How did facilitated access to citizenship, initiated by the 1999 reform of the Citizenship Act, affect political integration of citizens with migratory background in Germany?

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Executive Summary

Since the 1960s, the structure of the German population has significantly changed as a result of a number of migration waves. This structural change, and the fact that is was rather ignored by German governments, created a democratic deficit. Large parts of the permanent population were structurally excluded from political participation and denied citizenship on the basis of the out-dated German Citizenship Act from 1913. This exclusion constituted a significant obstacle to immigrant integration in general. Only after the national elections in 1998, the newly formed government coalition officially accepted the fact that Germany was an immigration nation and initiated a paradigm change in the area of migration and integration policy. One of their first major policy initiatives that have been enacted was the contested reform of the Citizenship Act in 1999.

This research aims to evaluate how the reform improved the political integration of migrants in Germany until 2013. For this purpose the policy input, output and outcome were analysed on the basis of selected indicators - namely the number of naturalisations, the realised naturalisation potential, the electoral turnout rate and the number of MPs with a migratory background – in the context of the objectives of the reform. The reviewed literature highlights a high importance of the indicators for the integration of migrants. Further, the hypothesis drawn suggests that if an increase and positive development of the indicators can be identified, the legal-political integration of migrants improved.

It is to be noted, that there were strong limitations regarding the availability of empirical data on the topic and that no causal and definite conclusion could be drawn. Nevertheless, the findings suggest that the reform did improve the political integration of migrants in Germany. Firstly, the significant removal of structural legal barriers introduced by the reform led to an increase in naturalisations and a larger share of citizens with a migratory background. Secondly, the electoral turnout of migrants seems to have risen, especially in the second generation, and the number of MPs with a migratory background increased significantly. The results of the analysis seem to indicate a sustainable development and highlight a very relevant and interesting subject area for further and more in depth research by academia and policy makers.

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AuslG	Ausländergesetz (Foreigner Law)
Greens	Bündnis 90/Greens (German Green Party)
CDU	Christian Democratic Union
ESS	European Social Survey
GLES	German Longitudinal Election Study
OECD	Organisation for Economic Co-operation and Development
SPD	Social-democratic Party of Germany
StAG	Staatsangehörigkeitsgesetz (Citizenship Law)

1. Introduction

For decades German governments denied the idea of Germany being an immigration country, even though it was destination to a number of migration waves (Hossmann & Karsch, 2011). Christian-democrat politician Manfred Kanther, who was Federal Minister of the Interior until the elections in 1998, stressed the belief that "there is mutual consent that [...] Germany is no country of immigration, and never will be" (Geissler, 2014). German governments treated the migrant workforce (*Gastarbeiter)* as temporary inhabitants only and, as a result, did not develop policies that facilitated and promoted immigrant integration on the long-term (Butterwegge, Migration in Ost- und Westdeutschland von 1955 bis 2004, 2005). It was the change of government in 1998 that finally initiated a paradigm change in the area of migration and integration policy. In his first government declaration, Gerhard Schröder, the new social-democratic chancellor, heralded a "deterministic integration policy" (Geissler, 2014). This new general approach paved the way for policies that finally reacted to the on-going changes in society, which were caused by the increasing number of citizens with a migratory background (Butterwegge, 2005).

One major policy initiative by the new government was the 1999 reform of the Citizenship Act, which regulates how and under which circumstances one acquires German nationality. The reform faced serious opposition, especially from the Christian Democratic Union (CDU). However, once implemented it significantly reduced legal and regulative obstacles, changed the character of the German citizenship policy and is considered a key indicator for the paradigm change in the field of integration policy. One of the goals of the reform was the reduction of the democratic deficit that resulted from the increasing gap between electorate and population, especially in terms of descriptive representation (Butterwegge, 2007).

After the conduction of the literature review, the following hypothesis was developed: *Facilitated access to citizenship, initiated by the 1999 reform of the Citizenship Act, leads to an increased political integration of people with migratory background in Germany.* Integration research, both academic and political, suggests that the removal of legal barriers will lead to an increase in naturalisations, which will subsequently lead to higher political participation. Both factors are generally considered to be strong indicators for legal-political integration. Hence, a positive development of both would suggest improved (political) integration.

In order to test the hypothesis, a policy evaluation framework is developed to sequentially analyse *input*, *output* and *outcome* of the reform. A set of indicators is selected that consists of naturalisations, voter turnout and the number of elected MPs with migratory background. With these indicators a possible development since the implementation of the reform until 2013 will be analysed. For the purpose of this research, political participation is exemplarily measured on the national level to identify a possible overall development. Moreover, migrants are considered to be one homogenous group and there will be no specification in terms of ethnic background or migration system in order to overcome the lack of available data to some extend. Further, this choice may be justified by the objective of this research, which aims to evaluate overall results and does not seek to identify individual reasons for certain developments.

Due to the change of paradigm and difficulties to gather relevant data, there is neither much research on the political participation and representation of migrants in Germany, nor on political integration in general. This paper aims to contribute to the identification of correlations and the possible impact of the citizenship reform on political integration, which have previously been suggested by academic integration research (Wüst, 2007, p. 147) and political stakeholders (Beauftragte für Migration, Flüchtlinge und Integration , 2014, p. 177) but were not ultimately verified yet. The next chapter will give an overview of the relevant legal-political context in Germany in order to promote the understanding of the research objective and the following policy evaluation.

2. Legal-Political Context

Despite the fact that Germany experienced a number of immigration waves since the 1960s, its self-image did not entail being an immigration country until the end of the 1990s. Over the past decades society's structure has significantly changed, and has grown increasingly ethnically diverse (Hossmann & Karsch, 2011). Before the reform, in 1998, 9% of the German population were foreigners, of which a majority was living in the country for at least 10 years (Mertens, 2004, p. 122). In 2005, when the migration background was first asked for in the annual micro census, 19% of the German population had a migratory background, many of which had no migration experience themselves, but were second or even third generation migrants (Heinrich Boell Foundation, 2005). Developments show that the long pursued self-concept of not being an immigration country, did not portray reality and a majority of the so-called *Gastarbeiter* and their families settled down in Germany (Butterwegge, 2005).

The gap between self-perception and societal realities led to the problem that public policy did not specifically address the needs of the migrant population and neglected measures for long-term integration. This resulted in the consolidation of structural barriers and societal exclusion mechanisms (Hossmann & Karsch, 2011). Until the 1990s migrants were not only broadly excluded from political participation, their interests and integration were also not on the agenda of policy makers. The barriers responsible for the exclusion were often rooted in legal principles and not addressed until it finally came to a political paradigm change in the area of migration and integration. From the beginning of the 1990s on, political elites started to acknowledge migration's structural impact on society and Germany's role as an immigration country (Butterwegge, 2005). From then on, migration and integration research were promoted, problems and barriers identified and new policies developed. This process faced – and still faces today - a significant opposition among policy-makers (Foroutan, 2015).

2.1 Suffrage

Article 20 of the German basic law, the *Grundgesetz,* generally establishes the principle of the sovereignty of the people's rule (*Volkssouveränität),* which awards all democratic powers to the German people, meaning all citizens. This includes the *general* and *equal* suffrage on all electoral levels (Deutscher Bundestag, 2014). The strict exclusion of migrants (who are non-nationals) from participation in elections strongly limits possibilities of political participation, and leads to democratic deficits, especially in regard to accountability (Groenendijk, 214). The gap between

electorate and population has often been criticised, based on the claim that it creates parallel societies and threatens societal peace (Storz & Wilmes, Wahlrecht und Einwanderung, 2007).

One key critique has been issued by the German Constitutional Court in 1990. In the judgement on communal suffrage for permanent residents without German citizenship the Court suggests the following paths to react to the changing composition of society: Firstly, to change Article 28 of the *Grundgesetz* in order to grant communal suffrage to at least some EU citizen living in Germany. Secondly, the constitutional court called for a reform of the citizenship law to facilitate the process of naturalisation. The Court justified its decision by underlining that the right for full political participation is an important requirement for the integration of migrants and desirable in a liberal democracy (Storz & Wilmes, Wahlrecht und Einwanderung, 2007).

2.2 Citizenship

The decision of the Court strengthened the position of supporters of a reform. Until 1999, German citizenship law was primarily based on a legal act that was first implemented in 1913. Since coming into force there were no major changes to it and the prevailing principle was *jus sanguinis*, the principle of descent (Storz & Wilmes, Die Reform des Staatsangehörigkeitsrechts und das neue Einbürgerungsrecht, 2007). Naturalisations were possible but restricted, and they were treated as exceptions rather than as a normal step in the process of integration (Storz & Wilmes, 2007).

2.3 Demands for Reforms

As the paradigm change in integration and migration policy spread, the calls for a reform of the citizenship law got stronger, but especially the ruling Christian Democratic Party (CDU) blocked any attempts. After the CDU was not re-elected in 1998, the newly formed government, consisting of the Social-Democratic Party (SPD) and Bündnis90/Grüne (Greens), embedded the citizenship reform in the coalition contract and submitted the first draft in January 1999 (Storz & Wilmes, Die Reform des Staatsangehörigkeitsrechts und das neue Einbürgerungsrecht, 2007). The proposal included the introduction of *jus soli* and double nationality as well as the significant removal of structural and legal barriers to naturalisation and other integration (Mertens, 2004, p. 120).

The draft was subject to fierce debate between coalition and opposition and the CDU fuelled fears of foreign infiltration and xenophobia within the population. Due to the loss of their

majority in the Federal Assembly, SPD and Greens could not pass the reform by themselves but were dependant on the opposition (Storz & Wilmes, Die Reform des Staatsangehörigkeitsrechts und das neue Einbürgerungsrecht, 2007). As a result a compromise had to be developed.

This chapter highlights the political context and contested nature of the reform, which was a major step in the implementation of a new integration and migration policy and the beginning of a new German self-image of being an immigration country. The following chapter reviews existing literature in order to establish a basis for the subsequent analysis.

3. Literature Review

For the creation of the research hypothesis a number of theoretical concepts are explored and existing research in the field is discussed. The main concept to be reviewed is *structural integration,* more specifically *legal-political integration*. Moreover, the most relevant existing academic and policy research on political participation of migrants and on indicators for immigrant integration are explored.

Prior to the review, some key concepts that are essential to the following chapters, but are not subject to review, are defined. Discussing them in depth would not contribute to the objective of this research but as the meaning is often contested or dependent on the context, a definition is necessary. The definitions are rather *stipulated* than absolute, break the concepts into manageable proportions and promote understanding and interpretation. Existing academic dispute or discussion are mainly put aside (Verschuren & Doorewaard, 2010, p. 132).

3.1 Definition of Key Terms

Citizenship: This research only refers to the legal-political concept of national citizenship. For the purpose of this research it describes the legal-political relation between the state and the individual who is a member of its entity, and which is linked to a certain set of rights and responsibilities (Schubert & Klein, 2011). However, the subject is highly contested and there are different approaches to and definitions of the concept, including sub and supra national citizenship as well as a variety of non-legal concepts (Niessen & Huddleston, Handbook on Integration , 2010, p. 103). In accordance with the usage of German officials as well as scholars, for this research, *citizenship* is used synonymously with the term *nationality* (Schubert & Klein, 2011).

Migrant integration: *Migrant integration* describes a two-way process, involving the immigrant as well as the receiving society, which aims at overcoming individual and structural limitations in order to achieve the integration of the migrants and their incorporation in society. It is a process as well as an aspired state (Henkes, 2011, p. 36).

Migratory background: In the context of Germany, the term *migratory background* officially describes all inhabitants that have a post Second World War immigration experience themselves or are descendants of those first generation migrants. It includes all foreigners who immigrated

to or were born in Germany. Labour migrants as well as the also very large and diverse category of ethnic German re-settlers. (Bundesamt fuer Migration und Fluechtlinge, 2015). For the purpose of this research persons with a migratory background are synonymously referred to as *migrants,* if not indicated otherwise.

Political representation: The notion that parliaments are representative of society, or at least the electorate, is a basic characteristic of liberal democracies. This representativeness is a cornerstone for their legitimacy. There are different approaches on the dimension of the representation, i.e. based on societal class, constituency, gender or ethnic background (Garner, Ferdinand, & Lawson, 2012, p. 199). *Descriptive representation* describes how the body of elected representatives shares certain relevant characteristics - i.e. religion, place of birth or gender – with the electorate (Dovi, 2011). It is argued that this representation should somehow be proportional to the electorate in order to be legitimate, as it should ensure that the interests of those groups are represented and their voices are being heard (Swers & Rouse, 2011). For the purpose of this research, representation is defined as descriptive representation on the basis of migratory background.

The following section will explore structural and legal-political integration as theoretical concepts. For this purpose, the most relevant theories on the topic will be discussed.

3.2 Review of Integration Theories and Discourse

Integration policy generally aims to promote the integration of migrants in the receiving society (Henkes, 2011, p. 36). Its main objective often is to remove structural and legal barriers. There are various kinds of integration policies, depending on target group, objective or object. Generally one should first differentiate between *specific* and *unspecific* integration policy. Unspecific integration policy targets society as whole or certain problems in general, meaning all citizens, no matter which group they belong to. Ultimately, these policies and tools may lead to a better integration of people with a migratory background as well. Specific integration policy, on the other hand, directly targets parts of the population that have a migratory background (Henkes, 2011).

Structural Integration

There are various approaches on how to systematically outline and analyse different areas and policy tools. The most relevant theoretical concepts tackle the challenge by organising the

different tools of specific integration policy according to the societal challenge they are designed to address (Henkes, 2011, p. 54). For this purpose, scholars, sociologists like Hartmut Esser as well as integration researchers like Han Entzinger, created dimensions that refer to different spheres of society where integration takes place. In order to further assess the integration in the dimensions, they are segmented into more specific indicators and tools.

Back in 1980, sociologist Hartmut Esser developed a generally applicable model for the integration of migrants. This model proved very useful for future integration research, according to sociologist Tanja Wunderlich (2005, p. 43). In his work, Esser makes a distinction between different processes: acculturation, assimilation and integration (Esser, Aspekte der Wanderungssoziologie, 1980). Esser's concept of integration is based on David Lockwood's concept of systemic and social integration, where systemic integration is limited to systemic actors, including market and media. Social integration involves the society, migrants themselves as well as institutional actors (Lockwood, 1964, p. 245). Esser distinguishes four different dimensions in this process: *acculturation, positioning, interaction* and *identification* (Esser, 2004, p. 20). *Acculturation* describes the acquisition of knowledge and competences that are necessary for successful participation and interaction in society. *Positioning* describes the placement of actors in certain existing positions in society as well as the granting of certain rights, including citizenship and suffrage (Esser, 2004, p. 9). The *interaction* dimension focuses on the cultivation of social relations in the migrant's everyday life (Esser, 2004, p. 11). *Identification* takes into account the mental and emotional relation between individual and social system (Esser, 2004, p. 12). All four dimensions are causally linked to each other (Esser, 2004, p. 16).

Another relevant researcher in the field of migration and integration is Han Entzinger. In a report for the European Commission, issued in 2003, Han Entzinger and Renske Biezefeld map out the dimensions of integration and draw together a set of indicators for analysis and monitoring (Entzinger & Biezeveld, 2008, p. 4). They identify four strongly interconnected fields of integration: socio-economic, legal-political and cultural, as well as the attitude of the receiving society. The latter focuses on (anti-) discrimination and underlines the general assumption that integration is everything but a one-way process (Entzinger & Biezeveld, 2008, p. 28). The socio-economic field deals with participation in the labour market and education, as well as language skills and welfare levels (Entzinger & Biezeveld, 2008, p. 19). Cultural integration takes into account the importance of mutual cultural understanding and the acceptance of societies' core

values (Entzinger & Biezeveld, 2008, p. 22). The field of legal-political integration focuses a lot on granting equal rights, but also entails political and civic participation (Entzinger & Biezeveld, 2008, p. 25).

Rinus Penninx developed a typology that consists of only three dimensions (Penninx, 2005, p. 139). Similar to Entzinger and Biezeveld, he focuses on the socio-economic, the legal-political and the cultural dimension of integration policies. Despite the fact that Penninx does not take into account the attitude of the receiving society, his conceptualisation is rather similar to the one of Entzinger and Biezefeld. Both concepts identify the socio-economic, the legal-political and the cultural dimension. Esser's model is rather different. However, even though his approach focuses more on the individual than on the societal sphere, his dimensions may be linked to the ones identified by Entzinger and Penninx. *Positioning* deals with the occupation of positions in the socio-economic but especially in the legal-political dimension. *Acculturation* refers to the socio-economic dimension, being closely linked to education and work skills. *Interaction* and *identification* are mainly covered by the cultural dimension.

A Eurostat pilot study to identify indicators for immigrant integration suggests a framework consisting of *four* main areas: employment, education, social inclusion – which are all covered by the socio-economic dimension - and active citizenship, which is part of the legal-political dimension (Eurostat, 2011, p. 10). Further, the *European Agenda for the Integration of Third Country Nationals*, also refers to the socio-economic and the legal-political dimensions, in order to promote integration and to realise the migrants economic potential (European Commission, 2011, p. 4).

In a study of the German *Friedrich-Ebert-Foundation*, on the conditions for successful integration, Dieter Filsinger reviews integration concepts and highlights lines of dispute and consent (Filsinger, 2008, p. 6). The areas he identifies can also be assigned to the dimensions mentioned above. Firstly, he introduces legal equality, political participation and naturalisation, which are linked to the legal-political dimension. Participation in education (Filsinger, 2008, p. 13) and employment (Filsinger, 2008, p. 20) cover the socio-economic dimension and the cultural dimension is covered by intercultural awareness and exchange (Filsinger, 2008, p. 31).

Figure 1: The Three Dimensions of Integration

Drawing a conclusion on the reviewed concepts, three main dimensions of integration that seem to be the most common are identified: The cultural, socio-economic and legal-political dimension (Figure 1). These dimensions are commonly used and generally accepted among academic and political researchers (Henkes, 2011). They allow a systemisation of integration processes and other, more specific categories – i. e, by Esser - may be assigned to them.

The legal-political dimension is often considered to be the most important. Granting migrants political and civic rights is a prerequisite for other integration processes and key for the sustainability of the integration (Esser, Integration und ethnische Schichtung, 2004, p. 16). Entzinger and Biezefeld also stress the importance of legal-political integration, referring to an increase in research by the European Commission (Entzinger & Biezeveld, 2008, p. 30). Due to its importance, in general and for the purpose of the research, this dimension will be reviewed more in depth in the following.

Legal-Political Integration

The dimension of legal-political integration mainly deals with the granting of rights, citizenship and access to decision-making processes, as well as civic engagement and political participation (Henkes, 2011, p. 56). The legal status does not only allow the political participation of migrants, often it also enables or facilitates access to education and economic participation (Filsinger, 2008, p. 11). Even though legal-political integration is considered to be the foundation for immigrant integration it cannot ensure socio-economic or cultural integration. “Secure legal status and access to social and even political rights do not prevent migrants from being marginalised” and

one should distinguish "between policies and rights, on the one hand, and actual opportunities and conditions, on the other" (Zincone, Caponio, & Carastro, 2006, p. 5).

There are various policy tools to promote legal-political integration. The range varies from resident permits, to the support of migrant organisations, to the instalment of political advice councils (Henkes, 2011, p. 55). As indicated earlier, one of the main tools is naturalisation. Rights and responsibilities linked to the legal status of citizenship possibly increase migrants commitment to participate politically. Only citizenship allows migrants to be a full member of the national community (Niessen & Huddleston, Handbook on Integration , 2010, p. 101). A joint report on integration indicators, issued by the OECD and the European Union in 2015, considers citizenship to be a key factor for legal-political integration. It allows migrants to become an integral part of society, to actively shape the joint future and to participate in decision-making (OECD/European Union, 2015, p. 210).

The German *Federal Commissioners for Migration, Refugees and Integration* stress that political participation is a cornerstone for integration (Beauftragte für Migration, Flüchtlinge und Integration , 2014, p. 177). Their report calls for policy initiatives to tackle the severe underrepresentation of migrants in national politics in order to achieve more accountable and representative decision-making processes. It also highlights that active as well as passive suffrage in Germany are limited to citizens, therefore the acquisition of citizenship should be further promoted and facilitated. (Beauftragte für Migration, Flüchtlinge und Integration , 2014, p. 184). This recommended action was previously also demanded by the European Commission. In its 2011 agenda on integration, the Commission calls for the removal of legislative and structural barriers and the enhanced involvement of migrant representatives (European Commission, 2011, p. 7).

In the *European Handbook on Integration* Niessen and Huddleston support the position of the Federal Commissioners. The authors call for integration through the acquisition of nationality. The report strongly recommends the removal of legal barriers that intentionally or unintentionally hinder or exclude permanent third-country residents. It argues that this would lead to greater openness in society, higher acquisition rates and ultimately encourage active citizenship and political participation (Niessen & Huddleston, Handbook on Integration , 2010, p. 101). The authors suggest that it is in the political, social and economic interest to promote and

facilitate naturalisations, as it would prevent the emergence of long-term democratic deficits. Further, the principle of enfranchisement is underlined, which suggests "those who live by a country's laws [to] have an equal say in their making" (Niessen & Huddleston, Handbook on Integration , 2010, p. 106). This principle can be linked to the concept of descriptive representation that is defined earlier in this chapter.

As a result of the reviewed theoretical considerations the dimension of legal political integration is chosen to remain subject to the following evaluation and analysis. Its high importance for integration in general is highlighted by the reviewed concepts. Moreover, naturalisation and the acquisition of citizenship, as main tools in this dimension are examined more in depth. Furthermore, the reviewed texts suggest that high barriers for the acquisition of citizenship will consequently hinder integration and should therefor be removed. The next section will move on to the analysis of practical implications and existing research on indicators, naturalisation and political participation of migrants.

3.3 Existing Research

As a result of migration dynamics and changing demographics in European societies, there is an increase in research in the field of integration policy and processes in general, and also on legal-political integration. Social scientists started to specifically research political participation and representation of migrants (Bird et al. (2011); Fonseca (2011); Saalfeld (2011); Wüst (2013); Wunderlich (2005)) and the European Union (Eurostat, 2011) as well as the OECD (OECD/European Union, 2015) encourage the development of coherent sets of integration indicators and evaluation schemes. This chapter aims to lay out relevant key findings and to introduce the most relevant indicators for political integration.

Indicators

As indicated earlier, granting citizenship is important for political integration. It is not only a legal-political policy tool (Henkes, 2011, p. 55), the naturalisation rate is also generally considered to be a key indicator for successful legal-political integration (OECD/European Union, 2015, p. 21). However, the labelling varies depending on the approach and the analytical framework that is applied (Henkes, 2011, p. 58).

Starting from a European perspective, the Eurostat pilot study on integration indictors lists the acquisition of citizenship as core indicator for active citizenship (Eurostat, 2011, p. 10) whereas

the OECD assigned it to the field of civic engagement (OECD/European Union, 2015, p. 21). Moving to the national perspective, the Federal Commissioners on Integration also take the naturalisation rate into account as an indicator for political integration (Beauftragte für Migration, Flüchtlinge und Integration , 2014, p. 221).

Looking at the dispute about its actual role, the importance of the acquisition of citizenship becomes evident. On the one hand, it is argued that the acquisition of citizenship is one of the final steps towards successful integration, as it implies that the migrant feels strongly connected to the new country of residence and wants to be a full member of the community, which is legally completed by naturalisation (Wunderlich, 2005, p. 46). On the other hand, naturalisation is considered as a foundation rather than an end. This comparison lacks adequacy, though. Both approaches could be justifiable. For many migrants it is probably a cornerstone, but for overall integration, the acquisition of citizenship often takes place after the achievement of a certain level of integration. Otherwise, migrants would probably not choose to acquire citizenship, especially because in most cases it is necessary to give up the former nationality. In fact, some studies suggest that the majority of newly naturalised citizens are already very well integrated in terms of socio-economic and cultural indicators, compared to native-born citizens (Henkes, 2011, pp. 57-58). However, it has to be kept in mind, that "political integration is [...] neither an immediate nor an automatic consequence of emerging opportunities for participation" (Bird, Saalfeld, & Wüst, 2011, p. 50), which emerge through the acquisition of citizenship. Tanja Wunderlich agrees with this demur and underlines that the legal status itself may not guarantee the receiving of privileges (Wunderlich, 2005, p. 46).

Another main indication area in the dimension of legal-political integration is the political participation of migrants. This includes active electoral participation as well as the representation of migrants among elected representatives (Beauftragte für Migration, Flüchtlinge und Integration , 2014, pp. 185-187). These indicators are especially important, as society's power structures do not open up automatically, and migrants' presence and involvement in decision-making lead to a removal of structural deficits (Frech & Meier-Braun, 2007, p. 14).

Both the OECD and the European Union consider participation in elections as key indicator for integration (2015, p. 21). The fact that naturalised citizens make actual use of one of the most

fundamental civic rights and thereby actively shape politics and society, is considered to be a strong indicator for successful integration (OECD/European Union, 2015, p. 210).

Representation of migrants among elected members of the parliament is included in the Eurostat list of integration indicators (Eurostat, 2011, p. 10). Research suggests that descriptive representation could have a significant effect on political integration. Even though, a more proportional share of elected representatives with migratory background does not ensure the substantial representation of migrants' interests, it is certainly of a symbolic value, adds democratic legitimacy and may mobilise electoral participation (Bird, Saalfeld, & Wüst, Ethnic diversity, political participation und representation, 2011, pp. 5-6). Further, it also leads to a change in the political opportunity structure of the electoral system and to the provision of incentives for participation (Fonseca, 2011, p. 111).

Naturalisation and Migration Background

The Federal Bureau of Statistics (DeStatis) is the main provider of empirical data for the subject area and is used by many researchers. Due to the institution's established respectability and high standard methodology, execution and analysis, the information retrieved is substantial and reliable. It collects data on the naturalisation rate and the number of naturalisations each year (Statistisches Bundesamt, n.d.). Since 2005, it also raises information on the migratory background of the population in the course of the annual micro census (Statistisches Bundesamt, 2015). With the provision of this information DeStatis meets researchers' and policy-makers' demands and the development highlights the change of paradigm. However, there is some criticism regarding the depth of the information and a call for more details (Heinrich Boell Foundation, 2005). In addition to the quantitative approach, there is some qualitative research on the acquisition of nationality. Amongst others, Tanja Wunderlich researched motivation and effect of naturalisation in the legal-political dimension of integration (Wunderlich, 2005).

Political Participation

As a result of the structural changes within the population and the growing share of citizens with migratory background the structure of the electorate is changing as well. According to Andreas M. Wüst (2012, p. 157) and other scholars (Bird, Saalfeld, & Wüst, 2011, p. 48) the potential political impact of migrant voters is increasing significantly, as voters as well as elected representatives. This observation is not limited to the field of academic research; the *Federal*

Commissioners on Migration, Refugees and Integration also highlight their increasing importance (Beauftragte für Migration, Flüchtlinge und Integration , 2014, p. 178).

Furthermore, the Commissioners demand migratory background to be part of the standard set of questions in exit polls and general surveys in order to promote research (Beauftragte für Migration, Flüchtlinge und Integration , 2014, p. 189). The lack of existing data on electoral participation is heavily criticised by many scholars. Wüst, for example, states that the lack of data – as well as the difficulties to gather it - has a strong influence on the research on political integration. Moreover, he explains the fact that less data is available in Germany compared to other European countries with the long-lasting denial of being an immigration country (Wüst, 2012, p. 160).

The criticism is justifiable as there are only a few surveys that provide information on the electoral turnout of migrants in Germany. Namely the *European Social Survey* (ESS) and the *German Longitudinal Election Study* (GLES), both of them lack quality and quantity in terms of their data (Wüst, 2012, p. 164). As a result of the data limitation there is not much academic research on the topic. However, based on the existing information, some insights regarding the electoral behaviour of different generations of migrants, as well as different groups from different *migration systems* could be gained (Bird, Saalfeld, & Wüst, 2011, p. 50).

The research on the electoral representation of migrants is even scarcer (Wüst, Migrants as Parliamentary Actors in Germany, 2011, p. 250). There is no coherent and systematic set of data or surveys available. Wüst's analysis of migrants as parliamentary actors is based on different sources, including interviews and archive information, as well as the German Candidate Study (2005) and is mainly based on the *political opportunity structure approach* (Wüst, Migrants as Parliamentary Actors in Germany, 2011, p. 252). For the years 2009 and 2013 the journalistic online platform *Mediadienst Integration* provides information on parliamentarians with a migratory background (Mediendienst Integration, n.d.).

Recapitulating on the finding, the review of existing research in the field of legal-political integration shows that naturalisation is considered to be a key step in the integration process. However there is academic dispute on the concrete role, if it is a prerequisite or rather a final step towards integration. Furthermore, scholars highlight that the acquisition of citizenship is no

guarantee for successful integration. Taking this discourse into consideration, it can be noted that even though its specific role is open for debate, naturalisation can be identified as key indicator for legal-political integration.

The political participation of migrants is identified as another key indicator for legal-political integration. Firstly, passive as well as active participation in elections show that migrants feel closely linked to society and want to actively shape its future. Secondly, this participation leads to an increased legitimacy and representativeness of the government. This subsequently opens up power structures and creates incentives for higher participation and promotes integration.

Both areas of indication, naturalisation and political participation are selected for the evaluation of the reform of the citizenship act. They are both considered to be important for integration and are also closely linked to each other. Even though the role of naturalisation for integration is under debate, it is certainly a prerequisite for active and passive political participation of migrants on the national level.

3.4 Research Hypothesis

As a result of the literature review above, the following underlying hypothesis for this research is established: **Facilitated access to citizenship, initiated by the 1999 reform of the Citizenship Act, leads to an increased political integration of people with migratory background in Germany.** Existing research suggests that the removal of legal barriers will lead to an increase in naturalisations, which will subsequently lead to higher political participation. Both factors, naturalisation and political participation, are generally considered to be strong indicators for legal-political integration. Hence, a positive development of both would suggest an improved (political) integration. The next chapter outlines and explains the methodology that is developed to test the hypothesis.

4. Methodology

The testing of the hypothesis is entirely based on desk research, more precisely on the analysis of a set of secondary data, including legislative texts, academic articles and books, as well as statistic data. The mixed methods used for this research are conducted *sequentially*, meaning that the results of the different methods are mostly analysed before advancing to the next one (Gilbert, 2009, p. 130). This sequential character is reflected in the analytical framework, which is introduced later in this chapter.

4.1 Conceptual Design

During the course of the research, in-depth document-analysis is conducted, combining methods of *literature survey* and *secondary research* (Verschuren & Doorewaard, 2010, pp. 195-196). The selection of the methods varies depending on how to best address each sub-question, in order to contribute to the verification of the hypothesis. The combination of qualitative and quantitative data analysis seeks to overcome method and data related limitations and ensures that the sub-questions are answered most adequately. The analysis of qualitative data allows to add depth as well as an additional perspective to the empirical analysis (O'Leary, 2014, pp. 146-148).

The nature of the research perspective can be described as an *evaluation research.* A set of indicator-based criterion is necessary for the analysis of the policy (Verschuren & Doorewaard, 2010, p. 78). For this research, political participation is measured on the national level only. Further, migrants are considered to be one homogenous group, not taking risk and enabling factors of different groups into account and not focusing on the analysis of one specific group. Due to the substantial lack of exiting research and empirical data as well as to the scope of this research this would not be feasible.

4.2 Analytical Framework

In order to answer the research question and to assess to what extend the hypothesis can be verified, an indicator-based policy evaluation framework is developed (Figure 2). The analytical framework used is an adapted and simplified version of an 'ex-post policy evaluation framework of social change', previously established by Jan Niessen and Thomas Huddleston in 2009 (Niessen & Huddleston, 2009, pp. 25-26). This framework is designed for retrospective impact assessment, to evaluate the realisation of a vision of social change. For this purpose, the vision of change is operationalised and specific indicators developed.

Due to the limited scope and means, as well as a lack of existing empirical data, this research will not evaluate so-called impact indicators, which indicate long-term policy impact and societal change. This paper will only analyse policy input, output and outcome (Niessen & Huddleston, 2009), also in a simplified manner. The indicators selected for the different stages of the evaluation are based on existing research and relevant publications on the topic, and were reviewed earlier in this paper. By combining evaluation frame and indicators, the following framework for analysis was developed. It allows to adequately answer the research questions and to subsequently conclude on the verification of the hypothesis.

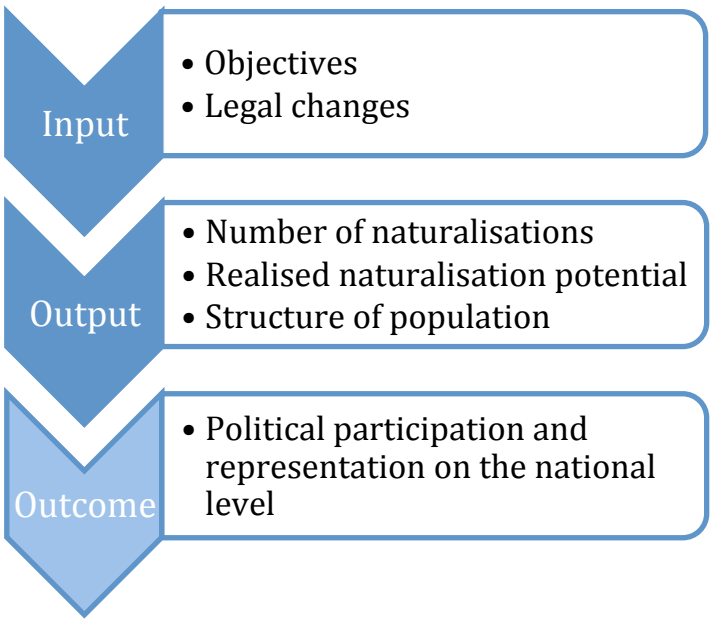


Figure 2: The Analytical Framework

Firstly, the policy input, as a response to the previously established issue, is analysed. The assessment of the input, meaning the reform of the Citizenship Act, will be based on the qualitative analysis of the legal document and existing research. The analysis will focus on how "normative principles that make up the vision of change have been translated into concrete laws" (Niessen & Huddleston, 2009, p. 27). Moreover, the analysis focuses on the objectives of the reform.

The second step of the evaluation will focus on the analysis of the output, meaning the direct effect of the reform, in regard to its intermediate goals. For this purpose, the numbers of naturalisations, as well as the realisation of the naturalisation potential (aEP) are analysed. In order to draw a conclusion on the effectiveness of the reform, the statistics on the number of naturalisations is analysed for the years between 2000 and 2013. The aEP was first introduced in 2005, therefore its analysis is limited to the years between 2005 and 2013. This timespan allow the identification of changes and possible trends.

The first two steps are especially important because means as well as intermediate indicators of the policy should be evaluated and understood before its outcomes could be analysed. This

missing middle is often not taken into account as policy-makers focus too much on result indicators, while neglecting the conditions to achieve the change (Niessen & Huddleston, 2009, p. 26).

The evaluation will advance further towards the result indicators, analysing the policy outcome in the context of migrants' political participation. In order to get viable information on this complex field two indicators are selected on the basis of the preliminary research. Information on the electoral turnout and the number of elected MPs with a migratory background should provide sufficient information for the purpose of this research. Statistics and survey results will be analysed, insofar as information is available.

The data on the electoral turnout of citizens with migratory background is mainly based on two different surveys, and is only available from 2002 to 2009. The *European Social Survey* (ESS) provides data for the analysis of the national elections in 2002 and 2005. Information on the 2009 turnout is retrieved by the *German Longitudinal Election Study* (GLES) study. Methodology, scope and information retrieved from the studies vary significantly and quantity and quality of the data are generally not sufficient to draw any ultimate conclusions. However, the results of all three studies can be considered viable and may be used to identify trends and highlight developments for the purpose of this research (Wüst, 2012, p. 164). In order to make up for the lack of substantiated empirical data for the outcome indicators, the focus of analysis will shift to a more qualitative approach and increasingly rely on literature survey.

By applying the developed analytical framework, the following chapter evaluates policy input, output and outcome of the 1999 reform of the Citizenship Act in order the test the previously established research hypothesis.

5. Policy Evaluation

After years of inter-party debate between CDU on the one side and SPD and Greens on the other, power structures shifted. In July 1999 the reform of the Citizenship Act (Appendix I) was finally adopted by the newly formed government coalition of SPD and Greens. However, because the government was dependent on some opposition support in the Federal Assembly, the reform could only be passed after fierce negotiations on content and scope (Mertens, 2004, p. 114). The government coalition had to accept a number of compromises, which diminished the original character of the new citizenship law. However, the agreed version still constitutes a significant improvement to the former one. Its provisions, most of which dated back to 1913, were out-dated and did not serve societal realities (Mertens, 2004, p. 120). This policy evaluation analyses the reform in the context of its possible impact on the political integration of migrants by using the previously established framework.

5.1 Input

It is to be noted that the 1999 policy initiative is no overall renewal of the German citizenship law, but a substantive reform. More general changes were that its name was changed to *Staatsangehörigkeitgesetz* (StAG), old provisions were adapted to the new legal situation and other legal acts on the issue annulled (Mertens, 2004, p. 125). With the introduction of *jus soli*, the option obligation and the acceptance of double nationality some key principles of the German citizenship law have been changed (Storz & Wilmes, Die Reform des Staatsangehoerigkeitsrecht und das neue Einbuergerungsrecht, 2007).

Moreover, §36 StAG introduces the more detailed collection of information on persons with migratory backgrounds in the course of the annual micro census, and makes changes to the methodology of the data collection (Deutscher Bundestag, 1999, p. 1619).

Objectives

According to the *Federal Ministry of the Interior*, there are two main reasons for the reform: Firstly, the legal act mainly originated in 1913 was considered to be anachronistic. Especially because of Germany's history and in European comparison the principle of strictly limiting citizenship on the basis of descend seemed rather out-dated. Secondly, this anachronism was underlined by demographic developments (Bundesministerium des Innern, n.d.). In 1998, 9% of the permanent population did not possess citizenship (Struck, et al., 1999, p. 11).

Under democratic points of view, it was not deemed desirable to longer exclude a large group of permanent residents, sometimes over generations, from the national community as well as civic rights and responsibilities (Bundesministerium des Innern, n.d.). As established in the cross-party proposal, the objective was to achieve a congruency between permanent residents and those who hold citizenship in terms of migratory background (Struck, et al., 1999, p. 11). This should lead to better integration on the long-term. It was supposed to be accomplished by facilitating the acquisition of citizenship, which should increase the number of naturalisations through the implementation of the following provisions (Struck, et al., 1999, p. 4) (Figure 4). Generally a modern citizenship policy should cater integration policy objectives (Struck, et al., 1999, p. 11).

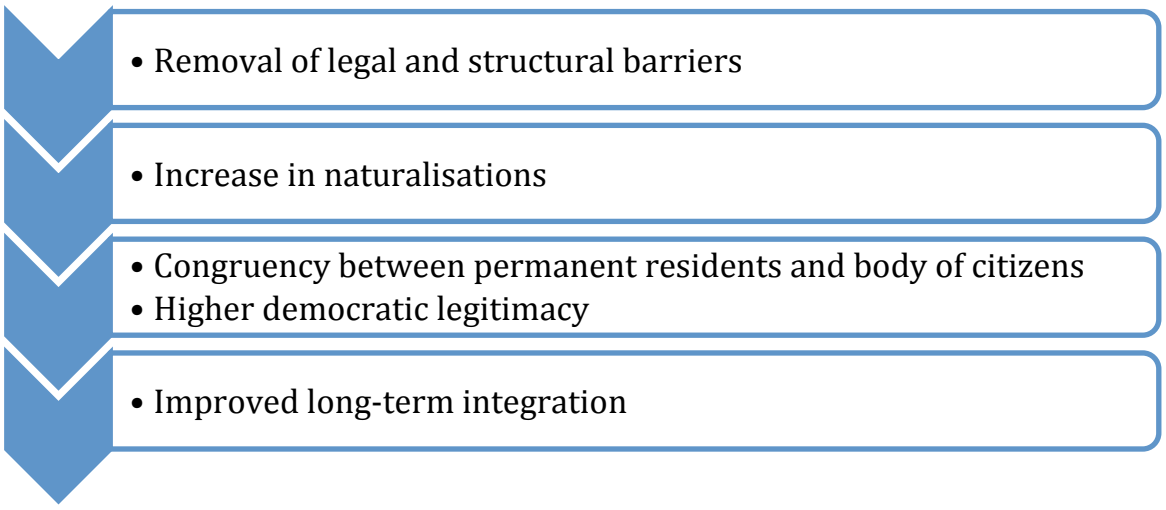


Figure 3: The Objectives of the Reform

Entitlement Provisions

The citizenship reform changed parts of the Act on Foreigners (AuslG), including the introduction of provisions on entitlement mechanisms. Previously, naturalisation was dependent on administrative discretion. §85 (1) AuslG decreases the minimal length of legal residence required for naturalisation from 15 to eight years. Further, it articulates conditions that must be fulfilled, including impunity, the ability to independently secure livelihood and the renouncement of the original nationality. The applicants must also officially declare their commitment to liberal democratic values and the *Grundgesetz*. Moreover, naturalisation may be suspended under §86 (1) AuslG if an applicant demonstrates an insufficient level of German (Deutscher Bundestag, 1999, p. 1620).

Jus Soli

In §4 (3) StAG, the principle of descent, *jus sanguinis*, is expanded by the territorial principle, *jus-soli,* which entails the entitlement for nationality when someone is born on German territory. However, §4 (4) StAG imposes the condition that at least one parent must have been a legal resident for at least eight years at the time of birth (Deutscher Bundestag, 1999, p. 1618). Acquisition based on *jus soli*, may result in double citizenship if the nationality of a non-German parent is acquired on the basis of the *jus sanguinis* principle (Mertens, 2004, p. 129).

Double Nationality

Double nationality may be acquired on the basis of *jus soli* and through a citizenship entitlement provision. On the basis of §87 AuslG, non-nationals who fulfil all the entitlement criteria laid out by §85 AuslG, may be exempted from §85 (4) AuslG if the renouncement of their original citizenship is tied to unreasonable conditions or if it is not possible. Legitimate reasons, which are stated in the article, could be that the country of nationality repeatedly rejects the renouncement of citizenship or that the person is an accepted refugee or protected under humanitarian law (Deutscher Bundestag, 1999, pp. 1620-1621).

Option Obligation

The *Optionspflicht*, the option obligation, is regulated by §9 StAG, and strongly linked to the *jus soli* provision and the provision on double nationality. The Article says that all citizens that acquire double-nationality on the basis of §4 (3) StAG must choose one of the nationalities between their 18th and 23rd birthday. If they do not, the German citizenship will be automatically withdrawn. If the renouncement of the non-German nationality is tied to unreasonable conditions, or even impossible, a special retention permit may be applied for until the 21st birthday (Deutscher Bundestag, 1999, p. 1619).

Discussion of the Input

The citizenship reform significantly reduces legal barriers in order to notably increase naturalisation rates, align structures of the population and the body of citizens in terms of migratory background and subsequently improve the integration of persons with a migratory background in Germany. For this purpose, a number of rather radical changes have been made.

The introduction of the *jus soli* principle in §4 (3) StAG facilitates and promotes the acquisition of citizenship as it removes legal as well as administrative obstacles, by granting the right to nationality at birth. The restriction on the parents, laid-out by §4 (4) StAG, does not pose a strong

hurdle (Mertens, 2004, p. 150). The article grants no right for the parents to refuse citizenship and the accompanied chance for integration. In cases of double nationality a possible decision is to be made by the individual once it is of full age. This provision is probably added deliberately, as the state intentionally makes an integration offer right at the beginning and thereby enables the individual to benefit from the full set of civic privileges (Mertens, 2004, p. 127).

By not allowing double citizenship as a norm, policy makers react to opinions within the general public, which are vocally against it (Mertens, 2004, p. 120). However, the conscious acceptance within the option model and under the provisions on entitlement, results in a situation where double nationality is no strict exception anymore. It is even the norm until the age of 23 in the option model (Mertens, 2004, p. 149). Both the exceptions and the option model may lead to an increase of naturalisations as they do not force permanent residents to reject naturalisation they are entitled to under §85 (1) AuslG just because they would face huge administrational or monetary obstacles, repression or other unreasonable conditions by their country of origin. The possibility of double nationality might enable and encourage permanent residents with migratory background to acquire German citizenship, enjoy full rights and responsibilities and become an active member of society.

Nevertheless, the conditions laid out by §85 (1) AuslG, as well as the restriction under §86 (1) AuslG may constitute structural or administrative obstacles. Especially, as the federal states have the legal competences for further interpretation and implementation and may impose different procedures (Storz & Wilmes, Die Reform des Staatsangehoerigkeitsrecht und das neue Einbuergerungsrecht, 2007).

5.2 Output

After the conduction of the analysis of the policy input, the evaluation moves on towards the analysis of the output, namely the intermediate results of the reform in regard to its objectives. For this purpose, the number of naturalisations and the realisation of the naturalisation potential are examined.

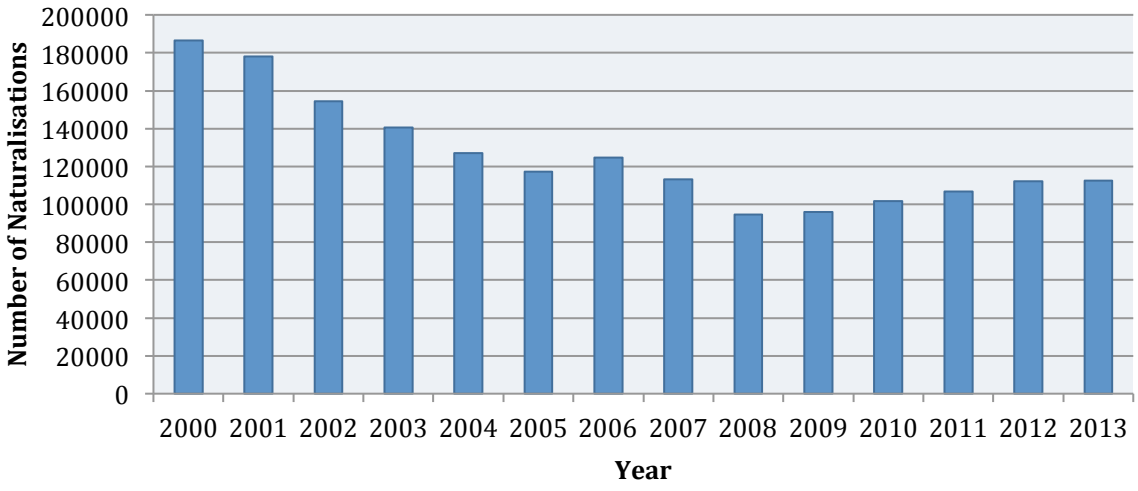
The Federal Bureau for Statistics (DeStatis), the main provider of data sources for this chapter, generally provides detailed information on naturalisations. However, as the 1999 citizenship reform led to significant methodological changes, this research focuses on the data from 2000 onwards. Since the reform, German re-settlers are no longer naturalised, but acquire nationality

through a different process (Deutscher Bundestag, 1999, p. 1618). Therefore, their citizenship acquisitions are suddenly missing in the statistic and the data is incomparable. Unfortunately, the data reports before 2000 do not allow to clearly distinguish between re-settlers and migrants (Statistisches Bundesamt, 2015, p. 16).

Number of Naturalisations

In 2000, when the reform was implemented, more than 186 000 migrants were naturalised (Figure 5). From then on, a clear downward trend can be identified. In 2008, the number of naturalisations only adds up to about 94 000. This is a decrease of almost 50% in no more than eight years. However, since then a slight and steady upward trend can be observed. In 2013, more than 112 000 migrants were naturalised (Statistisches Bundesamt, 2015).

Figure 3: The Number of Naturalisations Between 2000 and 2013

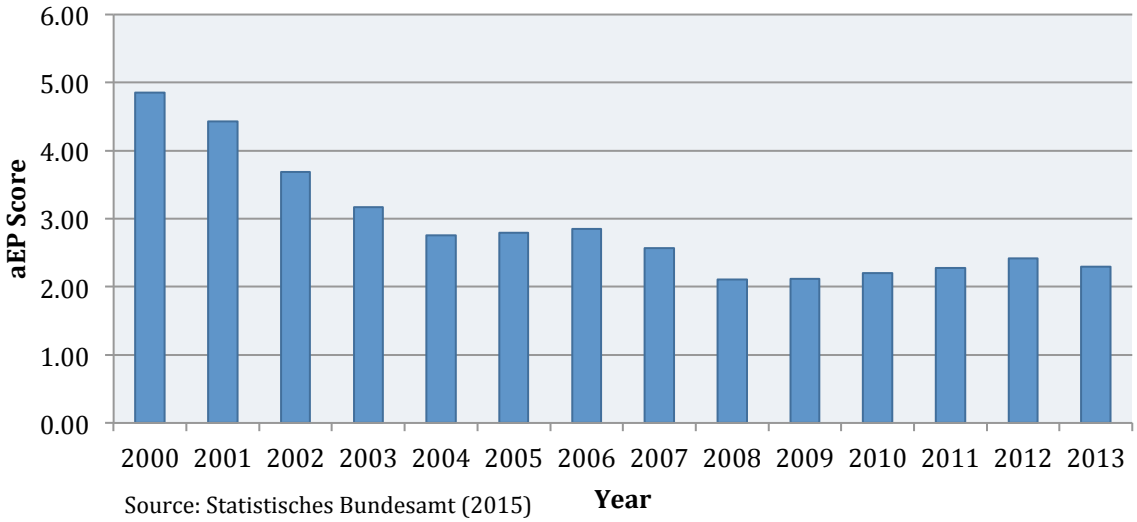


Source: Statistisches Bundeamt (2015)

Realisation of Naturalisation Potential

The so-called realised naturalisation potential (aEP) is a quota that relates the number of naturalisations to the number of potentially eligible migrants. It was first introduced in 2000 (Statistisches Bundesamt, 2015, p. 16). In order to determine eligible candidates, DeStatis equates *eligible* with a minimum of ten years legal residence. This may not account for every individual case, but is common practice used by German authorities (Statistisches Bundesamt, 2015, p. 7).

Figure 4: The Realised Naturalisation Potential (aEP) Between 2000 and 2013



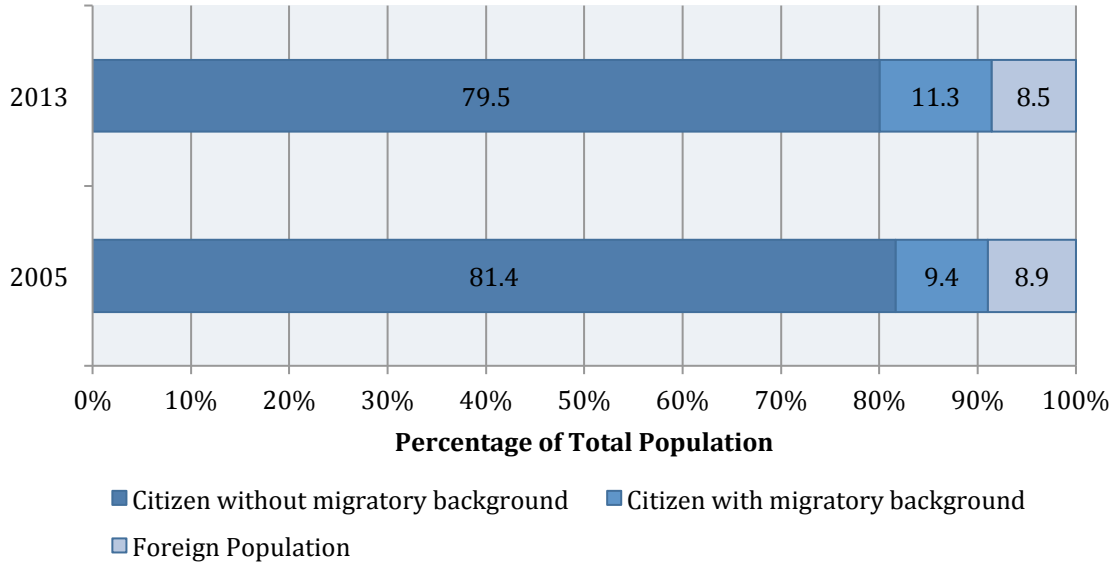
Source: Statistisches Bundesamt (2015)

In 2000, the aEP amounts to 4.85. After a strong downward trend, it only adds up to 2.76 in 2004. In the following two years, a slight increase of the aEP can be observed, which is then succeeded by another decrease up to 2.11 in 2008. In 2009 the aEP more or less remains at its low-point, but starts to slowly increase again until 2013 (Figure 6).

Structural Development

Even though the structure of the population and the body of citizens is none of the selected indicators, it is relevant for the evaluation. In fact, Figure 7 highlights a development that was intended by the reform. In 2005, when the micro census first allowed a distinction between Germans with and without a migratory background, only 9.4% of the population were German citizens with a migratory background. This proportion increased up to 11.3 % in 2013. During the same period of time, the share of the non-German part of the population decreased from 8.9% to 8.5% (Statistisches Bundesamt, 2014, p. 81).

Figure 5: The Population Structure in 2005 and 2013



Source: Statistisches Bundesamt (2014)

The overall proportion of inhabitants with a migratory background increased from 18.3% up to 19.7%, while the proportions of Germans without a migratory background decreased from 81.4% to 79.5%. All trends mentioned, decreases as well as increases, are reflected in the total numbers stated by the census. The German population as a whole decreased by 2.25% between 2005 and 2013 (Statistisches Bundesamt, 2014, p. 80).

Discussion of the Output

For both indicators, the number of naturalisations (Figure 5) and the realisation of the naturalisation potential (Figure 6), a clear downward trend can be observed between 2000 and 2013. In fact, both trend curves develop in a rather parallel manner, have their low-point in 2008 and then continue to rise again. However, the increase proceeds rather slowly, so that it cannot be anticipated that they could reach the 2000 level anytime soon. Looking at the figures, it is to be noted that despite of the significant removal of legal barriers, no substantial or sustainable increase of naturalisations can be observed. There are a number of possible causes and explanations for the development, which do itself, not support the overall hypothesis and the results from the policy analysis.

Firstly, the conditions introduced by §85 (1) AuslG could prevent a significant number of potential citizens to go through the process of naturalisation. Secondly, as mentioned earlier, the implementation through the federal countries may lead to bureaucratic or administrative

hurdles, which could prolong the process or even discourage potential candidates (Storz & Wilmes, Die Reform des Staatsangehoerigkeitsrecht und das neue Einbuergerungsrecht, 2007). Moreover, it could be possible that a majority of theoretically eligible citizens that wanted to become German already acquired citizenship soon after the reform was implemented. This could have caused the strong but temporary decrease of naturalisation rates after 2000.

Even though the trend curve itself does not appear to lead to the fulfilment of the overall objective, there are some promising numbers within the amount of information provided by DeStatis. During the first five years after the implementation, more than 905 000 naturalisations were processes (Statistisches Bundesamt, 2015, p. 16). In comparison, during the 20 years before the reform, between 1980 and 1999, only a total of 830 000 migrants, who were no re-settlers, were naturalised (Fonseca, 2011, p. 115). Despite of the fact that Figures 5 and 6 indicate a decrease of naturalisations, this confrontation of numbers certainly indicates the realisation and mobilisation of a considerable naturalisation potential after the citizenship reform.

In addition, Figure 7 indicates a development that contributes to the achievement of the objective to increase the share of migrants within the body of citizens. Between 2005 and 2013 the proportion of migrants with citizenship increased by almost 2% whereas the proportion of non-German migrants decreased by 0.4%. However, this trend cannot clearly be awarded to the number of naturalisations. Important factors for the development are demographic changes including the aging society and new generations being born German with a migratory background on the basis of *jus soli* (Wüst, 2012, p. 157). This will become even more politically important in 2018, when the first generation *jus soli* Germans reaches voting age.

5.3 Outcome

The changing structure of the body of German citizens, which was analysed in the previous sub-chapter, was enabled by the 1999 reform of the citizenship law. This development also has a noticeable effect on the composition of the electorate. In 2013 more than 9% of the electorate had a migratory background (Egeler, 2013); by comparison in 2005 it was only an estimated 5.7% (Wüst, 2007, p. 148). As a result the political importance of citizens with a migratory background significantly increased since the implementation of the reform (Wüst, 2012, p. 157).

In political perception, migrants advanced from sole objects in migration policy to (potential) subjects in the political process (Wüst, 2007, p. 146). With the removal of barriers for the

acquisition of citizenship, the formal institutional conditions to increase political participation and representation were established (Diel & Wüst, 2011, p. 49). Migrants are no longer limited to the role of a passive minority but are able to act at eye level (Frech & Meier-Braun, 2007, p. 10). How the changing structures and possibilities affect the political opportunity structure, to what extend naturalised citizens use their newly acquired rights and how this impacts national politics and elections has increasingly been subject to academic research (Wüst, 2012, pp. 158-160). However, due to the substantial lack of data, which is caused by practical and ethical limitations as well as limited interest, there are few meaningful empirical results. Both, realisation and justification of a more elaborate and systematic surveying of the ethnical background of the German population are very difficult (Wüst, 2007, p. 148). As a consequence, no extensive and systematic analysis is possible (Diel & Wüst, 2011, p. 50).

This chapter aims to identify a possible impact on the electoral turnout and the number of elected MPs with a migratory background. For this final step of the evaluation there is less viable empirical data available than for the previous one and the analysis of the development, as well as any conclusion that might me drawn, is strongly limited by a number of influencing factors. The restrictive or enabling effects cannot be identified and isolated; therefore any results may only be suggestions of possible correlations.

Migrants as Voters

Due to the practical limitations and relatively little academic and political interest, electoral participation of migrants was rather neglected by academic research (Wüst, 2012, p. 160). However, there are some studies available that provide enough data to identify overall migration specific developments in electoral participation. The data on the national elections in 2002 and 2005 is retrieved from the European Social Survey (ESS) and the information on 2009 from the German Longitudinal Election Study (GLES) (Müssig & Worbs, 2012, p. 31).

Figure 6: The National Election Turnout in 2002, 2005 and 2009

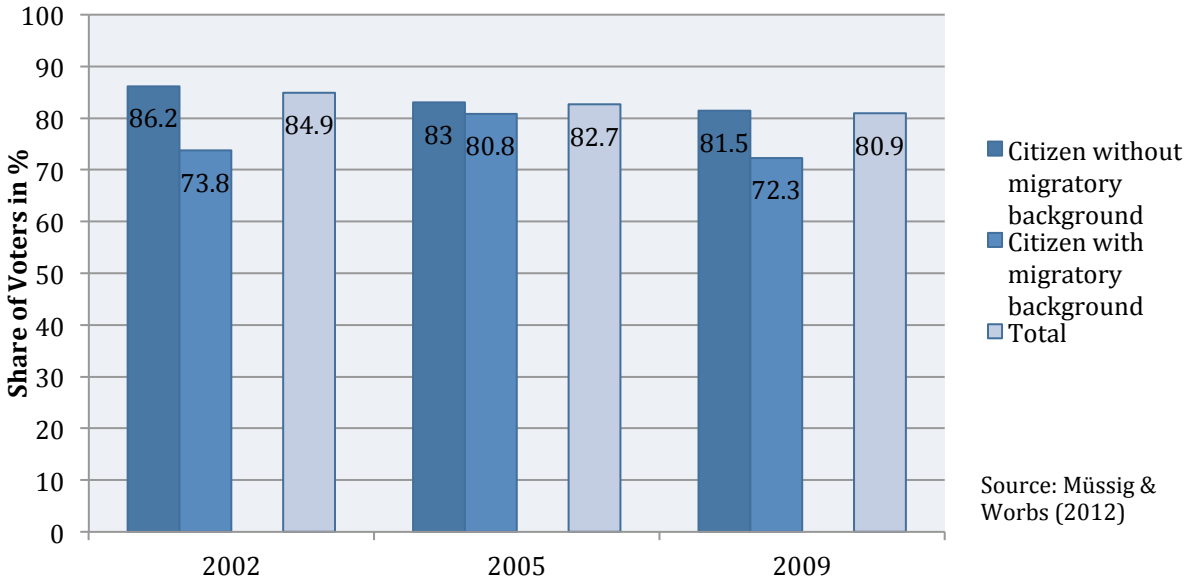
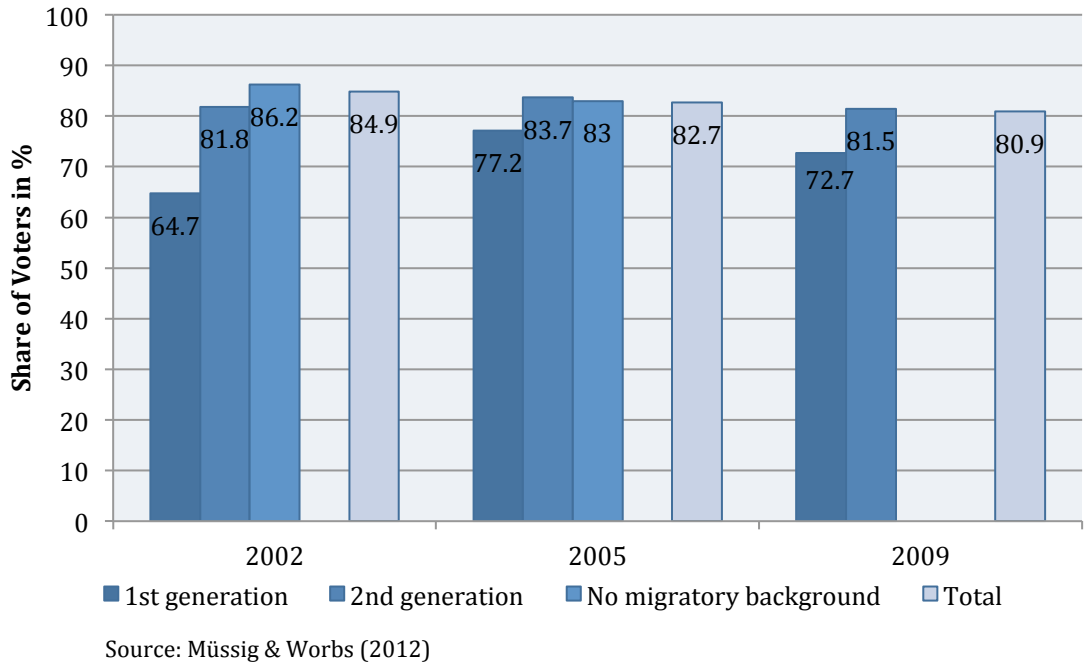


Figure 8 indicates that the participation of migrants is significantly lower than participation of citizens without migratory background. In 2002 the difference accounts for 12.4%, in 2005 only 2.2% and in 2009 the difference is up to 9.2% again. Due to the meaningful methodological differences these numbers are based on, including the small sample size, no viable conclusions can be drawn regarding a possible trend or development.

Figure 7: The Election Turnout in 2002, 2005 and 2009 in Context of Migrant Generation



Even though the data does not allow predictions regarding a certain development, it does allow making a distinction between second and first generation migrants. In Figure 9 a clear difference between the two migrant generations becomes evident. In 2002, the participation of the first generation is with 21.5% about one third lower than the participation of citizens without a migratory background, whereas the second generation only differs by 4.4%. The difference between the first generation's participation and the participation of non-migrants in 2005 differs by 5.8%. The second generation's participation for the same year is even 0.7% higher than the participation of citizens without a migratory background. For 2009 there is no comparison to non-migrant voters possible, only to the overall turnout rate. The participation of the second generation is 0.6% over this average, while the first generation differs by 8.8% (Müssig & Worbs, 2012, p. 32).

Migrants as Members of Parliament

As previously indicated, for political integration it is not only important that migrant's interests are addressed by political agendas, it is also important that migrants themselves are actively involved in political processes. Even when there is no difference in positioning or content between MPs with and without migratory background, an adequate descriptive representation of the migrant population is important for democratic legitimacy (Bird, Saalfeld, & Wüst, 2011, p. 2).

Elected MPs with a migratory background are not only likely to somewhat represent the interest of certain minority groups, they also provide a complementary perspective (Wüst, 2007, p. 147) because of their individual set of experiences. Additionally, it has significant symbolic value. Firstly, their presence on the political stage may serve as an example, allow other migrants to identify themselves with them and possibly increase political interest. Secondly, it is a symbol for the society as a whole that portrays structural realities. This might cause a higher acceptance of the fact that the German society is not that mono-ethnic anymore (Wüst, 2007, p. 164). Generally, a higher number of MPs with migratory background may influence the political opportunity structure and increases incentives for political participation (Diel & Wüst, 2011, p. 49).

The data available on this indicator is also very limited. There are no official statistics and existing research is not based on the same methodology and criteria. One study by Andreas M. Wüst suggests that since 1990, the number of MPs with migratory background has continuously risen (Wüst, 2011, p. 253). In 2005 only 12 migrant MPs were elected to the national parliament

(Diel & Wüst, 2011, p. 255), whereas in 2009 there were 21 already. In 2013, the number of migrant MPs increased up to 35 (MIGAZIN, 2013).

Discussion of the Outcome

Looking at the findings on the turnout, it becomes evident that migrants generally participate less in national elections than citizens without a migratory background. There are a number of reasons, including socialisation (Wüst, 2012, p. 160) and socio-economic factors that could explain this observation. In fact, existing research suggests a significant lower turnout rate among migrants compared to the overall electorate, because of generally lower educational levels and a smaller interest in politics (Diel & Wüst, 2011, p. 49). Furthermore, the persisting lack of incentives for migrants to vote is criticised by scholars and policy makers and despite of the growing political potential of migrants political parties only made small attempts to mobilise migrant voters (Diel & Wüst, 2011, p. 50).

Nevertheless, the differences between migrant and non-migrant eligible voters vary depending on the generation. First generation migrants seem to participate up to 30% less in elections than citizens without a migratory background, whereas the turnout levels of the second generation are closer to the ones of non-migrants. The 2005 ESS survey and the 2009 GLES study even suggest the turnout of the second generation to be above the non-migration or overall level. Due to the differences between the generations it can be assumed that the lower turnout rate among voters with migratory background is only a temporary effect (Wüst, 2012, p. 167).

Reasons for the significant lower turnout rates of the first generation could be, in addition to the ones already mentioned above, the political situation in their country of origin. For example, migrants who come from an undemocratic, authoritarian country might not be accustomed to free elections and therefor less interested in participation. Migrants from former socialist eastern European countries, including many ethnic-German re-settlers, might decide not to participate because they do not believe in the impact of their vote and because the political situation in their home country led to frustration regarding elections and political participation (Wüst, 2007, p. 154). Moreover, their low level of participation could be that politics play a smaller role in their lives because they are rather occupied with social and cultural integration, for instance learning the language or their incorporation in society. This explanation further suggests that once a higher degree of overall structural integration is attained, political participation will increase (Wüst, Wahlen und Politische Repraesentation, 2013, pp. 215-217).

The figures on the number of elected representatives suggest a strong increase. In 2013, the number is three times as high as it was in 2005. The reasons for this development could be the increasing number of migrant voters or the fact that political parties nominate more candidates with a migratory background. (Wüst, 2007, p. 168). Despite of the inability to identify clear reasons for the increase, it is considered to be positive. Firstly, it is assumed that representatives with a migratory background substantially represent the interests of migrants and ethnic minorities. In fact, MPs with a migratory background engage with integration and migration political topics significantly more often than their ethnic German counterparts, and thereby promote integration. Secondly, their presence on the political stage can mobilise voters with a migratory background and generally increase the political interest of potential migrant voters (Wüst, Wahlen und Politische Repraesentation, 2013, p. 216).

However, migrants are still strongly underrepresented in the national parliament. In 2013, the proportion of MPs with a migratory background was 5.9%, compared to a share of 19% migrants among the overall population. Looking at individual parties there are large disparities. Only 2.9% of the CDU MPs, which is the largest group in the parliament, have a migratory background, compared to 12.5% of the Left party MPs and 11.1% of the Greens'. With 6.7% the share of SPD MPs with a migratory background is still significantly higher than the CDU share (Wüst, 2014, p. 7). These differences reflect the parties' general attitude and openness towards migration and integration, which were discussed earlier in this paper (Chapter 2).

6. Conclusion

Concluding on the preceding policy evaluation, it can be said that the 1999 reform of the citizenship law had a positive impact on the political integration of migrants in Germany. Policies to promote the long-term integration of migrants were neglected by governments until the national election in 1998. The new government coalition of SPD and Greens were the first to acknowledge the significant structural changes in society, which were caused by the large number of migrants who were permanently living in Germany. The reform of the citizenship law was designed to react to the democratic deficit that resulted from the increasing share of the population, which was structurally excluded from civic and political rights. This policy evaluation research aimed at the analysis of the policy input, output and possible outcome in order to find out to what extend the overall objectives of the reform were achieved.

The findings were analyses and discussed in a sequential manner. Firstly, the policy input, the reform itself, significantly lowered structural legal barriers and especially the establishment of the entitlement provisions and the possibility to acquire double nationality facilitated the acquisition of citizenship through naturalisation. Secondly, the output objective to increase naturalisations was met. Even though the number of naturalisations and the aEP decreased since the implementation of the reform in 2000, the total amount of naturalisations, during the years after the reform, highlights the mobilisation and realisation of a considerable naturalisation potential. This is also reflected in the development of the population structure. The proportion of citizens with a migratory background has notably increased. In 2013, a significant majority of migrants held the German citizenship.

Thirdly, in regards to the outcome, the results suggest an increase of both electoral participation and parliamentary representation. Despite of the inability to identify a trend regarding the turnout and the observation of a generally lower level of participation compared to the non-migrant electorate, the findings suggest that differences of the turnout rate are only a temporary effect. The analysis of the surveys shows that only the participation of first generation migrants is significantly lower, whereas citizens with a second-generation migratory background participate about as much as non-migrant voters. In terms of their proportion of the population and the body of citizens, migrants are still significantly underrepresented in the national parliament. However, the results show that the number of MPs with a migratory background was

three times as high in 2013 as it was in 2005. This strong increase suggests a very positive development and might have multiplying effects on the participation.

Despite of the identification of rather positive developments of the selected indicators, no strong causal relations between the different developments can be established as a result of this research. The conclusion is only based on the analysis of correlations. This is due to methodological limitations, as well as a lack of data and the complexity of the subject itself.

Nevertheless, the results of the analysis suggest a verification of the hypothesis and the underlying assumptions. The 1999 reform of the Citizenship Act did improve the political integration of people with a migratory background in Germany. The large number of migrants that was naturalised had a positive impact on the population structure. Moreover, migrant's election turnout rates appear to align with the ones of ethnic German voters and the number of MPs with a migratory background is also increasing. The identified developments appear to be sustainable and contribute to the achievement of the long-term objectives of the reform: The inclusion of long-term migrants in the body of citizens and their overall integration.

7. Recommendations

On the basis of the literature review and the policy evaluation a number of limitations and drawbacks could be identified. As a result methodological and research related recommendations, as well as a policy related outlook may be formulated.

7.1 Methodology

In terms of the methodology of this research it can be concluded that depth and width of the analytical framework were not sufficient to establish clear and strong causal links. The analysis of risk and enabling factors, as well as more indicators could add significant value to the results. Further, the distinction between subgroups and migrants from different migratory systems could lead to more viable results. The same applies to the distinction between different levels and forms of political integration as well as regional particularities.

7.2 Research

However, at the moment, existing data does not allow such detailed analysis. The substantial lack of data may only be rectified by a more systematic and institutionalised data collection on a regular and longitudinal basis. For example, more migrant-specific questions could be asked by DeStatis in the course of their annual micro census and by election research institutes in their surveys on turnout. More substantial empirical data would allow a more in-depth analysis, the identification of trends and causes and the establishment of factual conclusions. However, there are both practical limitations and ethical consideration that hinder the systematic collection of more data.

Despite of the insufficient amount of data available, migration and integration research in Germany could focus more on filling the remaining knowledge gaps regarding (legal-political) integration. The understanding of its importance is only the first step and should be followed by an increase in substantiated academic research in the field. The German government should further promote this research, as it is a key stakeholder in the field of integration. The rather recently established *Federal Commissioners for Migration, Integration and Refuguees* should be assigned more means and their recommendations (i.e. see chapter 2.3) should be transferred into action.

Integration monitoring should be further developed and systematic and latitudinal collected data should be used to generate findings that are based on empiric information. This should lead to

the identification of influencing factors and contribute to an improved understanding. The more means and knowledge available, the better policies could be adapted to the needs of society as a whole and the population with a migratory background in specific in order to further improve integration. Especially the identification of structural obstacles and incentives, as well as motivational drivers and more sophisticated indicators would be necessary.

7.3 Outlook

The results of this research suggest an improvement of the political integration of migrants since the reform of the citizenship law. However, there is still a long way to the achievement of the overall objectives. In order to remove the persisting underrepresentation and lack of participation, and to subsequently improve (political) integration more specific integration political tools should be used and developed. Further, the question how the increasing descriptive representation leads to more qualitative, substantive representation could be further researched as well as a possible wider societal impact this increased representation could have, especially in the context of integration.

Literature review and policy evaluation, highlight the increasing importance of integration policy. The demographic developments and the problems it might cause will ensure that the issue remains high on the agenda of both policy-makers and researchers for the future. In addition to the usage and improvement of European sets of indicators and evaluation mechanisms, the recommendations laid out in this chapter should be taken into account, especially by the German government.

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9. Appendices

Appendix I: Staatsangehörigkeitsgesetz (StAG)

1618 Bundesgesetzblatt Jahrgang 1999 Teil I Nr. 38, ausgegeben zu Bonn am 23. Juli 1999

Gesetz zur Reform des Staatsangehörigkeitsrechts

Vom 15. Juli 1999

Der Bundestag hat mit Zustimmung des Bundesrates das folgende Gesetz beschlossen:

Artikel 1

Änderung des Reichs- und Staatsangehörigkeitsgesetzes

Das Reichs- und Staatsangehörigkeitsgesetz in der im Bundesgesetzblatt Teil III, Gliederungsnummer 102-1, veröffentlichten bereinigten Fassung, zuletzt geändert durch Artikel 2 des Gesetzes vom 16. Dezember 1997 (BGBl. I S. 2942), wird wie folgt geändert:

1. Die Überschrift wird wie folgt gefaßt:

   „Staatsangehörigkeitsgesetz (StAG)".

2. § 3 wird wie folgt geändert:

   a) Nummer 4 wird wie folgt gefaßt:

      „4. durch Ausstellung der Bescheinigung gemäß § 15 Abs. 1 oder 2 des Bundesvertriebenengesetzes (§ 7),".

   b) Nach Nummer 4 wird folgende Nummer 4a eingefügt:

      „4a. durch Überleitung als Deutscher ohne deutsche Staatsangehörigkeit im Sinne des Artikels 116 Abs. 1 des Grundgesetzes (§ 40a),".

   c) In Nummer 5 wird nach der Angabe „16" die Angabe „und 40b" eingefügt.

3. Dem § 4 werden folgende Absätze 3 und 4 angefügt:

   „(3) Durch die Geburt im Inland erwirbt ein Kind ausländischer Eltern die deutsche Staatsangehörigkeit, wenn ein Elternteil

   1. seit acht Jahren rechtmäßig seinen gewöhnlichen Aufenthalt im Inland hat und
   2. eine Aufenthaltsberechtigung oder seit drei Jahren eine unbefristete Aufenthaltserlaubnis besitzt.

   Der Erwerb der deutschen Staatsangehörigkeit wird durch den für die Beurkundung der Geburt des Kindes zuständigen Standesbeamten eingetragen. Das Bundesministerium des Innern wird ermächtigt, mit Zustimmung des Bundesrates durch Rechtsverordnung Vorschriften über das Verfahren zur Eintragung des Erwerbs der Staatsangehörigkeit nach Satz 1 zu erlassen.

   (4) Die deutsche Staatsangehörigkeit wird nicht nach Absatz 1 erworben bei Geburt im Ausland, wenn der deutsche Elternteil nach dem 31. Dezember 1999 im Ausland geboren wurde und dort seinen gewöhnlichen Aufenthalt hat, es sei denn, das Kind würde sonst staatenlos. Die Rechtsfolge nach Satz 1 tritt nicht ein, wenn der deutsche Elternteil die Geburt innerhalb eines Jahres der zuständigen Auslandsvertretung anzeigt. Sind beide Elternteile deutsche Staatsangehörige, so tritt die Rechtsfolge des Satzes 1 nur ein, wenn beide die dort genannten Voraussetzungen erfüllen."

4. § 7 wird wie folgt gefaßt:

   „§ 7

   Ein Deutscher im Sinne des Artikels 116 Abs. 1 des Grundgesetzes, der nicht die deutsche Staatsangehörigkeit besitzt, erwirbt mit der Ausstellung der Bescheinigung gemäß § 15 Abs. 1 oder 2 des Bundesvertriebenengesetzes die deutsche Staatsangehörigkeit. Der Erwerb der deutschen Staatsangehörigkeit erstreckt sich auf diejenigen Kinder, die ihre Deutscheneigenschaft von dem nach Satz 1 Begünstigten ableiten."

5. § 8 Abs. 1 Nr. 1 wird wie folgt gefaßt:

   „1. handlungsfähig nach Maßgabe von § 68 Abs. 1 des Ausländergesetzes oder gesetzlich vertreten ist,".

5a. In § 9 Abs. 1 Nr. 1 werden nach den Wörtern „verlieren oder aufgeben" die Wörter „oder ein Grund für die Hinnahme von Mehrstaatigkeit nach Maßgabe von § 87 des Ausländergesetzes vorliegt" eingefügt.

5b. Nach § 13 wird folgender § 14 eingefügt:

   „§ 14

   Ein Ausländer, der sich nicht im Inland niedergelassen hat, kann unter den sonstigen Voraussetzungen der §§ 8 und 9 eingebürgert werden, wenn Bindungen an Deutschland bestehen, die eine Einbürgerung rechtfertigen."

6. Dem § 17 werden folgende Nummern 5 und 6 angefügt:

   „5. durch Eintritt in die Streitkräfte oder einen vergleichbaren bewaffneten Verband eines ausländischen Staates (§ 28) oder

   6. durch Erklärung (§ 29)."

7. § 25 wird wie folgt geändert:

   a) In Absatz 1 werden die Wörter „, der im Inland weder seinen Wohnsitz noch seinen dauernden Aufenthalt hat," gestrichen.

   b) Dem Absatz 2 werden folgende Sätze angefügt:

      „Bei der Entscheidung über einen Antrag nach Satz 1 sind die öffentlichen und privaten Belange

abzuwägen. Bei einem Antragsteller, der seinen gewöhnlichen Aufenthalt im Ausland hat, ist insbesondere zu berücksichtigen, ob er fortbestehende Bindungen an Deutschland glaubhaft machen kann."

8. Die §§ 28 und 29 werden wie folgt gefaßt:

„§ 28

Ein Deutscher, der auf Grund freiwilliger Verpflichtung ohne eine Zustimmung nach § 8 des Wehrpflichtgesetzes in die Streitkräfte oder einen vergleichbaren bewaffneten Verband eines ausländischen Staates, dessen Staatsangehörigkeit er besitzt, eintritt, verliert die deutsche Staatsangehörigkeit. Dies gilt nicht, wenn er auf Grund eines zwischenstaatlichen Vertrages dazu berechtigt ist.

§ 29

(1) Ein Deutscher, der nach dem 31. Dezember 1999 die Staatsangehörigkeit nach § 4 Abs. 3 oder durch Einbürgerung nach § 40b erworben hat und eine ausländische Staatsangehörigkeit besitzt, hat nach Erreichen der Volljährigkeit und nach Hinweis gemäß Absatz 5 zu erklären, ob er die deutsche oder die ausländische Staatsangehörigkeit behalten will. Die Erklärung bedarf der Schriftform.

(2) Erklärt der nach Absatz 1 Erklärungspflichtige, daß er die ausländische Staatsangehörigkeit behalten will, so geht die deutsche Staatsangehörigkeit mit dem Zugang der Erklärung bei der zuständigen Behörde verloren. Sie geht ferner verloren, wenn bis zur Vollendung des 23. Lebensjahres keine Erklärung abgegeben wird.

(3) Erklärt der nach Absatz 1 Erklärungspflichtige, daß er die deutsche Staatsangehörigkeit behalten will, so ist er verpflichtet, die Aufgabe oder den Verlust der ausländischen Staatsangehörigkeit nachzuweisen. Wird dieser Nachweis nicht bis zur Vollendung des 23. Lebensjahres geführt, so geht die deutsche Staatsangehörigkeit verloren, es sei denn, daß der Deutsche vorher auf Antrag die schriftliche Genehmigung der zuständigen Behörde zur Beibehaltung der deutschen Staatsangehörigkeit (Beibehaltungsgenehmigung) erhalten hat. Der Antrag auf Erteilung der Beibehaltungsgenehmigung kann, auch vorsorglich, nur bis zur Vollendung des 21. Lebensjahres gestellt werden (Ausschlußfrist). Der Verlust der deutschen Staatsangehörigkeit tritt erst ein, wenn der Antrag bestandskräftig abgelehnt wird. Einstweiliger Rechtsschutz nach § 123 der Verwaltungsgerichtsordnung bleibt unberührt.

(4) Die Beibehaltungsgenehmigung nach Absatz 3 ist zu erteilen, wenn die Aufgabe oder der Verlust der ausländischen Staatsangehörigkeit nicht möglich oder nicht zumutbar ist oder bei einer Einbürgerung nach Maßgabe von § 87 des Ausländergesetzes Mehrstaatigkeit hinzunehmen wäre oder hingenommen werden könnte.

(5) Die zuständige Behörde hat den nach Absatz 1 Erklärungspflichtigen auf seine Verpflichtungen und die nach den Absätzen 2 bis 4 möglichen Rechtsfolgen hinzuweisen. Der Hinweis ist zuzustellen. Die Zustellung hat unverzüglich nach Vollendung des 18. Lebensjahres des nach Absatz 1 Erklärungspflichtigen zu erfolgen. Die Vorschriften des Verwaltungszustellungsgesetzes finden Anwendung.

(6) Der Fortbestand oder Verlust der deutschen Staatsangehörigkeit nach dieser Vorschrift wird von Amts wegen festgestellt. Das Bundesministerium des Innern kann durch Rechtsverordnung mit Zustimmung des Bundesrates Vorschriften über das Verfahren zur Feststellung des Fortbestands oder Verlusts der deutschen Staatsangehörigkeit erlassen."

9. Die §§ 36 und 37 werden wie folgt gefaßt:

„§ 36

(1) Über die Einbürgerungen werden jährliche Erhebungen, jeweils für das vorausgegangene Kalenderjahr, beginnend 2000, als Bundesstatistik durchgeführt.

(2) Die Erhebungen erfassen für jede eingebürgerte Person folgende Erhebungsmerkmale:

1. Geburtsjahr,
2. Geschlecht,
3. Familienstand,
4. Wohnort zum Zeitpunkt der Einbürgerung,
5. Aufenthaltsdauer im Bundesgebiet nach Jahren,
6. Rechtsgrundlage der Einbürgerung,
7. bisherige Staatsangehörigkeiten und
8. Fortbestand der bisherigen Staatsangehörigkeiten.

(3) Hilfsmerkmale der Erhebungen sind:

1. Bezeichnung und Anschrift der nach Absatz 4 Auskunftspflichtigen,
2. Name und Telekommunikationsnummern der für Rückfragen zur Verfügung stehenden Person und
3. Registriernummer der eingebürgerten Person bei der Einbürgerungsbehörde.

(4) Für die Erhebungen besteht Auskunftspflicht. Auskunftspflichtig sind die Einbürgerungsbehörden. Die Einbürgerungsbehörden haben die Auskünfte den zuständigen statistischen Ämtern der Länder jeweils zum 1. März zu erteilen. Die Angaben zu Absatz 3 Nr. 2 sind freiwillig.

(5) An die fachlich zuständigen obersten Bundes- und Landesbehörden dürfen für die Verwendung gegenüber den gesetzgebenden Körperschaften und für Zwecke der Planung, nicht jedoch für die Regelung von Einzelfällen, vom Statistischen Bundesamt und den statistischen Ämtern der Länder Tabellen mit statistischen Ergebnissen übermittelt werden, auch soweit Tabellenfelder nur einen einzigen Fall ausweisen.

§ 37

§ 68 Abs. 1 und 3, § 70 Abs. 1, 2 und 4 Satz 1 des Ausländergesetzes gelten entsprechend."

10. In § 39 werden nach den Wörtern „allgemeine Verwaltungsvorschriften" die Wörter „über die Ausführung dieses Gesetzes und anderer Gesetze, soweit sie staatsangehörigkeitsrechtliche Regelungen enthalten," eingefügt.

11. Nach § 40 werden folgende §§ 40a und 40b eingefügt:

„§ 40a

Wer am 1. August 1999 Deutscher im Sinne des Artikels 116 Abs. 1 des Grundgesetzes ist, ohne die deutsche Staatsangehörigkeit zu besitzen, erwirbt an diesem Tag die deutsche Staatsangehörigkeit. Für einen Spätaussiedler, seinen nichtdeutschen Ehegatten und seine Abkömmlinge im Sinne von § 4 des Bundesvertriebenengesetzes gilt dies nur dann, wenn ihnen vor diesem Zeitpunkt eine Bescheinigung gemäß § 15 Abs. 1 oder 2 des Bundesvertriebenengesetzes erteilt worden ist.

§ 40b

Ein Ausländer, der am 1. Januar 2000 rechtmäßig seinen gewöhnlichen Aufenthalt im Inland und das zehnte Lebensjahr noch nicht vollendet hat, ist auf Antrag einzubürgern, wenn bei seiner Geburt die Voraussetzungen des § 4 Abs. 3 Satz 1 vorgelegen haben und weiter vorliegen. Der Antrag kann bis zum 31. Dezember 2000 gestellt werden."

Artikel 2

Änderung des Ausländergesetzes

Das Ausländergesetz vom 9. Juli 1990 (BGBl. I S. 1354, 1356), zuletzt geändert durch Artikel 14 des Gesetzes vom 16. Dezember 1997 (BGBl. I S. 2970), wird wie folgt geändert:

1. Die §§ 85 bis 87 werden wie folgt gefaßt:

„§ 85

Einbürgerungsanspruch für
Ausländer mit längerem Aufenthalt;
Miteinbürgerung ausländischer
Ehegatten und minderjähriger Kinder

(1) Ein Ausländer, der seit acht Jahren rechtmäßig seinen gewöhnlichen Aufenthalt im Inland hat, ist auf Antrag einzubürgern, wenn er

1. sich zur freiheitlichen demokratischen Grundordnung des Grundgesetzes für die Bundesrepublik Deutschland bekennt und erklärt, daß er keine Bestrebungen verfolgt oder unterstützt oder verfolgt oder unterstützt hat, die gegen die freiheitliche demokratische Grundordnung, den Bestand oder die Sicherheit des Bundes oder eines Landes gerichtet sind oder eine ungesetzliche Beeinträchtigung der Amtsführung der Verfassungsorgane des Bundes oder eines Landes oder ihrer Mitglieder zum Ziele haben oder die durch Anwendung von Gewalt oder darauf gerichtete Vorbereitungshandlungen auswärtige Belange der Bundesrepublik Deutschland gefährden, oder glaubhaft macht, daß er sich von der früheren Verfolgung oder Unterstützung derartiger Bestrebungen abgewandt hat,
2. eine Aufenthaltserlaubnis oder eine Aufenthaltsberechtigung besitzt,
3. den Lebensunterhalt für sich und seine unterhaltsberechtigten Familienangehörigen ohne Inanspruchnahme von Sozial- oder Arbeitslosenhilfe bestreiten kann,
4. seine bisherige Staatsangehörigkeit aufgibt oder verliert und
5. nicht wegen einer Straftat verurteilt worden ist.

Von der in Satz 1 Nr. 3 bezeichneten Voraussetzung wird abgesehen, wenn der Ausländer aus einem von ihm nicht zu vertretenden Grunde den Lebensunterhalt nicht ohne Inanspruchnahme von Sozial- oder Arbeitslosenhilfe bestreiten kann.

(2) Der Ehegatte und die minderjährigen Kinder des Ausländers können nach Maßgabe des Absatzes 1 mit eingebürgert werden, auch wenn sie sich noch nicht seit acht Jahren rechtmäßig im Inland aufhalten. Absatz 1 Satz 1 Nr. 1 findet keine Anwendung, wenn ein minderjähriges Kind im Zeitpunkt der Einbürgerung das 16. Lebensjahr noch nicht vollendet hat.

(3) Bei einem Ausländer, der das 23. Lebensjahr noch nicht vollendet hat, ist Absatz 1 Satz 1 Nr. 3 nicht anzuwenden.

§ 86

Ausschlußgründe

Ein Anspruch auf Einbürgerung nach § 85 besteht nicht, wenn

1. der Einbürgerungsbewerber nicht über ausreichende Kenntnisse der deutschen Sprache verfügt,
2. tatsächliche Anhaltspunkte die Annahme rechtfertigen, daß der Einbürgerungsbewerber Bestrebungen verfolgt oder unterstützt oder verfolgt oder unterstützt hat, die gegen die freiheitliche demokratische Grundordnung, den Bestand oder die Sicherheit des Bundes oder eines Landes gerichtet sind oder eine ungesetzliche Beeinträchtigung der Amtsführung der Verfassungsorgane des Bundes oder eines Landes oder ihrer Mitglieder zum Ziele haben oder die durch Anwendung von Gewalt oder darauf gerichtete Vorbereitungshandlungen auswärtige Belange der Bundesrepublik Deutschland gefährden, es sei denn, der Einbürgerungsbewerber macht glaubhaft, daß er sich von der früheren Verfolgung oder Unterstützung derartiger Bestrebungen abgewandt hat, oder
3. ein Ausweisungsgrund nach § 46 Nr. 1 vorliegt.

§ 87

Einbürgerung unter
Hinnahme von Mehrstaatigkeit

(1) Von der Voraussetzung des § 85 Abs. 1 Satz 1 Nr. 4 wird abgesehen, wenn der Ausländer seine bisherige Staatsangehörigkeit nicht oder nur unter besonders schwierigen Bedingungen aufgeben kann. Das ist anzunehmen, wenn

1. das Recht des ausländischen Staates das Ausscheiden aus dessen Staatsangehörigkeit nicht vorsieht,

2. der ausländische Staat die Entlassung regelmäßig verweigert und der Ausländer der zuständigen Behörde einen Entlassungsantrag zur Weiterleitung an den ausländischen Staat übergeben hat,
3. der ausländische Staat die Entlassung aus der Staatsangehörigkeit aus Gründen versagt hat, die der Ausländer nicht zu vertreten hat, oder von unzumutbaren Bedingungen abhängig macht oder über den vollständigen und formgerechten Entlassungsantrag nicht in angemessener Zeit entschieden hat,
4. der Einbürgerung älterer Personen ausschließlich das Hindernis eintretender Mehrstaatigkeit entgegensteht, die Entlassung auf unverhältnismäßige Schwierigkeiten stößt und die Versagung der Einbürgerung eine besondere Härte darstellen würde,
5. dem Ausländer bei Aufgabe der ausländischen Staatsangehörigkeit erhebliche Nachteile insbesondere wirtschaftlicher oder vermögensrechtlicher Art entstehen würden, die über den Verlust der staatsbürgerlichen Rechte hinausgehen, oder
6. der Ausländer politisch Verfolgter im Sinne von § 51 ist oder wie ein Flüchtling nach dem Gesetz über Maßnahmen für im Rahmen humanitärer Hilfsaktionen aufgenommene Flüchtlinge behandelt wird.

(2) Von der Voraussetzung des § 85 Abs. 1 Satz 1 Nr. 4 wird ferner abgesehen, wenn der Ausländer die Staatsangehörigkeit eines anderen Mitgliedstaates der Europäischen Union besitzt und Gegenseitigkeit besteht.

(3) Von der Voraussetzung des § 85 Abs. 1 Satz 1 Nr. 4 kann abgesehen werden, wenn der ausländische Staat die Entlassung aus der bisherigen Staatsangehörigkeit von der Leistung des Wehrdienstes abhängig macht und der Ausländer den überwiegenden Teil seiner Schulausbildung in deutschen Schulen erhalten hat und im Bundesgebiet in deutsche Lebensverhältnisse und in das wehrpflichtige Alter hineingewachsen ist.

(4) Weitere Ausnahmen von der Voraussetzung des § 85 Abs. 1 Satz 1 Nr. 4 können nach Maßgabe völkerrechtlicher Verträge vorgesehen werden.

(5) Erfordert die Entlassung aus der ausländischen Staatsangehörigkeit die Volljährigkeit des Ausländers und liegen die Voraussetzungen der Absätze 1 bis 4 im übrigen nicht vor, so erhält ein Ausländer, der nach dem Recht seines Heimatstaates noch minderjährig ist, abweichend von Absatz 1 Satz 2 Nr. 1 eine Einbürgerungszusicherung."

1a. In § 88 Abs. 1 Satz 1 wird die Angabe „§ 85 Nr. 4 und § 86 Abs. 1 Nr. 2" durch die Angabe „§ 85 Abs. 1 Satz 1 Nr. 5" ersetzt.

2. Die §§ 90 und 91 werden wie folgt gefaßt:

„§ 90

Einbürgerungsgebühr

Die Gebühr für die Einbürgerung nach diesem Gesetz beträgt 500 Deutsche Mark. Sie ermäßigt sich für ein minderjähriges Kind, das miteingebürgert wird und keine eigenen Einkünfte im Sinne des Einkommensteuergesetzes hat, auf 100 Deutsche Mark. Von der Gebühr kann aus Gründen der Billigkeit oder des öffentlichen Interesses Gebührenermäßigung oder -befreiung gewährt werden.

§ 91

Verfahrensvorschriften

Für das Verfahren bei der Einbürgerung gelten § 68 Abs. 1 und 3, § 70 Abs. 1, 2 und 4 Satz 1 entsprechend. Im übrigen gelten für das Verfahren bei der Einbürgerung einschließlich der Bestimmung der örtlichen Zuständigkeit die Vorschriften des Staatsangehörigkeitsrechts."

3. Nach § 102 wird folgender § 102a eingefügt:

„§ 102a

Übergangsregelung
für Einbürgerungsbewerber

Auf Einbürgerungsanträge, die bis zum 16. März 1999 gestellt worden sind, finden die §§ 85 bis 91 in der vor dem 1. Januar 2000 geltenden Fassung mit der Maßgabe Anwendung, daß sich die Hinnahme von Mehrstaatigkeit nach § 87 beurteilt."

Artikel 3

Folgeänderungen anderer Gesetze

§ 1

Änderung des Gesetzes zur Regelung von Fragen der Staatsangehörigkeit

Das Gesetz zur Regelung von Fragen der Staatsangehörigkeit in der im Bundesgesetzblatt Teil III, Gliederungsnummer 102-5, veröffentlichten bereinigten Fassung, zuletzt geändert durch Artikel 14 § 1 des Gesetzes vom 16. Dezember 1997 (BGBl. I S. 2942), wird wie folgt geändert:

1. Der Zweite Abschnitt wird aufgehoben.
2. In § 9 Abs. 1 Satz 2, § 24 Abs. 1 und § 27 werden jeweils die Wörter „Reichs- und" gestrichen.
3. § 17 Abs. 2 und 3 wird wie folgt gefaßt:

„(2) Hat der Erklärende oder der Antragsteller seinen dauernden Aufenthalt außerhalb des Geltungsbereichs dieses Gesetzes, so ist das Bundesverwaltungsamt zuständig.

(3) Ändert sich im Lauf des Verfahrens der die Zuständigkeit begründende dauernde Aufenthalt des Betroffenen, so kann die bisher zuständige Behörde das Verfahren fortführen, wenn der Betroffene einverstanden ist und die nunmehr zuständige Behörde zustimmt."

§ 2

Änderung des Gesetzes zu dem Übereinkommen vom 6. Mai 1963 über die Verringerung der Mehrstaatigkeit und über die Wehrpflicht von Mehrstaatern

In Artikel 2 Abs. 1 des Gesetzes zu dem Übereinkommen vom 6. Mai 1963 über die Verringerung der Mehrstaatigkeit und über die Wehrpflicht von Mehrstaatern vom

29. September 1969 (BGBl. 1969 II S. 1953), geändert durch Artikel 2 des Gesetzes vom 20. Dezember 1974 (BGBl. I S. 3714), werden die Wörter „Reichs- und" gestrichen.

§ 3

Änderung des Gesetzes zur Änderung des Reichs- und Staatsangehörigkeitsgesetzes

In Artikel 3 Abs. 3 Satz 3 des Gesetzes zur Änderung des Reichs- und Staatsangehörigkeitsgesetzes vom 20. Dezember 1974 (BGBl. I S. 3714) werden die Wörter „Reichs- und" gestrichen.

§ 4

Änderung des Gesetzes zur Verminderung der Staatenlosigkeit

Artikel 2 Satz 2 des Ausführungsgesetzes zu dem Übereinkommen vom 30. August 1961 zur Verminderung der Staatenlosigkeit und zu dem Übereinkommen vom 13. September 1973 zur Verringerung der Fälle von Staatenlosigkeit (Gesetz zur Verminderung der Staatenlosigkeit) vom 29. Juni 1977 (BGBl. I S. 1101) wird wie folgt gefaßt:

„Für das Verfahren bei der Einbürgerung einschließlich der Bestimmung der örtlichen Zuständigkeit gelten die Vorschriften des Staatsangehörigkeitsrechts."

§ 5

Änderung des Gesetzes über die Errichtung des Bundesverwaltungsamtes

In § 5 Abs. 1 des Gesetzes über die Errichtung des Bundesverwaltungsamtes in der im Bundesgesetzblatt Teil III, Gliederungsnummer 200-2, veröffentlichten bereinigten Fassung, das zuletzt durch § 43 des Gesetzes vom 2. September 1994 (BGBl. I S. 2265) geändert worden ist, wird die Angabe „§ 17 Abs. 3" durch die Angabe „§ 17 Abs. 2" ersetzt.

§ 6

Änderung des Gesetzes über Personalausweise

Das Gesetz über Personalausweise in der Fassung der Bekanntmachung vom 21. April 1986 (BGBl. I S. 548), geändert durch Artikel 1 des Gesetzes vom 30. Juli 1996 (BGBl. I S. 1182), wird wie folgt geändert:

1. Nach § 2 Abs. 1 wird folgender Absatz 1a eingefügt:

   „(1a) Die Gültigkeitsdauer eines Personalausweises darf in den Fällen des § 29 des Staatsangehörigkeitsgesetzes den Zeitpunkt der Vollendung des 23. Lebensjahres des Inhabers solange nicht überschreiten, bis die zuständige Behörde den Fortbestand der deutschen Staatsangehörigkeit festgestellt hat."

2. § 2a Abs. 1 Satz 2 wird wie folgt geändert:

   a) Der Punkt am Ende der Nummer 4 wird durch ein Komma ersetzt.

   b) Es wird folgende Nummer 5 angefügt:

      „5. Angaben zur Erklärungspflicht des Ausweisinhabers nach § 29 des Staatsangehörigkeitsgesetzes."

§ 7

Änderung des Melderechtsrahmengesetzes

Das Melderechtsrahmengesetz in der Fassung der Bekanntmachung vom 24. Juni 1994 (BGBl. I S. 1430), geändert durch Artikel 3 Abs. 1 des Gesetzes vom 12. Juli 1994 (BGBl. I S. 1497), wird wie folgt geändert:

1. § 2 Abs. 2 Nr. 3 wird wie folgt gefaßt:

   „3. die Tatsache, daß

      a) Paßversagungsgründe vorliegen, ein Paß versagt oder entzogen oder eine Anordnung nach § 2 Abs. 2 des Gesetzes über Personalausweise getroffen worden ist,

      b) nach § 29 des Staatsangehörigkeitsgesetzes ein Verlust der deutschen Staatsangehörigkeit eintreten kann."

2. § 23 wird wie folgt gefaßt:

   „§ 23

   Anpassung der Landesgesetzgebung; unmittelbare Geltung

   (1) Die Länder haben ihr Melderecht den Vorschriften dieses Gesetzes innerhalb von zwei Jahren nach dem Inkrafttreten dieses Gesetzes anzupassen.

   (2) § 2 Abs. 2 Nr. 3 Buchstabe b gilt bis zur Anpassung des Melderechts der Länder unmittelbar."

§ 8

Änderung des Paßgesetzes

Das Paßgesetz vom 19. April 1986 (BGBl. I S. 537), zuletzt geändert durch Artikel 2 des Gesetzes vom 30. Juli 1996 (BGBl. I S. 1182), wird wie folgt geändert:

1. Nach § 5 Abs. 1 wird folgender Absatz 1a eingefügt:

   „(1a) Die Gültigkeitsdauer eines Passes darf in den Fällen des § 29 des Staatsangehörigkeitsgesetzes den Zeitpunkt der Vollendung des 23. Lebensjahres des Inhabers solange nicht überschreiten, bis die zuständige Behörde den Fortbestand der deutschen Staatsangehörigkeit festgestellt hat."

2. § 21 Abs. 2 wird wie folgt geändert:

   a) Der Punkt am Ende der Nummer 15 wird durch ein Komma ersetzt.

   b) Es wird folgende Nummer 16 angefügt:

      „16. Angaben zur Erklärungspflicht des Ausweisinhabers nach § 29 des Staatsangehörigkeitsgesetzes."

§ 9

Änderung des Personenstandsgesetzes

§ 70 Nr. 5 des Personenstandsgesetzes in der im Bundesgesetzblatt Teil III, Gliederungsnummer 211-1, veröffentlichten bereinigten Fassung, das zuletzt durch Artikel 2 des Gesetzes vom 4. Mai 1998 (BGBl. I S. 833) geändert worden ist, wird wie folgt gefaßt:

„5. die Eintragung der Staatsangehörigkeit in die Personenstandsbücher,".

§ 10

Änderung des Bundesvertriebenengesetzes

§ 4 Abs. 3 Satz 3 des Bundesvertriebenengesetzes in der Fassung der Bekanntmachung vom 2. Juni 1993 (BGBl. I S. 829), das zuletzt durch Artikel 30 des Gesetzes vom 24. März 1997 (BGBl. I S. 594) geändert worden ist, wird aufgehoben.

Artikel 4

Außerkrafttreten bisherigen Rechts

Mit dem Inkrafttreten dieses Gesetzes treten außer Kraft:

1. die Verordnung über die deutsche Staatsangehörigkeit in der im Bundesgesetzblatt Teil III, Gliederungsnummer 102-2, veröffentlichten bereinigten Fassung,
2. die Verordnung zur Regelung von Staatsangehörigkeitsfragen in der im Bundesgesetzblatt Teil III, Gliederungsnummer 102-4, veröffentlichten bereinigten Fassung.

Artikel 5

Inkrafttreten

(1) Am Tage nach der Verkündung treten in Kraft:

Artikel 1 Nr. 3 hinsichtlich § 4 Abs. 3 Satz 3 des Reichs- und Staatsangehörigkeitsgesetzes, Artikel 1 Nr. 10 und Artikel 3 § 9.

(2) Am 1. August 1999 treten in Kraft:

1. Artikel 1 Nr. 2 Buchstabe a und b, Nr. 4, Artikel 3 § 1 Nr. 1 und
2. Artikel 1 Nr. 11 hinsichtlich § 40a des Reichs- und Staatsangehörigkeitsgesetzes.

(3) Im übrigen tritt dieses Gesetz am 1. Januar 2000 in Kraft.

Das vorstehende Gesetz wird hiermit ausgefertigt und wird im Bundesgesetzblatt verkündet.

Berlin, den 15. Juli 1999

Der Bundespräsident
Johannes Rau

Der Bundeskanzler
Gerhard Schröder

Der Bundesminister des Innern
Schily

Appendix II: Student Ethics Form

Appendix 6.3 – Student Ethics Form

European Studies
Student Ethics Form

Your name: Hannah Wilms

Supervisor: Guido van Hengel

Instructions/checklist
Before completing this form you should read the APA Ethics Code (http://www.apa.org/ethics/code/index.aspx). If you are planning research with human subjects you should also look at the sample consent form available in the Final Project and Dissertation Guide.

a. [ ] Read section 3 that your supervisor will have to sign. Make sure that you cover all these issues in section 1.
b. [ ] Complete sections 1 and, if you are using human subjects, section 2, of this form, and sign it.
c. [ ] Ask your project supervisor to read these sections (and the draft consent form if you have one) and sign the form.
d. [ ] Append this signed form as an appendix to your dissertation.

Section 1. Project Outline (to be completed by student)

(i) Title of Project:
Dissertation

(ii) Aims of project:
To analyse how Facilitated access to citizenship, initiated by the 1999 reform of the Citizenship Act, leads to an increased political integration of people with migratory background in Germany.

(iii) Will you involve other people in your project – e.g. via formal or informal interviews, group discussions, questionnaires, internet surveys etc. (Note: if you are using data that has already been collected by another researcher – e.g. recordings or transcripts of conversations given to you by your supervisor, you should answer 'NO' to this question.)

YES / NO

If no: you should now sign the statement below and return the form to your supervisor. You have completed this form.

This project is not designed to include research with human subjects . I understand that I do not have ethical clearance to interview people (formally or informally) about the topic of my research, to carry out internet research (e.g. on chat rooms or discussion boards) or in any other way to use people as subjects in my research.

Student's signature  date 4th of May 2016