

# I ♦ THE INSTITUTION OF CITIZENSHIP



# 1 ♦ Citizenship as Social Closure

Citizenship is a universal and distinctive feature of the modern political landscape. Every modern state formally defines its citizenry, publically identifying a set of persons as its members and residually designating all others as noncitizens, or aliens. Every state attaches certain rights and obligations to the status of citizenship. These rights and obligations define a region of legal equality—what T. H. Marshall called the “basic human equality associated with . . . full membership of a community.”<sup>1</sup>

The citizenry of every modern state is internally inclusive. Defined to coincide roughly with the permanent resident population of the state, the modern citizenry excludes only foreigners, that is, persons who belong to other states.<sup>2</sup> Yet citizenship is not a mere reflex of residence; it is an enduring personal status that is not generated by passing or extended residence alone and does not lapse with temporary or prolonged absence. In this respect the modern state is not simply a territorial organization but a membership organization, an association of citizens.

Although citizenship is internally inclusive, it is externally exclusive. There is a conceptually clear, legally consequential, and ideologically charged distinction between citizens and foreigners. The state claims to be the state of, and for, a particular, bounded citizenry; it claims legitimacy by claiming to express the will and further the interests of that citizenry. This bounded citizenry is usually conceived as a nation—as something more cohesive than a mere aggregate of persons who happen legally to belong to the state.

Although political sociology has been centrally concerned with the rights and obligations of citizenship and with patterns of civic participation, it has been curiously unconcerned with the institution of formal citizenship.<sup>3</sup> In part this reflects the antiformalism of postwar social

science. Sociology has been especially committed to going behind formal, official structures and institutions in order to discover the real working of things. A similar antiformalism has characterized postwar political science, dominated by behaviorist and functionalist approaches. Despite the “new institutionalism” and the revival of interest in the state in the last two decades, the institution of formal citizenship has received no more attention in political science than it has in sociology. From an antiformalist point of view, citizenship is *prima facie* uninteresting precisely because it is formal and official. But this neglects the fact that formalization and codification are themselves social phenomena, with sociologically interesting effects.<sup>4</sup>

A further reason for the sociological neglect of formal citizenship is the endogenous bias of the discipline. As Anthony Giddens and others have pointed out, sociology has tended to take the existence of a bounded national “society” for granted and to focus on institutions and processes internal to that society.<sup>5</sup> There is an emerging research tradition of world-system analysis, but this has tended to focus on political economy, neglecting specifically social and political structures. Significantly, the only explicitly global section of the American Sociological Association is the section on “political economy of the world system.” But even analyses of global social and political structures have neglected formal citizenship.

A final reason for the neglect of formal citizenship is the territorial bias in the study of the state. The state is conceived as a territorial organization, not as a membership organization.<sup>6</sup> The focus on territoriality is understandable. The sociology of the state developed by analyzing the transition from the medieval polity, essentially a network of persons, to the modern state.<sup>7</sup> This transition did centrally involve the territorialization of rule.<sup>8</sup> Yet the historical focus on this transition and the conceptual emphasis on territoriality have obscured another aspect of the development of the modern state and state system: the division of the world’s population into a set of bounded and mutually exclusive citizenries. This has paralleled and reinforced the division of the earth’s surface into a set of bounded and mutually exclusive territorial jurisdictions. Territory and membership are closely related. Indeed political territory as we know it today—bounded territory to which access is controlled by the state—presupposes membership. It presupposes some way of distinguishing those who have free access to the territory from those who do not, those who belong to the state from those who do not. The modern state is simultaneously a territorial organization and a

personal association. With its analytical focus on territorial rule, political sociology has much to say about the former but little about the latter.

The neglect of formal citizenship is unfortunate. For citizenship is not simply a legal formula; it is an increasingly salient social and cultural fact. As a powerful instrument of social closure, citizenship occupies a central place in the administrative structure and political culture of the modern nation-state and state system. The notion of social closure finds its classical exposition in the opening pages of *Economy and Society*, where Max Weber distinguishes between open and closed social relationships.<sup>9</sup> Social interaction may be open to all comers, or it may be closed, in the sense that it excludes or restricts the participation of certain outsiders. A pick-up softball game, for example, may be open, while a game played by teams belonging to an organized league may be restricted to team members, and in this sense closed. Retail commerce is usually open to all buyers, though less often, unconditionally, to all sellers. Worship, conversation, fights, neighborhoods, countries—all may be open or more or less closed.

Although closure is most easily visualized in everyday interaction, the notion of closure illuminates large-scale structures and patterns of interaction as well. The nation-state is architect and guarantor of a number of distinctively modern forms of closure. These are embodied in such institutions and practices as the territorial border, universal suffrage, universal military service, and naturalization. Closure pivots in each of these cases on the legal institution of citizenship. Only citizens have an unqualified right to enter (and remain in) the territory of a state. The suffrage and military service are normally restricted to citizens. And naturalization, which governs access to the status of citizen, is itself closed, restricted to the qualified. Citizenship is thus both an instrument and an object of closure.<sup>10</sup>

## The Territorial State and Closure

In general, closure may occur on the threshold of interaction or “inside” interaction. In the former case initial participation is restricted through barriers to entry or selective admission; in the latter continued participation is controlled through institutions such as probation or performance review. Closure against noncitizens is exercised mainly on the threshold of interaction. This is the case when noncitizens are prevented from entering the territory, or when they are excluded from forms of action reserved for citizens (such as voting or serving in the army). In

one important respect, however, closure occurs inside interaction. Citizens alone enjoy an unconditional right to remain and reside in the territory of a state, including the right to reenter should they leave for any reason. The territory of the state is their territory, and they can plan their lives accordingly. Noncitizens' entry and residence rights, in contrast, are never unconditional. Some noncitizens—clandestine entrants, for example, or persons at the end of a legally limited period of residence—have no such rights. But even privileged noncitizens—those formally accepted as immigrants or settlers—remain “probationary” residents, subject to exclusion or deportation in certain circumstances.

Territorial closure occupies a controlling position in the web of interaction. A person excluded from the territory is excluded from all interaction inside the territory, and from all associated goods and opportunities. These include such basic goods as public order and security and access to a promising labor market. For one fleeing poverty or civil strife, access to the territory of a prosperous or peaceful state may decisively shape life chances. That such access is closed vis-à-vis noncitizens does not mean that it is absolutely or unconditionally closed. States need not, and often do not, exercise their power to exclude noncitizens; and when they do exercise this power, they usually do so selectively, not indiscriminately. Yet in global perspective, the widely ramifying secondary consequences of even selective territorial closure against noncitizens give citizenship a crucial bearing on the basic goods and opportunities that shape life chances.

From the point of view of the noncitizen, then, territorial closure has a decisive bearing on life chances. From the point of view of the state, territorial closure is equally important. The modern state has a fundamental interest in territorial closure. More precisely, it has a basic interest in the principle of territorial closure—that noncitizens may be excluded or expelled from the territory—and in the administrative capacity to bar the entry or continued residence of noncitizens. This does not mean that the state has a basic interest in actually excluding noncitizens. Depending on circumstances, the state may opt for perfect openness, for absolute closure, or (most likely) for partial and selective exclusion. But while the practice of closure varies across demographic, economic, political, and cultural contexts, the principle and the administrative apparatus of closure are essential to the modern state and its project of territorial rule.<sup>11</sup>

Committed to spreading its authority evenly throughout a territory, to “filling up” a bounded space with its authoritative presence, the

modern state makes spatially comprehensive claims to rule.<sup>12</sup> The order it enforces is binding not only on “members” but, to a great extent, on all persons temporarily or permanently present in the territory.<sup>13</sup> Mere presence in the territory makes a person an object of administration by, a provider of resources for, and a subject of claims on the state, while absence from the territory may undo these relations. For this reason the state cannot view with indifference the numbers or characteristics of persons entering, residing in, or leaving its territory.<sup>14</sup> Movement across the boundaries of the space it administers necessarily engages its vital interests.

By contrast, migration did not engage so directly the vital interests of ancient or medieval personal polities, since rule in these settings was exercised over particular sets of persons, not over territories: mere presence did not entail political, administrative, or legal inclusion. Space was not politically neutral or insignificant in such polities, and I do not want to suggest that they were indifferent to migration. But since jurisdiction depended on the personal status of the agent rather than the spatial coordinates of the action, migration was less consequential. Because jurisdictional closure buffered such polities against the consequences of migration, territorial closure was less urgent.

The territorial state, then, has a basic and distinctive interest in being able to control the flow of persons across its borders—in being able to compel, induce, discourage, or forbid the entry or exit of particular categories of persons. The capacity to exclude noncitizens serves this interest, permitting states to compel the exit and forbid the entry of a particular class of persons. But why is it only noncitizens who may be excluded or expelled? The modern state does not have the right, although it does have the capacity, to compel the exit or prevent the entry of its own citizens. The state’s right to expel is thus severely restricted, for expellables—noncitizens—usually comprise only a small fraction of the population. Its right to prevent entry is not so severely restricted, for excludables—again noncitizens—comprise the great majority of potential entrants. Yet even this right remains significantly limited: the state may not deny entry to its own citizens.

The territorial state’s interest in controlling entry and exit is a general one. Why is territorial closure directed against noncitizens alone? It would seem to be in the state’s interest to be able to expel or exclude persons regardless of their status. Why may it not do so? Why are citizens exempted? In practice, illiberal states do sometimes expel and exclude their own citizens. But this violates generally accepted princi-

ples of international law. Moreover, this practice is increasingly difficult to sustain, especially when it involves large numbers of persons or occurs in world regions that are “filled up” with relatively strong states.

Unimpeded, the territorial state might seek to externalize the material and ideal costs associated with unruly, unemployed, unfit, unassimilated, or otherwise undesired residents, whatever their status, by excluding or expelling them. But the territorial state is not unimpeded. With the disappearance of “nonstate, semistate or pseudostate areas of the world,”<sup>15</sup> every state is embedded in a system of coordinate territorial states, each with the same vital interest in controlling migration. Jointly, these territorial jurisdictions exhaust the inhabitable surface of the earth. In such a world a person cannot be expelled from one territory without being expelled into another, cannot be denied entry into one territory without having to remain in another. The one exception is that pathetic and characteristically modern form of limbo in which the unwanted may find themselves, shuttled back and forth between states unwilling to admit them.<sup>16</sup> Occasional instances of complementarity aside, exclusion and expulsion become zero-sum games.<sup>17</sup> One state’s gain is another’s loss: the costs successfully externalized by one must be borne by another. To permit states to exclude or expel persons at will, under these zero-sum background conditions, would multiply occasions for interstate conflict. States into whose territories undesirables had been expelled would threaten or engage in retaliatory “dumping.” A state would hesitate to admit any outsider, for fear that it might be stuck with him if his state of origin denied him reentry. Basic conditions for the orderly interstate movement of persons would not exist.

The limitation of states’ powers of expulsion and exclusion to noncitizens thus responds to the imperatives of the modern state-system.<sup>18</sup> This limitation, though, presupposes the institution of citizenship, with its internationally recognized rules for allocating persons to states. Yet this allocative institution, this social technique for consistently assigning each individual to one and only one state, had to be invented. The modern system of territorial states engendered not just territorial closure against noncitizens but, more fundamentally, the institution of citizenship as such.

The emergence of clearly defined and sharply bounded citizenries in response to the imperatives of the modern state-system can be seen clearly in early-nineteenth-century Germany. After 1815 there were thirty-nine sovereign German states, linked in a loose confederation and sharing an increasingly integrated economy and a relatively homo-



geneous culture. Given the large number of small states, migration within Germany, even over relatively short distances, often crossed state boundaries. And rural overpopulation, together with the breakup of the *ständisch* social order and its restrictions on freedom of movement, engendered large-scale migration among the poor and destitute. Having assumed formal responsibility for poor relief, states tried to protect themselves against the migrant poor by expelling them. But expulsion was a zero-sum game. A state could expel its unwanted migrants only into the territory of a neighboring state, where the migrants were equally unwanted. Increasingly, states sought to coordinate and rationalize their expulsion practices, following two basic principles: a state could expel into the territory of another state only a person belonging to that state; and a state was obliged to admit to its territory its own members. This made it urgent to specify who belonged to the state. Explicit membership rules, specifying who was to count as a member of the state, were spelled out for the first time in the bilateral and multilateral treaties enacted to coordinate and regulate expulsion practices. Thus the need to coordinate admission and expulsion rules among states in a compact and economically integrated state-system led directly to the codification of the rules governing citizenship.<sup>19</sup>

## The Nation-State and Closure

Territorial closure against noncitizens serves vital and tangible state interests; it is essential to the modern territorial state and state-system. The same cannot be said for other modes of membership closure. If noncitizens are regularly excluded from the suffrage and from positions in public service, and if they are exempted from military service, this cannot generally be attributed to any overriding tangible state (or group) interest. The interests sustaining domestic closure against noncitizens are often intangible.<sup>20</sup>

The modern state is not only a territorial state, embedded in a system of coordinate territorial states; it is also a nation-state. The concept of the nation-state, to be sure, is much more ambiguous than that of the territorial state, and its appropriateness for the analysis of late twentieth century states is disputed. For some observers the general lack of fit between political and ethnocultural boundaries vitiates the concept of the nation-state.<sup>21</sup> Others, emphasizing states' universal nation-making aspirations and immense nation-making powers, defend its continued analytical usefulness.<sup>22</sup> There is no need, however, to engage these dis-

putes here, for in one uncontested sense almost all modern states are (or claim to be) nation-states. Almost all subscribe to the legitimating doctrine of national or popular sovereignty. Almost all claim to derive state power from and exercise it for (and not simply over) a nation, a people.<sup>23</sup> A state is a nation-state in this minimal sense insofar as it claims (and is understood) to be a nation's state: the state "of" and "for" a particular, distinctive, bounded nation. For present purposes, the manner of distinctiveness is immaterial, the fact of distinctiveness alone essential. *How* the state-bearing and state-justifying nation is culturally and legally bounded is irrelevant; *that* it is bounded is what matters here.

Domestic closure against noncitizens rests on this understanding and self-understanding of modern states as bounded nation-states—states whose telos it is to express the will and further the interests of distinctive and bounded nations, and whose legitimacy depends on their doing so, or at least seeming to do so. The routine exclusion of noncitizens from modern systems of "universal" suffrage is exemplary in this respect. Suffrage has always and everywhere been closed, but the post-French Revolution nationalization of politics occasioned a gradual shift in the axis and rationale of closure, with complex "functional" systems based on *ständisch* and capacitarian criteria yielding to simple "plebiscitarian" systems based on citizenship.<sup>24</sup> That the exclusion of noncitizens from the franchise for national elections has nowhere been seriously challenged, even in the many European states with sizable populations of long-term resident noncitizens,<sup>25</sup> testifies to the force—indeed the axiomatic status—of nationalism in modern states. This is not the exacerbated, aggressive, passionate nationalism that is the "starkest political shame of the twentieth century," but the routine, ordinary, taken-for-granted nationalism that is the "common idiom of contemporary political feeling," the "natural political sentiment for modern states."<sup>26</sup> The closure of suffrage (and other institutions) to noncitizens, based on the axiom that the nation-state may, in fact must, discriminate between members and nonmembers, is one expression of this "normal," "legitimate," "rational" nationalism.

Domestic closure may serve material interests as well. These may include security interests of state elites in excluding noncitizens, viewed as politically unreliable, from the suffrage, from military service, or from positions in public administration; fiscal interests in limiting noncitizens' participation in costly social programs; or occupational group interests in restricting competition. Where noncitizens comprise a substantial fraction of the population, these material interests might be compelling.

Where they are a small minority, though, closure is sustained mainly by the ideal interest, inscribed in the characteristic legitimation claims of modern states, in maintaining a conceptual, legal, and political boundary between members and nonmembers of the nation-state. Domestic closure against noncitizens is essential to the modern state qua nation-state, just as territorial closure against noncitizens is essential to the modern state qua territorial state.

### Insiders and Outsiders

All forms of closure presuppose some way of defining and identifying outsiders or ineligible. Outsiders may be defined and identified residually, as nonmembers, or directly, as bearers of some disqualifying attribute. If insiders are defined positively—as members of a family, clan, association, organization, or state—outsiders are defined negatively and residually. They are excluded not because of what they are but because of what they are not—because they are not recognized or acknowledged as insiders. On the other hand, outsiders may be defined directly, and insiders residually. Shunning, blacklisting, and quarantining are directed against directly defined outsiders. Ethnocultural closure may be structured either way: it may be exercised against ethnic or religious outsiders defined residually (non-European, nonwhite, non-Christian, non-Anglophone), or directly (Asian, Black, Jew, Spanish-speaking). The noncitizen is a residually defined outsider. Every modern state defines its citizens positively, in accordance with explicit, formally articulated criteria, and its noncitizens residually.

Insider-outsider groupings may have a narrower or a wider interactional and temporal span. At one extreme they may be ad hoc and ephemeral, linked to a particular and fleeting interaction; at the other, they may crystallize into a structured “group,” persisting over time and spanning a variety of interactional settings. In the first case definitions of insider and outsider are narrowly context-bound: outsiderhood in one context has no connection with or implications for outsiderhood in another. In the second case they are relatively independent of context: insiderhood and outsiderhood become general qualifying or disqualifying statuses, entailing inclusion in or exclusion from a variety of interactional contexts. Citizenries are insider groupings of the second kind. To be defined as a citizen is not to qualify as an insider for a particular instance or type of interaction; it is to be defined in a general, abstract, enduring, and context-independent way as a member of the state.

Insiders and outsiders may be defined formally or informally. Formal techniques include the elaboration of explicit and unambiguous criteria of insiderhood or outsiderhood (such as criteria for inclusion in Medicaid or Food Stamp programs or criteria for exclusion on medical grounds from the armed forces); exhaustive enumerations of individual insiders or outsiders (guest lists, registers, rosters, membership rolls, blacklists); and formally administered identification routines in which a particular person is identified as an insider or outsider through the application of general criteria or through matching against enumerative lists. On the other hand, insiders and outsiders may be defined and identified informally through the use of tacit, uncodified, internalized classificatory schemes, the practical mastery of which is distributed among participants in an interaction rather than monopolized by specialized administrators.

Closure based on citizenship is regulated by formally articulated norms and enforced by specialized agents employing formal identification routines. Territorial closure, for example, is regulated by immigration law and corresponding administrative regulations. It is enforced by specialized agents such as border patrol officers and officials at points of entry who employ formal identification routines based on specialized instruments such as passports, visas, and computerized files. Closure against noncitizens is necessarily formal, for the legal quality of citizenship is invisible in ordinary interaction and visible only under the special lens of administrative scrutiny. Thus the development of citizenship proceeds *pari passu* with that of an administrative apparatus of classification and surveillance (in the broadest sense) and a corresponding body of administrative knowledge.<sup>27</sup>

Citizenship is an abstract, formal construct. In principle it has nothing to do with ethnocultural nationality or with any other immediately interpretable markers and identifiers of everyday life.<sup>28</sup> Yet formal closure against legal noncitizens may overlap in practice with informal closure against ethnocultural nonnationals. Enforcement of closure against the former may be biased against the latter. This happens when formal administrative scrutiny is not uniform, but is “triggered” by informal ethnocultural markers—when identity checks, for example, carried out as part of a campaign to detect and expel undocumented noncitizens, are systematically geared to informally defined ethnocultural outsiders.<sup>29</sup>

Closure against noncitizens is enforced for the most part directly, by front-line gatekeepers who deny or limit their access to the territory, the

labor market, voting booths, social benefits, and so on. Direct exclusion may be supplemented by legal sanctions. Territorial closure, for example, is enforced primarily by directly barring entry or compelling exit. If such direct enforcement is viewed as too weak a deterrent of illicit entry or residence, it can be supplemented by sanctions such as fines, imprisonment, or future exclusion from the territory.<sup>30</sup> Sanctions play a more central role in enforcing the closure of the labor market. Here, front-line gatekeepers are not agents of the state, but employers whose economic interest in hiring noncitizens runs counter to their duty, in certain cases, not to do so. Because the front-line gatekeepers have an incentive to grant (illicit) access, exclusion can be enforced only with sanctions.

### Access to Citizenship

Citizenship is not only an instrument of closure, a prerequisite for the enjoyment of certain rights, or for participation in certain types of interaction. It is also an object of closure, a status to which access is restricted. From a global perspective, to be sure, citizenship is virtually universal. In this perspective, citizenship is an international filing system, a mechanism for allocating persons to states. The citizens of a given state comprise the fraction of the world population that “belongs” to that state, rather than to some other state. In a world divided among exhaustive and mutually exclusive jurisdictions of sovereign states, it is axiomatic that every person ought to have a citizenship, that everyone ought to belong to one state or another.<sup>31</sup> And this principle is largely realized in practice. The vast majority of persons possess the citizenship of at least one state. Modern state citizenship differs sharply in this respect from citizenship in the ancient Greek polis or in medieval towns. There it was axiomatic that some persons ought *not* to be citizens of any city. Persons lacking citizenship were not placeless; their status was not anomalous. Rather, they did not form part of the self-governing or otherwise privileged civic corporation.

Although globally inclusive, citizenship is locally exclusive. Every state limits access to its citizenship. It limits the circle of persons to whom it ascribes its citizenship at birth, and it specifies the terms and conditions on which it will permit others to acquire its citizenship.

*Ascription.*<sup>32</sup> Every state ascribes its citizenship to certain persons at birth. The vast majority of persons acquire their citizenship in this way. The ascription of citizenship at birth represents a striking exception to

the secular trend away from ascribed statuses. And it is difficult to reconcile with a central claim—perhaps the central claim—of liberal political theory: the idea that political membership ought to be founded on individual consent.<sup>33</sup> Why is citizenship typically ascribed at birth?

Administrative convenience is part of the reason. Unlike residence, assimilation, loyalty, and other concepts appearing in naturalization law, birth is an unambiguous event about which states maintain relatively clear administrative records. Attributing citizenship at birth, moreover, makes possible a clear and unambiguous assignment of individuals to states without a period of uncertainty. Some individuals will be assigned incorrectly, in the sense that their formal citizenship does not correspond to their actual ties and attachments. But such mismatches can be corrected later. And in any event they are a small price to pay for the clarity and convenience of assigning persons to states at birth. The alternative—a system of voluntary or contractual citizenship that would leave individuals unassigned until their actual social attachments and individual preferences became clear—would be an administrative nightmare. It would also be politically unacceptable. All states regard their citizens as bound to them by obligations of loyalty and service—even when they do not routinely demand service or invoke loyalty. These core obligations of citizenship are too important to the state to permit individuals to opt into or out of them at will.<sup>34</sup> Despite the concern of liberal political theory to found political obligation on the voluntary consent of individuals, the state is not and cannot be a voluntary association. For the great majority of persons, citizenship cannot but be an imposed, ascribed status. This is not to deny that many persons at least implicitly consent to this ascription later in life. But this does not alter the basically ascriptive character of citizenship assigned at birth.

The ascription of citizenship at birth is based on a presumption of membership. This presumption reflects the fact that at birth certain persons have a high probability of developing the close attachments and loyalties to a particular society and state that are supposed to underlie citizenship. Rules of ascription vary among states, but most use birthplace or parental citizenship or both as indicators of membership. The presumption of membership is strongest in the case of persons born on the territory of the state to a parent or parents possessing the citizenship of the state. Reflecting the strength of this presumption, almost all states ascribe citizenship to such persons. At the other extreme, there is no presumption of membership in the case of persons born outside the territory of a state to parents not possessing its citizenship. And no state attributes its citizenship to such persons.

The presumption of membership is ambiguous for persons born abroad to citizen parents and for persons born in the territory to noncitizen parents. It is this ambiguity that allows for variation in states' ascription rules. Variation with respect to the first of these categories is limited and need not concern us. Variation with respect to the second, however, is quite marked, and returns us to the theme of closure.

Traditional countries of immigration—including the United States, Canada, and most Latin American countries—generally ascribe citizenship to all persons born on their territory. Surprisingly, France too ascribes its citizenship, though only at the age of majority, to most persons born on its territory and continuing to reside there. At the other extreme, some countries, including Germany and Switzerland, make no special provision for conferring citizenship on second- or even third-generation immigrants. Their exclusively descent-based citizenship law takes no cognizance of birth in the territory, not even of birth in the territory over two or more generations.<sup>35</sup> In conjunction with restrictive naturalization policies, the ascription of citizenship on the basis of descent alone effectively excludes second- and third-generation immigrants from citizenship.

*Naturalization.* Persons to whom the citizenship of a state is not ascribed at birth may be able to acquire it later in life through naturalization. Rules governing the acquisition of citizenship, like those governing its ascription, can be more or less restrictive. At one pole, naturalization is a purely discretionary decision of the state. The candidate must fulfill certain conditions; but even if these are fulfilled, the state must judge whether or not the grant of citizenship is in its own interest. A negative decision need not be justified and cannot be appealed. Naturalization is anomalous and infrequent, a privilege bestowed by the state on certain deserving individuals. The procedure is long and complex; each case is carefully scrutinized. The state does not promote naturalization and may impose a dissuasively high fee. At the other pole, all candidates meeting certain clearly specified conditions are naturalized. In this system naturalization is expected of immigrants; the failure to naturalize is anomalous. Naturalization is actively promoted by the state. The procedure is simple, scrutiny of most applications perfunctory, and the fees low.<sup>36</sup>

The systems of naturalization in place in the United States and especially in Canada, but also in Sweden, approach the latter pole; those in Switzerland, and especially in Germany, approach the former. This is shown by their results. Taking Germany as a base, foreign residents naturalize at a rate four times higher in France, ten times higher in the United States, fifteen times higher in Sweden, and over twenty times

higher in Canada.<sup>37</sup> Yet even in countries of immigration, naturalization remains closed in an important sense. Naturalization may be open to, and expected of, all persons meeting certain conditions, but the opportunity to satisfy these conditions is itself closed. Naturalization may be limited, as in the United States, to persons who have been formally accepted as immigrants; it is almost always limited to persons who have resided legally in the territory for a certain length of time. By restricting immigration, states indirectly restrict access to naturalization.

Citizenship is both an instrument and an object of closure. Closure against noncitizens occurs in two stages. Free access to the territory and to certain benefits and activities within it is reserved to citizens; and access to citizenship is reserved to persons meeting certain qualifying conditions. Since the qualifying conditions usually include residence in the territory, there is a circular quality to closure based on citizenship. Only citizens enjoy free access to the territory, yet only residents have access to citizenship. This circularity permits nation-states to remain, albeit in considerably differing degrees, relatively closed and self-perpetuating communities, reproducing their membership in a largely endogenous fashion, open only at the margins to the exogenous recruitment of new members.<sup>38</sup>