard University Press, 1992), 185.

citizenship to second-generation immigrants."[2] In fact, Joppke rejects Brubaker's theoretical

argument altogether. He understands citizenship law as having been developed and refined

over time by bureaucrats and legal specialists from different governments observing one

another. From this perspective, he suggests that it is unlikely that in a functionally

differentiated society citizenship law could be "driven by the profanations of nationalist

intellectuals, be they statesmen, composers, or fairy-tale collectors."[3] Instead, innovations in

citizenship policy made in one state are either imposed abroad or imitated by other states.

This trend towards liberalizing citizenship in Germany is not an unforeseeable historical

anomaly, but rather, the result of a transformation in Europe post-World War II towards

cosmopolitan or post-national citizenship.[4]

Another explanation is that Brubaker's prediction failed because it is predicated on a

particular reading of German nationhood in the second half of the 20th century. In Citizenship

and Nationhood, Brubaker reads nationhood from citizenship law, although he suggests that

nationhood is a hegemonic ideology that limits the range of possible expressions of state

interests.[5] Because citizenship law is but one in a range of possible expressions, reading

nationhood back from citizenship produces an incomplete view of the realm of myths,

histories, traditions, and symbols that constitute the national imaginary. Brubaker's

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[2] Christian Joppke, "Transformations of Citizenship: States, Rights, Identity," Citizenship Studies, 11 (February 2007), 40.

[3] Joppke, 40.

[4] Joppke is not alone in this interpretation. For more on arguments about the movement towards post-national or cosmopolitan citizenship, see: Rainer Bauböck, "Models of Citizenship and Rules of Naturalisation," in Challenging Racism in Britain and Germany, ed. Zig Layton-Henry and Czarina Wilpert (New York: Palgrave-McMillan, 2003); Zygmunt Bauman, Liquid Love: On the Frailty of Human Bonds (Cambridge: Polity Press, 2003); Ulrich Beck, "The Cosmopolitan Society and Its Enemies," Theory, Culture, and Society, 19 (April 2002); Jürgen Habermas, The Postnational Constellation: Political Essays (Cambridge: Polity Press, 2001); Michael Ignatieff, Human Rights as Politics and Idolatry (Princeton: Princeton University Press, 2001); Yasmin Nuhoğlu Soysal, Limits of Citizenship: Migrants and Postnational Membership in Europe (Chicago: University of Chicago Press, 1994); Bronislaw Szerszynski and John Urry, "Cultures of Cosmopolitanism," The Sociological Review, 50 (November 2002).

[5] For more on how hegemonic ideologies limit the interpretation and expression of interests, see Antonio Gramsci, Selections from the Prison Notebooks (New York: International Publishers, 2014).

understanding of German national idioms from 1945 to 1990 fails to include the public

discussions and debates about the national character, national history, symbols (and their use

or disuse), and traditions. It is no wonder, therefore, that the introduction of *jus soli* into

German citizenship law was so unimaginable to him. His account for German nationhood in

the post-War period relies heavily on pre-War citizenship law, rather than post-War

institutions and debates, because he posits the national imaginary as rigid and unchanging.[6]

I hold the second position and, in doing so, maintain Brubaker's theoretical position

that citizenship law exists at the intersection of myths of nationhood and various state

interests. This intersection is imperfect, and may favor state interests over nationhood, or vice

versa. Furthermore, I understand citizenship as a particular relationship between an

individual and the state through which the state imposes responsibilities on individuals. At

the same time, this relationship also marks those individuals known as citizens as being

guaranteed protection and other services by the state. As a result, citizenship often, but not

always, maintains the boundaries of the national community.

The goal of this chapter is to recontextualize the development of citizenship law in

Germany within the broader public debates about German nationhood. In doing so, my

objective is to construct an understanding of the symbols, meanings, and traditions around

which the German nation has been organized in the post-War period. Specifically, I will

emphasize German debates around the construction of national history, the role of and need

for immigrants, and German culture. Beginning with a discussion of the German Empire and

the Third Reich, I will trace the establishment of the ethnic characterization of German

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[6] Many scholars have written about national history, symbols, or traditions as being contested and frequently rewritten and reimagined. For examples of this, see: Christopher Hill, National History and the World of Nations: Capital, state, and the rhetoric of history in Japan, France, and the United States (Durham, NC: Duke University Press, 2008); Hobsbawm, Nations and Nationalism; Eric Hobsbawm and Terence Ranger, The Invention of Tradition (Cambridge: Cambridge University Press, 1983). Anthony D. Smith, National Identity (London: Penguin, 1991).

citizenship and identity. From there, I will sketch an outline of the German "national,"

focusing on three major influences on post-War German society and identity: the legacy of

history, foreign pressures, and labor migration. However, this is not intended to replace the

understanding of Germanness as couched in race and ethnicity, but rather to augment it by

contributing an understanding of how it operates below the surface. Discussion of race and

ethnicity is taboo in post-War Germany, so exclusion cannot operate as directly as under the

Third Reich. As a result, I argue that German exclusion operates through a discourse of

culture-as-race.

Ethno-cultural and ethno-racial nations

Until the reforms of the past sixteen years, German citizenship law had faithfully reflected

Helmut Kohl's famous proclamation that Germany was not a land of immigration.

Germany's first centralized citizenship law, the 1913 *Reich- und Staatsangehörigkeitsgesetz*

[Nationality Law of the German Empire], emerged, in part, out of two complementary

demographic concerns. Prior to 1913, citizenship in the Reich was achieved by having and

maintaining citizenship in the member states. This system, inherited from Prussia, attributed

citizenship on the basis of descent, marriage, and naturalization, but tied the retention of

citizenship to the territory. That is, although living in the territory was insufficient for gaining

citizenship, leaving the territory for a substantial period was sufficient grounds for losing it.

This is, in part, because Germanness was primarily cultural and linguistic. Echoing Johann

Gottfried Herder and Johann Gottlieb Fichte's calls for a strong and vibrant German-

speaking community, Bismarck's primary approach to Polish laborers and immigrants in the

east of Prussia was one of assimilation. Bismarck's politics in the east of Prussia were

initially aimed at Germanizing the Catholic Poles who lived there. His *Polenpolitik* [policies towards Poles] and *Kulturkampf* [cultural struggle] included removing Polish religious leaders and teachers, limiting the language spoken in compulsory primary education to German, and banning and later limiting of Polish immigration into eastern Prussia. Eventually, Bismarck shifted from attempting to Germanize the Poles to attempting to Germanize the land by expelling the Polish people living there and relocating ethnic Germans.[7]

Aversion to Polish immigrants and citizens was typically framed around the perceived inferiority of Slavic peoples, and, although Bismarck was motivated by these same understandings of Eastern Europeans as inferior, he articulated his objection to Polish immigration and identity primarily as fear of the strength of Polish nationalism.[8] Bismarck was concerned that Poles were not adapting to German as the language of public life and the intelligentsia; they were ensconcing themselves in Polish communities led by Polish clergy and nobility who promoted Polish in schools, Catholicism at home and in public, and the rejection of German culture in favor of Polish norms. Politicians feared a wave of Polonization, which would sweep over the eastern provinces and make them unrecognizable to their German citizens. This led to tighter naturalization restrictions, especially against Poles and Jews, with later restrictions imposed on Danes and Czechs.[9] Naturalization restrictions were not codified in law, but neither were they secret in any sense of the word. Indeed, Jewish organizations and the Polish Party were aware of the restrictions because of the substantially lower naturalization rates for Jews and Poles. In spite of this, Prussian

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[7] Brubaker, Citizenship and Nationhood, 131. See also: Eli Nathans, The Politics of Citizenship in Germany: Ethnicity, Utility, and Nationalism (New York: Berg Publishers, 2004), 126.
[8] Brubaker, Citizenship and Nationhood, 131. This is not to say that Bismarck's objections were not rooted in anti-Slavic sentiments, which were dominant in the Reich at the time. Instead, this is to say that, perhaps in spite of his anti-Slavic attitudes, Bismarck formulated the logic for Polish exclusion around competing nationalisms.
[9] Nathans, Politics of Citizenship.

officials were able to deny that applicants were being rejected based on their ethnicity and maintain their unofficial restrictions. These restrictions did not disappear with the introduction of the 1913 Nationality Act.

In the late 19th century, several nationalist groups began petitioning the Reich for a new citizenship policy that would simultaneously be more relaxed for Germans abroad and more exclusive for foreigners. The Pan-German League and the Colonial Society were especially vocal about wanting to ensure that Germans abroad were able to retain their citizenship in the Reich. Because of this expectation that German nationals and citizens living abroad would remain German at heart, these nationalist groups believed that Reich citizenship should only be lost for those who applied for citizenship in their receiving nation-state without a pressing economic reason.[10] Preserving German citizenship for German emigrants, as well as for their children and grandchildren, was meant to encourage their return and, as an indirect result, help to create a homogeneous German nation-state. German emigrants, they argued, could be reasonably expected to remain German in their hearts, which was sufficient. Making the naturalization process more accessible for returning ethnic Germans and maintaining citizenship for emigrants was to be accompanied by a tightening of the process for *Volksfremde* [foreigners, non-nationals]. According to the Pan-German League, those foreign to the ethnic and cultural German community had no place there because they could not and, possibly more importantly, would not Germanize. Nationalist groups did not see acceptance of language and culture as sufficient evidence that immigrants were truly German.[11]

Most major parties were sympathetic, at the very least, to the Pan-German League's

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[10] Brubaker, Citizenship and Nationhood, 116; Nathans, Politics of Citizenship, 175.
[11] Brubaker, Citizenship and Nationhood, 116; see also, Nathans, Politics of Citizenship, 172-181.

and Colonial Society's appeals for protecting the citizenship of *Auslandsdeutsche* [Germans living abroad], and the 1913 Nationality Act reflects this. Article 17 outlines the conditions for the loss of citizenship, which includes loss by dismissal, acquisition of citizenship in a foreign nation, non-performance of compulsory military duty, official mandate, evidence of being born to a non-German, and a woman's marriage to a foreigner.[12] Notably absent from the law is loss of citizenship through emigration. Ethnic Germans abroad would retain their citizenship, and, even more importantly, were granted automatic routes to naturalization. Provisions in Articles 30, 31, and 32 granted automatic naturalization to ethnic Germans who lost their citizenship through expatriation but still lived in Germany at the end of the first year after their expatriation. Further, emigration was no longer grounds for the loss of citizenship, so long as they had not acquired foreign citizenship. Germans who lived abroad for ten years or more were now granted the full protection of and membership in the German state.[13] Indeed, the 1913 Nationality Act directly addressed the major concern of nationalist groups in the Reich by regarding as German those of German heritage.[14]

Despite the Pan-German League's best efforts, nothing in the law, however, tightened restrictions on naturalization for foreigners. Access to naturalization was still contingent

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[12] "Die Staatsangehörigkeit geht verloren: durch Entlassung, durch den Erwerb einer ausländischen Staatsangehörigkeit, durch Nichterfüllung der Wehrpflicht, durch Ausspruch der Behörde, für ein uneheliches Kind durch eine Angehörigen eines anderen Bundesstaats oder von einem Ausländer bewirkte und nach den deutschen Gesetzen wirksame Legitimation, für eine Deutsche durch Eheschließung mit dem Angehörigen eines anderen Bundesstaats oder mit einem Ausländer." "Reichs- und Staatsangehörigkeitsgesetz," Reichsgesetzblatt I (1913), 587.

[13] It is important to note that much of this was dependent on fulfilling the compulsory military service. One of the few ways for a German man to lose his citizenship, besides applying for expatriation or gaining citizenship in a foreign state, was to live abroad and fail to complete his compulsory military service by age 31. However, this liability could be absolved or postponed. As Nathans notes, the guidelines issued by the Foreign Office to consular bureaucrats contained notable class bias. Applicants whose property or employment would be threatened by completing their military obligation were to be exempted. For more on this, see Nathans, Politics of Citizenship, 174-179.

[14] I differentiate here between heritage, which can be considered those things transmitted through socialization, such as values, traditions, identity, etc., and heredity, which should be understood as ancestry. Having German heritage, then, is possessing the proper cultural markers of Germanness, where German heredity refers to being "of German stock" or to possessing those biological characteristics which are part and parcel of the myth of German ethno-racial homogeneity.

upon being able to support oneself, having one's own residence, not having been convicted of a crime, and being deemed legally competent. Restrictions against "undesirable" foreigners, including Jews, Poles, and Czechs, were not codified, but did remain informally during and after World War I. Citizenship was still transmitted through parentage. Any child whose father possessed German citizenship at the time of birth would be ascribed German citizenship as well. In conjunction with the maintenance of German citizenship abroad, this would result in a German community abroad that, it was hoped, would support German interests abroad. Citizenship was transmitted through heritage for families that were already citizens, but ethnic Germans, those with German blood, who never possessed Reich citizenship were given no special consideration. Even children and grandchildren of former citizens were granted special access to naturalization as long as they did not possess foreign citizenship. Seemingly, Germanness was not transmitted through blood or genetics, alone. Instead, Germanness came from receiving Germanness through heritage; as far as the state was concerned, it was expected that German parents would transmit German values and allegiance to the Reich to their children, rather than that there was something inherently valuable in German blood.

Citizenship in the Reich, and later the Weimar Republic, were not as purely ethno-racial as some suggest. Certainly, citizenship was tied to the concept of Germans as a community of descent, but absent from the text of the law is the idea of Germans as an ethnic community transcending the boundaries of the state. Being of German stock was not sufficient for gaining Reich citizenship, otherwise many more Austrian Germans would have been *Reichsangehörige* [citizens of the Empire]. In addition, anti-Semitic and anti-Slavic attitudes were not absent from naturalization processes. Individual states were able to raise

barriers to the naturalization of foreigners, and by 1920, all states in the Republic had

instituted a minimum residency requirement for non-ethnic German applicants of ten years,

with some states going as high as twenty years. On top of this, application fees were

imposed, which were higher for non-ethnic German applicants than for ethnic Germans.

Humiliation from the terms of surrender and economic collapse created ideal conditions for

the rejection of foreigners, who could bring in foreign capital and buy German property and

land for next to nothing as a result of high inflation. Germans had been lost to the territorial

concessions required in the Treaty of Versailles, and the only way to ensure that they would

return was to maintain a healthy and vibrant German culture at home. Indeed, guidelines put

forward by the Interior Ministry promoted the naturalization of ethnic Germans who had

never been citizens, so long as "they preserved the German outlook [*deutsche Gesinnung*]

and German special nature [*Eigenart*] while abroad."[15] That is, so long as they possessed the

values and culture of the German nation.

Although attitudes towards naturalizing Jews largely stabilized with the economy in

much of the Reich, anti-foreigner sentiment, and especially anti-Semitic sentiment, re-

emerged during the Great Depression. There was, however, a solidification of the expectation

that many non-Germans, especially bourgeois Eastern European Jews, who spoke German or

received a German education would be Germans in practice.[16] By 1935, the Nazi state

codified unofficial prejudice in the 1935 Nuremberg Laws, which also began the transition

from an ethno-cultural understanding of citizenship to an ethno-racial one. The Reich

Citizenship Law created a new form of citizen status [*Reichsbürger*] that existed in addition

to and above the status of the traditional German citizen [*Staatsangehörige(r)*]. Only those of

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[15] Memorandum from the Reich Minister of the Interior to the different Länder of 1 June 1921 quoted in Nathans, <u>Politics of Citizenship in Germany</u>, 202.
[16] Nathans, <u>Politics of Citizenship</u>, 207.

German or kindred blood [*deutschen oder artverwandten Blutes*][17] whose conduct displayed

that they were willing and able to loyally serve the German people and state [*daß er gewillt

und geeignet ist, in Treue dem deutschen Volk und Reich zu dienen*] were to be *Reichsbürger*.

Moreover only *Reichsbürger* were to be afforded full political rights and protection.[18]

Beneath the *Reichsbürger* were the *Staatsangehörige* who gained and retained citizenship

based on the Nationality Act of 1913. Along with the Reich Citizenship Law, the Nuremburg

Laws contained the Law for the Protection of German Blood and Honor. Asserting the

necessity of pure German blood for the preservation of the German nation, the Law for the

Protection of German Blood and Honor prohibited Jews from marrying or having relations

with citizens of German blood, as well as from displaying the Reich flag, the national flag,

and the national colors.[19] Two months later, the Reichstag passed the first amendment to the

Reich Citizenship Law; in it, Jews were prohibited from becoming *Reichsbürger* and, as a

result, were unable to vote or hold office.[20]

The Reich Citizenship Law and its first amendment codified the notion of a German

nation tied not to culture or language, but to heredity. Germanness was not transmitted from

father to child through a "German outlook" or "special nature," but through genetics and

blood. *Reichsbürger* could only ever be those who were German by genetic descent. In 1933

the Reichstag passed a law that allowed the nullification of naturalizations granted between

1918 and 1933, as well as the removal of citizenship from those ethnic Germans who had

fled Germany during the same period. In the first case, the Reich was able to nullify any

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[17] *"Artverwandten Blut"* refers specifically to those of the same genus. The use of biological language here is in accordance with Hitler's belief that Germans belonged to a distinct race of humanity that enjoyed genetic and, therefore, hereditary superiority.
[18] "Reichsbürgergesetz," <u>Reichsgesetzblatt I</u> (1935), 1146.
[19] "Gesetz zum Schutze des deutschen Blutes und der deutschen Ehre," <u>Reichsgesetzblatt I</u> (1935), 1146-1147.
[20] "Verordnung zum Reichsbürgergesetz," <u>Reichsgesetzblatt I</u> (1935), 1333-1334.

naturalizations it deemed "undesirable."[21] In the second instance, the citizenship of any emigrant whose actions "violate the duty of loyalty to the Reich and the Volk…" could be revoked. [22] Both of these laws were instrumental in the removal of citizenship and seizure of property from German Jews within the Reich and abroad. Although the article regarding the removal of citizenship from emigrants did not specify a racial component, it was applied with a "völkisch-national" criteria in mind, and more than 7,000 Jews lost their citizenship in the wake of this law.[23]

As Germany expanded eastward, Hitler was concerned with the weakening of Germandom in the Reich. His desire to maintain German racial purity, and therefore German national purity, resulted in the creation of the *Volksliste*, a state administered registry of all ethnic Germans in the Reich and Eastern Territories. The *Volksliste* was an effort to create an objective and scientific categorization of Germans in order to prevent Poles, Czechs, and Slavs from gaining the rights and privileges accorded to ethnic Germans, as well as to protect ethnic Germans from contamination. Four categories of German were created: (1) those who had German blood and had been actively engaged in the nationalist cause; (2) those with German blood who had been passive to "the cause;" (3) those with German blood who had been "Polonized," and, as a result, would need to be re-educated and Germanized; and (4) those with German blood who were deemed of value and were actively engaged in the Polish nation.[24] Access to full protection and full political participation (*Reichsbürger* status) was initially reserved for only the first two categories, although it was eventually restricted to

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[21] "Gesetz über den Widerruf von Einbürgerungen und die Aberkennung der deutschen Staatsangehörigkeit," Reichsgesetzblatt I (1933), 480.
[22] Quoted in Nathans, Politics of Citizenship, 219.
[23] Nathans, Politics of Citizenship, 219
[24] "Erlass für den Überprüfung und Aussonderung der Bevölkerung in den eingegliederten Ostgebieten," Herder Institut, (2012, [1940]); "Verordnung über die Deutsche Volksliste und die deutsche Staatsangehörigkeit in den eingegliederten Ostgebieten," Reichsgesetzblatt I (1941), 118-120.

those individuals in the first list. The latter two categories were for ethnic Germans who needed to be re-educated. By 1942, both the third and fourth categories were subject to the revocation of their citizenship [*Staatsangehörige auf Widerruf*].[25]

Despite the Reich's claim to represent all people of German descent [*Deutschstämmige*], German blood without the appropriate attitudes, culture, and language was not enough to ensure belonging to the Volk. That said, there was no amount of culture or devotion that could compensate for the providence of birth. Absent German descent, no combination of speaking German, being culturally German, and devoting oneself to the Reich and Volk could ever be sufficient criteria for citizenship. The Reich actively pursued Hitler's vision of a racially homogenous Germany. Although racial purity as they conceived of it was a complete fiction, as are all myths of homogeneity, the effects of the regime's eradication-oriented policies were very real. Descent was central to the Nazi conception of Germanness; it was the privileged category that united a people scattered across Europe in spite of different cultural or linguistic backgrounds, although their culture and language would need to be Germanized. Moreover, it was a privileged category under the *Kaiserreich* and the Weimar Republic. However, during these periods, culture was valued much more highly. Ethnic Germans who had never been citizens were expected to naturalize through the same process as Poles, Jews, Czechs, and Danes under the 1870 and 1913 laws. Although ethnic Germans typically had an easier time navigating the bureaucracy and getting their applications approved, they were nonetheless rejected by locals on the basis of culture.

Citizenship and Nationhood: 1945-2000

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[25] "Verordnung über die Deutsche Volksliste."

Creating a new German state under Allied occupation was as much an ideological

undertaking as a practical one. Purging Nazis from the realm of public life (education, civil

service, etc.) required a complicated understanding of guilt and a method for assessing and

attributing it.[26] Reconstructing bureaucratic and administrative structures and writing a new

constitution required agreements on both methods of governance and which structures would

be best insulated from the same perversion that infiltrated Weimar institutions. Of course,

each of these was complicated by ideological conflict both between the Western Allies and

the Soviet Union, as well as among the Western Allies. Allied efforts at reconstructing the

German state needed to address the following questions: Were all Germans equally guilty of

the atrocities of the Nazi regime? Was the Nazi problem a problem of individuals or of

structures? Were Nazis, and Germans more generally, to be punished or rehabilitated? Could

there be room for a unified German people and German identity in Europe?

The Western Allies emphasized that occupation was a process of recovery. It was not

enough to cleanse German public life of Nazis, but rather the German people also needed to

be reeducated. Ensuring that Nazism did not resurge and that Germans were both open to and

capable of democratic rule required ideological conditioning. Democratization was as

important as and a part of denazification, although the process was rocky at best.[27] However,

by 1949, representatives of the *Länder* [states] occupied by the Western Allies had written

and ratified a new constitution for the Federal Republic of Germany. The Basic Law

[*Grundgesetz*], which codified democratic institutions and structures, was, in many ways, an

abnegation of the policies and atrocities of the Nazi regime. It included strong support for

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[26] Karl Jaspers, The Question of German Guilt, trans. E.B. Ashton (New York: Fordham University Press, 2000).

[27] For an example of this, see Mary Fulbrook's discussion of the problems of democratic elections that elect non-democratic candidates and German opinions of democratic institutions. Mary Fulbrook, A History of Germany 1918-2014: The Divided Nation, 4th Edition (West Sussex: John Wiley & Sons, 2015).

basic human rights and their enforcement, equality before the law, and a constitutional prohibition against denaturalization. These articles were direct responses to Nazi policies, including the 1933 Law on the Revocation of Citizenship and the 1935 Nuremburg Citizenship Law.

In addition to establishing democratic rule, the Basic Law established West Germany as the rightful representative of all Germans, including those in the Soviet zone and Soviet Eastern Europe. The Basic Law was meant to be an interim constitution that would be in effect until all Germans could participate in the creation of a new one, including those "to whom participation was denied" [*denen mitzuwirken versagt war*].[28] Reunification was incorporated into the constitution as an important goal for the German people, for whom it was a duty to achieve "the unity and freedom of Germany through free self-determination" [*in freier Selbstbestimmung die Einheit und Freiheit Deutschlands zu vollenden*].[29] In order for reunification to be politically viable, the West German state asserted itself as the rightful representative of Germans everywhere based on the principle of self-determination. Germans were defined ethnically, in the Basic Law and in the Nationality Act of 1913, which became the citizenship law of the Federal Republic. Anyone who held German citizenship in 1937 or was an expellee or refugee who had been accepted into the pre-1938 German territory was to be considered German. Furthermore, those whose citizenship had been revoked between 1933 and 1945 were to be considered as never having lost their citizenship.[30]

Citizenship law in the Federal Republic was the same as under the 1913 law. One of the first Allied actions was to revoke the 1935 amendments that established a hierarchy of

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[28] Grundgesetz der Bundesrepublik Deutschland, (May 23, 1949), https://www.bundestag.de/grundgesetz, 1.
[29] Ibid.
[30] Article 116, Grundgesetz. This was further codified in the 1955 Act on the Regulation of Questions of Nationality. "Gesetz für Regelung von Fragen der Staatsangehörigkeit," Bundesgesetzblatt 1955, 65.

citizenships and excluded Jews from access. Although with some changes, the 1913

Nationality Act remained the basis for the attribution of citizenship until the 1999 reforms.

However, this meant that the attribution of German citizenship was still based on descent,

even if that descent was premised on the transmission of culture through socialization.

Continuing to conceptualize Germanness as tied to descent served as an important legal basis

for reunification and the integration of East German and Eastern European *Aussiedler*

[resettlers]. Reforms to citizenship law, naturalization law, and foreigner law over the period

between the establishment of the Basic Law and the 1999 reforms that introduced *jus soli* to

Germany reflect the primary political objective of the Federal Republic: reunification.

What the laws do not reflect to any substantial degree, however, are the important

public debates during the same period that addressed important dimensions of German

identity, namely: who can be German and what is Germany's role in Europe? Both of these

questions were further complicated by the Holocaust and the Nazi regime, which further

cemented Germany as a dangerous and unstable state in the center of Europe. It also

forcefully asserted that Germans were only those with German blood in their veins and

Germany in their hearts. Attempts to redefine what it means to be German, then, had to

account for and overcome the legacy of the Holocaust. Germans were faced with the

following questions, among others: What is it to be German in the wake of the Holocaust?

Can there be German nationalism free from the stain of National Socialism? If not, what is

there for Germans to identify with and be proud of? Where does Germany fit within Europe?

Can Germany grow economically and politically without threatening its neighbors? Each of

these questions was involved in the larger identity-building process that took place in

Germany during the second half of the 20th century. Answers to these questions were

influenced by external and internal forces, including public spectacle, foreign relations within

Europe, and labor migration. Specifically, public debates over the role of the Holocaust in

German national history, European integration, and the naturalization of a sizeable guest

worker population helped shape the answers to questions of German nationality. Together,

these debates indicate that the nation that was being conceptualized across the second half of

the 20th century differed from the nation described in citizenship law in important ways and

laid the groundwork for the 1999 reforms.[31]

Collective guilt, national memory, and national symbols

 In a series of lectures given shortly after German surrender and Allied occupation, Karl

Jaspers addressed the questions that became central to German post-War identity. Were the

German people guilty of the atrocities of the Third Reich? How and in what ways can

Germans address and deal with their guilt? Were all Germans equally guilty? During the

early months of Allied occupation, the answer seemed to be that all Germans were equally

guilty. Placards and posters were distributed and posted throughout German cities and

villages which read "You are guilty" [*Du bist schuldig*] and "These Atrocities: Your Fault"

[*Diese Schandtaten: Eure Schuld*].[32] Part of the process of denazification, of purging Nazis

from German public life, was the attribution of guilt. To the Allies, and many Germans,

every single German was, in one way or another, responsible for the horrors perpetrated by

the National Socialist regime. Karl Jaspers' lectures, while differentiating between four types

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[31] I am focusing here on the Federal Republic of Germany primarily because reunification may be most accurately described as the accession of the east to the west. As a result, Germany post-reunification is a continuation of the policies, myths, and history of the Federal Republic, the institutions of which became the institutions of unified Germany.

[32] Aleida Assmann and Ute Frevert, Geschichtsvergessenheit-Geschichtsversessenheit: Vom Umgang mit deutschen Vergangenheiten nach 1945 (Stuttgart: Deutsche Verlags-Anstalt GmbH, 1999), 126-127.

of guilt that vary by severity and type, came to the conclusion that "no one is guiltless."[33]

However, for Jaspers it was through direct confrontation with their guilt that Germans can

reconcile with their past; specifically, he says "today we must examine ourselves more

severely than ever… this is the only way to save our souls from a pariah existence."[34]

Coming to terms with guilt and memory became an ongoing process for the German

people. Denazification's ideological dimension forced Germans to confront their

involvement in the Holocaust and its development from German nationalist ideology.

However, direct confrontation with responsibility and guilt did not take hold. On the one

hand, Germans engaged in practices of self-victimization. Germans were just another entry

on the list of victims of National Socialism and the war. Soviet persecution of German

expellees became a meaningful way both to critique the Western Allies for not defending or

acting in the interests of ethnic Germans in Soviet territory and emphasize German

victimhood through comparisons to victims of National Socialism.[35] Similarly, many

Germans emphasized a distinction between the Nazi regime and the German people; it was

the regime that committed the atrocities, the people were also victims of the regime's

oppression. On the other, Germans engaged in repression and silence. Remnants of the Nazi

regime were destroyed on the basis of purging the last vestiges of National Socialism or of

preventing the virulent ideology from taking hold again; this included the attempted

destruction of Dachau's crematoriums in 1953 and 1955 and the Gestapo headquarters in

Prinz-Albrechtstrasse. Accompanying this was an unease and discomfort around German

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[33] Karl Jaspers, German Guilt, 15-16
[34] Karl Jaspers, German Guilt, 8, 10.
[35] Robert G. Moeller, "War Stories: The Search for a Usable Past in the Federal Republic of Germany," The American Historical Review, 101 (October 1996).

national symbols, especially those tied to the Nazi regime.[36]

During the 1960s and early-1970s, German national history was reconsidered and revised to place the emphasis on the victims of National Socialism, as well as on Germany as perpetrator rather than as a victim. Fear of reverting to fascism and chauvinistic nationalism had made celebration of German identity and German successes uncommon. Historians from the Bielefeld School wrote analyses emphasizing the notion of a German *Sonderweg* [special path]. The *Sonderweg* thesis claimed that Germany's development from feudalism to democracy was not only unique within the context of Europe, but also all but guaranteed the development of fascist ideology along the lines of National Socialism. German history was, thus, the history of the development of Nazi ideology, which was always destined to come from Germany's incomplete democratization in the 19th century.

Within the realm of politics, a similar transformation was occurring. Willy Brandt's rise to chancellor marked a shift in tone for discussing the past in politics. During his chancellorship, Konrad Adenauer supported reparations [*Wiedergutmachung*] for Jewish survivors, a domestically unpopular policy, although he rarely spoke of German perpetrators.[37] Brandt was much more willing to acknowledge and center German responsibility for the Holocaust. His policy of coming to terms with the past [*Vergangenheitsbewältigung*], rather than continuing to avoid it, became embodied in his symbolic gesture at a former ghetto in Warsaw [*Warchauer Kniefall*]. This act became both national apology and national symbol. While on a diplomatic trip to Poland in order to ease relations with the Soviets, Brandt visited the monument commemorating the Warsaw Ghetto uprising of 1943. Spontaneously, he fell to his knees in an act of apology on behalf of the

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[36] Aleida Assmann and Ute Frevert, Geschichtsvergessenheit-Geschichtsversessenheit, 191-198.
[37] Tony Judt, Postwar: A History of Europe since 1945 (New York: Penguin Press, 2005), 271.

German people, who had, to that point, offered nothing of the sort. Explaining it after the

fact, Brandt noted that "an unusual burden accompanied me on my way to Warsaw. Nowhere

else had people suffered as much as in Poland… On the abyss of German history and

carrying the burden of the millions who were murdered, I did what people do when words

fail them."[38] Although Brandt received some criticism at home, his apology was emblematic

of the new approach to history that was supported by the youth who had been uninvolved in

the war.

Vergangenheitsbewältigung became the dominant approach to thinking about

Germany's Nazi past. Since this transition, there have been two major public debates over

whether or not this internalized guilt was appropriate: the *Historikerstreit* [historians'

dispute] of the late-1980s and the *Walser-Bubis-Debatte* [Walser-Bubis Debate] of the late-

1990s. Each of these debates originated in specialized fields but took place primarily in the

newspapers. During the early and mid-1980s, conservative historians began calling for a

reevaluation of German historiography, supporting, instead, one that did not treat the

Holocaust as a unique historical event, but rather placed it in the broader context of modern

genocides. Ernst Nolte, one of the main contributors to the conservative side of the debate,

argued that the continued ahistorical treatment of the Holocaust – that is, the treatment that

refused to recognize that it was a reaction to and imitation of Bolshevist tactics and policies –

was the result of being overly attached to a "past which does not want to go away" and that

hung "over the present like a vision of horror and an executioner's sword."[39] Nolte's position

found support not only publicly, but also from high ranking politicians. Christian Social

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[38] The original German quote can be found in: Willy Brandt, <u>Erinnerungen: "Mit den Notizen zum Fall G"</u> (Berlin: Ullstein, 1994), 214. The English translation can be found in John Borneman, "Can Public Apologies Contribute to Peace? An Argument for Retribution," <u>Anthropology of East Europe Review</u>, 17 (Spring 1999), 8-9.

[39] Norbert Kampe, "Normalizing the Holocaust? The Recent Historians' Debate in the Federal Republic of Germany," <u>Holocaust and Genocide Studies</u>, 2 (January 1987), 65, 74.

Union chairman, Franz Strauß, proclaimed that "Germans must not be portrayed 'continuously as the villains of world politics.'"[40]

Critical response to the conservative position varied in its basis. First, Habermas argued that conservative attempts to "historicize" the Holocaust were part of a larger conservative effort to revive German nationalism in the face of the emerging post-national identity being fostered in the Federal Republic.[41] Returning to liberal nationalism, Habermas argued, would threaten the democratic order and values that had been developed and strengthened in the post-War Federal Republic. It was precisely because individuals were consistently questioning their own history and were therefore disinterested in affirming their continuity as a people that a post-national identity could take hold. Habermas proposed constitutional patriotism [*Verfassungspatriotismus*] as a replacement for and transcendence of national identity; that is, identification with and allegiance to democratic institutions and the public sphere. Habermas' support for a German identification with the public sphere echoed Jaspers' assertion that open and honest discussion between equals was the only path forward for Germans in the wake of the Holocaust. However, in order for constitutional patriotism to develop and crystallize in Germany, Germans needed to maintain an approach to their own history that distanced them from it. Critical reflection on the Holocaust, which involves an acknowledgement of the atrocities committed by the Nazi regime, was, therefore, necessary for Germany to maintain its post-national identity.

Although Habermas conceived of constitutional patriotism as a more universalistic form of allegiance, democratic ideals became another form of particularistic identification with the national community. Elements of constitutional patriotism had already been

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[40] Kampe, "Normalizing the Holocaust?" 74.
[41] Jürgen Habermas, "Eine Art Schadensabwicklung. Die apologetischen Tendenzen in der deutschen Zeitgeschichtsgeschreibung," <u>Die Zeit</u>, 11 July 1986.

incorporated into the 1977 National Guidelines for Naturalization. In addition to requiring

that applicants had lived in Germany for at least ten years and had spoken and written

command of the German language, these guidelines also stated that "naturalization requires a

free-willing and longstanding orientation towards Germany, a basic knowledge of our

institutions, and an orientation towards our free and democratic constitution."[42] These

guidelines were in no way systematic; local offices relied on interviewing neighbors, friends,

and the applicant in order to establish that the applicant actually held these beliefs.[43] The

1977 guidelines remained in place until they were integrated into the 1999 reforms. Article 2

of the 1999 reforms outlines that a foreigner who has lived in Germany for eight years

(reduced from ten) may be naturalized if they are committed to the free and democratic basic

order in the constitution and declare that they have no intention of damaging that free

democratic order.[44] By 2006 nearly 92 percent of Germans would identify professing

allegiance to free and democratic principles as an important criterion for determining whether

or not to grant citizenship to a naturalization applicant.[45]

       Habermas' second argument echoed many of the sentiments put forward by German

President Richard von Weizsäcker in his 1985 speech before the Bundestag. The approach to

the Holocaust that had been developed over the previous decade and a half had produced

important moral results. For von Weizsäcker, *Vergangenheitsbewältigung* had created both a

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[42] "Einbürgerungsrichtlinien," Gemeinsames Ministerialblatt, (January 30, 1978), 27.

[43] Kay Hailbronner, Hans-Georg Maaßen, Günter Renner, and Marianne Wiedemann, Staatsangehörigkeitsrecht: StAngR, (München: C.H. Beck Verlag, 1991), 628.

[44] Article 2 Clause 1 outlines other requirements as well, including that the applicant be able to support themselves and their family, that they had not been convicted of a crime, that they give up their other citizenships, and that they have a residence permit. "Gesetz zur Reform des Staatsangehörigkeitsrecht," Bundesgesetzblatt, (July 15, 1999).

[45] This percentage was only rivaled by the applicant not having been convicted of a crime. Susanne Worbs, "Die Einbürgerung von Ausländern in Deutschland," Integrationsreport, Working Paper 17 Bundesamt für Migration und Flüchtlinge, 2008.

cautionary tale and a "guideline for… future behavior."[46] Maintaining this historical

perspective on the Holocaust was important not because contemporary Germans were

responsible for the event, but for its historical consequences. The argument, then, was that

Germany's past exerts a moral force on the present, which helps guide future behaviors and

prevents the resurgence of nationalism. Feelings of guilt helped maintain the rejection of

national symbols and national pride. By this point, the rejection of national symbols to the

point of discomfort at their display had become part of what it meant to be German.[47] Both of

Habermas's arguments addressed what it meant to be German. Reviving old national

symbols and rhetoric undermined the progress he claimed Germans had made towards

developing a truly post-national state.

      Although the conservative opinion had gained some traction, the public debate served

to reassert the dominance of the *Vergangenheitsbewältigung* approach. Being German,

therefore, involved feelings of guilt towards the Holocaust, a discomfort with and rejection of

national symbols, and attachment to democratic institutions and ideals. However, famous

West German author and former Nazi party member Martin Walser's acceptance speech for

the 1998 German Booksellers Association's Peace Prize reopened the question.[48] During his

speech, Walser argued that the memory of the Holocaust had a stranglehold on Germany and

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[46] Richard von Weizsäcker, "Speech during the Ceremony Commemorating the 40th Anniversary of the End of War in Europe and of National-Socialist Tyranny," (Bonn, 8 May 1985).

[47] Jessica Brown, "'Our National Feeling is a Broken One:' Civic Emotion and the Holocaust in German Citizenship Education," Qualitative Sociology, 37 (December 2014), 425-442.

[48] Public conversations and debates around the role of the Holocaust in German national memory were also revived in the period immediately following reunification. East German national history had removed responsibility from the conversation by casting itself as the state representing those who had resisted fascism. Further, National Socialism was an extension of capitalist ideology, so by building a cosmopolitan socialist state, there was no chance of fascist nationalism reviving in the East. Reunification, then, meant a clash of ideologies and national histories. East Germans questioned the West German fascination with guilt and responsibility. For more on this, see Stefan Berger, "Historians and Nation-Building in Germany after Reunification," Past & Present, 148 (August 1995), 187-222; Stefan Berger, "A Return to the National Paradigm? National History Writing in Germany, Italy, France, and Britain from 1945 to the Present," The Journal of Modern History, 77 (September 2005), 625-678; Fulbrook, A History of Germany.

limited expression. Germans were being held captive by their guilt, but the guilt was not

exercised in good faith. He referred to criticism he had received for failing to depict

Auschwitz in one of his novels:

> I said that anyone who sees everything as a road that could only end in Auschwitz
> makes the German-Jewish relationship into a catastrophe that was predestined under
> any and all circumstances. The intellectual who felt called on to comment called this
> a trivialization of Auschwitz… A clever intellectual on TV assumes a serious
> expression that on his face looks like a foreign language, when he shares with the
> world the author's serious failure, namely that Auschwitz does not appear in the
> book. Evidently he had never heard of the primal laws of narration, that of narrative
> perspective. But even if he had, *Zeitgeist* comes before aesthetics.[49]

Where Habermas saw the potential for producing a positive and universalistic identity

based on democratic ideals, Walser saw only the constraining of speech and the promotion of

a negative identity. This guilt was not productive; rather, those who continue to accuse the

Germans and hold their "everlasting disgrace" up to them do so in order "to hurt us, because

they think we deserve it" or to relieve their own guilt and move "even for a moment closer to

the victims than the perpetrators?"[50] He called for a reproach of those who continued to

exploit the memory of the Holocaust and try to cast German guilt as the prevention of

another genocide.

On the sixtieth anniversary of the *Kristallnacht*, Ignatz Bubis, the then chairman of

the Central Council of Jews in Germany, issued a response, accusing Walser of committing

"spiritual arson" and opening the door for right-wing extremism.[51] Following his statement,

Bubis received a great deal of criticism in more than a thousand newspaper articles from a

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[49] Martin Walser, "Experiences while Composing a Sunday Speech (1998)," <u>Burden of the Past: Martin Walser on Modern German Identity: Texts, Contexts, Commentary</u>, edited by Thomas A. Kovach and Martin Walser (Rochester: Camden House, 2008), 90.

[50] Walser, "Experiences while Composing a Speech," 90.

[51] Salomon Korn, "Es ist Zeit. Die andere Seite des Walser-Bubis-Streits," <u>Frankfurter Allgemeine Zeitung</u>, December 1999.

variety of public figures, including the German president, Roman Herzog, and a former mayor of Hamburg.[52] Although the *Historikerstreit* had the additional questions about German historiography, both that debate and the Walser-Bubis debate centered on the effects of the Holocaust on German national identity. The conclusion to the Walser-Bubis debate was an agreement that Germany needed a new language for discussing this aspect of its history, but not that this aspect needed to be overcome altogether.

Rarely do debates about the construction and telling of national history happen in the public eye. Even rarer is it that participants are transparent in their intentions. In many ways, the Holocaust restarted German national history. It became the new starting point for the German story and the German people. German identity and its component parts were constructed with this memory in mind, rather than the mythic past of Karl the Great, Frederick the Great, Bismarck, and Weimar. Cultural figures such as Goethe, Schiller, Beethoven, and Mozart, were allowed to remain, but German history and the German nation were tainted. Consequently, the flag, the anthem, and other standard national symbols or traditions were abandoned and were used almost exclusively during official ceremonies. Western democratic values, the constitution, and the public sphere took their place as national symbols and values. Although immigrants and Germans were expected to hold these values in order to perform Germanness, the maintenance of guilt and responsibility for the Holocaust compose a part of the national imaginary.[53] The Holocaust, therefore, shapes three aspects of Germanness: (1) a national history that begins in 1949; (2) identification with democratic symbols and values; and (3) taboos on and rejection of standard national symbols,

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[52] David A. Kamenetzky, "The Debate on National Identity and the Martin Walser Speech: How does Germany Reckon with its Past?" SAIS Review, 19 (December 1991), 258.

[53] This will be explored in detail below in Chapter 5. For more on this, see: Assman and Frevert, Geschichtsvergessenheit-Gechichtsversessenheit and Peter Reichel, Politik mit der Erinnern: Gedächtnisorte im Streit um die nationalsozialistische Vergangenheit, (München: Carl Hanser Verlag, 1995).

pride, and tradition.

Germany, Europe, and the West

Although much of the German national consciousness was focused on coping with a

disgraceful past, developments in the Cold War combined with the effects of this disgraceful

past on the present forced Germany to look towards the future. The Cold War marked the

international arena's transition from a multipolar to a bipolar arrangement, leaving much of

Western Europe to renegotiate its position in international relations. For Germany, however,

foreign affairs were uncertain due to both internal and external constraints exerted by the

memories of German aggression. Western Europe, especially France, was apprehensive of

German economic development and engagement in global affairs out of concern that

Germany might return to its strong and aggressive behaviors. German politicians recognized

these fears and were keenly aware of the ways in which Western fears of German strength

limited the potential for a unified German state. These constraints combined with Cold War

concerns to orient German continental policy towards integrating into Western Europe, a

process that informed elements of German national identity.

European integration provided a check on German economic recovery and political

development. Adenauer recognized that France had only supported the creation of a West

German state as a result of pressures from the United States. In the early years of the post-

War period, a prosperous Germany was not a trustworthy Germany from the European

perspective. Because political and economic integration into a European regional community

required the ceding of sovereignty, Adenauer was hopeful that it would assuage continental

fears generated by the potential of German economic development and, more fundamentally,

German unification.[54] Policies that promoted European integration, especially at the cost of German sovereignty, can be understood, in Helmut Kohl's words, as "decisive preconditions for reunification in peace and freedom."[55] During the early years of the Federal Republic, however, European integration was very unpopular domestically. In spite of this, Adenauer stressed the urgency of the European question and the need to work feverishly towards unity. Indeed, in a debate with Ernst Friedländer, Adenauer noted that since the end of National Socialism, there was only one great evil: German isolationism.[56] Adenauer's efforts helped result in the establishment of the European Coal and Steel Community in 1951, followed by West Germany joining NATO in 1955, and, finally, the passage of the Treaty of Rome establishing the European Economic Community in 1957.

Adenauer's Western orientation was opposed by those who envisioned a neutral, demilitarized Germany that would be left to its own devices and allowed to determine its own fate. Kurt Schumacher, the opposition leader of the Social Democrats, openly supported this stance, believing that German neutrality in central Europe would lead to German unification, a position that held popular support.[57] As a result, Adenauer needed to integrate his European ideal into the popular conceptions of Germanness. He frequently emphasized that European integration was more than an economy- or security-oriented project; his commitment to Europe and European ideals was motivated by the "conviction of a man who had learned over the course of a long life to be a European German" and who was convinced that the German people would come to agree with him.[58] Identification with Europe was not an unreasonable expectation for Adenauer given that the two shared a commitment to

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[54] Nathans, Politics of Citizenship, 241.
[55] Address of 19 June 1994, *CDU-Dokumentation*, 2.
[56] Konrad Adenauer, "Debate Between Konrad Adenauer and Ernst Friedländer" (5 March 1952). Centre Virtuel de la Connaissance sur l'Europe.
[57] Tony Judt, Postwar, 126.
[58] Konrad Adenauer, "Debate"

democratic ideals, peace, and a Christian heritage.[59]

The long project of European integration became almost unquestionable. Adenauer's policy successes and Germany's economic recovery shifted the discussion from whether or not to how much European integration was viable or desirable. By the 1970s, every major political party had a section on European policy in their platforms, and by the 1990s, every party was outlining positive policy for continuing the development of the European Community. Almost every chancellor since Adenauer had overseen a major expansion of the European project: Kurt Kiesenger (1966-9) oversaw the creation of the European Community with the Brussels Treaty, Helmut Schmidt (1974-1982) oversaw the creation of European Monetary System, Helmut Kohl (1982-1998) oversaw the Maastricht Treaty and the Schengen Agreement, and Gerhard Schröder (1998-2005) oversaw the consolidation of national security and immigration policies with the Amsterdam Treaty.

Approval for the European Community and European integration has traditionally been high in Germany, even in policy arenas that limit or cede sovereignty.[60] Between 1952 and 1985, the percentage of Germans in support of West European integration was never below 70 percent and actually averaged 75 percent. In the wake of the Maastricht Treaty, approximately 71 percent of Germans supported European integration, 60 percent saw European Community membership as "a good thing," and 59 percent reported that they would vote in favor of the Maastricht Treaty were a national referendum held the next day.[61]

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[59] Konrad Adenauer, "Address on Continuing European Integration" (Brussels, 25 September 1956). Centre Virtuel de la Connaissance sur l'Europe.

[60] Germans have been consistently lukewarm about the idea of a monetary union and ceding sovereignty on fiscal policy. This may have much to do with the amount of political authority Germany has in the European Union. Certainly, as one of greatest beneficiaries of European policies, Germans are likely to favor the European Community. However, it is unlikely that most Germans are (1) directly aware of European policy and the material benefits Germany gains from it and (2) deciding their support solely on material concerns.

[61] The percent supporting the Maastricht Treaty is the percentage in support when only "For" and "Against" response categories were given. When an "Undecided" response category was offered on the same question, the

Support for the European project does not, however, seem to undermine identification with Germany. When asked if they saw European integration as protecting or ending national identity, 42 percent of Germans reported that they thought a European Union would protect their identity. Further, 58 percent reported simultaneously holding a German and European identity.

How has such strong support for European integration been possible in Germany, especially if the standard interpretation of Germany as ethnically bounded holds? If Germans are so resistant to allowing non-ethnic Germans a voice in domestic politics, why are they so supportive of ceding control over domestic policy to a supranational body? Germany's approach to and understanding of its place in Europe changed after Allied occupation. The experience of occupation, combined with the legacy of German aggression in Europe during the 20th century, necessitated a new attitude towards foreign policy. Instead of conceiving of Germany as more in line with the East or as having a distinct and unique heritage, Germans now understood that their future lay with the West. German European policy was heavily influenced by the legacy of German aggression during the first half of the century. President von Weizsäcker acknowledged this in his 1985 speech honoring the forty-year anniversary of the end of the war: "We cannot commemorate the 8th of May without being conscious of the great effort required on the part of our former enemies to set out on the road of reconciliation with us."[62] The course of German integration into Europe was a matter of necessity for Germany, especially if unification remained the goal. Integration was so successful that Germans began to think of themselves as simultaneously Europeans and Germans, just as Adenauer had predicted they would.

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percent of Germans responding "For" decreased to 44 percent. Commission of the European Communities, "Eurobarometer," 38 (December 1992), A25.

[62] Richard von Weizsäcker, "Speech," 8.

Despite firm opposition from the Christian Democrats and Free Democrats, whose coalition held control of the Bundestag from 1982 until 1998, the reforms passed in 1999 included provisions for dual citizenship in the reforms to the *Ausländergesetz* [foreigners' law]. These reforms allowed foreigners who were citizens of another European Union member state to retain their citizenship when naturalizing as long as their home state also offered dual citizenship.[63] Dual citizenship had been regarded as a conflict of interest in German political discourse: how could an individual be expected to become German if they maintained allegiance to another state? Accepting dual citizenship as not generating a conflict of interest was possible because of the centrality of "Western democratic basic principles" to both German and European identity. In an address to the Bundestag on November 10, 1998, Chancellor Gerhard Schröder stated:

> Our national consciousness is not based on a Wilhelmine "law of descent," but on our self-assured democracy…. What I am formulating here… is the self-awareness of a nation that knows that democracy is not achieved for eternity, but that freedom… must be achieved daily…. The Germans were able to accomplish unification in peace and self-determination with the help of their friends and allies. Today, we are democrats and Europeans – not because we must be, but because we truly want to be.[64]

As discussed above, democratic ideals and their attending symbols had come to replace standard national symbols, such as the flag and anthem. Germans were identified, in part, by their allegiance to the constitution and the principles it outlines, and foreigners seeking to naturalize were evaluated along these same criteria. Schröder's assertion that German national consciousness was grounded in "self-assured democracy" had a basis in naturalization standards from 1977, and would be further substantiated by the reforms to the

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[63] "Gesetz zur Reform des Staatsangehörigkeitsrecht," 1621.
[64] Gerhard Schröder, Verhandlung des Deutschen Bundestages, Stenographische Berichte, (November 10, 1998), 61.

Ausländergesetz found in the landmark reforms passed in 1999. Europe and democracy, therefore, are not parts of a post-national identity, but rather, parts of Germany's post-War national history. German national history is the history of German integration into Europe and German national symbols and traditions are democratic symbols and traditions. Certainly this is a firm break from pre-War understandings of Germanness. However, the geo-political and domestic circumstances after World War II necessitated a new formulation of what it meant to be German. This new conception came out not just in speeches and party platforms, but in foreign policy, domestic policy, and public opinion as well.

Immigration, naturalization, and Leitkultur

Germany had never considered itself a country for immigrants; even when the labor market demanded cheap labor, the invitations had always been begrudging, conditional, and finite. Polish agricultural laborers were invited into Prussia during the 1890s on a seasonal basis only. Similarly, Germany's *Wirtschaftswunder* [economic miracle] of the 1950s and –'60s relied heavily on imported labor from southern and eastern Europe. Initially, the Federal Republic was able to fill gaps in the labor market with refugees from the German Democratic Republic, but the rapid acceleration of the Western economy followed by the erection of the Berlin Wall necessitated an influx of short-term labor. Beginning with Italy in 1955, the Federal Republic signed a series of agreements with other countries in Southern Europe and the Mediterranean until 1973 when the Bonn government issued an end to the recruitment of foreign labor. By 1964, agreements with Italy, Greece, Turkey, Spain, and Portugal had brought one million *Gastarbeiter* [guest workers] into Germany. By the end of the program in 1973, *Gastarbeiter* accounted for 10 percent of the German labor force.

By the early 1960s, as the Federal Republic was looking to expand its labor

agreements beyond the successful agreement with Italy, newspapers were already

questioning the wisdom of extending the offers to countries outside of Western Europe.

Some expressed concern about expanding this new labor mobility beyond the boundaries of

the European Economic Community (EEC), while others voiced concern about taking labor

from still-developing countries. A press release by the Confederation of German Employers'

Associations in 1961 noted that countries in the EEC ought to have priority and that there

were ethical questions behind taking labor from a country in need of development aid.[65]

Germans were more supportive of labor migration from within the EEC than from without;[66]

identification with Western Europe, spurred on by Adenauer's efforts to integrate the Federal

Republic into the West, certainly helped when the agreement with Italy was signed. There

was, however, no such support for the Turks and Greeks.

Implicit in much of the concern over *Gastarbeiter* from outside of the EEC was the

fear of Germanness being diluted by the incorporation of new cultures. Immigrants were seen

as being unwilling or unable to become truly German. An article published in the July 1973

issue of *Der Spiegel* titled "The Turks are coming – save yourself if you can" warns of lost

neighborhoods and segregated communities. The author contrasts traditional German

neighborhoods with their new Turkish contexts: "At the entrance to 50 Lausitzer Street hang

the mailboxes of 30 renters, all of whose names end with '-oglu,' '-ek,' or '-can.' On Oranien

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[65] "Die Türken kommen – rette sich, wer kann," <u>Der Spiegel</u> (July 30, 1973).

[66] This is likely due in part to the perceived gravity of the differences between Turkey, as part of the "Orient," and Europe, which shares Germany's "Western, Christian tradition," and in part to the racialization of cultural differences based on the Occident-Orient divide. For more on the racialization of the "Orient," see: Iker Barbero, "Orientalising Citizenship: the legitimation of immigration regimes in the European Union," <u>Citizenship Studies</u>, 16 (August 2012); Merje Kuus, "Europe's eastern expansion and the reinscription of otherness in East-Central Europe," <u>Progress in Human Geography</u>, 28 (August 2004); Edward W. Said, <u>Orientalism</u>, (New York: Vintage Books, 1978); and Sabine Strasser, "Europe's Other: Nationalism, transnationals and contested images of Turkey in Austria," <u>European Societies</u>, 10 (2008).

Street, where Paul Lincke once lived at 64 and where one can almost hear the melody from 'Berlin Air,' men in pedal pants are strolling like flaneurs."[67] Famous streets that were once home to industrious German cultural icons are now Turkish neighborhoods filled with foreign sounds, foreign clothes, and foreign people; one would hardly believe they were still in Germany!

It is no surprise, then, that the National Guidelines for Naturalization issued in 1977 emphasized integration as a pre-requisite for naturalization. Command of the German language, longstanding orientation toward Western democratic ideals, and an orientation towards Germany and its culture were all listed as criteria upon which applicants would be judged. Each of these criteria, however, was a point at which guest workers, especially Turkish guest workers, were expected to fail. Turkish guest workers were cast as not only unwilling to "Germanize," but also unable to integrate because they did not share the Western, Christian cultural heritage from which the peoples of Western Europe had developed. In 1981, a group of professors from nine German universities issued the "Heidelberger Manifest," which would later be printed in several popular newspapers, including *Die Zeit* and *Frankfurter Rundschau.* In it, they echoed fears of the loss of German culture and the German Volk: "Already, many Germans feel like foreigners in their neighborhoods, workplaces, and homeland…. The integration of large masses of non-German foreigners is therefore impossible without threatening the preservation of our people…."[68]

The "Manifest," which drew great criticism, emphasized that supporting guest

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[67] Paul Lincke was a famous German composer, whose best-known composition is "Berlin Air." The English translation for this article was taken from David Gramling's translation in Germany in Transit (Berkeley: University of California Press), 2007. The original German can be found at: "Die Türken kommen – rette sich," Der Spiegel, July 1973, http://www.spiegel.de/spiegel/print/d-41955159.html.
[68] "Heidelberger Manifest," Die Zeit (February 5, 1982). http://www.zeit.de/1982/06/heidelberger-manifest

workers was dangerous to the preservation of the German people as well as to the goal of reunification, which was enshrined in the Basic Law. They asked: "How could reunification remain possible if the two parts are becoming ethnically foreign to one another?"[69] Although they expressed concern over the "infiltration of our language, our culture, and our national character,"[70] the primary concern they voiced was over the dilution of the *Volk* in favor of a multicultural society. Indeed, it was the Volk that, to them, was the true basis for the German nation, rather than the nation as the sum of the peoples living in a territory or with the same culture. Allowing more non-ethnic German foreigners into the Federal Republic was a threat to its *völkisch* character. However, the legacy of the Holocaust had placed a heavy taboo on discussing ethnicity and the use of *völkisch* language. Attempting to distance themselves from this legacy, they write: "Standing firmly on the ground of the Basic Law, we fundamentally stand against ideological nationalism, against racism, and against right-wing and left-wing radicalism."[71]

Ultimately, their defense was unsuccessful. Where other authors had succeeded in criticizing the guest worker policies and the influx of migrants from the East, it was because they had refrained from using old *völkisch* arguments, which had by then become taboo.[72] Journalists quickly condemned the "Heidelberger Manifest" and its authors for promoting nationalism and racism, as well as for voicing the opinions of "old Nazis, the National Democratic Party, those who write 'Turks Out,' [and] German children who ignore their foreign classmates…"[73] Another critic wrote that the document was full of "prejudices,

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[69] ibid

[70] ibid

[71] Ibid.

[72] To say that these arguments were taboo is not to say that they were dead. *Völkisch* arguments, such as those made in the "Heidelberger Manifest," were not gone from Germany, but the arguments and the individuals who made them were publicly reproached for having done so.

[73] "Türken, paßt euch an!" Die Zeit (April 2, 1982). http://www.zeit.de/1982/14/tuerken-passt-euch-an

banalities, platitudes, and overblown definitions" mixed with few reasonable considerations.[74] Although criticism was voiced against all aspects of the "Heidelberger Manifest," the greatest criticism was directed at the parts emphasizing the biological and ethnic construction of the German nation drew the greatest criticism.

But the suggestions of focusing on development aid for Turkey rather than on bringing Turks into Germany and of returning foreigners to their homeland, went almost unnoticed, being overshadowed by the language reminiscent of National Socialism. Throughout their 1983 campaign, Helmut Kohl's Christian Democratic Union firmly supported the goal of reducing the number of foreigners in Germany, and turned that support into a series of policies that offered lump-sum payments and low-interest loans to foreigners willing to repatriate. [75] Several Christian Democrat-led *Länder* offered their own payments and loans in order to bolster the federal attempt at reducing the number of "foreign fellow citizens" [*ausländische Mitbürger*] living in the Federal Republic. In addition to promoting repatriation, many *Länder* also imposed greater restrictions on permitting the families of *Ausländer* to immigrate into Germany. Bavaria and Baden-Württemberg, for example, required that immigrants wait a minimum of three years after a marriage before having the chance to bring their family over.[76] These, combined with the restrictive naturalization guidelines and fees, were intended to incentivize repatriation and disincentivize naturalization.

Attitudes towards foreigners in Germany did not stray too far from the notion that they were unwilling to adapt or assimilate. However, the reforms to the *Ausländergesetz* in

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[74] Hanno Kühnert, "Rassistische Klänge," <u>Die Zeit</u> (February 5, 1982). http://www.zeit.de/1982/06/rassistische-klaenge.
[75] Nathans, "Politics of Citizenship," 244.
[76] Ibid, 244.

1990 and 1999 were motivated by a need to come to terms with the reality of the number of foreigners living in Germany.[77] Each of these sets of reforms aimed at opening the path to naturalization for the foreign population. However, as with the guidelines from 1977, naturalization was still granted at the end of the integration process, rather than guiding it. Naturalization was treated as the reward for foreigners and immigrants who successfully took on German values and culture, as opposed to part of a process of bringing immigrants in German political and social life. The reforms passed in 1990 eased the process for youths applying for citizenship between the ages of sixteen and twenty-four, as well as for those who had lived in Germany for fifteen years or more. As a result of these reforms, the number of naturalizations in Germany jumped from an average of approximately 40,000 naturalizations in the 1980s to an average of approximately 230,000 naturalizations in the decade of the reforms.[78] The liberalization of naturalization standards and the permitting of dual citizenship, albeit largely under exceptional circumstances, had increased the opportunity for foreigners to acquire citizenship.

Under the reforms to the *Ausländergesetz* included in the landmark 1999 citizenship reforms, individuals born in Germany to at least one parent who had lived in Germany for at least eight years were granted citizenship at birth, although they would have to confirm that they wanted to maintain their German citizenship by age 24. In addition, the residency requirement for adults seeking to naturalize was reduced from fifteen to eight years, with similar requirements as under the 1977 guidelines. The criteria were almost identical: a

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[77] Schröder's inaugural address in 1998 specifically mentions the importance of facing the reality of the situation in Germany. He states: "Reality teaches us, for example, that, in the past decades, an irreversible immigration has occurred in Germany. We invited the people who came here in the 1950s. Today, we say to our fellow citizens that they are not foreign." Schröder, Verhandlung.
[78] Statisches Bundesamt, Wiesbaden, "Bevölkerung und Erwerbstätigkeit: Einbürgerungen," (June 2015). https://www.destatis.de/DE/Publikationen/Thematisch/Bevoelkerung/MigrationIntegration/Einbuergerungen2010210147004.pdf?__blob=publicationFile

lasting orientation towards Germany, relinquishing foreign citizenship, a command of the German language, and loyalty to the free democratic principles in the Basic Law. Requiring applicants to relinquish foreign citizenships was effectively targeted at Turkish migrants or *ausländische Mitburger*, who were ineligible for dual citizenship under the reforms. Barriers to naturalization had been lowered twice during the 1990s in order to better address the reality that the guest worker agreements and blind hope of eventual repatriation had created. Certainly, the new reforms had opened up new access to citizenship, but they still required some degree of assimilation and a feeling of commitment to the nation.

Conservative response to the reforms echoed the concerns of the 1970s and '80s. In October of 2000, Friedrich Merz, a member of the Christian Democratic Union, proclaimed that the naturalization requirements were too relaxed and threatening to German cultural identity and emphasized the need for a *deutsche Leitkultur* [German guiding culture]. The concept of a *Leitkultur* had first been gained popularity in its use by *Die Zeit* editor Theo Sommer in 1998. He wrote: "integration inevitably means a good bit of assimilation into the German guiding culture and its core values."[79] What were these core values that made up the German *Leitkultur*? According to the Christian Democrats, the German *Leitkultur* was composed of Christian, Western European values developed from their shared history. Very quickly, moderate and left-leaning groups in the Federal Republic responded to the CDUs use of the term *Leitkultur*. Some recalled the CDUs earlier slogan, "*Kinder statt Inder*,"[80] others questioned what the German guiding culture could be apart from harassing and

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[79] "Der Kopf zählt, nicht das Tuch," *Die Zeit* (July 16 1998).
[80] "Kinder statt Inder" translates to "Children instead of Indians," and was a slogan used by the CDU to promote increasing the birth rate among ethnic Germans in Germany rather than bringing in foreign tech specialists through a Green Card system.

abusing foreigners.[81]

Although the *Leitkultur* debate faded quickly, it prompted many Germans to actively think about what being German meant, and what becoming German required. To many, the new national history of Germany as a part of Europe, and having always been a part of Europe, had taken hold. At no point were *völkisch* language or conceptions of German identity the center of the debate as they had been in the early-1980s. Certainly, the concept of a *Leitkultur* was particularistic and targeted those coming from countries and regions seen as being incompatible with the free and democratic "West." It was an anti-immigrant discourse, but an anti-immigrant discourse that viewed the internal mobility of the European Union as acceptable because they shared a common cultural heritage. At the center of the debate was Huntington's Clash of Civilizations thesis:[82] namely, the notions that the loyalty of immigrants is always incomplete, that Germans ought to be suspicious of the authenticity of immigrant loyalty, and that immigration was threatening to German national culture. The debate was framed around a discourse of lack; immigrants were always going to be short of the mark for one reason or another and could never become fully German. This was because culture in Huntington's argument and in the *Leitkultur* argument was racialized, and immigrants cannot change their race.

However, the term *Leitkultur* served to mask borderline *völkisch* concerns of cultural infiltration and dilution to circumvent the post-War taboos against rooting Germanness in ethno-racial characteristics. Contextualizing Germanness in the new national myths of Germany as sharing the heritage of the West allowed for a conversation about exclusion that

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[81] Stefan Manz, "Constructing a Normative National Identity: The Leitkultur Debate in Germany, 2000/2001," Journal of Multilingual and Multicultural Development, 25 (2006), 486.

[82] Samuel P. Huntington, "The Clash of Civilizations?" Foreign Affairs, 72 (1993). See also a similar argument in: Samuel P. Huntington, Who Are We: The Challenges to America's National Identity, (London: Simon and Shuster Ltd., 2004).

targeted "Eastern" peoples (Turks) without having to say as much. Ultimately, the CDU plan incorporating the *Leitkultur* concept strongly resembled the existing naturalization standards for foreigners in Germany: dedication to Western democratic values and command of the German language. However, the debate reignited the debate about the acceptability of national rhetoric in the Federal Republic. Then CDU party leader Angela Merkel commented that the parties opposing the notion of the *Leitkultur* had a "disturbed relationship with their fatherland."[83] Moreover, she questioned what was so wrong with someone being committed to their fatherland, when it has nothing to do with spiked hats.[84] Because the conservative position in the *Leitkultur* debate was focused on defining what it meant to be German, it was also about reclaiming the right to national pride and national celebration. However, one of the new national traditions that had developed over the course of the post-War period was the rejection of national symbols and traditionally nationalist sentiments. The conservative appeal was largely unsuccessful despite mapping very closely onto accepted public and official conceptions of what it meant to be German.

Ethnic Germans and Citizenship

None of this is to say that the old paradigm is irrelevant or completely unfounded. Attribution of citizenship at birth was, until the reforms went into effect in 2000, a right exclusive to the children of German citizens. Because of the stringent restrictions on naturalization – namely the high fee, the need to renounce other citizenships, and the need to demonstrate cultural integration prior to naturalization – access to citizenship was very limited for foreigners. On

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[83] "Merkel: SPD hat gestörtes Verhältnis zum Vaterland," Die Welt (2 November, 2000). http://www.welt.de/print-welt/article541870/Merkel-SPD-hat-gestoertes-Verhaeltnis-zum-Vaterland.html
[84] Ibid.

the other hand, naturalization for ethnic Germans living in Eastern Europe or the German

Democratic Republic [*Aussiedler*] was simplified and almost automatic. [85] The Basic Law

ascribed citizenship to anyone descended of German citizens from the pre-1938 borders.

Regardless of cultural, political, or linguistic background, however, these individuals were

considered genuinely German. In that same spirit, von Weizsäcker noted in 1985 that "We

Germans are one people and one nation. We feel that we belong together because we have

lived through the same past… We are confident that the 8th of May is not the last date in the

common history of all Germans."[86]

Under the 1953 Expellees and Refugees Law (BVFG), the attribution of *Vertriebene*

status required confirmation that the person possesses "descent, language, upbringing, and

culture."[87] Again, what matters is not simply blood or heritage, but acculturation and

possession of some measure of Germanness. This requirement was maintained through until

the first decade of the 21st century. Still, ethnic Germans were expected to demonstrate that

they were German in some capacity other than blood. Exceptions were made for *Aussiedler*

living in countries in which being recognized as German would have been dangerous.[88] The

1992 *Kriegsfolgenbereinigungsgesetz* set limits on the number of people who could gain

citizenship as *Aussiedler* or *Spätaussiedler* [late resettlers] during a given year: within 10

percent of those admitted in 1991 and 1992. These limits simultaneously addressed the

logistics of admitting hundreds of thousands of new citizens on a yearly basis, and the

identity problems that accompany admitting hundreds of thousands of new citizens who are

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[85] During the early years of the Federal Republic, these people were called *Vertriebene* (expellees). During the 1960s, *Vertriebene* was abandoned for the term *Aussiedler* (resettler), and in the 1990s, a new category was added – *Spätaussiedler* (late resettler).

[86] Richard von Weizsäcker, "Speech."

[87] "Gesetz über die Angelegenheiten der Vertriebenen und Flüchtlinge," <u>Bundesgesetzblatt Teil 1</u>, 22 (May 1953), 201-222.

[88] "Gesetz zur Bereinigung von Kriegsfolgengesetzen," <u>Bundesgesetzblatt Teil 1</u>, 58 (December 1992), 2094-2108

not recognizably German. Although *Aussiedler* were required to demonstrate that they had command of the language or the culture, clauses allowing exception from some loyalty requirements made the path to naturalization easier.

Just as under the 1913 Nationality Act, ethnicity was a privileged category, even if that shared ethnicity was understood ethno-culturally. As seen in the *Leitkultur* debate, discussion of Germanness as ethno-racial had become taboo over the course of the post-War period. From the perspective of the state, the German nation was, as Schröder put it in 1998, not based on descent as it had been during the Wilhemine and Weimar periods, but rather on shared democratic values and shared cultural heritage. Following reunification, both East and West Germans came to realize how much had changed during the post-War period. For example, when polled in 2009, approximately 67 percent of East Germans expressed the opinion that East Germany had been "overwhelmed and taken over by West Germany" during reunification. This was a very small change from the 71 percent who had said so in 1991.[89] Ethnicity-as-bloodline was not enough to undo forty-five years of separate political, cultural, and economic development; East and West Germans were effectively no longer the same people in anything but name.

German reunification allowed for the liberalization of immigration and naturalization law. Ethnicity-as-descent had long since ceased being the official, state-sanctioned basis for German identity. It remained in the Basic Law and citizenship law during the post-War period exclusively with the goal of reunification in mind. However, new values, traditions, history, and symbols had risen during that time and created a new conception of Germanness that was codified in the 1999 laws, although it had been in the public consciousness long

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[89] "End of Communism Cheered but Now with More Reservations: The Pulse of Europe 2009: 20 Years After the Fall of the Berlin Wall," <u>Pew Research Center</u>, (November 2, 2009). http://www.pewglobal.org/2009/11/02/end-of-communism-cheered-but-now-with-more-reservations/

before. Understandings of Germany as sharing in the Christian heritage of Western Europe had begun to emerge in the 1950s. These understandings started being used as the basis for naturalization in the late-1970s, and were widely considered the cornerstone of German identity during the 1990s. If citizenship law is indeed the intersection between nationhood and state interests, then state demographic interests, namely reunification, allowed for the maintenance of ethnicity as a privileged category in citizenship law. Consequently, reunification provided an opportunity for myths of nationhood to reassert their influence over citizenship law in a much more impactful way than they had in the past. The gradual reforms made throughout the second half of the 20th century, therefore, were a precursor to the large reforms that were made possible by the change in state interests. As a result, to say that the reforms of 1999, which allowed for the attribution of citizenship at birth and embodied the idea that Germanness was socialized and taught rather than inherited by blood, were previously inconceivable seems dubious at best.

Notions of Germanness as culture date back to the attribution of citizenship to the children of German citizens abroad. German citizenship was not granted on the basis of blood or genetics, but rather on the expectation that German parents would instill in their German children the love of the fatherland and of its culture that was expected of Germans. Opening up citizenship-at-birth to the children of *Ausländer* and lowering naturalization standards, thus, expresses the belief that national identity can be transmitted as meaningfully through social institutions (e.g. schools, media, etc.) as through the family. This belief was certainly facilitated by the national myths and national character that emerged from engagement with the legacy of the Holocaust and European integration, and it is from these national myths that the citizenship and naturalization reforms were born.

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During the period after the reforms, the balance between exclusion and inclusion was difficult to maintain. While the attribution of citizenship and access to naturalization had been substantially opened, ever increasing mobility on the continent, CDU dominance in the Bundestag, and fears of domestic terror attacks encouraged continued caution with regard to integration standards. In addition, continued immigration from Eastern Europe through the allowances for *Aussiedler* strained German social institutions and welfare. New policies for ensuring loyalty to Germany and its Western democratic ideals were put into place, including a mandatory citizenship test and integration courses for immigrants. German openness remained a conditional openness, and the conditions were developed from many of the concepts developed over the post-War period.

Chapter IV

Citizenship and Nation-making: Integration Courses and Citizenship Tests, 1999 to Present

On January 1, 2008, Germany's citizenship test, which had been established in a 2007 law, went into effect. Previously, applicants had been evaluated primarily through interviews and living in Germany for an extended period. However, applicants were now to be evaluated on language proficiency and their ability to pass a thirty-three question test that would be standardized across all sixteen states. The new test focused on knowledge of state institutions, liberal democratic ideals, history, and cultural practices. Unsurprisingly, it sparked a great deal of debate.

On the one hand, citizenship tests were just another institutionalized barrier to naturalization for the longstanding foreigner populations in Europe. Furthermore, many argued that they privileged applicants from within Europe whose culture of origin more closely matched that of Germany. On the other hand, the pool of questions was made available online for free, integration courses had been offered in Germany for four years prior and were reorganized to teach to the test, and study materials were available at low cost. Regarding the content of the test, sociologist and legal scholar Christian Joppke wrote:

> With respect of the contents of the citizenship test, to ask for host-society language competence and knowledge of the principles and procedures of liberal democracies is an incontrovertibly legitimate core component of all citizenship tests in Europe and other Western states. And few would doubt that asking for knowledge of historical key events in a country's road to becoming a liberal democracy, along with knowledge of liberal democracy's peculiar institutional form in the respective

country, is equally legitimate.[1]

The implementation of a citizenship test in Germany indicates the continuation of the established expectation that foreigners become German in order to gain the German passport. Naturalization standards had always been restrictive, but the introduction of the 1999 reforms to citizenship law [*Staatsangehörigkeitsgesetz*] seemed to lower the barriers enough as to make citizenship accessible. From the perspective of those who support the German citizenship test, naturalization is still more accessible than it has ever been, and the citizenship test does not undermine that assertion. However, it is impossible to deny that its implementation is the continuation of policies that view integration (read: assimilation) as the primary concern of citizenship and naturalization policy in Germany.

In this chapter, I argue that the integration courses established in 2004 and the citizenship test that went into effect on January 1, 2008 are manifestations of a conservative approach to naturalization and citizenship law that prioritizes an integration model based on essentialized differentiations between the Occident and the Orient. That is, the citizenship test and integration courses reassert and maintain an orientalist divide between Germany as a foundational member of Western Europe and the foreigner population, the majority of which originates from Eastern Europe and the Middle East. To do so, I begin by establishing the momentum gained by conservatives during the 1998-9 debates over the major reforms to the *Staatsangehörigkeitsgesetz* and other key laws. Following that, I outline how that momentum carried through the following decade and created opportunities for the passage of the laws that established and implemented integration courses and the citizenship test. Finally, I

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[1] Christian Joppke, "How liberal are citizenship tests," (working paper, Robert Schuman Centre for Advanced Studies, EUDO Citizenship Observatory, 2010). http://eudo-citizenship.eu/commentaries/citizenship-forum/citizenship-forum-cat/255-how-liberal-are-citizenship-tests?showall=&limitstart=.

present what foreigners are expected to integrate to and how they are expected to integrate in order to support my argument that orientalist differentiation between Germany and its immigrants helps to maintain difference between citizens of the state and members of the nation.

Re-centering Integration in 1998-9 Policy Debate

Electoral gains during the 1998 Bundestag elections brought a Social Democrat-led coalition into power for the first time since Helmut Kohl first became chancellor in 1982. Chief among the new coalition's priorities was a liberalization of citizenship law. Specifically, they wanted to: (1) make dual nationality more available to immigrants and the descendants of the guest workers brought to Germany in the 1960s; (2) liberalize the rules for the ascription of citizenship to include children born in Germany to non-German parents; and (3) make the naturalization process more accessible to the substantial *Ausländer* [foreigner] population living in Germany without citizenship. At the same time, however, prominent conservatives began to assert the need to protect a German *Leitkultur* [guiding culture], which embodied the essence of what it meant to be German. Furthermore, they argued that it was good that the existing nationality law required immigrants to demonstrate that they had integrated into German life and that such integration required at least some degree of assimilation into German culture and values. At bottom, the argument was that immigrants ought not be able to attain German citizenship unless they could prove that they had become German.[2]

Although the *Leitkultur* debate provides insight into the how both the Social Democrats and Christian Democrats conceived of the role of the citizenship and what it

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[2] For example, see Stefan Manz, "Constructing a Normative National Identity: The Leitkultur Debate in Germany, 2000/2001," Journal of Multilingual and Multicultural Development, 25 (2006)

means to be German, I think both approaches can best be summarized in the debate over the

proposed reforms to the Nationality Act in 1999. Arguing in favor of the reforms, Interior

Minister Otto Schily drew on Ernest Renan's famous speech given before the Sorbonne

given in 1882. Schily cited Renan's definition of a nation not as a community with shared

religion, ethnicity, or language, but as a community "reiterated in the present by a tangible

fact: an agreement, a clearly expressed desire to continue a common life."[3] In quoting

Renan's definition of the nation, Schily applied the French model of national definition to

Germany. The German nation, according to Schily, ought to be a community of will rather

than a community of descent as it had historically been, and he cited German historian Hagen

Schulze to validate this assertion. Schily followed this by encouraging his colleagues to use

the day's debate as an opportunity to reflect on questions of how they wanted to shape

Germany's future, as well as what the relationship between German society and the German

state should look like. To this end, he finishes his speech with a quote from Frederick the

Great:

> Ladies and gentlemen, today is the hour of modern democracy. So perhaps it is not
> quite appropriate for me to dwell on aristocrats. However, in light of the fact that we
> are soon relocating to Berlin, it is perhaps understandable that I now stick to the
> advice of an enlightened monarch. When asked if Catholics ought to be allowed to
> acquire citizenship in then-Protestant Prussia, Frederick the Great answered: 'All
> religions are equal and good, so long as those who believe in them are good people,
> and should Turks and heathens come and choose to settle here, then we will build
> mosques and churches for them.' This makes a good motto for our Nationality Law,
> as well.[4]

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[3] "… aber trotzdem faßt sie sich in der Gegenwart in einem greifbaren Faktum zusammen: der Übereinkunft, dem deutlich ausgesprochenen Wunsch, das gemeinsame Leben fortzusetzen." Otto Schily, <u>Verhandlungen des Deutschen Bundestages, Stenographische Berichte</u>, 40th Setzung, (May 7th, 1999), 3418. See also Ernest Renan, "What is a Nation."

[4] "Meine Damen und Herren, heute ist die Stunde der modernen Demokratie. Deshalb ist es vielleicht nicht so ganz angebracht, daß ich mich dauernd mit Bezügen zum Adel aufhalte. Aber im Blick darauf, daß wir demnächst alle gemeinsam nach Berlin umziehen, ist es vielleicht verständlich, daß ich mich heute an den Ratschlag eines aufgeklärten Monarchen halte. Friedrich der Große hat, als er gefragt wurde, ob ein Katholik – im damals protestantischen Preußen – das Bürgerrecht erwerben dürfe, geantwortet: ,Alle Religionen seindt

In referencing Frederick the Great, and this quote in particular, Schily did three important things. First, he connected support for multiculturalism, social heterogeneity, and immigration to a figure from Germany's mythic past. In doing so, Schily extended multiculturalism and tolerance into the past and did so in a German context. Multiculturalism and support for immigration, then, were to be understood as deeply embedded in German history, despite the similarly long history of Germany as the *völkisch* [ethnic] nation.

Second, he connected this support to a figure whose reputation had been salvaged from the taint of the Nazi legacy. Frederick's role in elevating Prussia to great-power status, increasing bureaucratic efficiency, and his unlikely military victories had made him an important figure in Nazi national history. Despite an unfavorable status during the post-War period, his legacy as "an enlightened monarch" recast Frederick the Great as a positive force in German national history, a status not available to many major political figures from before the Nazi period. Quoting Frederick, therefore, granted status to the ideas from which the reforms were developed. Not only were these ideas seated in the 18th Century, but they also originated with a German national hero.[5]

Third, in using this particular quote from Frederick the Great, Schily connected present concerns to historical ones. The largest non-German ethnic group living in Germany during the second half of the 20th Century was the Turkish population. Islam was and is the third largest religion in Germany. Questions about opening access to citizenship and naturalization in Germany were and are primarily questions about the belonging of Turks and

gleich und guht, wann nur die Leute, so sie profesieren, erliegte Leute seindt, und wenn Türken und Heiden kämen und wollten das Land pöplieren, so wollten wir Mosqueen und Kirchen bauen.' Das ist eine gute Devise auch für unsere Staatsangehörigkeitsrecht." Otto Schily, Verhandlungen, 3419.

[5] As discussed in the previous chapter and as will be discussed below, Germany's relationship with national history has made it such that national heroes are uncommon and would almost never be referred to as such. Attitudes towards and the role of Frederick the Great in German national history, however, approximate the traditional national hero.

Muslims. Frederick's answer to these questions was cut-and-dry, and in quoting him, Schily placed himself, the Red-Green coalition, and the proposed reforms in the same cut-and-dried box. Who belongs in Germany? Anyone, and they ought to be welcomed as they are.

Conservative responses to Schily's statements, and to the law more generally, were unsurprisingly negative. Jürgen Rüttgers of the CDU/CSU accused Schily of putting forward an unconstitutional patchwork rather than a developed law. His most damning critique of the reforms and Schily was that they seek to change what people understand as being under the umbrella of the German nation.[6] According to Rüttgers, the reforms were not concerned with integrating foreigners, but only with granting them dual citizenship. Rather than focusing on dual citizenship and broadening access to citizenship, the Christian Democrats asserted the need to emphasize three areas: citizenship rights, border security, and integration. Peter Altmaier, also of the CDU/CSU, echoed Rüttgers' concerns, arguing that the Social Democrats and Greens were not motivated by the desire to improve the integration of *ausländische Mitbürger* [foreign fellow-citizens], but rather by party tactics and electoral gains in the next election. Ultimately, criticism levied by the Christian Democrats centered entirely on the issue of integration. According to the Christian Democrats, the *Doppelpaß* [dual passport] threatened the internal homogeneity of the German people. Foreigners, they claimed, would not be required to learn German culture and values proficiently enough to become a part of German society, which threatened the integrity of the German nation. Peter Altmaier summed this up clearly during his closing remarks, which received applause from his party, when he said:

> We will not reject your draft bill, but we also cannot approve of it, because at no point have you sought to find a consensus, because you have refused all offers

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[6] Jürgen Rüttgers, Verhandlungen des Deutschen Bundestages, Stenographische Berichte, (May 7th, 1999), 3420.

Wolfgang Schäuble and the CDU/CSU has made in the recent weeks to discuss the bill, and *because you have rejected every single requirement outlined in our integration brief*. So maybe this is good enough as far as your party tactics are concerned, but you definitely do not do justice to the concern of integrating foreigners into our society.[7]

This message is consistent with the conservative perspective during the post-War period. Helmut Kohl's CDU/CSU during the 1980s and 90s were unwavering in their assertion that "Die Bundesrepublik Deutschland ist kein Einwanderungsland" [The Federal Republic of Germany is not a country of immigration].[8] Policy towards *Ausländer* during the 1980s focused on trying to reduce the number of foreigners living in Germany rather than welcoming them and opening paths towards naturalization. Naturalization standards were decentralized, but official guidelines prioritized acquisition of culture and values towards the purpose of integration into German society. In the eyes of the CDU/CSU, foreigners were capable of becoming German, so long as they leave behind their culture and their previous citizenships. During the 1990s, the debate over dual nationality, which culminated in these parliamentary debates in 1999, centered on this issue. If citizenship is tied to identity – that is, if all citizens are nationals – then what is the purpose of dual citizenship? Is that not just extending legal and political rights, including the right to vote, to people whose primary allegiance is not Germany?

So, on the one hand, opposition to the proposed reforms was grounded in classical thought about the connections between nationality and citizenship. According to

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[7] "Wir werden Ihren Gesetzentwurf nicht ablehnen, können ihm aber auch nicht zustimmen, weil Sie zu keinem Zeitpunkt versucht haben, einen Konsens zu finden, weil Sie alle Gesprächsangebote abgelehnt haben, die von Wolfgang Schäuble und der CDU/CSU in den letzten Wochen gemacht worden sind, und weil Sie jede einzelne Forderung aus unserem Integrationspapier zurückgewiesen haben. Damit genügen Sie vielleicht Ihren parteitaktischen Anliegen. Aber dem Anliegen der Integration von Ausländern in unsere Gesellschaft werden Sie damit ganz sicher nicht gerecht." (Emphasis mine). Peter Altmaier, Verhandlungen des Deutschen Bundestages. Stenographische Berichte, (May 7th, 1999), 3423.
[8] Christian Democratic Union, "CDU-Extra 29," 1. Oktober, 1982, 7.

conservatives, citizen was a status meant only for those whose allegiance was to the German state, which was representative of the German nation; therefore, citizen was a status meant only for nationals. The ascription of citizenship, therefore, was reserved only for those the state could believe would become Germans in culture and in values. Because of this, naturalization was established as the endpoint of the integration process. It was also from this position that Guido Westerwelle asserted that the dual citizenship reforms were developed with children in mind, because "the [foreign] children born here should learn German and experience German culture… but they should also receive these opportunities via the German passport."[9]

On the other hand, support for the reforms was seemingly framed around the moral value of a more progressive citizenship law and policy on dual citizenship. A more multicultural policy was the inevitable result of strains of thought present in Germany since the 18th Century. More specifically, they were strains of thought that originated in the aristocracy of the previous era. How is it, Schily seems to imply, that aristocrats and monarchs – granted, enlightened ones – got this right but we have not? Therefore, the argument is not only that multiculturalism has a long tradition in Germany, but also that this was something that was understood and achieved under a less developed system. Schily's speech offers a damning critique of conservative policy and ideology over the previous sixteen years.

However, there is another line of argument present in Schily's speech. While arguing that modern nations are bound together by will rather than by shared ethnicity, religion, or language, Schily also presented the contention that "contrary to all common preconceptions,

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[9] Guido Westerwelle, <u>Verhandlungen des Deutschen Bundestages, Stenographische Berichte</u>, (May 7th, 1999), 3433.

a homogenous society is not sound, because it is a construct that cannot be reconciled with reality."[10] These remarks echo then-Chancellor Gerhard Schröder's comments in his inaugural address given one year prior: "Reality teaches us, for example, that, in the past decade, an irreversible immigration has occurred in Germany. We invited the people who came here in the 1950s. Today, we say to our fellow citizens that they are not foreign."[11] The issue of "right" was present in both Schily's speech and Schröder's, but practicality was the bottom line. Certainly, both argued that there was a moral imperative to make paths to naturalization and citizenship more accessible using multiculturalism as the basis for this process. Indeed, quoting Hagen Schulze, Schily argued that "it is not the concept of 'nation' that must be overcome in Europe, but the fiction of the fateful, objective, and inescapable unity of people [*Volk*], nation, history, language, and state."[12] However, the argument of needing to face the reality of the population of *ausländische Mitburger* [foreign fellow-citizens] drove the issue forward. The issue was so pressing because there was already a sizable population of people living in Germany without citizenship, many of whom had lived there for decades or who had been born there.

On May 21, 1999, the Act to Reform the Nationality Law passed through the Bundesrat to go into effect on January 1, 2000. Getting the bill through the Bundestag and Bundesrat required concessions from the Social Democrats. Chief among these concessions was the shift from the *Doppelpaß* [dual citizenship], a staple of the original draft bill, to the *Optionsmodell* [options model]. Following Westerwelle's remark that children who would be socialized in Germany ought to have German citizenship, the *Optionsmodell* grants German

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[10] Otto Schily, Verhandlungen, 3418.
[11] Gerhard Schröder, Verhandlungen des Deutschen Bundestages, Stenografische Berichte, 3rd Setzung, (November 10, 1998), 61.
[12] Otto Schily, Verhandlungen, 3419.

citizenship to children born in Germany to foreign parents in addition to the citizenship of their parents, if applicable. At the age of 23, individuals with both German citizenship and the citizenship of their parents must choose between the two. Children raised in Germany, socialized by German media and schools, and who were raised as Germans can be made foreign again through this model if they do not affirm their commitment to Germany. Changes to the standards for naturalization included in the 1999 reforms also emphasized integration as a requirement for the acquisition of German citizenship. Applicants were expected to be proficient in the German language and demonstrate loyalty to the free and democratic principles of the Federal Republic, incorporating the guidelines set out in 1977 into law.

The Act to Reform the Nationality Law set the tone for the first fifteen years of the 21st century. What the Social Democrats initially saw as the potential for a great multicultural triumph was instead a compromise that prioritized practicality and coming to terms with "reality" rather than focusing on ideals. That is, it required integration – understood as Germanization – over multiculturalism as well as granted dual citizenship as only a temporary right. In 2005, a failed vote of confidence in Chancellor Gerhard Schröder resulted in the dissolution of the Bundestag and a new election. The federal election resulted in a grand coalition, shifting the chancellery to Angela Merkel and the CDU/CSU, with whom it would stay for the following decade. Conservative policies regained momentum, in part as a result of the concessions made in 1999. Official attitudes towards immigration returned the Kohl government's "*Deutschland ist kein Einwanderungsland*," echoed in Merkel's statement that "the multicultural approach has... completely failed."[13]

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[13] "Der Ansatz für Multikulti ist gescheitert, absolut gescheitert."
http://www.spiegel.de/politik/deutschland/integration-merkel-erklaert-multikulti-fuer-gescheitert-a-723532.html

It was from this perspective on immigration and naturalization that emerged the 2004 Immigration Act [*Zuwanderungsgesetz*][14] and the 2007 Act to Reform the Immigration Act, both of which further entrenched integration as the prerequisite for naturalization.[15] The 2004 Immigration Act implemented official standards for language proficiency and established integration courses, which although optional, reduced the residency requirement and were viewed favorably when evaluating applications. Building on these provisions, the 2007 reforms to the Immigration Act addressed the issue of state-based variation by: (1) centralizing standards of evaluating integration, (2) further adjusting and refining the expectations for language proficiency, (3) providing a reward for those who can demonstrate a "high level" of knowledge of the German language, and (4) introducing an integration test as a *requirement* for naturalization.

Orienting naturalization standards towards integration binds citizenship to nationality. Becoming a citizen, then, requires socialization into German culture, knowledge of the German language, acceptance of German values and attitudes, and engagement with German institutions. If the first step to acquiring German citizenship is to Germanize, then looking at the contents of the integration courses and integration test should provide insight into the values, attitudes, and knowledge the state regards as essential to being and becoming German.

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[14] The full name for the *Zuwanderungsgesetz* is: *Gesetz zur Steuerung und Begrenzung der Zuwanderung und zur Regelung der Aufenthalts und der Integration von Unionsbürgern und Ausländern* [Law Governing and Limiting Immigration and Regulating the Residence and Integration of EU Citizens and Foreigners].

[15] In spite of Rita Süssmuth's comments in a 2001 publication that "It is a fact that Germany has been a country of immigration for a long time… The assertion that 'Germany is not a country of immigration' used to be a defining political principle but has become untenable as the cornerstone of migration and integration policy." Rita Süssmuth, Zuwanderung gestalten – Integration fördern, 'Bericht der Unabhängigen Kommission Zuwanderung,' Berlin: Bundesministerium des Innern, 2001, 1.

Generating institutional requirements for assimilation: integration courses and citizenship tests

Praise for the 2004 Immigration Law came from both sides of the aisle. Where Otto Schily saw "the most modern immigration law in Europe,"[16] Peter Müller of the CDU/CSU praised the law as being "an immigration limitation act [*Zuwanderungsbegrenzungsgesetz*], which puts to rest the notion that Germany could be a multicultural country of immigration."[17] Both the center-left coalition and the center-right opposition understood the *Zuwanderungsgesetz* as a laudable success and as having met their respective goals. Where the Social Democrats and Greens celebrated having further opened access to dual nationality, the Christian and Free Democrats had succeeded in substantially increasing limits on immigration and bolstering barriers to naturalization. Certainly, the center-right coalition were the big winners here: the debate about citizenship ascription and access to naturalization had shifted in their favor in 1999, and they had been able to carry that momentum forward.

One of the key results of this momentum was an inclusion of four articles sketching the outline of the integration course program. Article 43 opens by declaring that "the integration of foreigners living legally and permanently in the Federal Republic into economic, cultural, and social life of the Federal Republic of Germany is to be promoted."[18] In order to promote and achieve greater integration, the Federal Republic instituted an integration course that would consist of two language courses of equal length (basic and advanced) and an "orientation course," the aim of which was for foreigners to "obtain a

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[16] Sigrid Averesch, "Zuwanderung – Das neue Gesetz kann nicht in Kraft treten. Die Opposition ist begeistert, die Regierung enttäuscht. Sie reagiert zurückhaltend auf Verhandlungsangebote der Union," Berliner Zeitung, December 18, 2002.

[17] Peter Müller, Verhandlungen des Deutschen Bundestages, Stenographische Berichte, 118th Setzung, (July 1st, 2004), 10723.

[18] "Gesetz zur Steuerung und Begrenzung der Zuwanderung und zur Regelung des Aufenthalts und der Integration von Unionsbürgern und Ausländern," Bundesgesetzblatt Teil 1, Nr. 41, (July 30th, 2004), 1964.

knowledge of the legal order, culture, and history of Germany."[19] Details in the Immigration

Law were sparse, with the specification that gaps – including the implementation, structure,

duration, and content – would be developed in the future with the involvement of local, state,

and federal authorities.

On December 13, 2004, they did just that with the Act for the Implementation of

Integration Courses for Foreigners and Late Re-settlers [*Integrationskursverordnung*]. The

Integrationskursverordnung details who is expected to take integration courses, as well as

courses' cost, structure, and duration. Courses are expected to last for six hundred thirty

class-hours. Six hundred of these are split evenly between basic and advanced language

lessons, with the remaining thirty reserved for the "orientation course." At the end of the

integration course, students are expected to take a final test with two parts: a language

component that tests for German proficiency at B1 level[20] or greater and a test of the

information included in the orientation course. Courses could be taught by private citizens, so

long as they are "reliable, can carry out the courses properly, and can apply a method for

quality assurance for the courses."[21]

Curricula for the integration courses were largely decentralized until 2007, when

amendments to the Nationality Act and the Immigration Act cemented the role of the

integration course in naturalization and centralized the courses more. The *Bundesamt für*

Migration und Flüchtlinge (BAMF) was made responsible for ensuring that integration

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[19] Ibid.

[20] B1 refers to a level of language proficiency as measured by the Common European Framework of References for Languages. (CEFR) It breaks foreign language proficiency into six levels: A1, A2, B1, B2, C1, and C2. B1-level proficiency would be low-intermediate understanding, and is described as being the level at which an individual can understand main points made by a speaker or a text and can express themselves in simple language. For more on this, see the Council of Europe's CEFR: http://www.coe.int/t/dg4/linguistic/cadre1_en.asp.

[21] Verordnung über die Durchführung von Integrationskursen für Ausländer und Spätaussiedler (Integrationskursverordnung).

courses were relatively homogenous across communities and states.[22] In 2015, BAMF

published a curriculum for the integration courses that splits the course into three modules:

"Politics in a Democracy," "History and Responsibility," and "Individual and Society."[23]

"Politics in a Democracy" is allocated the most time, accounting for roughly 46 percent of

the time spent on teaching, where "History and Responsibility" receives only 23 percent and

"Individual and Society" receives roughly 31 percent. Given German narratives of being a

"post-national society" that practices "constitutional patriotism" rather than nationalism, it is

no wonder that the most time is spent on the topic of state structures and institutions.

Although BAMF sets the outline of the curriculum, there is variety between

classrooms with regard to how much time is actually spent on each topic.[24] One of the

primary sources of variation between classes is the difference between workbooks used

during the course. In July 2010, BAMF published a list of books and materials approved for

use in integration courses; for the orientation section of the integration course alone there are

six approved books from five separate publishers.[25] Naturally, each book is written and

organized differently, utilizes different lesson plans and activities, and emphasizes different

content within each section. That said, they are organized around the content outlined in the

curriculum published by the federal government and verified by the government as being

suitable for the courses. As a result, it is reasonable to expect that their content, albeit

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[22] Federal Office for Migration and Refugees.

[23] In 2014, the amount of time dedicated to the orientation course increased from the 30 teaching units allotted in 2004 to 60 teaching units. This is in addition to the 600 teaching units dedicated to the two language courses. Out of the sixty units dedicated to the orientation course, twelve are spent on introductions, class trips, and the final exam for the course, while the remaining forty-eight are split between the three modules of the course.

[24] Of the five classes Jessica Brown studied in 2005, each of them dedicated most of their time to discussing Nazism and the Holocaust during the time allotted for history. Jessica Brown, "Our National Feeling is a Broken One," Qualitative Sociology, 37 (December 2014), 425-442.

[25] BAMF, "List of approved textbooks for the integration course," July 2010, http://www.bamf.de/SharedDocs/Anlagen/EN/Downloads/Infothek/Integrationskurse/Lehrkraefte/liste-zugelassener-lehrwerke-pdf-en_IP.html.

presented differently, overlaps enough to be considered equally capable of fostering

integration and Germanization.

In addition to the integration courses, which were aimed at Germanizing foreigners,

the 2007 Reform to the Immigration Law introduced a citizenship test that evaluates whether

an applicant has sufficiently Germanized. The 2008 Ordinance for a Naturalization Test and

Naturalization Class [*Einbürgerungstestverordnung*] codifies the requirements for applicants

vis-à-vis the naturalization test.[26] Individuals applying for naturalization must take a test

consisting of thirty-three questions, three of which pertain to the state in which it is being

taken, and answer seventeen questions correctly in under one hour.[27] The thirty-three

questions of which the test is composed were initially selected randomly from a pool of one-

hundred questions, which was later increased to a pool of three-hundred. Ostensibly,

naturalization tests are ensuring that applicants have the institutional knowledge required to

function in a new society. Liav Orgad distinguishes between two types of citizenship tests:

those that test for "National Constitutionalism," understood as respect for and familiarity

with the liberal-democratic principles of a given state, and those that test for culture-based

criteria.[28] Although this may operate as an ideal-typical distinction, German national culture

cannot be separated from liberal-democratic principles, as is argued below, because the post-

War German nation has been built around its identity as a Western, Christian democracy.[29]

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[26] Hessen had installed a citizenship test in 2006 consisting of one hundred questions on a range of topics including national symbols, culture, German history, Germany in Europe, and Germany and Germans. For more on this, see Liav Orgad, "Illiberal Liberalism: Cultural Restrictions on Migration and Access to Citizenship in Europe," American Journal of Comparative Law, 58 (May 2010), 15.

[27] "Verordnung zu Einbürgerungstest und Einbürgerungskurs," Bundesgesetzblatt I, 35 (August 2008), 1649.

[28] Liav Orgad, "Illiberal Liberalism," 4.

[29] I point here to questions that seemingly target institutional or legal knowledge, yet also speak to German values or the status of Germany as a nation-state. For example, several questions (including 26, 50, 171, 196, and 203) ask the applicant to identify the economic system under which either the Federal Republic operates or the German Democratic Republic operated. Although these are technically evaluating institutional knowledge, they also assert particular values and a particular orientation for the individual, especially to *Spätaussiedler* coming from the former Soviet Bloc. This will be discussed in detail below.

As a result, the citizenship test and the integration courses serve the purpose of binding

citizenship to nationality and ensuring that only nationals can become citizens.[30]

After the introduction of the citizenship test, integration courses were expected to be

structured to prepare foreigners for the test, emphasizing the institutional, cultural, and social

knowledge that the test was designed to evaluate as a result. However, although the courses

and test were and are expected to overlap in content substantially, they are designed

independently. Texts and materials used during integration courses are written and published

by private publishing houses, rather than by the government, while the pool of questions

from which the test is pulled was written by BAMF. That said, because BAMF writes the

curricula for the courses and curates a list of approved books, there is little latitude for the

publishers to stray from the expectations and intent laid out by the state.

The goal of the orientation course is to "[integrate] foreigners into the economic,

cultural, and social life of the Federal Republic of Germany,"[31] which can be understood as

helping foreigners to Germanize. Because of this, studying the topics covered in the courses,

the ways in which the topics are described, and the types of activities assigned to students

will shed light on how both the state and private publishers understand "Germanness."

Although participant observation within classrooms would also be a valuable means for

understanding how foreigners are taught to be German, understanding the texts around which

the classes are organized is an important first step. Analysis of the texts deemed appropriate

for the courses establishes a baseline against which variation between individual classes can

be measured. Because of this, I will be utilizing three of the six approved texts for the

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[30] This differentiation is between legal members, citizens, and social members, nationals, which is ultimately a differentiation between legal and social statuses. It is important to note that although citizenship and nationality often overlap, gaining legal recognition and its attending rights does not necessarily correspond to being treated as a member in the nation during day-to-day interactions.
[31] "Gesetz zur Steuerung," 1964.

orientation course, each of which is published by a different company: 30 Stunden

Deutschland, Orientierungskurs Deutschland: Geschichte, Kultur, Institutionen, and

Orientierungskurs: Grundwissen Politik, Geschichte und Gesellschaft in Deutschland. In

addition, I will be drawing from the pool of questions used to construct the

Einbürgerungstest.[32] Examining the two side-by-side will provide a fuller understanding of

the process through which the German state actively binds nationality to citizenship, not only

through assimilationist policies, but also through processes of active Germanization via

orientation courses. In addition, the combination of orientation courses and citizenship test

illustrates what immigrants are expected to learn during the integration process and how they

are expected to integrate.

Learning to integrate: privileged knowledge of the Occident

Characterizing Germany as "Occidental" was an essential part of the post-War project of

national history. In order to construct the European Union and its predecessor institutions,

Germany needed to be presented as another member of the continental European community,

united in shared ideals, values, and history. Germany could no longer be thought of as neither

Oriental nor Occidental, but, instead, as the gateway between the East and the West, nor

could it be thought of as having its own "special path" [*Sonderweg*]; instead, Germany was

as much a part of "Europe" as an essentialized community as France, sharing in its

development into a region and community characterized by secularism, liberalism, and

rationalism. As a result, the orientation course and citizenship test emphasize aspects of

Germanness that intersect with Europe, namely Germany's Christian heritage, the national

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[32] The full pool of questions is available online through BAMF. See www.bamf.de

historical narrative of Germany as fundamental to the development of Europe, and shared

liberal democratic institutions and values.

"Without Christian influence, modern German culture is inconceivable"[33]

Officially, Germany is a secular state without an official religion. In spite of this, Germany's

Christian influence is overt and essential. Two of the three workbooks openly state that

although there is freedom of religion in Germany and the state is not to impose a religion,

Christianity has a "special role" or "special place" in German society.[34] Nowhere is

Christianity's "special position" in German society and the German nation more visible than

German holidays. Of the nine national holidays in Germany, six are distinctly Christian.[35] Six

more Christian holidays are public holidays in various states. In addition, shops have been

closed on Sundays since the passage of the *Ladenschlussgesetz* [Shop Closing Law] in 1956.

The *Ladenschlussgesetz*, which attends to Article 139 of the Basic Law, dictates that Sundays

are to be protected by law as days of rest and spiritual improvement and observes the

Christian "Sabbath" as a mandated day of rest.

Students of the orientation courses and those seeking to naturalize are expected to be

familiar with Christian holidays and traditions. Activities in orientation course workbooks

require that students discuss Christian traditions and holidays. Some such activities take the

true-false format, which provides a statement and asks students to evaluate it, while others

focus on asking students to first discuss in small groups and then again in a larger class

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[33] Susann Kaufmann, Lutz Rohrmann, Petra Szablewski-Çavuş. <u>Orientierungskurs Deutschland: Geschichte, Kultur, Institutionen</u> (München: Langenscheidt, 2007), 59.

[34] <u>30 Stunden Deutschland</u>, (Stuttgart: Ernst Klett Sprachen, 2005), 57; Joachim Schote, <u>Orientierungskurs: Grundwissen Politik, Geschichte und Gesellschaft in Deutschland</u>, (Berlin: Cornelsen Verlag, 2011), 67.

[35] They are: Good Friday, Easter Monday, Ascension Day, Pentecost Monday, Christmas Day, and Boxing Day/St. Stephen's Day. The three without an overt Christian basis are: New Year's Day, Labor Day, and the Day of German Unity.

discussion.[36] While each book includes prompts for discussing other religions – many requiring that students break into groups organized around their shared religion and discuss their religion – only one workbook explicitly discusses a non-Christian tradition. While some activities require students to match important religious figures from various religions to their description, only 30 Stunden Deutschland includes a detailed and explicit discussion of a Muslim religious holiday, albeit seemingly tokenized at the end of a section discussing Christmas and Easter.

Questions on the citizenship test emphasize Germany's Christian heritage and the continued importance of Christianity in contemporary Germany. One question asks the applicant: "What is customary at Christmas?" Another asks "What is customary at Easter?" Yet another question asks the applicant: "In Germany, what do we call the last four weeks before Christmas?" For an actively practicing Christian, such a question should cause no trouble. On the other hand, those who do not celebrate Christmas or attend church services in the preceding weeks, have no reason to be familiar with Advent. Furthermore, Advent is not mentioned explicitly in any of the orientation course books, whether in the body of the text or listed in the answers section in discussion of Christian holidays. Orientierungskurs Deutschland has a rather lengthy paragraph in the answer segment at the back of the book listing Christian holidays, but Advent is nowhere to be found. However, at no point are applicants tested on knowledge of Muslim holidays or traditions, despite Islam being the fourth largest religious community in Germany, at roughly four percent of the population.[37]

All of this contributes to a portrayal of Germany as being intrinsically Christian.

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[36] 30 Stunden Deutschland, 56-8; Orientierungskurs, 23-4; Orientierungskurs Deutschland, 66-7.
[37] Orientierungskurs, 66. According to Orientierungskurs, Catholicism is the largest, Protestantism is the second largest, Atheist is the third, and Islam the fourth. This, however, contradicts other instances in which politicians and orientation course books talk about a unified and singular "Christian" heritage.

Both the citizenship test and the orientation course workbooks depict European and German culture as impossible without Christian influence. For example, Question 295 on the citizenship test asks: "Which religion shaped European and German culture?" while all of the workbooks make explicit that Christianity is vital to German and European culture. Indeed, according to the authors of <u>Orientierungskurs Deutschland</u>, "without Christian influence, German and European society and culture would be unthinkable."[38] Something similar is stated explicitly in <u>30 Stunden Deutschland</u> and <u>Orientierungskurs</u>. German culture, and European culture as an extension, is inextricable from Christianity. Becoming German, then, necessitates learning and memorizing detailed knowledge about Christianity, its traditions and symbols, and its tenets, not just to pass the test, but to integrate into German culture and function in German social life.

National history: Europeanization and liberal democratic values

German national history as the history of Germany's "special path" towards National Socialist dictatorship could not be the dominant narrative if Germany was to be regarded as being bound together with the West. Instead, history needed to reflect the development of liberal democratic ideals and institutions, as well as of German contributions to European culture and politics. To that end, <u>30 Stunden Deutschland</u> dedicates three pages to exploring the "long history" of unity, justice, and liberty in Germany. Included in this is one full page dedicated to the "fight for national unity and democracy" that coalesced in the Revolution of 1848, which is given as much attention as the German Empire, World War I, and German

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[38] <u>Orientierungskurs Deutschland</u>, 59.

reunification respectively.[39] The Revolution of 1848 and the constitution proposed by the parliament at St. Paul's Church constitute an important starting point for a narrative about German commitment to democracy and rights that continues through the Weimar Republic, which took several cues from the 1848 constitution, and is fully realized in the 1949 Basic Law.[40]

In addition to portraying Germany as having a long history with liberal democratic principles, national history emphasizes German participation in the development of Europe, both culturally and politically. Historical figures, including Martin Luther and Johannes Gutenberg, are specifically framed as having contributed to the development of Europe. Regarding Gutenberg: "The Reformation, the Industrial Revolution, *and Europe's entire cultural development since the 15th Century* would be unthinkable without his invention."[41] Similarly, for Martin Luther: "He changed Europe and the world religiously, politically, and spiritually like no other."[42] In both cases, the authors emphasize two important details: (1) the magnitude of each of their respective impacts was incomparable and (2) Europe could not exist as it does now without each of them. Framed in this way, Germany is central to the Enlightenment (from which the liberal democratic ideals with which Western Europe is affiliated developed) as well as to all of European print culture, Europe's Christian tradition, and Europe's economic development during the Industrial Revolution and, therefore, the development of capitalism.

Beyond Germany's contributions to Europe's historical development, German

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[39] 30 Stunden Deutschland, 31.

[40] There is a particular irony to the conceptualization of the 1848 Revolts as a key moment in the development of German democracy. The *Sonderweg* thesis, which certainly holds a special place in German national history and is discussed in more detail above, viewed the failure of the Revolution of 1848 and the abortive *Paulskirchenverfassung* [St. Paul's Church Constitution] as a moment that helped secure the development of fascism in 20th Century Germany.

[41] Orientierungskurs Deutschland, 53. Emphasis mine.

[42] Ibid.

national history as presented in the orientation course workbooks also emphasizes the establishment and development of the European Union. Both Orientierungskurs and Orientierungskurs Deutschland dedicate one full page to discussing the development of the European Union, from a resolution that there ought to be no more war in Europe to the full supranational body that it currently is. [43] Both books and the citizenship test highlight the concept of European integration, which they define as the association of members in the European Union.[44] However, Orientierungskurs Deutschland emphasizes the need for homogeneity within the European Union: "The future of the European Union depends on whether or not we succeed in advancing political and social integration. This cannot be achieved only through policy, but depends on the commitment of European citizens, as well."[45] Europe can only be a successful project if its members share the same ideals, values, and institutions.

National history is also used to reinforce Germany's status as a *Rechtsstaat* [constitutional state, nation of laws]. The narrative of Germany's acceptance of guilt for the atrocities of the Holocaust, which culminates in Willy Brandt kneeling before a memorial in Warsaw,[46] is also the narrative of Germany's devotion to democracy. Applicants are expected to be knowledgeable about the events of World War II, including the rise of Hitler and the Nazi party, the atrocities committed during National Socialist rule, and Germany's fate after

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[43] "For several centuries, there were always large and small wars in Europe. The 30 Years War waged from 1618 to 1648. From 1870 to 1945, France and Germany waged three wars against one another. After the Second World War it was clear: there cannot be any more wars. The countries of Europe must work together." Orientierungskurs Deutschland, 8. Question 235 of the citizenship test also emphasizes this point. It shows an image of Francois Mitterand and Helmut Kohl together at a memorial for those who died in both World Wars. It asks the applicant to indicate which goals of the European Union are shown in this picture. The correct answer is "Peace and security in the countries of the European Union."

[44] Orientierungskurs, 45; Orientierungskurs Deutschland, 8; and Question 231, Bundesamt für Migration und Flüchtlinge, "Gesamtfragenkatalog zum Test, Leben in Deutschland,'" June 2013.

[45] Orientierungskurs Deutschland, 8.

[46] 30 Stunden Deutschland, 39; Orientierungskurs, 41; Orientierungskurs Deutschland, 4, 5, 9; Question 181, "Gesamtfragenkatalog."

the war. Roughly eight percent of the questions on the citizenship test address these events, and each book discusses it in detail.

Discussion of the post-war period emphasizes West German success and East German struggles against oppression. The only mentions of East Germany and its history are of the 1953 strikes for free elections, the construction of the Berlin Wall to prevent East German flight to the West, and the protests and desire to reunify in the 1980s. Indeed, as far as the orientation course workbooks are concerned, the history of East Germany is characterized by a longing to unify and be democratic. The German Democratic Republic is represented simply as an authoritarian and undemocratic state, the history of which can be reduced only to the secret police [*Stasi*][47] and the longing for Western institutions and ideals that culminated in protests and becoming democratic.[48]

Requiring knowledge of national history helps to reinforce the assertion of the centrality of liberal democratic ideals to German society. The German national anthem, which applicants are expected to be familiar with,[49] begins with the lines: "Unity, justice, and liberty for the German fatherland. Let us all strive for this purpose." Germany is presented as a *Rechtsstaat*, and is presented as such in contrast to the National Socialist regime and the German Democratic Republic. Applicants are expected to know the characteristics of a *Rechtsstaat*,[50] the economic and political systems,[51] and the fundamental rights afforded to the citizens.[52] In addition, they are tested on knowledge of these same characteristics of the Nazi regime and the German Democratic Republic.[53] As a result, contemporary German

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[47] Questions 199 and 208, "Gesamtfragenkatalog."
[48] Questions 166, 186, 189, 196, 205, 206, 210.
[49] 30 Stunden Deutschland, 6; Orientierungskurs, 44; Question 40, "Gesamtfragenkatalog."
[50] Questions 3, 51, 53, "Gesamtfragenkatalog."
[51] Questions 22, 26, 27, 34, 38, 50, 120, "Gesamtfragenkatalog."
[52] Questions 1, 4, 7, 9, 12, 18, 281, "Gesamtfragenkatalog."
[53] Questions 157, 159, 170, 196, 203, 204, "Gesamtfragenkatalog."

institutions are contrasted with non-democratic and illiberal institutions and states and, in doing so, filled with normative value. To oppose or reject these systems is to be on the wrong side of history, or to find oneself in the company of Nazis, socialist dictators, leftist "terrorists" such as the Rote-Armee-Fraktion, or Islamists.

"Politics in a Democracy" is allotted roughly forty-six percent of the course time in the curriculum published by BAMF, and is given the most attention in the workbooks and the largest number of questions on the citizenship test. However, more than just knowledge is expected. Respect for laws is listed in Orientierungskurs as one of the responsibilities of German citizens and the following example is given: "Danail Akuzov was born in Bulgaria. He has lived in Germany for eight years and has applied for German citizenship. He must embrace the constitution and accept Germany's democratic principles."[54] This is nothing new. Since 1977, confessing allegiance to Germany and acceptance of the democratic principles on which Germany is based has been a requirement for naturalization. However, requiring knowledge of these systems, values, and traditions, which are laden with normative meaning, is treated as objective and non-normative through its inclusion in a multiple-choice citizenship test.

The framing of Germany as sharing European institutions, culture, heritage, and values is built on a tradition of Orientalism that casts the "Occident" as "rational, peaceful, liberal, logical, capable of holding real values, [and] without natural suspicion."[55] Orientation course workbooks and the citizenship test position Germany within the European Union and Europe, more generally, as a region of culturally similar and politically homogenous member states. "Europe," understood as "the West," the European Union, and a monolithic region,

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[54] Orientierungskurs, 19.
[55] Edward Said, Orientalism, (New York: Vintage, 1978), 49.

does not include Russia, many of the post-Soviet republics, and Turkey, which has repeatedly

been denied entry into the EU. The success of the European idea, embodied in the European

Union as a region of peace, security, and Enlightenment values (democracy, individualism,

tolerance, rationality, secularism, constitutionalism, etc.) depends on "advancing political and

cultural integration" through "the commitment of citizens."[56] There is, then, seemingly a

built-in impediment to integration based on the below-the-surface valuation of knowledge

that is treated as "objective" and non-normative. However, if the information is made

available, as it is, how are immigrants and foreigners expected to integrate? That is, what is

involved in the process of integration, who is responsible for the success or failure of the

process, and what does integration look like?

Expectations for immigrant integration: who is responsible?

Certainly, the creation of integration courses and a citizenship test indicates that the German

state and German politicians understand Germany as needing to remain internally

homogeneous, rather than multicultural. Indeed, it is no surprise that these policies are

championed and lauded by the same party that generated the notion of a German *Leitkultur*,

to which, they argued, immigrants and foreigners needed to assimilate in order to protect

Germany's soul.[57] However, it is more than institutional structures and political discourse

that promotes citizenship as a reward for assimilation. Activities and lessons included in the

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[56] Orientierungskurs Deutschland, 8.
[57] I am using Robert Park and E.W. Burgess' definition of assimilation as "a process of interpenetration and fusion in which persons and groups acquire the memories, sentiments, and attitudes of other persons and groups and, by sharing their experience and history, are incorporated with them in a common cultural life." Understanding assimilation in this way relates the concept directly to the idea of becoming "national," which requires sharing in the shared culture, values, attitudes, and knowledge (of national history, symbols, and myths) of the nation. For more on this, see Robert Park and E.W. Burgess, Introduction to the Science of Sociology, (Reprint, Chicago: University of Chicago Press, 1921 [1969]), 735.

orientation course workbooks address the desirability of assimilation and the expectation that foreigners will pursue the process on their own.

Support for multiculturalism is generally absent from the workbooks. Although each book has a section on the multiplicity of perspectives and worldviews present in Germany, such discussions are either dealing directly with freedom of speech and opinion as a basic right, or are presented absent any reference to national differences or foreigners. Orientierungskurs Deutschland, for example, offers a six-page section titled "Diversity of Life – Diversity of Opinions," which discusses preconceptions and biases, different family compositions, the variety of media available in Germany, and the "culture shock model." Discussing preconceptions and biases is the closest that this workbook comes to discussing multiculturalism: the proposed activity asks that students examine a series of photographs depicting individuals of a range of ethnic and racial backgrounds and "write down what comes to mind for each person: nationality, how long they have been in Germany, occupation, hobbies…. Then let the other students guess which person you have described."[58] Certainly, the purpose of the exercise is to teach students that preconceptions are not necessarily accurate and that they can be harmful, but there is no accompanying negation of the preconception that only the phenotypically white individuals were German, or that the individuals who are expected to be read as Black or Middle Eastern would not have lived in Germany for a long time.

Another example of weak representation of multiculturalism in the workbooks is the testimonials listed under the headline "Between Cultures?" in Orientirungskurs. The section contains five testimonials, each of which describes a different immigrant (one who was born in Germany to immigrant parents, one labor-migrant, one whose family fled persecution, one

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[58] Orientierungskurs Deutschland, 35.

Spätaussiedler,[59] and one who immigrated for school) who maintains a connection to their

respective homelands. Each testimonial has a narrative in three parts: why and how the

individual immigrated to Germany; what they like about Germany, which typically explains

why they see Germany as their homeland; and what they miss about their former home.

Although each of them maintains a connection to home, whether that is visiting their

homeland for four months out of the year or having dual-citizenship, each of them regards

German as their primary language and each of them is happy to call Germany home. In spite

of the fact that the testimonials included in Orientierungskurs present foreigners with deep

connections to their country and culture of origin, their status as Germans is verified by and

rooted in their acceptance of German culture and language, as well as of Germany as their

new home. Of the five foreigners who gave testimonials, two specifically mention meeting

and marrying a German national and two note having children whom they have taught only

German.

  The narrative of the committed and assimilated immigrant is presented more overtly

in three testimonials from 30 Stunden Deutschland. Where the testimonials in

Orientierungskurs include statements about how the immigrants maintain connections to their

homeland, the testimonials in 30 Stunden Deutschland only discuss how they have

"integrated." For each of them, "integration" is a process that begins with the individual

deciding that they want to be German and pursuing integration on their own, but with help

from the community. One woman explains:

> My husband and I have been living in Germany for 23 years. We fled the war in
> Afghanistan. At the beginning, everything was hard. I was homesick for three years.
> But then I said to myself: 'I want to stay here, so I have to do something. I started

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[59] *Spätaussiedler* is a term translating to "late resettler," and refers to ethnic Germans who lived in the former
Soviet republics and are allowed to "return" to Germany with an easier path to naturalization.

talking to my neighbors much more. As a result, I learned better German and, above all, got to know my neighbors and they got to know me. That helped. Now I don't feel foreign any longer…. Now, Germany is my home.[60]

Another immigrant describes his experience coming to Germany for work and integrating: "At first I worked in catering, and then in a factory. But I kept saying to myself: I can do more. And I want more…. One must ask: What is going on here? How does this work? What can I do? I started at the office for foreigners."[61] Common to these testimonials is the idea of the hardworking immigrant who, feeling foreign initially, integrates through hard work and a determined orientation towards becoming German. Both involved themselves in their local community, which is valued and presented in each of the three workbooks, and in doing so, by incorporating themselves into their neighborhood as Germans, were able to feel at home and become German.

Valuing individual efforts to integrate is unsurprising in a Western capitalist nation-state with strong connections to the Enlightenment. Indeed, the larger German narrative that the immigrant needs to integrate and become German places the burden on the immigrant. Seemingly, in coming to Germany and seeking German political and civil rights, an immigrant has committed herself to becoming national. There is no bilateral coming together here. Orientierungskurs Deutschland makes this clear in a section titled "In a New Country." Here, the authors present the five-stage "Culture Shock Model" as a description of the process of integration and the mentality of foreigners during the process. Particularly interesting are stages three and five. Stage three, titled "Crisis," reads: "One feels very foreign in the new country. The individual blames the foreign culture…." Stage five, titled "Understanding," states: "The misunderstandings are fewer. The individual understands,

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[60] 30 Stunden Deutschland, 41.
[61] Ibid. 41.

accepts, and appreciates the cultural rules of the game." When introducing the model, the

authors write that because of all of the new things that the foreigner encounters, they must

muster all of their energy and apply it to integrating. The model and its introduction are

oriented towards blaming the foreigner for any misunderstandings and the desire to maintain

a connection with their own culture. There is no discussion of the hostility of the host society

or the willingness of host society members to accommodate new cultures or values. Again,

the unstated expectation is that foreigners in Germany ought to become German, and this

value is not presented for discussion.

However, there is one segment in one book that makes this expectation very explicit.

30 Stunden Deutschland presents an interesting activity in which students are asked to

answer four yes-or-no questions as they think Germans answered them. These questions

include: "Should foreigners who live in Germany be politically active?" and "Should

foreigners who live in Germany better adapt their lifestyle to the German lifestyle?"[62]

Another exercise under the same page asks students to discuss what it means for foreigners to

better adapt their lifestyle to the German one, and what foreigners and Germans should each

do in order to achieve this. Immediately, these questions imply that foreigners have a

responsibility to become more German and encourage foreigners to think about how they can

solve the problem of learning to live together. However, this is compounded by the answers

given in the book's "Solutions" section. To the question of whether or not foreigners living in

Germany should be politically active, most Germans responded no (63 percent of West

Germans and 55 percent of East Germans). An even greater percentage (72 percent of West

Germans and 71 percent East Germans) agreed that foreigners needed to adjust their lifestyle

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[62] Ibid, 51.

to better match that of Germans.[63] Foreigners taking the orientation course are told in no

uncertain terms that they are expected to change themselves to be regarded as German.

Politicians talking about multiculturalism in Germany are offering only lip service.

It is clear, therefore, that part of the goal of the orientation course is to teach

foreigners that integration is their responsibility. The state offers the courses and makes

resources available, but it is the individual's responsibility to attend the courses and take

advantage of the community-based resources. Course workbooks make this abundantly clear.

Nominal Germanness comes at the end of this integration process pursued by the individual;

that is, once an individual has demonstrated their commitment to and a successful attempt at

assimilation, the state can choose to recognize them as a citizen. Important, here, is that the

process demands more of the individual than language competency and the ability to operate

in German social life. Integration is unidirectional, requiring that immigrants give up their

culture and traditions in order to adopt German ones. They are expected to change their daily

life, perspectives on the world, and understandings of manners and acceptable social

behavior, and replace them with German ones. According to this standard for integration, if

an individual continues to be regarded as foreign, it is their fault rather than a structural

failure or a problem with German society. There are no structural factors preventing

integration or success in social life; failure to integrate is attributed exclusively to the

immigrant's lack of acceptance of German social rules, culture, and value.

Conclusion

Are citizenship tests inherently illiberal? Liav Orgad and Christian Joppke argue that they are

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[63] Ibid, 64.

not. For Orgad, citizenship tests that include only history and institutions are liberal, and it is only when they evaluate cultural knowledge that they become problematic.[64] Joppke, however, finds no issue with evaluating cultural knowledge, so long as the test is only evaluating knowledge, and not belief. He argues:

> The mainstream variants that ask for factual knowledge about a country's history, culture and institutions are unproblematic in this respect, because such a matter is merely cognitive: it can be learned and mechanically reproduced. Moving from knowledge to values, even a signed loyalty declaration or an oath to the Constitution does not raise eyebrows, because it consists of external behavior that, moreover, only actualizes the contractual underpinnings of liberal citizenship. However, a citizenship test that scrutinizes a candidate's "inner disposition" does raise eyebrows, precisely for transgressing the thin line that separates the regulation of behavior from the control of beliefs.[65]

Where Orgad took issue with iterations of the German citizenship test that question an applicant's knowledge of Easter traditions and famous composers, Joppke saw nothing wrong with this practice because the applicant need only memorize information made available online for free or in print at minimal cost. Because the tests are not asking applicants to prove that they have internalized particular attitudes, feel an attachment to German culture, practice Christian traditions, or feel genuine pangs of guilt when discussing the Holocaust, they constitute a perfectly legitimate means of maintaining the liberal and democratic quality of the state. In his words:

> you cannot run a liberal state that is filled to the ceiling with illiberal people… liberalism is all we have: it is the political theory, the ideology… of differentiated societies. We should trust in its powers, but it would be naïve to assume that it never needs protection – through citizenship tests, for instance, perhaps including their

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[64] Liav Orgad, "Illiberal Liberalism: Cultural Restrictions on Migration and Access to Citizenship in Europe," American Journal of Comparative Law, 58 (May 2010
[65] Christian Joppke, "How liberal are citizenship tests?"

more intrusive variants.[66]

What both fail to recognize is that distinctions between liberal and illiberal are steeped in centuries-old Orientalist discourses. Joppke's comments that there are "illiberal people" from whom liberal societies need "protection" are particularly troubling, and seem to be ripped straight from Edward Said's <u>Orientalism</u>. Indeed, to label a people as illiberal is to continue to draw and redraw the map, distinguishing between the Occident's liberal democracies and the Orient's illiberal regimes. Framing Germany as a country that is deeply embedded in and contributed to the development of Western Europe, which is only ever referred to as "Europe," is to place Germany discretely in the Occident. The European Union, which evaluates membership applications based on having liberal democratic state institutions, a market economy, and the willingness to accept all EU policy, maintains this Orientalist approach as well. Studying European Union enlargement into Eastern Europe, Merje Kuus argues that Eastern Europe states are objects of orientalist discourses that assert essential difference between Eastern Europe and Europe.[67] Similarly, Yusuf Devran's study of European framing of Turkish applications to the EU shows that politicians and media use references to Turkey as a "Muslim Democracy" and as needing a "cultural revolution" to establish irreconcilable differences between Turkey and Europe.[68] For countries without the shared "Christian Occidental" tradition, gaining membership in the European Union requires a process of integration-as-assimilation, because Turkey is seen as unable to be integrated.

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[66] Chistian Joppke,"How liberal are citizenship tests? A rejoinder" (working paper, Robert Schuman Centre for Advanced Studies, EUDO Citizenship Observatory, 2010). http://eudo-citizenship.eu/commentaries/citizenship-forum/citizenship-forum-cat/255-how-liberal-are-citizenship-tests?showall=&start=10.

[67] Merje Kuus, "Europe's eastern expansion and the re-inscription of otherness in East-Central Europe," <u>Progress in Human Geography</u>, 28 (August 2004), 473.

[68] Yusuf Devran, "The Portrayal of Turkey in the British Media: Orientalism Resurfaced," *Insight Turkey*, 9 (October 2007).

In spite of the claim made in 30 Stunden Deutschland that most of the foreigners presently living in Germany are from the European Union,[69] the largest single-country foreign populations are primarily from Turkey and from Eastern Europe.[70] Of the ten largest populations, four are from non-EU member states – Turkey, Syria, Serbia, and Russia – and of the remaining six, three are former Soviet Republics – Poland, Romania, and Croatia. Each of these countries is cast as outside of Europe as a result of its lack of shared Western, Enlightenment heritage. For those with majority Muslim populations – Turkey, Syria, and Serbia – that difference is compounded and deepened by religious differences. Because of this, integration and Germanization are impossible projects, especially for those from the "Middle East." Foreigners who do not share in Germany's "Christian Occidental tradition" are expected to learn that tradition in order to naturalize as well as take part in social life. Those whose phenotype betrays their country or region of origin, however, are likely to be regarded as "Other" on sight.[71] No amount of cultural and political integration can prevent them from being treated as fundamentally and essentially different, although that difference will always be vocalized through assumptions about cultural difference rather than skin color. That is, although immigrants can become proficient enough in German and know enough about German history, culture, and institutions in order to gain citizenship in the state, that citizenship does not necessarily translate into national membership for those who

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[69] 30 Stunden Deutschland, 50.

[70] "Anzahl der Ausländer in Deutschland nach Herkunftsland in den Jahren 2014 und 2015," Statista, de.statista.com/statistik/daten/studie/1221/umfrage/anzahl-der-auslaender-in-deutschland-nach-herkunftsland/

[71] There is an unfortunate dearth of literature discussing the racialization of contemporary German Orientalism. For broader discussions of the intersection between Orientalism and race, see: Akihiko Hirose and Kay Kei-Ho Pih, "'No Asians Working Here': racialized otherness and authenticity in gastronomical Orientalism," Ethnic and Racial Studies, 34 (2011); Douglas Little, American Orientalism: The United States and the Middle East Since 1945 (Chapel Hill: University of North Carolina Press, 2008); Zaki Nahaboo, "Multicultural Society Must Be Defended?" in Citizenship After Orientalism: Transforming Political Theory, ed. Engin Isin (New York: Palgrave MacMillan, 2015); Meghana Nayak, "Orientalism and 'saving' US state identity after 9/11," International Feminist Journal of Politics, 8 (2006); Edward Said, Orientalism.

are labeled phenotypically Other.

The system of privileged knowledge institutionalized in the orientation courses and citizenship tests reifies essentialized differences between Occident and Orient by treating Occidental tradition and heritage as objective knowledge or as the most developed. Certainly, Orgad was correct that there can be nothing "liberal" about a citizenship test that tests cultural knowledge. However, even without questions about cultural traditions and lessons about manners or Christianity's "special role," the reification of Enlightenment thought and Occidental tradition present in Germany's citizenship test, as well as in citizenship tests more generally, makes the institution inherently exclusionary. To wit, Joppke's suggestion that there need be protective measures against "illiberal people" to protect Western European societies drew directly from Samuel Huntington's <u>Clash of Civilizations</u>,[72] but instead of masking race with culture as Huntington did, Joppke masked race with liberalism.

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[72] Samuel P. Huntington, "The Clash of Civilizations?" <u>Foreign Affairs</u>, 72 (1993). See also a similar argument in: Samuel P. Huntington, <u>Who Are We: The Challenges to America's National Identity</u>, (London: Simon and Shuster Ltd., 2004).

Discussion and Conclusion

Producing German Nationals

What does it mean to be German in contemporary Germany? Can someone become a German citizen without becoming a German national? What does continued integration into and participation in the European Union mean for the German national? How can immigrants become national, if at all, in Germany? In order to tackle these questions, this study took a diachronic, comparative historical approach, and was thereby able to examine changes in the German national over time, which included changes made during and after the processes of Allied occupation, European integration, and German reunification.

Chapter One outlined the theoretical basis for this study. I argued that nations are not naturally existing communities, but are instead communities of people who share a belief in particular fictions – internal homogeneity, historically shared ethnicity or language, etc. – that makes them internally and externally recognizable. This understanding of nation as a social relationship emphasizes the creation, negotiation, and institutionalization of the narratives around which the nation is organized. Such a perspective encourages examination of struggles over the establishment of hegemonic national narratives, understood as both continuous processes and as discrete events, and of institutionalized forms of exclusion derived from and legitimated by the national.

Chapter Two began from this perspective and outlined a methodology for studying changes in the national and national exclusion. I argued that the comparative historical approach was well suited to analyzing the national precisely because it is capable of

longitudinal and cross-sectional comparative analysis. Furthermore, its unique relationship to theory – more specifically, its capacity for both deductive grand theorization and hypothesis testing, as well as inductively building middle range theory – allowed for multiple possible research designs, each of which addresses the same macro-social phenomenon.

Chapter Three focused on the process through which the hegemonic German national were negotiated and established. Taking the establishment of a unified "German" state in 1870 as its starting point and ending with the substantial reforms enacted at the end of the 20th century, the chapter explored changes in German citizenship and naturalization law, as well as trends in public contestations over what it meant to be a German national. Treating citizenship law as coming out of the intersection between state interests and the national, the analysis combines understandings of the national derived from citizenship law with expressions of what it means to be national as expressed by historians, politicians, and public figures to get a fuller understanding of German nationhood. In taking such an approach, the chapter highlights the importance of cultural boundaries to becoming national in Germany, especially as they became used more broadly in the second half of the 20th century.

Picking up where Chapter Three left off, Chapter Four begins with the reforms to the citizenship and naturalization law passed in 1999 and examines the establishment and implementation of integration courses and the citizenship test in the following decade. Rather than taking a longitudinal approach to observe changes in the fifteen years following the reforms, this chapter took a cross-sectional approach, first contextualizing and then focusing on the content of the integration courses and citizenship test. The data for this analysis was drawn from the text of the citizenship test, the curricula for the integration courses published by the *Bundesamt für Migration und Flüchtlinge* [Federal Office for Migration and

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Refugees], and three of the six workbooks approved for use in integration courses by the *Bundesamt*. Analysis of these documents revealed narratives of justifiable exclusion for those who do not fit in with the narratives of Germany as Western, European, cosmopolitan, and liberal.

The goal of this chapter is to summarize and contextualize the findings of the previous chapters. Although there is likely more to be found in the data, I will discuss three key findings that bridge Chapters Four and Five in the space below: the role of culture in bounding the German national community, the presence of Orientalist discourses in the German national, and the role of social institutions in producing nationals out of immigrants. I conclude this chapter with a discussion of avenues for further research, including further questions inspired by the findings of this study, research approaches that might shed more light on the questions asked in this study, and questions that would help expand the generalizability of the conclusions from this study.

German Cultural Nationalism

The conventional wisdom is that Germany is the model for the ethnocultural nation. "Ethnocultural," however, has been used in the German context almost exclusively to describe an ethnoracial understanding of national membership. Rogers Brubaker's analysis of the continuities of German citizenship, for example, asserted "ethnocultural nationalism" as the underpinning for the German system of citizenship *jus sanguinis*.[1] The ascription of citizenship by blood that was at the core of 19th and 20th Century German citizenship law as

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[1] Rogers Brubaker, <u>Citizenship and Nationhood in France and Germany</u>, Cambridge: Harvard University Press, 1992.

described by Brubaker, however, focused almost exclusively on the racial dimension of ethnicity. As a result, it was inconceivable to him that German citizenship law could be substantially "liberalized" at the turn of the century or that culture could become the primary institutionalized condition for the ascription of citizenship.[2]

Culture, however, had long been an important marker of difference within the hegemonic German national as expressed through German citizenship law. Opposition to Polish immigration and naturalization in the late 19th Century was articulated as a fear that Poles, and later Danes and Czechs, did not and would not assimilate. Indeed, Bismarck's early approach to Polish immigrants and laborers in eastern Prussia was assimilationist. Even before Bismarck's German Empire, German Romantic philosophers, including Johann Gottfried Herder in the late 18th Century and Johann Gottlieb Fichte in the early 19th, called for a revitalization of German culture and language through the production of both folk literature and an educational regime by which Germans would be raised and produced.[3] For both Herder and Fichte, descent was the means through which German culture and language were transmitted and preserved.

Descent as Fichte conceived of it, however, did not depend on racial purity. Instead, it

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[2] This is, in part, because his argument for citizenship as a state institution is one of inertia. Citizenship models survive as institutions in their respective contexts because (1) they are underpinned by congruous conceptions of nationhood and (2) they "have taken on the inertial weight and normative dignity of [legal] tradition." Brubaker, <u>Citizenship and Nationhood</u>, 186.

[3] Herder's call for a revival of folk literature divorced from the French tradition of the Enlightenment inspired both the Sturm and Drang movement in German literature and the works of the Brothers Grimm. Much early German nationalism was motivated by fear of losing the "German essence" to the encroaching cultural, intellectual, and military power of the French. For more on German philosophical nationalism during the late 18th and early 19th Centuries, see: Arash Abizideh, "Was Fichte an Ethnic Nationalist? On Cultural Nationalism and Its Double," <u>History of Political Thought</u>, 26 (Summer 2005); Robert R. Ergang, <u>Herder and the Foundations of German Nationalism</u> (New York: Octagon Books, 1976; orig. New York: Columbia University Press, 1931); Johann Gottlieb Fichte, <u>Addresses to the German Nation</u>, trans. R.F. Jones and G.H. Turnbull (Chicago: The Open Court Publishing Company, 1922); Royal J. Schmidt, "Cultural Nationalism in Herder," <u>Journal of the History of Ideas</u>, 17 (June 1956); Richard White, "Herder: On the Ethics of Nationalism," <u>Humanitas</u>, 18 (2005); William A. Wilson, "Herder, Folklore, and Romantic Nationalism," <u>Journal of Popular Culture</u>, 6 (Spring 1973).

was the culture and, more importantly, the language that needed to remain pure and determined membership in the national community. This notion of heritage as the primary, and perhaps only legitimate, means of transmitting membership in the German nation relied on the transmission of German values, language, traditions, etc. Indeed, the Nationality Act of 1913, upon which most subsequent citizenship law was based, emphasized the notion of inheriting Germanness through provisions for Germans born abroad. Under this new law, children born abroad to parents with citizenship in the Reich (and later the Republic) were granted citizenship at birth. *Volksdeutsche* [individuals of German descent] abroad who had never possessed Reich citizenship, however, were given no special consideration. Indeed, further provisions in 1920 confirmed the importance of culture to differentiating between members and outsiders, especially within the category of *Volksdeutsch*: ethnic Germans were given special naturalization considerations so long as "they preserved the German outlook and German special nature while abroad."[4] During the German Empire and Weimar Republic, German citizenship, and the membership in the national community to which citizenship was tied, certainly privileged ethnic Germans, but used culture as the final criteria for evaluating naturalization.

The racial component of Germanness, in both national conception and citizenship policy, emerged under Hitler's regime. Under Hitler, the Reichstag passed a new citizenship law that, for the first time, used biological terminology to delimit the boundaries of who could be German. These boundaries began with "German or kindred blood," and were later extended to include "objective" and "scientific" categorizations to prevent people with

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[4] Memorandum from the Reich Minister of the Interior to the different Länder of 1 June 1921 quoted in Nathans, Politics of Citizenship in Germany, 202.

Jewish, Polish, Czech, Romani, or other Slavic heredity from being considered German.[5]

Although there were different categories of racial Germans afforded different sets of rights

based on how closely they reflected the Nazi regime's conception of German national

culture, the Reich's conception of citizenship and nation was, without a doubt, ethno-racial.

Ethnic Germans remained a privileged category after the war. Border changes within

Europe after the war resulted in thousands of ethnic Germans no longer living in or having

access to Germany. The new West German government enshrined the right of return for

these *Volksdeutsche* in 1945 in the constitution and again in 1955 in the Act on the

Regulation of Questions of Nationality. Furthermore, the attribution of citizenship at birth

remained a right exclusive to the children of German citizens until 2000, when the 1999

reforms went into effect. Explicit references to race had been removed and become taboo in

public discourse, but more stringent cultural boundaries were erected and reinforced through

discussion in public forums.[6] Naturalization standards required that applicants demonstrate

command of the German language, a "free-willing and longstanding orientation towards

Germany," and an orientation towards Western Democratic ideals, which were understood as

the basis for German society.[7] Acquiring citizenship as a non-ethnic German required taking

on German values and culture – assimilating, in other words.

The implementation of the citizenship test in 2008, which followed the creation of

"integration courses" four years prior, signaled continued commitment to a naturalization and

citizenship regime predicated on assimilation. Germany's current national narrative draws

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[5] In keeping with the distinction drawn in Chapter 4, I am using heredity to refer to ancestry, where heritage is values, traditions, identity, etc.

[6] For more on this, see the discussions of *Gastarbeiter*, the *Heidelberger Manifest*, and the *Leitkultur Debatte* in Chapter Four, above.

[7] "Einbürgerungsrichtlinien," Gemeinsames Ministerialblatt, (January 30, 1978), 27.

heavily on what they call the "Western Christian tradition" and participation in Europe, which draws on knowledge of Christianity, Enlightenment thought, German culture, and European history and treats them all as ubiquitous. Each of these strains is present in the German *Einbürgerungstest*: in questions about how to properly celebrate Easter, in questions about famous German composers, and in questions about value-laden symbolic gestures from history, all of which are dressed up as non-normative and objective.

The citizenship test, which applicants are required to take and pass in order to naturalize, evaluates an applicant's knowledge of German history, traditions, and civic values. Implicit in arguments that favor citizenship tests that emphasize "liberal values" is an inherent divide between nationals, who are assumed to have knowledge of the civic institutions, history, and liberal principles on which nationhood is based, and non-nationals, who are regarded as lacking this knowledge. Indeed, such tests require applicants "to show allegiance to a constructed national identity understood as a set of principles, historical events and values wrapped into a liberal democratic package."[8]

More clearly than ever before, culture is the pivotal point of difference between members of the German national community and nonmembers. The ideal immigrant, as presented in the workbooks used in the integration courses, is the one who pursues integration (read: assimilation) as an individual project and *becomes* German. However, culture has always been an important aspect of the German national. Naturalization had previously been a possibility for non-ethnic Germans during the German Empire, but relied on proving almost complete assimilation. Bismarck's explicit attempts at forcibly

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[8] Sergio Carrera and Elspeth Guild, "Are Integration Tests Liberal? The 'Universalistic Liberal Democratic Principles' as Illiberal Exceptionalism," (working paper, Robert Schuman Centre for Advanced Studies, EUDO Citizenship Observatory, 2010). http://eudo-citizenship.eu/commentaries/citizenship-forum/citizenship-forum-cat/255-how-liberal-are-citizenship-tests?showall=&start=7.

assimilating migrant worker populations in eastern Prussia in the late 19th Century and the special provisions for those who possessed the *deutsche Gesinnung* [German outlook] and *Eigenart* [special nature] support this. However, this is not to say that culture is the only metric by which applicants are evaluated. Culture can be –and often is – raced and operates as a proxy for race, especially when "race" is a taboo subject.[9]

Expanding the use of culture as a means of bounding the national community places Germany firmly in the company of other Western European nation-states that use political, cultural, and linguistic knowledge measures for assessing if someone is national. In some ways, the German naturalization model resembles the French model Brubaker used as the ideal-type for the political nation and has been characterized as such. It is perhaps more useful, however, to understand this as an expansion of a model that already existed in the German legal and national tradition. Germany had used this as a method for bounding the community of ethnic Germans – that is, as a means of differentiating between the broader category of *Volksdeutsche* and the subset of that category that qualified as *Staatsangehörige* [nationals]. But only recently has this become its primary means of legal differentiation.[10] That said, the cultural and political content that immigrants and naturalization candidates are expected to know and internalize now differs from what it was during the Weimar Period.

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[9] For examples of this in the German context, see my discussion of the *Leitkultur* debate in Chapter 4 above. See also: David Beriss, "Culture-as-Race or Culture-as-Culture: Caribbean Ethnicity and the Ambiguity of Cultural Identity in French Society," French Politics, Culture and Society, 18 (2000); Carolyn McKinney, "Caught between the 'old' and the 'new'? Talking about 'race' in a post-apartheid university classroom," Race, Ethnicity, and Education, 10 (May 2007).

[10] This internal boundary can be seen as early as the period before the establishment of the German Empire in 1871. More specifically, it is present in the struggle between the *Großdeutsch and Kleindeutsch* approaches. Bismarck's approach to the formation of a single German state (the *Kleindeutsch* solution) did not include Austria. Although the Austrians were considered ethnic Germans, Bismarck and other proponents of the approach considered Austrians to have their own culture that was distinct from the German culture. As a result, they could not be German nationals and, therefore, could not be part of the unified German state.

Orientalism and Naturalization

One of the most significant national projects after the Second World War was the reformulation of German national history, narratives, and symbols. What was originally an argument for German exceptionalism, the *Sonderweg* [special path] thesis, which argued that German economic and political development were unique within the broader European context, was reformulated in the 1960s and 1970s to be a deterministic argument for the inevitability of German fascism.[11] Germany's surrender on May 8, 1945 became *Stunde Null* [zero hour] and marked the start of a new period in German national history.[12] During the second half of the 20th Century, German participation in the European Coal and Steel Community – and later the European Union – as well as broader German integration into "Western" supra-national organizations carried with it an Europeanization of German national memory. Over this period, two major discourses were integrated into the hegemonic German national: (1) narratives of national guilt and anti-nationalism and (2) Germany's position within Europe.

The primary narrative propagated by proponents of denazification was that every German was guilty of the atrocities of the war. It was not sufficient to remove high-ranking Nazis from positions of power – whether in academia, state apparatuses, or public media – and public authority. Rather, each individual German also needed to be denazified. Under Allied occupation, placards declaring the guilt of every individual German were posted throughout occupied territories. During the following decades, attempts to address and move

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[11] Jürgen Kocka, "Asymmetrical Historical Comparison: The Case of the German *Sonderweg*," History and Theory, 38 (February 1999), 40-50.

[12] In 1985, German president Richard von Weizsäcker famously stated that "there was no 'zero hour', but we had the opportunity to make a fresh start," essentially critiquing the notion that German history had reset at the end of the war. Richard von Weizsäcker, "Speech during the Ceremony Commemorating the 40th Anniversary of the End of War in Europe and of National-Socialist Tyranny," (Bonn, 8 May 1985).

past the atrocities committed by the Nazi regime all came to the same conclusions: Germans were guilty and the only path forward was to reject nationalism. The German flag, the national anthem, German political heroes, and other standard national symbols were tainted; they were replaced by Western democratic values, the constitution, the public sphere, the memories of the Holocaust and the acts of contrition those memories had inspired, and those cultural figures deemed harmless or apolitical. Expressions of national pride and affiliation were taboo.

At the same time, German participation in the European project became an important facet of German national history and identity. Being German involved being committed to democracy, peace, the Christian heritage of the West, and identifying with the Western tradition. German history was now framed as being part of the history of Western Europe, where it had once been particularistic and on its own *Sonderweg*. These contemporary understandings of German national history and nationhood are reflected in citizenship law as well as the naturalization process. Beginning in 1977, federal naturalization guidelines required that applicants declare their commitment to the "free and democratic constitution."[13] This requirement was codified in the 1990 reforms to the Nationality Act, and was reinforced in the curriculum for the integration courses and the questions of the 2008 citizenship test. Indeed, one text used in the integration courses used the following example: "Danail Akuzov was born in Bulgaria. He has lived in Germany for eight years and has applied for German citizenship. He must embrace the constitution and accept Germany's democratic principles."[14]

This shift in the content of the hegemonic German national to drawing external

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[13] "Einbürgerungsrichtlinien," Gemeinsames Ministerialblatt, (January 30, 1978), 27.
[14] Joachim Schote, Orientierungskurs, (Berlin: Cornelsen Verlag), 19.

boundaries based on political and cultural content created a new privileged class of migrant. Where the pre-1999 laws privileged *Volksdeutsche* by virtue of their heritage but expected them to demonstrate cultural and linguistic knowledge, the post-1999 regime privileged those with the right kind of political and cultural knowledge – namely, Europeans. Germany's role in the founding of the European Union created an understanding of German nationhood that emphasized nearness to Europe. This process occurred through both material and ideological integration. This included shared European policies, such as the opening of physical borders with policies supporting the freedom to travel and work within Europe, and shared narratives of mutual development within Western Europe, Christian heritage, and a post-national outlook. As a result, applicants are functionally divided into two categories: those who share these heritages and those who do not – or as legal scholar Christian Joppke put it, liberal people and illiberal people.[15]

Divisions between "liberal" and "illiberal" – those sharing and lacking the Occidental Christian tradition – rely heavily on longstanding Orientalist narratives. Germany, as a founding member of and central influence in perhaps one of the most successful and normalized Western institutions, represents and has integrated into its hegemonic conception of nationhood those qualities associated with the "Occident": rationality, liberalism, logic, civilization, and peace; on the other hand, those associated with the Orient are understood as possessing none of these qualities. This essentialized difference can be seen in decisions for European enlargement as well as in the priorities and defenses of German – and other

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[15] Chistian Joppke,"How liberal are citizenship tests? A rejoinder" <u>European Union Democracy Observatory on Citizenship</u> (working paper, Robert Schuman Centre for Advanced Studies, EUDO Citizenship Observatory, 2010). http://eudo-citizenship.eu/commentaries/citizenship-forum/citizenship-forum-cat/255-how-liberal-are-citizenship-tests?showall=&start=10

Western European – citizenship tests.[16] Where Germans and those who can become German are Christian, democratic, liberal, rational, and anti-nationalistic, the foreign is conceptualized as Muslim, illiberal, emotional, and too attached to their nation of origin. Potential citizens are conceived of as inherently not knowing or understanding "a constructed set of national liberal democratic history, principles and values ('rules of the game')…."[17]

Producing German Nationals

Examining German citizenship law over time also sheds light on the importance of social institutions in producing German nationals. By understanding who can be a citizen and under what circumstances reveals which social institutions are expected to socialize and produce Germans. Implicit in the pre-1999 citizenship regime, for example, which ascribed citizenship at birth to children born to German citizens relies on the expectation that German parents will produce German children. Because the children of *Volksdeutsche* who were never German citizens were not ascribed citizenship in this manner, it is clear that the state expected the German family to be the institution that would be primarily responsible for socializing children into Germans. German citizenship was transmitted through descent

[16] Yusuf Devran, "The Portrayal of Turkey in the British Media: Orientalism Resurfaced," *Insight Turkey*, 9 (October 2007); Christian Joppke, "How liberal are citizenship tests?" (working paper, Robert Schuman Centre for Advanced Studies, EUDO Citizenship Observatory, 2010). http://eudo-citizenship.eu/commentaries/citizenship-forum/citizenship-forum-cat/255-how-liberal-are-citizenship-tests?showall=&start=7; Christian Joppke, "How liberal are citizenship tests? A rejoinder"; Merje Kuus, "Europe's eastern expansion and the re-inscription of otherness in East-Central Europe," Progress in Human Geography, 28 (August 2004).

[17] Sergio Carrera and Elspeth Guild argue that citizenship tests represent a form of "illiberal exceptionalism" wrapped up in liberal values and history. While a strong and damning critique of the wave of support proclaimed by "liberal" people for this inherently "illiberal" institution, I would argue that their argument does not go far enough to examine how citizenship tests perpetuate an essentialized Occidental-Oriental divide by creating privileged categories. For more of their argument, see: Sergio Carrera and Elspeth Guilt, "Are Integration Tests Liberal?" See also: Elspeth Guild, Kees Groenendijk, and Sergio Carerra, Illiberal Liberal States: Immigration, Citizenship and Integration in the EU (Aldershot: Ashgate, 2009); Ricky van Oers, Eva Erboll, and Dora Kostakopoulou, A Redefinition of Belonging? Language and Integration Tests in Europe (The Hague: Martinus Nijhoff Publishers, 2010).

because the family was the primary socializing institution that would effectively produce a love of the fatherland and German culture.

This reliance on the family corresponds, in part, with the period characterized by the expansion of both compulsory primary school enrollment and the abortive process of nationalizing public education in Germany.[18] Bismarck's initial efforts at eradicating Polish nationalism and producing Germans in East Prussia, for example, targeted primary schools. In so doing, he aimed to utilize the burgeoning socializing institution to Germanize them at a young age and undermine the influence of Polish community leaders and family.

The first reforms to naturalization law that substantially expanded access to naturalization did so for the children of foreigners born in and socialized in Germany. More specifically, the reforms to the *Ausländergesetz* [foreigners' law] in 1990 eased access for youths between the ages of 16 and 24, lived in Germany for at least eight years, and had attended a German school for at least six years.[19] A German education now granted easier access to citizenship precisely because the German education system had become the primary producer of German nationals.

It is no surprise, then, that an integration course was introduced in 2004. Foreign adults would likely never attend a German school and receive the same socialization as German adults had received. Indeed, the integration courses, which were initially developed as an optional means by which to reduce the residency requirement for applicants, and citizenship test are both expected to function as a substitute for passage through the education

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[18] The process of nationalizing education policy continued through the late 1960s and early 1970s, for example. For more on the nationalization of German education, see: Susanne Wiborg, "Why is there no comprehensive education in Germany? A historical explanation," History of Education, 39 (July 2010). For more on enrollment rates, see: Aaron Benavot and Phyllis Riddle, "The Expansion of Primary Education, 1870-1940: Trends and Issues," Sociology of Education, 61 (July 1988).

[19] "Ausländergesetz,"Bundesgesetzblatt Teil I, 34 (July 1990), 1354-1387.

system. Defenders of the citizenship test cite this as one of the primary virtues of such a barrier to naturalization. Political scientist Randall Henson argued that:

> citizenship tests are in a fundamental sense a substitute for education: those born in the country or those who arrived very young can generally be expected to have acquired a basic knowledge of the country's history, institutions, and cultural practices through school… Since immigrants have generally not been schooled in the country, they lack this education…. And making the test a requirement rather than an expectation is no different than making education a requirement rather than an expectation.[20]

Making a similar argument in the same working paper series, Christian Joppke wrote:

> Only citizens vote (at least nationally), and this requires civic knowledge, for the sake of all who have to suffer the consequence of the vote. Citizens acquire civic knowledge in school (which incidentally is mandatory), immigrants don't. So it is apposite that immigrants, who have not been schooled in their country of residence, are required to undergo a civics course and test as condition for citizenship.[21]

It is clear that the school is the primary institution through which nationals are expected to be produced in Germany. Certainly, public media and the family still play important roles in socializing youths into nationals and citizens, but the homogenizing power of the school as a social institution is much more vital to nation-making. For adults, who cannot be expected or required to pass through the German educational system, there are integration courses. These courses are not, however, mandatory. Yet looking to the materials used in the courses, though, indicates that the transformation of adults from foreigner to national is expected to be an individual-led process. Testimonials present in the course

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[20] Randall Henson, "Citizenship Tests: An Unapologetic Defense," (working paper, Robert Schuman Centre for Advanced Studies, EUDO Citizenship Observatory, 2010). http://eudo-citizenship.eu/commentaries/citizenship-forum/citizenship-forum-cat/255-how-liberal-are-citizenship-tests?showall=&start=10
[21] Christian Joppke, "How Liberal Are Citizenship Tests?"

workbooks that are intended to depict "successfully integrated" immigrants all focus on one

central message: integration can only be achieved through individual efforts to become

German. Further exercises tell immigrants that, on average, over 70 percent of Germans want

"foreigners who live in Germany [to] better adapt their lifestyle to the German lifestyle."[22]

German citizenship law reflects a reliance on schools as homogenizing institutions for

the production of nationals and messages about "integration" as an individually-pursued

process of becoming more German. These indicate that the expectation is not integration

understood as a transcultural process of mutual coming-together, but assimilation, in which

the immigrant "acquire[s] the memories, sentiments, and attitudes of other persons and

groups and… are incorporated with them in a common cultural life."[23] This is only possible

because of the greater emphasis on cultural markers of Germanness; there could be no

assimilation if the German national community was bounded solely by ethnicity-as-race.

That said, the conferral of citizenship is not necessarily the conferral of nationality. Just

because individuals become German citizens and are recognized as being culturally national,

does not guarantee that they will be regarded as a member in the nation by other nationals.

That is, there are still barriers to membership that extend beyond socialization, including, for

example, hegemonic understandings of what a "German" looks like.

Avenues for Future Research

As with almost any study, the findings for this study raise a host of new questions that can be

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[22] 30 Stunden Deutschland, (Stuttgart: Ernst Klett Sprachen, 2005), 51, 64.

[23] Robert Park and E.W. Burgess, Introduction to the Science of Sociology, (Reprint, Chicago: University of Chicago Press, 1921 [1969]), 735. See also: G. Reginald Daniel, "Assimilation or transculturation? The diversity of ethnic relations reconsidered," Unity and Difference, 1 (1999), 43-48.

pursued in the future. These range from further questions about the state of the German

national to expanding the questions and findings of this study beyond the German context.

There are, of course, several directions that can be taken, and I will discuss a few of them

here.

One of the most significant limitations of this study is that it takes a purely top-down

approach. Understanding how state institutions, state actors, elites, etc. conceive of and

bound the national through policy, education, writing national history, and other means is an

important first step to thinking about nation, nationalism, and the national. However, reading

policy, speeches, and textbooks can only roughly approximate the attitudes and

understandings of individuals or what sorts of behaviors and interactions those attitudes

produce. Indeed, any study of nation and nationalism is incomplete if it only attends to elite

conceptions of the national. As a result, a key path forward is to study how individuals within

Germany – specifically Germans, European non-nationals, and non-European non-nationals

– understand what it means to be German, as well as if and how an individual can become

German. Doing so could open the analysis to include interviews, observation, or surveys.

Taking a micro-level approach such as this could also allow for study of the role that race

plays in contemporary popular understandings of the German national. Do German nationals

associate race with citizenship and status as a national? Does race structure who German

nationals perceive as being national, whether consciously or subconsciously? Because state

and hegemonic narratives around what it means to be German and the German national have

moved away from heredity and *völkisch* [ethnic] language, these questions are better suited to

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an approach focused on individuals and patterns of behavior.[24]

Another set of questions raised by this study attend to the issue of Orientalism in contemporary Germany, as well as in contemporary Europe more broadly. Is there a tradition of Orientalist narratives in the German national? Are the contemporary iterations of these narratives, which draw heavily on narratives surrounding the European Union, unique to Germany, or can they be found in other Western European nation-states as well? Do policies and statements made by the European Union reflect these Orientalist discourses as well? In what ways do national and supra-national iterations of Orientalist discourses structure and influence one another? Because Orientalist discourses construct essentialized differences between regions, rather than simply differences between nations, questions about the role of Orientalism in structuring national and supra-national identities in contemporary Europe can be posed at multiple levels of organization.

If academics and state officials justify citizenships by arguing that they act as a replacement for passage through the national school system another set of avenues for future research could address these claims. For example, one might evaluate the degree to which youth who go through compulsory education in Germany are held responsible for the same material as those who take the citizenship test, as well as if the material is presented in the same way. More specifically, it would be useful to examine if the national is taught in the same way, if discourses present in the integration courses and citizenship test are also present in German schoolrooms, and if Orientalist narratives are also present there. Another potential direction would be to examine changes in the material taught in schools that helps to produce

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[24] Although this study finds that Orientalist narratives are important aspects of the contemporary German national, and Orientalism is raced and often results in racial divisions, it cannot definitively establish that race structures divisions between "nationals" and "foreigners."

nationals. Studying the messages and content used to socialize nationals in German schools lends itself to several approaches: archival analysis of textbooks, curricula, worksheets, and other artifacts produced for schooling;[25] observation of classrooms for both integration courses and compulsory education; interviews with teachers for both types of education; etc.

Further research on the topics of nation, nationalism, and citizenship are by no means limited to these areas of inquiry. Indeed, future studies may, for example, continue with the comparative historical approach and extend to multiple cases, use process-tracing or Qualitative Comparative Analysis, or take another approach altogether. Regardless, continuing to understand how Orientalist narratives are constantly modernized and integrated into conceptions of nationhood, especially for those nation-states that are party to the European Union, is a vital path forward, especially as regional and global crises push refugees and migrants to seek access to "Fortress Europe."

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[25] This could be a particularly interesting avenue for study, especially because school textbooks are written and produced by private publishing houses, rather than by the state. As a result, publishing companies must ensure that the content of their textbooks coincides with the hegemonic national in order to remain competitive in the market. In this way, they resemble the texts used in the integration classes.

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