Citizenship and Nationhood in France and Germany

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For Allan Silver

Preface

The state, wrote Aristotle in the *Politics*, is "a compound made up of citizens; and this compels us to consider who should properly be called a citizen and what a citizen really is. The nature of citizenship, like that of the state, is a question which is often disputed: there is no general agreement on a single definition: the man who is a citizen in a democracy is often not one in an oligarchy." Citizenship of the modern nation-state of course differs fundamentally from citizenship of the ancient Greek city-state. Yet Aristotle's observation has lost none of its pertinence today. We live in a world of bounded and exclusive citizenries. Every modern state identifies a particular set of persons as its citizens and defines all others as noncitizens, as aliens. Today this boundary between citizens and aliens is more important than ever. In a world united by dense networks of transportation and communication, but divided by widening economic, political, and demographic disparities, hundreds of millions of people would seek work, welfare, or security in prosperous and peaceful countries if they were free to do so. Yet because they are not citizens of such countries, they can be routinely and legitimately excluded.

Needless to say, this does not mean that noncitizens have no access to prosperous and peaceful countries. Various economic and political forces lead such countries to admit noncitizens—sometimes in large numbers—to their territories. Western Europe and North America have experienced a great surge in immigration in the last quarter-century. But this influx, large as it is, remains small in relation to the enormous global flows that would occur in a world without bounded citizenries. In a truly cosmopolitan world, as Henry Sidgwick noted a century ago in *Elements of Politics*, a state might "maintain order over [a] particular territory," but it would neither "determine who is to inhabit this terri-

tory" nor "restrict the enjoyment of its . . . advantages to any particular portion of the human race." In such a world, migration would assume unprecedented proportions.

In global perspective, citizenship is a powerful instrument of social closure, shielding prosperous states from the migrant poor. Citizenship is also an instrument of closure within states. Every state establishes a conceptual, legal, and ideological boundary between citizens and foreigners. Every state discriminates between citizens and resident foreigners, reserving certain rights and benefits, as well as certain obligations, for citizens. Every state claims to be the state of, and for, a particular, bounded citizenry, usually conceived as a nation. The modern nation-state is in this sense inherently nationalistic. Its legitimacy depends on its furthering, or seeming to further, the interests of a particular, bounded citizenry.

Yet if citizenship is necessarily bounded, the manner in which it is bounded varies widely from state to state. This book examines the bounds of citizenship in the two core nation-states of continental Europe. Vis-á-vis immigrants, the French citizenry is defined expansively, as a territorial community, the German citizenry—except in the special case of ethnic German immigrants—restrictively, as a community of descent. Birth and residence in France automatically transform second-generation immigrants into citizens; birth in the Federal Republic of Germany has no bearing on German citizenship. Naturalization policies, moreover, are more liberal in France than in Germany, and naturalization rates are four to five times higher. The overall rate of civic incorporation for immigrants is ten times higher in France than in Germany. The gap is even greater for second- and third-generation immigrants. A generation of young Franco-Portuguese, Franco-Algerians, and Franco-Moroccans is emerging, claiming and exercising the rights of French citizenship. In Germany, by contrast, more than one and a half million Turks—including more than 400,000 who were born in Germany—remain outside the community of citizens. Yet at the same time, newly arrived ethnic German immigrants from Eastern Europe and the Soviet Union—over a million in 1988–1991—are legally defined as Germans and automatically granted full civic and political rights.

This book seeks to explain this striking and consequential difference in forms of civic self-definition and patterns of civic incorporation. My approach is historical. Tracing the genesis and development of the institution of citizenship in France and Germany, I show how differing definitions of citizenship have been shaped and sustained by distinctive

and deeply rooted understandings of nationhood. French understandings of nationhood have been state-centered and assimilationist, German understandings ethnocultural and "differentialist." I explain how these distinctive national self-understandings were deeply rooted in political and cultural geography; how they crystallized in the late nineteenth and early twentieth century; and how they came to be embodied and expressed in sharply opposed definitions of citizenship.

More generally, the book seeks to illuminate the origins and workings of national citizenship—that distinctively modern institution through which every state constitutes and perpetually reconstitutes itself as an association of citizens, publicly identifies a set of persons as its members, and residually classifies everyone else in the world as a noncitizen, an alien. The boundaries that divide the world's population into mutually exclusive citizenries, unlike those that divide the earth's surface into mutually exclusive state territories, have received little scholarly attention. Political sociology has treated the state as a territorial organization, neglecting the fact that it is also a membership organization, an association of citizens. My book seeks to redress this territorial bias in the study of the state through a sustained analysis of the genesis and workings of the institution of citizenship.

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Contents

Introduction

Traditions of Nationhood in France and Germany

For two centuries, locked together in a fateful position at the center of state- and nation-building in Europe, France and Germany have been constructing, elaborating, and furnishing to other states distinctive, even antagonistic models of nationhood and national self-understanding. In the French tradition, the nation has been conceived in relation to the institutional and territorial frame of the state. Revolutionary and Republican definitions of nationhood and citizenship—unitarist, universalist, and secular—reinforced what was already in the ancien régime an essentially political understanding of nationhood. Yet while French nationhood is constituted by political unity, it is centrally expressed in the striving for cultural unity. Political inclusion has entailed cultural assimilation, for regional cultural minorities and immigrants alike.

If the French understanding of nationhood has been state-centered and assimilationist, the German understanding has been *Volk*-centered and differentialist. Since national feeling developed before the nation-state, the German idea of the nation was not originally political, nor was it linked to the abstract idea of citizenship. This prepolitical German nation, this nation in search of a state, was conceived not as the bearer of universal political values, but as an organic cultural, linguistic, or racial community—as an irreducibly particular *Volksgemeinschaft*. On this understanding, nationhood is an ethnocultural, not a political fact.

Comparisons between German and French understandings of nationhood go back, in their basic lines, to the early nineteenth century. They were first formulated by German intellectuals, who sought to distance themselves from the allegedly shallow rationalism and cosmopolitanism of the Enlightenment and the French Revolution through an historicist celebration of cultural particularism. Mid-nineteenth-century French intellectuals reversed the evaluative signs but preserved the substance of

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the comparison, celebrating the crusading universalism of the French national tradition. Thus Michelet apostrophized France as a "glorious mother who is not ours alone and who must deliver every nation to liberty!"[1] New and more sharply antagonistic formulations were elicited by the Franco-Prussian War, particularly by the question of Alsace-Lorraine. While German scholars advanced an objectivist, ethnocultural claim to Alsace-Lorraine, based on the facts of language (in Treitschke's extreme version, the facts of "nature"), French intellectuals countered with a subjectivist, political argument emphasizing the will of the inhabitants. The French view found sublimated expression in the celebrated lecture of Ernest Renan, "Qu'est-ce qu'une nation?," the German view in Friedrich Meinecke's magisterial *Weltbürgertum und Nationalstaat*. More detached comparative formulations have been provided by Hans Kohn, Theodor Schieder, Jenö Szücs, Anthony Smith, and others.[2]

In recent years, however, bipolar contrasts involving Germany, especially those pointing to a German "Sonderweg" (special road) to the modern world, have been much criticized. Such accounts, it is argued, measure German developments, minutely scrutinized for faults (in the geological and the moral sense) that might help explain the catastrophe of 1933–45, against an idealized version of "Western," that is, British, French, or American developments.[3] Only through the doubly distorting lens of such culpabilization on the one hand and idealization on the other, the argument continues, does the nineteenth-century German bourgeoisie appear "supine" next to its "heroic" French counterpart, the German party system deeply flawed by English standards, the "German conception of freedom" dangerously illiberal by comparison with the Anglo-American, German political culture fatally authoritarian in comparison with that of the "West" in general.

Comparisons of German and French conceptions of nationhood and forms of nationalism have not escaped indictment on this count.[4] The indictment is not without foundation. The temptation to treat differences of degree as differences of kind, differences of contextual expression as differences of inner principle, is endemic to bipolar comparison; it is heightened when the field of comparison is as historically and ideologically charged as it is here. To characterize French and German traditions of citizenship and nationhood in terms of such ready-made conceptual pairs as universalism and particularism, cosmopolitanism and ethnocentrism, Enlightenment rationalism and Romantic irrationalism, is to pass from characterization to caricature.

Yet if formulated in more nuanced fashion, the opposition between

the French and German understandings of nationhood and forms of nationalism remains indispensable. I aim here to recover the analytical and explanatory potency of this distinction, by rescuing it from the status of the routine and complacent formula, ripe for criticism, that it had become. For the distinctive and deeply rooted French and German understandings of nationhood have remained surprisingly robust. Nowhere is this more striking than in the policies and politics of citizenship vis-à-vis immigrants. Even as Western Europe moves toward closer economic union, and perhaps towards political union, citizenship remains a bastion of national sovereignty. Even as the European Community, anticipating great migratory waves from the south and the east, seeks to establish a common immigration policy, definitions of citizenship continue to reflect deeply rooted understandings of nationhood. The state-centered, assimilationist understanding of nationhood in France is embodied and expressed in an expansive definition of citizenship, one that automatically transforms second-generation immigrants into citizens, assimilating them—legally—to other French men and women. The ethnocultural, differentialist understanding of nationhood in Germany is embodied and expressed in a definition of citizenship that is remarkably open to ethnic German immigrants from Eastern Europe and the Soviet Union, but remarkably closed to non-German immigrants.

State-Building and the Geography of Nationhood

The French nation-state was the product of centuries of state-building, and of the gradual development of national consciousness within the spatial and institutional frame of the developing territorial state.[5] The nation-state forged by Bismarck was also heir to long traditions of state-building and national consciousness, but the two traditions—one Prussian, one German—were radically distinct in territorial frame, social base, and political inspiration. The Prussian state tradition was not only subnational and, after the partitions of Poland, supranational, it was also in principle antinational; while German national consciousness developed outside and—when national consciousness became politicized—against the territorial and institutional frame of existing German states.

This is not to say that national consciousness had no political or institutional mooring in Germany. The medieval and early modern Empire—the Holy Roman Empire of the German Nation, as it came to be called, not without ambiguity, in the sixteenth century—was the

institutional incubator of German national consciousness, analogous in this respect to the Capetian monarchy in France. But while nation and kingdom were conceptually fused in France, nation and supranational Empire were sharply distinct in Germany. And while the early consolidation and progressively increasing "stateness" of the French monarchy gradually formed and strengthened national consciousness, the Holy Roman Empire lost the attributes of statehood in the thirteenth century. Although it survived, with its increasingly rickety institutions, into the nineteenth century, it lacked the integrative power of a centralizing bureaucratic administration and failed to shape a firmly state-anchored national consciousness. German national consciousness was never purely cultural, purely apolitical; yet while it was linked to the memory and to the anticipation of effective political organization, it was for six centuries divorced from the reality. In France, then, a bureaucratic monarchy engendered a political and territorial conception of nationhood; while in Germany, the disparity in scale between supranational Empire and the subnational profusion of sovereign and semisovereign political units fostered the development of an ethnocultural understanding of nationhood.

The wider reach of territorial state-building in France than in Germany in turn reflects a deep difference in economic, cultural, and political geography between what Stein Rokkan and Derek Urwin have called monocephalic and polycephalic zones of Europe. Polycephalic Europe, a legacy of medieval overland trade patterns, consists of the broad north-south belt of closely spaced cities stretching from Italy to the North Sea and the Baltic, and running through the heart of western Germany. Here the density of cities and ecclesiastical principalities inhibited the early consolidation and expansion of territorial states. Large territorial states developed earlier on the fringes of this city belt, where contending centers (such as the Ile de France) faced less competition and enjoyed more room for expansion.[6]

The scale of political authority in early modern Central Europe, then, made it impossible to identify the German nation with the institutional and territorial frame of a state. In Germany the "conceived order" or "imagined community" of nationhood and the institutional realities of statehood were sharply distinct; in France they were fused.[7] In Germany nationhood was an ethnocultural fact; in France it was a political fact.

I am not suggesting that the sense of membership or "identity" was primarily ethnocultural in medieval or early modern Germany. To the extent that anachronistic talk of "identity" makes sense at all, the sub-

jective "identity" of the vast majority of the population throughout Europe was no doubt largely local on the one hand and religious on the other until at least the end of the eighteenth century. For most inhabitants local and regional identities continued to be more salient than national identity until late in the nineteenth century.[8] The point is a structural, not a social-psychological one. The political and cultural geography of Central Europe made it possible to conceive of an ethnocultural Germany coinciding neither with the supranational pretensions of the Empire nor with the subnational reach of effective political authority. It was much more difficult to distinguish nation and state, and therefore to imagine a specifically ethnocultural nation, in France.

A second, closely related difference in patterns of national self-understanding is also rooted in political and cultural geography. The French understanding of nationhood has been assimilationist, the German understanding "differentialist." The gradual formation of the nation-state around a single political and cultural center in France was the historical matrix for an assimilationist self-understanding, while the conglomerative pattern of state-building in polycentric, biconfessional,[9] even (in Prussia) binational Germany was the historical matrix for a more differentialist self-understanding.[10] The vehicle for the concentric, assimilative expansion of nationhood in France was the gradually increasing penetration into the periphery of the instruments and networks of the central state (school, army, administration, and networks of transportation and communication).[11] In Germany, Prussia most closely approximates this model of the assimilationist state-nation. Yet it was the geopolitical fate of Prussia to become, in the late eighteenth century, a binational state; and Prussia failed to assimilate its large Polish population.[12] The French state did not fully assimilate Bretons, Basques, Corsicans, and Alsatians, but its failure was neither so complete, so evident by the turn of the century, nor so consequential for national self-understanding.

The ethnocultural frontier between Germans and Slavs, not only in eastern Prussia but throughout the zone of mixed settlement in East Central Europe, has been basic to German self-understanding. This frontier has no parallel in the French case.[13] Massive eastward migration of Germans in the high middle ages and again in the early modern period had created numerous pockets of German settlement in Slavic lands. Much assimilation in both directions occurred in these borderlands over the centuries. Yet the decisive fact for national self-understanding was the assimilation that did not occur.[14] The preservation of

German language, culture, and national identity over centuries in enclaves and outposts in the Slavic east and the preservation of Polish language, culture, and national identity in eastern Prussia furnished to the German elite a differentialist, bounded model of nationhood, a feeling for the tenacious maintenance of distinctive ethnonational identities in zones of ethnoculturally mixed populations. Germany defined itself as a frontier state, with reference to the German-Slav borderlands, in a way that has no parallel in France.

The Revolutionary Crystallization

The opposition between French and German understandings of nationhood, while rooted in political and cultural geography, was fixed decisively by the French Revolution and its aftermath. The idea of nationhood was first given self-conscious theoretical elaboration in the second half of the eighteenth century. In France reformist philosophes and the urban public opposed the nation to the privileged orders and corporations of the ancien régime, giving the concept of nationhood a critical edge and a new, dynamic political significance. The *cahiers de doléance,* moreover, suggest that a high political charge was attached to the idea of the nation by the population at large in the immediately pre-Revolutionary period.[15] Coinciding with the politicization of nationhood in pre-Revolutionary France, however, was its unprecedented depoliticization in late-eighteenth-century Germany. In the writings of the flourishing *Bildungsbürgertum*[16] of the epoch the German nation was conceived less and less frequently in the traditional political context of the Empire and more and more frequently as an apolitical, ethnocultural entity—an "inward Empire," as Schiller put it in 1801, when the old Empire had entered its final phase of disintegration, or a *Kulturnation,* in the later formulation of Friedrich Meinecke.[17] If this *bildungsbürgerlich* understanding of nationhood was never exclusively cultural, its political dimension was nonetheless in deep recess during the late eighteenth and the first years of the nineteenth century.[18] Elaboration of the idea of nationhood in the second half of the eighteenth century in France and Germany, then, was the work of a broad bourgeois stratum in France and of a narrower, purely literary stratum in Germany. More important, it was oriented to the reform of an existing nationwide state in France but was identified with a purely cultural, indeed a specifically literary national spirit *(Nationalgeist)* in Germany.

When reform failed in France, the radicalized Third Estate constituted