



Deprivation of citizenship in the 21st century

ENACT/ Jean Monnet Programme

Nijmegen 18 & 19 January 2011

In 2010 the issue of deprivation of citizenship has made headlines in more than one EU Member State. The purpose of this workshop is to discuss recent developments regarding this topic in a selection of EU Member States (Netherlands, UK, France, Germany, Spain, and Romania) and link the changes operated at the national levels with the larger European and EU contexts.

The motivations of the state in seeking to divest itself of unwanted citizens are manifold and have changed over the past 100 years in Europe. In the immediate post WWII period, deprivation of citizenship was strongly associated with a failure of allegiance - the state doubted the sincerity of a citizen in his or her commitment to the objectives of the state. In the longer past, the penalty for betrayal of the state was exile, but with the abolition of the state's right to exile its citizens, statelessness became the alternative. However, deprivation of citizenship in Europe's recent past has also been an expression of ethnic cleansing. The longer history of this is well recounted by Arendt - the removal of citizenship from Jews in many parts of Europe thus rendering them non-human. However, in the context of state dissolution (eg the former Yugoslavia and the disintegration of the USSR) the refusal of citizenship/deprivation of citizenship has been a means of changing the ethnic composition of the polity and even the territory.

In the 21st century in Europe, deprivation of citizenship is taking on another aspect - it is the measure of whether the citizen is real or not. Less real citizens, ie immigrants who have acquired citizenship of the state remain at risk of losing that status because of their lack of commitment to the state. Citizenship in a sense has become a form of immigration status for some people, albeit a fairly secure immigration status. Deprivation of citizenship becomes a prelude to expulsion from the territory and polity. Most commonly this appears to be used as a response by European states to what they see as betrayal of the international community - terrorism. At the same time, deprivation of citizenship in the form of withdrawal of naturalization decisions has been quietly taking place under the guise of administrative law and attracting considerably less attention, except for the case of Mr. Rottmann which has pushed the issue on the agenda of the EU.

Deprivation of citizenship taps into a variety of narratives surrounding issues such as loyalty, allegiance, migration, terrorism or crime. The complexity and variety of scripts within which deprivation finds itself inscribed suggests the need to further explore and problematise its usage and consequences in the Europe of the 21st century.



a two day seminar on deprivation of citizenship

Programme Second Day: 19 January 2011

Chair: Engin Isin, Open University (UK)

- 09.00 - 09.20** **Redefining the Boundaries of the Nation: On the Acquisition, Loss, and Deprivation of Nationality in Post-Communist Romania**
Constantin Iordachi, Dept. of History, Central European University
- 09.20 - 09.40** **Citizenship law as policy tool. The case of Romania**
Emod Veress Sapientia University and Babes-Bolyai University (Ro)
- 09.40 - 10.00** **Discussion**
- 10.00 - 10.25** **Deprivation of citizenship and immigration control in the UK**
Helena Wray Department of Law, Middlesex University (UK)
- 10.25 - 10.45** **Discussion**
- 10.45 - 11.00** **Coffee break**
- 11.00 - 11.25** ***The loss of citizenship by revocation of naturalizations or ex lege – overview of the German case law und the legislative changes of 2009***
Andrea Kirsch Ruhr-Universität Bochum (Ger)
- 11.25 - 11.45** **Discussion**
- 11.45 - 12.15** ***European Union citizenship and deprivation***
Dora Kostakopoulou School of Law, Manchester University (UK)
- 12.15 - 13.00** **General discussion and closing remarks**
Elspeth Guild Centre for Migration Law, Nijmegen (NL)