

The revocation of nationality (First half of the twentieth century)

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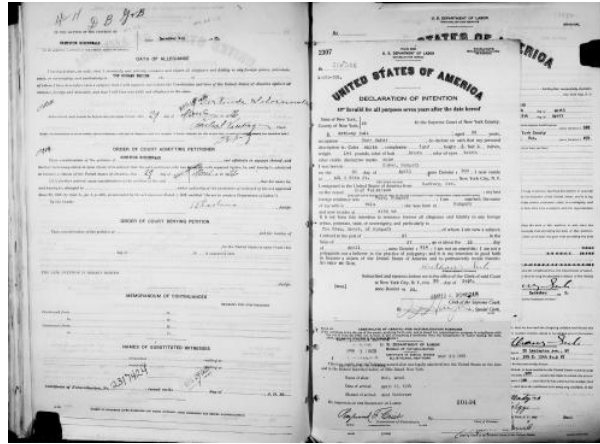
ABSTRACT

Procedures of denaturalization and the revocation of nationality were connected to both migration and the emergence of the nation state model in Europe. These procedures, which were based on regulations, amendments, and laws, appeared in a context of intense migratory flows resulting from the dismemberment of empires following the First World War. They should therefore be conceptualized in connection with nationality, citizenship, and subjection. This new order ascribed new aspects to the notion of foreigner, with war impacting representations of loyalty as well as the transition from a “nationality of empire” to “national nationalities.” In this context, there was a significant discrepancy between various national ideal types (generally based on a perfect balance between rights and obligations for all of a country’s citizens), and the actual diversity and variability of nationality practices. The criteria for access to or revocation of nationality call for a comparative perspective.



Greek and Armenian refugee children near Athens, photo dated 1923.

Source : [Library of Congress](#).



Naturalization petition of Gertrude Freudenberg Schoenwald (1867-1940), and the file prepared by the US Department of Labor in 1925. Source : [Wikimedia Commons](#).



Nansen passport issued to Bernhard Hirschberg in Hamburg (Germany) in 1939. Source : [Wikimedia Commons](#).

In Europe during the first half of the twentieth century—a period and space marked by colonialism, two global conflicts, and the emergence of supranational institutions such as the League of Nations (LoN)—the appearance of measures for denaturalization and the revocation of nationality helped implement a system with nationalist values, which considered some individual actions as constituting betrayal. Denaturalization—a review of naturalization—as well as withdrawal of naturalization—which casts individuals deemed to be at fault outside of the national fold—became at the time pillars of political exclusion, deportation, and even extermination within the European

space. Depending on the language, the very words denoting procedures of “naturalization” did not involve the same political representations of the nation: while in French the term refers to the existence of a “French nature” and the notion of a “natural law,” the Turkish term evokes an “admission of nationality,” a dynamic process implemented by political authorities rather than an essential belonging on the part of the individual. In both cases, procedures for naturalization or the revocation of nationality were based on the fact that nationality resulted in a reclassification for the individual concerned.

Nationalization and denationalization before the Great War

The nineteenth century was a major turning point in the development of political and administrative legislation and practices regarding the belonging of individuals and groups to territorial and political entities such as kingdoms, empires, and increasingly more often nation states. In a number of empires (notably the German, Russian, Ottoman, and French), procedures for the revocation of nationality as we know them today were created in the mid-nineteenth century, especially in cases of allegiance to a foreign army or residence abroad. In the early twentieth century, and even more so during the First World War, western democracies added similar measures to their law. For instance, in the United States, a 1906 law enabled the federal government to request the annulment of naturalization for procedural fraud, although in practice the denaturalized were often renaturalized if they correctly followed procedure. However, the law in question was soon used as a weapon to exclude individuals considered “un-American,” as demonstrated by the denaturalization of the anarchist Emma Goldman in 1909. In France, the laws of 1915 and 1917 made denaturalization possible, with the procedures becoming permanent under the nationality law of 1927. In Great Britain, a text of August 1918 also enshrined in law a series of circumstances and reasons allowing for the revocation of nationality.

The Great War, a turning point in the history of nationalities

The end of the Great War marked the collapse of empires and the beginning of the international institutionalization of refugee status. Imperial Russia gave way to the Soviet Union; the Habsburg and Ottoman Empires dissolved, with the countries emerging from these areas having new borders and facing massive migration. Germans, Balts, and populations from the Balkans took refuge in countries where they believed they shared an ethnolinguistic or religious identity. This situation was formalized by the conclusion of treaties on the rights of minorities, such as the Little Treaty of Versailles (regarding the Polish) in 1919, or that of Neuilly in 1919 and Lausanne in 1923. The LoN established a High Commission for Russian Refugees in 1921, which also dealt with stateless Greeks and Armenians to ensure the rights of these minorities. It was this body that implemented Nansen passports in 1922 as a response to the practice of revoking nationality, and the gradual institutionalization of national passports. Four LoN multilateral agreements were adopted between 1922 and 1928, which culminated in the Convention Relating to the International Status of Refugees in 1933.

Normative frenzy: toward the Second World War

During the late 1930s, and especially beginning in 1938, procedures for the revocation of nationality intensified toward certain groups, and were implicitly or explicitly based on ethnoreligious—and especially anti-Semitic—criteria in various European countries. Prewar laws on nationality prepared the persecution of Jews. In Nazi Germany, the process began with the rise to power of the NSDAP, as the law of July 14, 1933—clarified by the order of July 16—enabled the revocation of naturalizations granted under the Weimar Republic, specifying that naturalizations should proceed along “ethnonational” criteria. The Nuremberg Laws of 1935 sharpened this category-based discrimination, clarifying the distinction between full citizenship and “secondary nationality,” which is to say without political rights. In Italy, as part of intensified repression measures against political opponents, the nationality law of 1912 was modified in January 1926, making possible the revocation of citizenship for acts damaging the “interests,” “reputation,” or “prestige” of Italy. This procedure particularly, but not exclusively,

targeted individuals who had recently acquired Italian nationality. During the 1930s, these legal measures connected with anti-Semitic measures, with the royal law-decree of September 7, 1938 explicitly excluding recently naturalized Jews. In France, a law introduced in August 1940 implemented a systematic review of naturalizations granted under the law of 1927. While the law's language was relatively vague regarding targets, in practice the populations that were the most severely affected were those naturalized by the Front populaire (suspected of fundamental disloyalty toward the Vichy regime), in addition to naturalized Jews.

Loss of citizenship had considerable consequences, including the loss of social and political rights, despoliation, exile, and even death. These measures were connected via two sets of criteria, whose weighting and content varied according to the time and place: criteria of identification (ethnoreligious, racial), and criteria of political allegiance. Behavior suggesting flight, failure to provide national identification papers, and varying lengths of absence from the national territory constituted reasons for exclusion.

The emergence of degrees of citizenship, linked with the presupposed political allegiance of individuals—and even more so of entire groups identified based on shifting criteria—call for examination in light of the imperial and national belonging of other sidelined groups. A cross-cutting and comparative study of the nationality situation of colonized populations in both a colonial setting and in the metropole is essential; the same is true for that of women and children (as minors and with respect to filiations). Close case-by-case examination of the reception of these laws and their associated practices would sharpen our understanding of the political, social, and global contexts of the interwar period, as well as the permeation within various societies of ideas of nationality, citizenship, equality, and especially individual choice.

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