The Challenges of Citizenship in a Small European State

Luxembourg

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Defining Citizenship

- In Luxembourg, citizenship and nationality are seen as interchangeable terms. As in most European countries, it is seen as tied to descent from nationals (jus sanguinis), but can also be acquired through a variety of other routes (cf. Loi du 8 mars 2017 sur la nationalité luxembourgeoise).

- In general, most applicants who do not quality for citizenship by descent are expected to be able to demonstrate that they have reached a certain level of integration, notably through a test in the Luxembourgish language and a civic test or certificate of attendance of a civic course. There are, however, exceptions to this rule.

- The new law on citizenship from 2017 has relaxed the language-related conditions to make it more accessible to the growing number of foreign residents. However, there are increasing demands among the general public to protect and promote the Luxembourgish language and to encourage migrants to learn it.

- In practice, while Luxembourg has three official languages (Luxembourgish, German and French), Luxembourgish already has a special status as it is the only language that is required to obtain the citizenship.

Routes to Citizenship I: by birth

- Children who have at least one Luxembourgish parents or who are adopted by a Luxembourgish parents
- Children who are born in Luxembourg if one of their parents was also born in Luxembourg (double jus soli).
- Children who are born in Luxembourg and cannot lay claim to any other citizenship.
- Children on their 18th birthday if they have lived in Luxembourg for five consecutive years prior to their birthday and where born there.

Routes to Citizenship II: for adults

- Normally;
  - 5 years of residency in Luxembourg
  - Official language test in Luxembourgish (A2 oral, B1 listening understanding)
  - Civic course of 24 hours OR an exam proving civic knowledge: fundamental rights, political institutions, history.
- Special circumstances;
  - 'services to the state'
  - Requires the support of parliament
  - Usually covers arts, sport etc., but not in return for investments.

Routes to Citizenship III: By 'Option'

1) If the parents or grandparents were Luxembourgers, but the adult did not obtain the nationality previously.

2) Spouses of Luxembourgers need to pass the language and cultural tests, but do not have a residency requirement if they live in Luxembourg. If they live outside Luxembourg, they can apply only after 3 years of marriage.

3) If an adult spent at least seven years in the Luxembourgish school system and lived in Luxembourg for twelve consequtive months.

4) If an adult has lived 20 years in Luxembourg, only participation in a language course is required.

5) Recognized refugees, if they have lived in Luxembourg for at least five years and pass the language and civic tests.

6) Soldiers after at least one year of service.

It is possible to give up or loose the Luxembourgish citizenship.

Types of Citizenship

- There is only one type of citizenship in Luxembourg

- Dual citizenship (i.e. the fact of having the citizenship of two countries) is allowed.

- It is possible to receive citizenship for services rendered. These special cases have to be approved by parliament.

Challenges to Citizenship (1)

- One of the key challenges that Luxembourg faces is its multilingual tradition. Luxembourg has three official languages (Luxembourgish, German and French), and most Luxembourgers will speak at least two if not all three of these languages, as the public school system uses different languages at different stages of schooling.
  - Luxembourgers find it easy to communicate with the populations of the surrounding states.
  - But immigrants and their children face high hurdles to successful integration, especially if they are new to all three languages.
- Citizenship requires knowledge of only one language – Luxembourgish – as this is traditionally the language that most Luxembourgers speak.
- As the proportion of foreign residents rises steadily, the recent reform of citizenship has revolved around the question of language requirements and led to a lowering of the requirements. The aim is to allow more foreigners to acquire citizenship.

Challenges to Citizenship (2)

- As a small and prosperous state in the middle of Europe, Luxembourg has relied on the influx of foreign workers for over a century.

- As a result of the steady influx, the population has increased steadily, and the proportion of 'Luxembourgers' among residents has fallen, despite the fact that several thousand people adopt the nationality every year. Almost 50% of all residents are now foreigners.

- Luxembourg thus has an abnormally low proportion of 'citizens' among its residents, which raises questions about the democratic nature of the political system, the language policy of the country etc.

Challenges to Citizenship (3)

- Only Luxembourgish citizens can vote in national elections.

- In elections to the European Parliament, EU citizens who are residents in Luxembourg can also vote, if they enter their name into the register.

- Foreign residents (including EU citizens) can only vote in local elections if the have lived for more than 5 years in Luxembourg and have registered as a voter.

- Voting is mandatory in Luxembourg, and once foreign residents register as voters, it is also mandatory for them.

Responses to Citizenship

- In order to facilitate the integration of foreigners in general and to pave the way to citizenship, the state has introduced a 'Contrat d'accueil et d'intégration' (CAI). Foreign residents are encouraged to take part in this measure: In return for taking a language class, participation in a civic course and other events, they receive a certificate which facilitates the acquisition of citizenship.

- The state and the communes offer language classes in Luxembourgish, German and French to facilitate the integration of foreigners. Some communes also offer language roundtables and there are social networks where foreigners and Luxembourgers can connect.

Flashpoints

- On 7 June 2015, the Luxembourgish government held a triple referendum. One of the questions was about whether foreign residents should be allowed to vote in national elections. This would be a novel approach, as no EU country currently allows this.

- The proposal was rejected by 78% of voters. Why?
  - Foreigners would only have qualified for the right to vote after 10 years of residency, but – beyond that – there were no conditions in terms of integration.
  - This sparked fears that there would be a sizable group of voters who would not speak Luxembourgish and that political debates might shift to other languages.

- What this episode shows is that any attempt to involve foreigners more into the political life of the country would probably have to come with clear conditions of language proficiency to alleviate cultural concerns.

Economy, crisis and citizenship

- Neither the eurozone crisis nor the migration crisis of 2015 have had a noticeably impact on the citizenship policy of Luxembourg.

Conclusion: Prospects

- One question that is already important will also shape future debates on citizenship:
  - How to handle citizenship in a country that will soon have over 50% foreign residents?
    - By making it easier to acquire citizenship, e.g. by lowering language requirements? Unpopular with existing residents.
    - By giving non-citizen residents more rights and duties (e.g. voting rights) to increase their role in society? Also unpopular with existing residents, if these policies are not tied to integration requirements (esp. language).
  - (To what extent) is it a democratic problem when the government of a country is effectively determined by only half its population?
    - How can you reconcile the fears of existing citizens that their language (Luxembourgish, German, French) and culture might get lost with the desire of sizable minorities to strengthen the status of their language or other languages (Portuguese, English…)?