DEPARTMENT OF GLOBAL POLITICAL STUDIES

ANALYSING THE DEBATE OF DUAL CITIZENSHIP
IN
TANZANIA

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Abstract

The restriction of dual citizenship in Tanzania has attracted the attention in political and public debates for about two decades now. This thesis aims at analysing the ongoing debate on the issue of dual citizenship in Tanzania. I use the content analysis approach to analyse the concept of citizenship and the position of dual citizenship in Tanzania citizenship law; the arguments raised on the debate and the benefits that dual citizenship may potentially bring to Tanzania if it is allowed.

The results suggest that Tanzania citizenship laws demarcate incontrovertible ethno-cultural boundaries and legal definitions of the citizenry promulgate restrictive nationalist identities while dual citizenship is restricted. It has found that the opponents remark dual citizenship as threat to the national identity, divides allegiance and threat to the national security. While the growing importance of human rights paradigm and the highly extent of Tanzania’s diaspora population have found as grounds for the proponents of dual citizenship in Tanzania. Moreover the results suggest that dual citizenship will build the strategic partnerships and enable flow of resources, capitals and technology as well as maintain close bond between Tanzania and its nationals abroad.

Key words: citizenship, dual citizenship, migration, restriction, toleration, national security, loyalty, human right, identity, diaspora, transnationalism, remittances, Tanzania
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CHAPTER ONE

INTRODUCTION

1.1. Contextual Background

In the last two decades of the past century the global community has witnessed big waves of neoliberal politics and socio-economic change spreading almost all over the world. The waves that have increased enormous number of human migration crossing over multiple of nations’ boundaries. As a result, it is no longer possible to make a simple distinction between their countries of origin, transit and their new home countries. One of the major problematic issue raised by these human migration is the issue of citizenship. The dominant theory in a new migration era maintains that ‘human mobility and citizenship are linked with a variety of concerns about changing global strategies where governments and societies would operate’ (Collinson 1999:2) and characterized by minimization if not completely elimination of restrictions towards international human mobility within the global community. Even Tanzania which had no strong tradition of international migration the history has now changed. As Tanzania’s Foreign Minister stated:

“[…]Tanzania migration is now a reality; it is a reality that historically presented a challenge and a sense of loss; as growing number of Tanzanians who went abroad for studies…others trained and already serving in key professions left the country for greener pastures. However, there was one positive aspect; these Tanzanians abroad maintained… a relationship with their country of Origin ” Bernard Membe, Tanzania’s Foreign Minister(June 2013)

The statement from the Foreign Minister in fact echoes the magnitude of political and socio-economic reforms which took place in Tanzania between 1980s and 1990s whereby the country reformed its policies in the same course of being stretched across the new global pattern of governance and politics. Literally the reforms made possible to open up doors for many young and professional Tanzanians to emigrate the country searching jobs, education and businesses opportunities in other part of the world (2014:1). As a result, for the period of two decades Tanzanian diaspora population extended from 200,000 in early 1990s up to 3.7 million in 2013 (IOM-Tanzania, 2014). In many countries like Tanzania the consequence of such reforms as
Vertovec (2004) points out; “first, enhanced bifocality of outlooks underpinning migrant lives lived here-and-there; such dual orientations have considerable influence on transnational family life and may continue to affect identities among subsequent post migration generations. Second, heightened challenges to ‘identities-borders nation-state; stemming from migrants’ political affiliations in more than one nation-state these particularly arise around questions of dual citizenship and nationality. Third, potentially profound impacts on economic development by way of the sheer scale and evolving means of remittance sending; money transfer services, hometown associations and micro-finance institutions represent three kinds of remittance-related organizations currently undergoing significant forms of adaptation with significant consequences for development” (Vertovec 2004: 970). Moreover, ‘countries have rushed to grant their expatriates abroad dual citizenship as well as encouraging them to naturalize and participate politically in their new home countries’ (Portes 1999: 467). What Portes (1999) emphasizing, is a 'remarkable departure from earlier times when emigrants were almost regarded as defectors and naturalization in another country entailed the automatic loss of the original citizenship. According to him, ‘this dramatic changes and reforms of citizenship policies are motivated by the desire of the sending countries to retain the loyalty and hence the economic contributions of their expatriates together with the hope that they can further politically the interests of home country governments with their votes and political mobilization abroad' (ibid 467-468).

However, whilst number of countries that allow their nationals to acquire another citizenship increased, in Tanzania the restriction of dual citizenship has been attracting attention in politics and public debates since the enactment of the new Citizenship Act in 1995. The demand of dual citizenship gained a new momentum during the country's Constitution rebuilding process which started in 2013 and again the Minister of Foreign Affairs Bernard Membe appeared says that:-

“[...]the issue of dual citizenship highly affects our people abroad 9[...] it hinders their access to reliable jobs, health services and education in their new countries of residence. The government has expressed its commitment in finding a lasting solution and ensure that dual citizenship gets its way in a new Constitution.”

Bernard Membe, addressing the Diaspora Councils of Tanzanian in America (DICOTA) April, 2013 Washington D.C.]

Unlike the expectation of Tanzanians (particularly in the diaspora) who are waiting for a
referendum on the new proposed Constitution, the Constituent Assembly smartly diverted to recognize dual citizenship. Instead the new proposed Constitution provides an Article which would grant a special status for Tanzania nationals who have renounced origin citizenship and have acquired another citizenship in their new countries (Article 72 of the new proposed Constitution of 2014.). It has been argued that the Article not only brings the ambiguity on administering Tanzanians emigrants but also increases the battle on dual citizenship than ever before. The assumption is that while proponents of dual citizenship maintain that it's high time for Tanzania to join the line of the countries that tolerate dual citizenship like its neighbours in the region in another side the opponents claim that reasons that influenced Tanzania to restrict dual citizenship are still valid in sense that those ‘who emigrate and acquire citizenship in other countries are unpatriotic citizens and threat to the national security’ (Hansen 2012: 78) regardless their social and economic contribution to their families and the country at large.

Therefore, although the debate of dual citizenship has existed for about twenty years in political and public spheres, there is little research regarding the debate of dual citizenship in Tanzania since it was restricted in 1995.

1.2. Purpose and Research Questions

The purpose of this thesis is to increase the understanding of the concept of citizenship and dual citizenship in the field of international migration by scientifically analysing the debate of dual citizenship in Tanzania and thereafter to investigate the benefits of dual citizenship in favour of Tanzania if it could allow its nationals to acquire another citizenship without renouncing their Tanzanian citizenship.

Therefore, the thesis is guided by the following research questions:-

(i) How are the concept of citizenship and the position of dual citizenship interpreted in the current Tanzania Citizenship Laws?

(ii) What are the basic arguments raised in the debate of dual citizenship in Tanzania?

(iii) What will benefits of dual citizenship bring to Tanzania if it is allowed?
1.3. Research Delimitations

1.3.1. Tanzania as a Case Study

For many years until the end of the twentieth century, Tanzania had no strong tradition of international migration. It was estimated a relatively small diaspora population of around 200,000 in the early 1990s. The reasons of this minimal number as outlined by Hansen (2012) including; First, the fact that Tanzania is primarily an agricultural country that has mostly been a country of immigration from other countries mostly from East Africa. Second Tanzania has been a peaceful country that has not generated substantial outflows of refugees so as the emigration has never been an established livelihood strategy. Third from the late 1960s to the early 1980s, leaving Tanzania was seen as challenging the ideals of the socialist state and was made difficult for many Tanzanians to emigrate and instead were forced by the government to live in particular regions or villages as part of overall development plans under ‘Ujamaa na Kujitegema’ (socialism and self-Reliance) ideology (Hansen 2012: 79). However, following major political and economic reforms which took place between 1980s and 1990s, the story has now changed. According to the IOM-Tanzania report (2014), the Tanzania diaspora population approximated about 3.7 million by 2013. This population has been a major stakeholder to bring a political pressure bearing the government of Tanzania to change the citizenship law and allow dual citizenship like its fellow members in East Africa Community. Thus Tanzania serves as a good example of many other sending countries which are still debating on whether to tolerate or restrict dual citizenship. Also the study will bring new insights and broaden the understanding of the concepts of citizenship and dual citizenship in academic field of international migration and citizenship. Beyond this, findings will serve as a helpful tool on the policy and law making process regarding issues of dual citizenship not only in Tanzania but also in other countries which are in the same situation with Tanzania.

1.3.2. Period of Analysis

Based on the fact that the impact of ‘globalization and neoliberal state doctrine influenced the government of Tanzania to reform its political and economic policies between 1980s and early years of 1990s’(Hansen 2012: 79). The reforms were made in order to allow the country to stretch itself and comply with the newly global political and economic formations. Among the major reforms were the inclusion of the Bill of Rights in the Constitution of Tanzania,
introduction of multiparty system, economic liberalization and the enactment of the new Tanzania Citizenship Act of 1995. Various studies maintain that it was after these reforms that trigger Tanzanians to query some of their infringed rights including the demand of dual citizenship. Therefore, the period of analysis will basically start from the fifth constitutional amendment of 1984 (where Bill of Rights and UDHR embedded in the Constitution of Tanzania and enactment of the Citizenship Act in 1995) until the current situation where Tanzania is in the process of rebuilding its constitution. Therefore the analysis will be divided into three major parts. In the first part the study will make analysis on how the concept of citizenship has been interpreted and the position of dual citizenship in the existing Tanzania citizenship laws. Second part will deals with analysis on the debate of dual citizenship and will particularly give more emphasis on the arguments raised by opponents of dual citizenship in one side and the proponents of dual citizenship in another side. The third part will point out the benefits of dual citizenship in favour of Tanzania if it allowed its nationals to acquire another countries' nationalities.

1.4. Organization of the study

The study divided into six chapters. After this introduction chapter, it follows with Chapter Two which consists of Methodological aspect where methods, research materials, philosophical standpoints and ethical issues have been explained. Chapter Three contains literature review. The rationale here is to broaden the knowledge of the subject matter and in this case literatures regarding dual citizenship has been reviewed from global point of view and African perspective. The Theoretical Framework is provided in Chapter four where the concepts and aspects have been utilized and explained. Chapter five consists analysis and discussion of the findings. This chapter divided into three main parts. Part one analyses the concept of citizenship and position of dual as provided by the Tanzania citizenship laws. Part two analyses the arguments drew from research materials regarding the debate of dual citizenship and Part three analyses the benefit of dual citizenship that will bring about to Tanzania. Lastly the study ends with chapter six where conclusions is presented.
CHAPTER TWO

METHODOLOGY AND RESEARCH MATERIALS

2.1. Content Analysis

Based on the purpose of the study, to make scientific analysis on the debate of dual citizenship in Tanzania, I will employ the Content Analysis as my technique of data collection. As Barbara Johnstone (2008) asserts, ‘everything people say arises out of existing situation as well as a result of choices, conscious or unconscious, about how to shape the context that shapes talk’ (Johnstone 2008: 289). My assumption here is that the ongoing debate of dual citizenship in Tanzania is a consequence of the Tanzania’s citizenship law which in fact restrict dual citizenship against a new global formations of migration and citizenship laws the reasons used mostly by Tanzania diaspora population to pressurize the government of Tanzania to allow dual citizenship. Thus, content analysis which in fact allows researchers to employ both; qualitative approach which will be used for text analysis where nothing is going to be counted or measured, because ‘it starts with the idea of process, or social context, and views the author as a self-conscious actor addressing an audience under particular circumstances’(Jansson 2013:6), and quantitative approach which ‘deals with what has been produced, not the decisions which informed its production’(ibid) will be used to investigate the benefits in favour of Tanzania if it could allow dual citizenship policy.

Basically, the content analysis (which was first used ‘as a method for analysing hymns, newspaper and magazine articles, advertisements and political speeches in the 19th century’ (Harwood &Garry 2003) ), is a method of analysing written, verbal or visual communication messages (Cole 1988) as well as a method of analysing documents (Elo and Kynga’s 2008: 107). According to Elo and Kynga’s (2008), the approach enables for making replicable and valid inferences from data to their context, with the purpose of providing knowledge, new insights, a representation of facts and a practical guide to action (see Krippendorff 1980). The idea is to attain a ‘condensed and broad description of the phenomenon, and the outcome of the analysis is concepts or categories describing the phenomenon’ (Elo and Kynga’s 2008: 107).
The advantage of using content analysis in social science research offers researchers a content-sensitive method (see also Krippendorff, 1980), and its flexibility in terms of research design (Harwood & Garry 2003). It also allows the researcher to test theoretical issues to enhance understanding of the data. As (Jansson 2013) argues ‘it enables the author to consider not only the ways in which meaning is constructed, but also the ways in which the new meaning are developed and employed. This advantage gives the paper ‘a glean data from different texts on a particular phenomenon (in this case the debate of dual citizenship in Tanzania). That means it allows the researcher to find answers of research questions rather than searching through irrelevant or inappropriate information’(2014:10), that can be used to develop an understanding of the meaning of communication (See Cavanagh 1997) and to identify critical processes (see Lederman1991). In general understanding, the content analysis approach is concerned with meanings, intentions, consequences and context (Elo and Kyngäs 2008: 108).

Moreover, for the content analysis to be utilized effectively Elo and Kyngäs (2008) assert three main stages to be followed in social science research:-

First, preparation stage which starts with selecting the unit of analysis. Deciding on what to analyse in what detail and sampling considerations are important factors before selecting the unit of analysis. Here, the researcher must also decide whether to analyse only the manifest content or the latent content as well. And what is important at this stage the researchers are guided by the aim and research question of the study in choosing the contents they analyse. Here the researcher strives to make sense of the data and to learn what is going on(Morse & Field 1995) and obtain a sense of whole (Tesch 1990, Burnard 1991). According to Dey (1993), when reading the data the questions that will guide him/her are; who is telling? where is this happening, when did it happen, what is happening and Why? The aim here is to become immersed in the data, which is why the written material is read through several times (Burnard 1991, Polit & Beck 2004). No insights or theories can spring forth from the data without the researcher becoming completely familiar with them (Polit & Beck 2004).

Second, is to organize the qualitative data. To the Elo and Kyngäs’s (2008), this process includes open coding, creating categories and abstraction. According to them open coding means that notes and headings are written in the text while reading it. The written material is read through again, and as many headings as necessary are written down in the margins to describe all aspects of the content (Burnard 1991, 1996, Hsieh & Shannon 2005). The purpose of creating categories is to provide a means of describing the phenomenon, to increase understanding and to generate knowledge (Cavanagh 1997). Here, the researcher comes to a
decision, through interpretation, as to which things to put in the same category (Dey 1993). Abstraction means formulating a general description of the research topic through generating categories (Robson 1993, Burnard 1996, Polit & Beck 2004). Each category is named using content-characteristic words. Subcategories with similar events and incidents are grouped together as categories and categories are grouped as main categories (Dey 1993, Robson 1993, Kynag’s & Vanhanen 1999). The abstraction process continues as far as is reasonable and possible.

Third, reporting the study and presenting its results. Here the results are formed through a process comprising a number of phases and the researchers often wish for more detailed instructions on how to carry out content analysis. Moreover, the reporting and presentation of the results have to be described putting into the consideration what the researcher has been coding during the data collection.

Therefore, to make use of the content analysis will enable me to grasp related information from data that will be analysed. Similar to Jansson (2013) research materials will be ‘approached through understanding the context in which they are produced’ (Jansson 2013: 6).

2.2. Research Materials

The study intent to use a range of materials from both primary and secondary sources while I am addressing the research questions. First, the primary source will including government official documents such as The Constitution of United Republic of Tanzania of 1977, Tanzania Citizenship Act of 1995 and other government reports. When analysing these materials, I will use the Carol Bacchi’s (2009) technique of Analysing Policy ‘What’s the problem represented to be.’ This technique ‘creates the opportunity to question taken for granted, assumptions that lodge in government policies by problematizing the problem representations it uncovers within them (Bacchi 2009: xv). As Bacchi argues, policies by their nature imply certain understanding of what to be changed and thereby suggesting that problems are rather created within the policy making process than existing outside of it (Bacchi 2013, Jansson 2013: 6). The idea here is that public policies effect every dimension of our lives, the ways in which problems are constituted or shaped carry all sorts of implications for how we live our lives on a day to day basis (ibid). Thus, materials concerned Tanzania citizenship laws will be analysed in order to get a deeper understanding on what they say regarding the concept of citizenship in Tanzania as well as to investigate how they restrict dual citizenship.
Second, I will use some speeches and statements delivered by Tanzania's government officials (like the President and Cabinet Ministers), arguments from politicians, academicians, members from Non-Governmental Organisations (such as Tanzania diaspora associations) as well as common citizens. Here official websites, personal blogs media and online public forums will be utilized in order to grasp relevant information concerning the debate of dual citizenship in Tanzania.

Third, I will make use of secondary source including academic literatures, reports from national and international organizations (regarding dual citizenship in Tanzania). My ideal here is to collect relevant information about the benefits of dual citizenship in favour of Tanzania if it could tolerate its nationals to acquire another citizenship without renouncing their Tanzania citizenship. Bear in mind that the selection of research materials will be in random base putting into consideration their relevance within dual citizenship paradigm in Tanzania and due to its flexibility, the intended purpose will be achieved.

2.3. Philosophical Standpoint

My philosophical standpoint is based on an ontological relativism which maintains that reality is a social construction and scientific methods like other social institutions are a human construction with no special claims to objectivity (Rosenberg 2012:129). According to 6 and Bellamy (2012), social construction was and is understood to be the study of the social interactions that led to shared understandings or indeed conflicting ones – and to the development of practices based on those understandings. That means institutions such as money constitutions, rights and occupational statuses, all function in the way they do because enough people accept them and they cease to function or at least function in the same way when enough people cease to accept them(6 and Bellamy 2012:57).

Furthermore, they argue that institutions are human inventions and do not last forever. My assumption is that the issue of dual citizenship acquires the same elements like any other social institutions or social facts in a certain political organization to accept or restrict it. Therefore, the social science research should investigate how these social institutions/facts condition human action because as Bellamy and 6 assert we cannot account for what we observe, independently of the ways in which we recognize, classify, code and analyse our observation (ibid). So that the truth of statements must always be relative to the paradigm and conceptual frameworks within which we collect and analyse data.
2.4. My Position as Researcher

One of the methodological guidelines in social science research is an idea of readers of the study to know the position of the researcher. Thus, apart from being a researcher, it is important to the readers to know that I’m a Tanzanian national studying abroad. So being a Tanzanian as well as a student of International Migration and Ethnic Relations, the program which focuses on the current international development, the effect of globalization and human mobility means that I am subjective to the study. Also, my influence towards the study is based on my ontological relativism standing point which tends to assume that there is no socially relevant reality independence from us. However, similar to Jansson (2013) preposition ‘knowledge is never be neutral, nor objective; already when choosing the topic you are striving away from objectiveness, as well as when choosing your method and theory.’ Having a practical knowledge about the phenomenon can also be a useful tool helpful to 'understand underlying assumptions' (Jansson 2013:8). That means, having professional skills on international migration and empirical experience on the issues of citizenship and migration can be a helpful mechanism on achieving the research purpose of analyse the debate of dual citizenship in Tanzania.

2.5. Ethical Consideration

In 1999, Hammersley coined the term 'ethicim' when he characterized ethical consideration as one of the contemporary tendencies in qualitative research diverting attention away from knowledge to social justice. The fact that research ethics is shown to be a topic that has become increasingly important in discussion of research methodology (Ryne 2011:392). Three main points which are most frequently raised in the Western Research Ethical Guidelines and by the professional associations are 'codes and consent, confidentiality and trust' (ibid). These key points help social scientific researchers and communities to operate with some kind of self-imposed ethical consideration in respect of societal norms and general ethics (ibid: 393). Therefore, similar to Barlach (2012), this study considers the ethical issues in content analytic research, i.e. analysis of the research material on top of its focus on technical matter. To mean that initial consideration is given to the selection of the material and the conduction of the analysis of its content; followed by the formulation of research questions and the embedded critical reasoning and perception of the researcher in the discussion(Barlach 2012: 29).
CHAPTER THREE

3.0. LITERATURE REVIEW

So far little has been written regarding the issue of dual citizenship in Tanzania, the review of various studies from other part of the world and African countries in particular have been utilized in this chapter in order to grasp and broaden the knowledge on the subject of dual citizenship. Literatures in International Migration maintain that human mobility in this era has made it impossible to distinguish between the immigrants' countries of origin vis-à-vis their new home countries. As the result the blanket rejection of dual citizenship has dramatically disappeared as we witnessed a growing number of states tolerate it increased (Pogonyi 2011:689). According to Pogonyi, the changing patterns of migration is argued to be among influential reasons for shifts in dual citizenship policies. In his study titled he explains the starting point of this massive change of citizenship policy around the world. He argues that during the post-war first world economic development required cheap labour mostly from the third world to improve their economic output. Those immigrants commonly known as 'guest workers' were often considered to stay for a limited period of time. However as their stays extended, has become apparent that without citizenship status they and their descendants have to face severe economic, political and social disadvantages' (ibid).

According to Pogonyi, such exclusion not only is unacceptable from a normative point of view, but in the long run may easily create social and political tensions and even the most inclusive naturalization practices could not in itself achieve the integration of migrants. In that case, if they are requested to renounce their original citizenship in order to be naturalized, many of them will be reluctant to do so because that would entail cutting political, social, and emotional bonds with their countries of origin (Pogonyi 2011: 689-690). Whilst majority of studies suggest that the idea of dual citizenship has been characterised as an international human right norm within globalization process, the opponents of dual-citizenship critically argue that as a results of globalization states' governments should restrict dual citizenship because of its 'political and social consequences towards the nation-states’ (Gumbyte, 2013).
3.1. Dual Citizenship from Global Point of View

In their study *Blatter J. et al (2009)* present the findings from 189 countries analysed empirical data on the acceptance of dual citizenship around the world. The findings shows that 73 countries out of 189 accept dual citizenship, 53 do not accept dual citizenship, 24 countries accept very limitedly, 14 countries which accept dual citizenship with treaty nations or tolerate dual citizenship de facto, and 25 countries with inconsistent results (*Blatter et al 2009: 10*). Their data show that the acceptance of dual citizenship has rapidly risen in the last twenty to thirty years and at the beginning of the twenty-first century already a majority of the countries for which data exists accepts or at least tolerates dual citizenship (*ibid*). The reasons that influence this rapid increase are based on two basic assumptions. Firstly, the growing importance of human rights paradigm and secondly, it is often argued that the dual citizenships is a logical consequence of the globalization which has resulted in the increase of international migration and new formation of citizenship laws, hence many countries tend to tolerate dual citizenship in order to integrate migrants and their descendants (*Gumbyte 2013: 4*).

As stated by Dahlin and Hironaka (2008) since the end of the Cold War individuals have increasingly gained voice in the international community as actors themselves rather than as merely representatives of a state. They argue that the human rights regime has influenced individuals to be able to choose their state rather than passively accepting membership in the state that chose them. Individuals feel they should have the right to have their legal status reflect the multiplicity of national political cultures to which they feel they belong (Dahlin and Hironaka 2008:60). Thomas Faist and Jurgen (2008) in the 'Dual Citizenship on An Age of Mobility' have also shown that 'many liberal democratic countries, even when adhering to the principle of avoiding dual citizenship as far as possible are compelled to grant at least certain exemptions' (*Faist and Jurgen 2008: 8*). According to them this tendency is linked to the principles of legitimacy in democratic political systems. They point out that;

“Liberal democratic accept dual citizenship upon naturalization if the other state makes renouncing citizenship impossible or imposes unreasonable demands, liberal democratic states also tend to accept dual citizenship in the name of gender equality when citizenship is acquired by birth. Such state may be inclined to grant dual citizenship on the basis of reciprocity within regional governance system such as Europe where integration is based on the common principle of integration, demands more
Moreover, the acceptance of dual citizenship reveals what Basok et al (2006) call 'forces of
globality,' which are attributed with progressively breaking down barriers of time, space, and
nation and fashioning the planet into a coherent global community have destabilized the link

“[....] we have witnessed the emergence of new spaces for political action and of new
claims for collective rights that transcend the boundaries of nation-states. Discourses of
“global citizens [....] or post-national citizenship raise issues of universality and thus
bring notions of citizenship into the domain of human rights.” in (Basok et al 2006: 269)

Furthermore, the literatures on dual citizenship also regard that many countries tolerate dual
citizenship for the purpose of reaching their nationals abroad, seeking economic and
professional supports in terms of remittances and skills they acquire in host countries. Vertovec
(2004) argues that 'the existing networks of home countries and diaspora communities
heightened challenges to ‘identities-borders-orders stemming from migrants’ political
affiliations in more than one nation-state. He added that 'they have had potentially profound
impacts on economic development by way of the sheer scale and evolving means of remittance
sending; money transfer services, hometown associations and micro-finance institutions
represent three kinds of remittance-related organizations currently undergoing significant forms
of adaptation with significant consequences for development' (Vertovec 2004: 970). Also Faist
and Jurgen (2008) point out that in destination country 'the acceptance of dual citizenship
recognizes the specific symbolic and emotional ties that immigrants have; importantly those
who engage globally in this era of increased mobility of people, information, money, and
consumer goods benefit by retaining both the citizenship of their home countries as well as their
new countries (Faist and Jurgen 2008: 10). Taking Europe as an example they assert that
freedom to travel across borders, opportunities in the labour market and access to educational
institutions are advantages often mentioned by immigrants in Estonia, Finland, France,
Germany and Portugal. To mean that without dual citizenship such as ‘Turkey pink card’ and
other privileges may be otherwise lost. According to them individuals' attachments and
involvements in two or more nation-state, have plural identifications. And when dual
citizenship regard their citizenships as essential to their identity, deciding which citizenship
they would keep if they had to give one up could cause emotional difficulties. What they
emphasize here is that 'the acceptance of dual citizenship can be regarded as symbolically acknowledging transnational life circumstances (ibid).

Therefore this transnational life circumstances as Alejandro Portes (1999) argues, develop a rich gamut of activities between migrants and their home country counterpart so as many governments mostly of the sending nations have started to perceive their expatriate communities as a source of investments, entrepreneurial initiatives, markets for home country companies and even political representation abroad (Portes 1999: 476). As the result many sending nation-states create conducive environments by granting their nationals dual citizenship in order to utilize potentials of their expatriates in their new home countries (Portes 1999:476 – 477).

3.2. Dual Citizenship from Africa Perspective

Many literatures on dual citizenship in Africa suggest that almost all African countries after their independences took the decision of discouraging and restricting dual citizenship. However as part of global community African countries have been effected either with the increased patterns or migration and the growing importance of human rights norms which in fact have made possible their nationals abroad forcing their home governments to reform their citizenship laws. Recently we have witnessed some of the countries in Africa have tolerated dual citizenship or are in the process of considering such changes. The literatures suggests that despite of the evident benefits of dual citizenship, the recognition or restriction of dual citizenship in many African countries reflects a symbolical range of political motivation. Beth Elise Whitaker (2011)point out three ways on how the recognition or restriction of dual citizenship has been politically influenced.

First, dual citizenship in Africa has been spurred on by the process of democratization where shift toward multiparty politics prompted emigrants to lobby for political rights.

Second, the decision to recognize or restrict dual citizenship may be influenced by the perceived political leanings of the diaspora community. To mean that if emigrants are seen as opponents of the ruling party, policymakers may be less inclined to grant them political rights. If they are supporters, on the other hand, extending such rights can be a strategic move.
Third, African politicians may be walking a fine line on the issue of dual citizenship between trying to gain support (financial and electoral) from emigrants while at the same time avoiding direct political competition with them (Whitaker 2011: 777-778)

Moreover, in 'The Comparative Study on Citizenship Law in Africa' conducted by Bronwen Manby (2010) suggests that 'many countries have laws prohibit their nationals with dual citizenship or who are naturalised from holding senior public office on the grounds that the loyalty of such persons should not be divided and hence attract security implication' (Manby 2010: 60). Using Zimbabwe as an example, Manby (2009) point out why the Constitution of Zimbabwe of 1980 which was allowing dual citizenship amended and surprisingly Zimbabwe Citizenship Act of 1984 prohibits dual citizenship together with a requirement that Zimbabwean citizens with an entitlement to another citizenship have renounced that right. According to Manby, that decision was political influenced and was seen threat to President Mugabe because his popularity was declined. (Manby 2009: 11 - 12). Also Greenwell Lyempe (2010) reveals that it has often times been argued that it could be risk to trust a person whose allegiance is to two countries. Nevertheless, security reasons are often cited by policy makers and was for many years used to deny people dual citizenship in Zambia (Lyempe 2010: 25).

Furthermore the study conducted by Ronald Aminzade (2013) reveals various initiatives made by private and public institutions to advocate dual citizenship as a way of attracting investment capital from members of the Tanzanian diaspora. In August 2007, the Minister for Home Affairs Joseph Mungai presented a dual citizenship report and announced the plan from the government to push for a draft law in the Parliament which would allow dual citizenship (Aminzade 2013:358). Moreover, the President of Tanzania Jakaya Mrisho Kikwete during the visit to the United States in September 2011 also expressed his support on dual citizenship. During the meeting President Kikwete assured a gathering members of the Diaspora Council of Tanzania in America (DICOTA) that the issue of dual citizenship would be part of the new Constitution (ibid). However, apart from various initiatives the issue of dual citizenship still facing strong resistance mostly from politicians especially the ruling party (Chama Cha Mapinduzi) based on the similar reasons that have been revealed in above mentioned literatures which among other things is fear that come from emigrants who could return to their home countries(Whitaker 2011: 778).

In the next chapter, the study provides in-depth analysis on the concept of 'citizenship' in relation
with the aspects of national identity and national security; post-national identity; diaspora and transnationalism as theoretical point of departure in analysing the debate of dual citizenship in Tanzania.
CHAPTER FOUR

THEORETICAL FRAMEWORK

The Oxford Advanced Learners Dictionary (2005, 7th ed.) defines the term *citizenship* to mean the legal right of belonging to a particular country or the state of being a citizen and accepting the responsibilities of it. While *dual citizenship* means the state of being a citizen in two different countries. These are just a simple definitions which enable a layman to understand easily the concept of citizenship. However in social science the concept of citizenship ‘is among those concepts that although simple to grasp and identify, it is difficult to pin down and define it’ (Tambakaki 2010: 36). As Judith Squires (2000) argues, a long standing debate about how best to define citizenship arising from whether one understands membership of a community as status or an activity; whether one possesses citizenship rights (the liberal perspective) or participates in citizenship responsibilities (the civic republican perspective) (Tambakaki *ibid*).

My assumption is that a good understanding of the concept of dual citizenship, will always depend on the definition and understanding of the concept citizenship as well as the kind of relationship created between the nation-state and its nationals. Because, the concept of citizenship as Gumbyte says not only includes legal relations between the individuals and the particular state(s) but also a moral or symbolic one (Gumbyte 2013: 6). His idea is that if citizenship is understood as an instrument to achieve certain objectives or as expression of legal relation between citizens and the state then the concept of dual citizenship is less complicated; and if citizenship is considered to be not only a legal connection to the state but also a moral obligation or emotional tie, the concept of dual citizenship gets more complicated and contested (*ibid*). Therefore, the study has utilized the concept of citizenship as propounded by Christian Joppke (2010) in *Citizenship and Immigration*; as theoretical ground and thereafter the concepts of national identity and national security; post-national identity; diaspora and transnationalism have been used as theoretical point departure during the analysis of the debate of dual citizenship in Tanzania.
4.1. Citizenship in New Migration Era

The dominant theory in International Migration context maintain that the evolution of the concept of citizenship began after the Second World War where the recognition of human rights establishes the individual and his or its integrity as the benchmark and ulterior constraint of state policy. To mean that it was the starting point of the concept of citizenship to be ‘infused with the logic of human rights (Joppke 2010: 26-27). According to Hannah Arendt (1958) the proclamation of human rights was meant to be a much needed protection in the new era where individuals were no longer secure in the estates to which they were born. That means 'since the human rights were proclaimed to be inalienable, irreducible to and un-deducible from other rights, no authority was invoked for their establishment (Arendt 1958: 288 - 291). However the key question here as Joppke (2010) argues is how the citizenship evolved in new migration era. To answer this question Joppke comes up with more clear explanation on the concept of citizenship. He explains the concept of citizenship into three different aspects; citizenship as Status, Right and Identity.

4.1.1. Citizenship as 'Status'

According to Joppke, status is the most basic aspect of citizenship; ‘it is designating a formal state membership. To mean that citizenship is about holding a passport(s) of particular country(s)’ (Joppke 2010: 28, Smith 2010: 547). This concept of membership presupposes a certain degree of commitment between the state and the individual. In that sense as Constanza Vera-Larrucea argues membership in traditional point of view does not only presuppose political commitment but also active commitment such as military service (Vera-Larrucea, 2013: 43). While being a member of two states as what she calls 'subjective membership' allows for feelings of attachment in relation to more than one political community and to varying degrees (ibid: 44). According to Joppke (2010), it is in this way that modern liberal states treat citizenship in accordance with the three following situations as he outlines:-

Firstly, complementing traditional jus sanguinis citizenship with elements of jus soli for children of immigrants. What Joppke emphasizes is that, by the early twenty first century there had been a ‘marked movement toward a convergence of citizenship rules among liberal democracies’ (see also Aleinikoff and Klbaumeyer 2002: 7). It no longer makes sense to distinguish between jus soli and jus sanguinis states because most western states combine
elements of both. Many classic jus soli states now link the granting nationality to the new-born children of foreigners to certain legal residence conditions of their parents; while jus sanguinis states grant some kind of automatic birth or post-birth citizenship to the second or third generation offspring of immigrants. This preference of a mixed regime reflect the fact that an unconditional jus soli system is as much unsuited to a world of massively increased cross-border migration.

Secondly, curtailing state discretion in naturalization; this discretion reflects elementary state sovereignty is nowhere absolute than in matters of emigration, naturalization, nationality and expulsion. There has been a steady strengthening of the ‘as-of-rights’ component in European states naturalization rules, curtailing notional state sovereignty in this domain. As matter of fact since 1993 there has been as of right naturalization for long settled foreigners and their children whereas the demanding individually applied cultural assimilation test was replaced by a weaker generic integration requirement. Next to general lowering of the residence time required for naturalization and legal standardization of the naturalization procedure, there is a marked tendency toward removing cultural assimilation as a prerequisite for naturalization. As Joppke argues in abstaining from cultural assimilation requirement in citizenship acquisition shows an abstention of the contemporary liberal state from aggressive national-building that is the forging of culturally homogeneous citizenries in which individuals are mere replicas of national standard mould.

Thirdly, tolerating dual citizenship; this reflects a context of peace in the west after World War II where modern nations in overwhelming proportions tolerate or encourage a wide range of competing loyalties and affiliations. The toleration of dual citizenship is part if the general trend from ethnic toward territorial citizenship which is driven by state's need to integrate their growing immigrant population. To mean that the departure from the restrict prohibition of dual nationality to labour migrations between European States leading to substantial immigrant populations and the need for the integration of permanent residents. Nevertheless, it is not only the structures of immigrant integration but also the demand for equality between the sexes that has driven liberal states in this direction. According to Joppke, there are two reasons why in a world of migration dual citizenship cannot but further increased, whatever stance a state may take on it. One is the aforementioned sex equality where mixed couples (husband and wife) now equally transmit their nationality to their children jus sanguinis. Second is coexistence of primarily jus soli or jus sanguinis regimes in the world which is unlikely ever to disappear.
4.1.2. Citizenship as 'Right'

In a modern understanding a right is an entitlement that accrues equally to all persons. A classic formulation of liberal citizenship as Tambakaki suggests is found in the writings of T. H. Marshall who asserts citizenship into three sets of rights; civil, political and social rights (Tambakaki 2010:37). Joppke (2010), discusses three ways in which immigration since World War II has become implicated with the right of citizenship. Firstly, the diversity and the demise of social citizenship on the impact of ethnic diversity on the social rights of citizenship. He argues that social citizenship historically evolved in leaps and bounds especially in the aftermath of wars that boosted the requisite solidarities. Citizenship rights in general are concession or reward for having suffered for collectivity; work, war and reproduction have been the primary avenues for construction of citizenship, its bounds and rights (Joppke 2010. see also Rosanvallon 2000: 28, Abraham 2002: 7)

Second, the right of aliens. Capturing in the diagnosis of post national membership as propounded by Soysal (1994), Here there has been a strengthening of the right of aliens in the past half century. As Sunstein (1995) finds out that rights pertain to important human interests and as Joppke argues citizen rights notionally blended with human rights. To mean that as importance of human interests, citizenship is inflicted with the virus of universalism that eventually bursts the shell of nationality and asks for the equal consideration of human beings. This universalistic ‘core of citizenship inevitably pushes toward something akin to post national membership or more provocatively alien citizenship’ (Joppke 2010:83, also Soysal 1994, Bosniak 2006).

Third, minority rights. Bearing or adhering to a distinct ethnicity, race or religion, immigrants often constitute a minority groups in the society into which they move. These minority groups defined by Wirth (1945) as a group of people who because of their physical or cultural characteristics are singled out from the others in the society in which they live for different and unequal treatment and who therefore regard themselves as objects of collective discrimination. In the wake of post-World War II ‘immigration, anti-discrimination laws and policies have massively increased throughout the western world’ (Joppke 2010: 102). For instance in the United States where a policy that had originally been conceived as a colour-blind measure to combat discrimination against individual on the basis of his or her race, colour, religion, sex or national origin quickly turned into colour-conscious affirmative action in which specific
historically disadvantaged groups are selected for preferential access to important societal resources like employment, business contracts and higher education. What Joppke emphasizes here is that the decline of multiculturalism and the rise of anti-discrimination policies rooted on the basis that liberal states are intrinsically geared to treat people as individual rather than as members of a class, leaving the constitution of social groups to individuals themselves (ibid: 108). To mean that anti-discrimination aims at abolishing ethnicity or race as marker of individual and group differentiation, whereas recognition seeks to perpetuate such differentiation. In a nutshell, anti-discrimination is universalistic; recognition is particularistic (Joppke, 2007: 45). However as he points out the calibration of the citizen versus non-citizen line with respect to rights is complicated and variable over time and cross-nationally much more among for non-citizens there is additional variation according to entry, residence and functional status. Nevertheless as Dominique (2014) points outs the emergence of human rights instruments at international levels has lent some credibility to the perspective of a de-territorialisation of rights regimes and the possibility of securing a person's basic rights irrespective of its formal membership status in a given polity. In this context, it is not in virtue of our particular citizenship that we are recognized rights, but in virtue of our universal personhood. The general idea here is to resurface liberal citizenship which a formal status of rights requires minimum state interference (Tambakaki 2010:37).

4.1.3. Citizenship as 'Identity'

Joppke (2007) provides two meanings of citizenship as identity. First, the actual views held by people where they associate with citizenship. Taking example of a study of working-class youth in Berlin conducted by Cynthia Miller-Idriss (2006), Germans follow non primordial, civic views of legitimate citizenship, in which behavioural traits such as honesty and hard work counted more than ethnic pedigree. Second the official views propagated by contemporary states can no longer impose a substantive identity as a precondition for acquiring citizenship, and primordial group identities even enjoy the status of rights (Joppke 2007:45). It has been stated that the liberalization of access to citizenship and the strengthening of rights of immigrants have affect the identity of citizenship, diluting its national distinctness. That means the decoupling of citizenship from nation and identity, citizenship becomes available without ethnic, racial, or cultural provisos and membership in the state no longer connotes a specific identity. Nevertheless the space for the re-nationalization of citizenship is limited by norms of equality and non-discrimination, which allow only universalistic answers to the question of

Moreover, Engin Isin and Patricia Wood (1999) identify two principles which proceeds citizenship and identity. Firstly, it acknowledges that post-modernization and globalization force us to abandon the unitary, homogeneous concept of citizenship in favour of a multidimensional and plural concept of citizenship. Improving upon a typology developed by Turner (1990:22), it develops a typology of forms of radical democratic citizenship, which include the political, civil, social, economic, diasporic, cultural, sexual and ecological. It critically examines the claim that these forms are not mutually exclusive but overlapping and intersecting dimensions of the democratic citizen. Rather, the identity of a postmodern citizen is an ensemble of these different forms of citizenship understood as competent membership in various value-spheres or fields such as the sexual or ecological. Second, it accepts that post-modernization and globalization also compel us to move beyond the essentialist and constructivist assumptions of identity. While being a citizen cannot be conceived as a fixed right and privilege but is an ongoing negotiation of identity and difference, the resources available to enter such negotiations are not equally distributed. The constitutive element of being a citizen may well be the restoration of agony in political life, but inequalities in redistribution of resources as well as in recognition of differences force us to reassert citizenship as an institution for reducing and eliminating such inequalities.

4.2. The Resistance of Dual Citizenship

The general stand of contemporary scholars within the International Migration studies is that the growing norm of international human rights and high extent of migration movements have been termed influential factors as well as a turning point of the concept citizenship to be redefine. The dominant theory maintain that these factors have triggered many nation-states to redefine theirs citizenship laws and tolerate dual citizenship where by their nationals can be able to acquire another country's citizenship. Furthermore, studies also show those countries which are still restricting dual citizenship like Tanzania have faced a massive pressure from their expatriates demand their countries to allow dual citizenship. The main questionarises is, do there any theoretical grounds on resisting dual citizenship? Answering this question I have drew upon two major concepts of the national identity and the national security in describing the resistance of dual citizenship.
4.2.1. National Identity vs. Dual Citizenship

Using traditional model many countries which are still restricting dual citizenship have the common tendency in linking the concept of citizenship with that of national identity. To them citizenship means a membership in a particular nation-state based upon ‘ethnic or cultural similarities, within a sovereign political community’ (Dahlin and Hironaka 2008: 58). This traditional model falls within the reserved domain of state authority where citizenship is a matter of domestic concern. According to Marner (2003), a person may obtain citizenship at birth in two possible ways; whether by descent, based on the citizenship of one or both parents (jus sanguinis), or by birth on a country’s territory (jus soli). The idea here is that, states are free to recognize either method of acquiring citizenship or to rely upon some combination of the two. These two approaches tend to vary meaningfully in their impact on the racial and ethnic composition of a country’s citizenry (Mariner 2003:65). While the rule of ‘jus sanguinis’ limits a country’s racial and ethnic diversity as a population simply replicates itself in racial and ethnic terms, the rule of jus soli is more flexible in its impact, though still undermines racial and ethnic uniformity to the extent that there is diversity in a country’s immigration practices unless a country has a fairly open immigration policy. That means, ‘a person may obtain citizenship after birth via naturalization whereas states enjoy enormous discretion in crafting substantive and procedural requirements for naturalization’ (ibid: 66)

Moreover, these substantive and procedural requirements indicate a strong sense of nationalist identity in the polity and either they are more or less restrictive represented by countries that deny dual citizenship (Duhrlin and Hironaka 2008:58). According to them, the state with strict citizenship law demarcates incontrovertible ethno-cultural boundaries and legal definitions of the citizenry promulgate restrictive nationalist identities (ibid) to the fact that ‘state conceived as a territorial organization and not as membership organization’ (Brubaker 1996:22). And the main characteristic of the territorial state is distinctive interest and being able to control the flow of persons across its borders, to compel, induce, discourage or forbid the entry or exit of particular categories of person (Ibid:25). This is to say citizens who compose the nation are those who believed to share common traits that can be cultural in character, consist the shared values and shared tastes or sensibilities (Miller 2008:30). However, the major challenge to the concept of national-identity as Bronwen Manby (2009) argues may lead to economic and political disasters or wars and where they do not, they have been used to subvert the democratic process and reinforce or prolong the hold on power of one group at the expense
of another. The concept of national identity in some extent has been used to ‘discriminate and prevent specific individuals from challenging political position or to silence those who criticize the government’ (Manby 2009:1). The general idea here is that citizenship policy of the nation-state which links citizenship with national identity tends to perceive ‘state/country as homogeneity entity, home of a particular ethnic group and ‘apt to enforce overtly discriminatory citizenship rules’ (Mariner 2003:67), which in fact are more restrictive to the migrants and their offspring, labelling them as outsiders. Thus to this kind of national-states the restriction of dual citizenship become a vital option.

4.2.2. National Security vs. Dual Citizenship

The concept of national security has been used in various ways mostly by authoritarian nation-states. It has been argued that for many years the idea of national security was used as to be one of the measures of public administration (Janson 2013:11; Agamben2001). Because, as Agamben (2001)points out before the end of Cold war security was defined as freedom of military threats towards the territory as well as linked with migrants groups in a sense that the loyalty of such individuals could be questioned when it was necessary to do so (Agamben 2010 in Jansson 2013:12). However, since the end of cold war in 1980s the concept security has become the sole criterion of what Johsson (2013) calls ‘political calculations and legitimation’ (ibid) whereby among other things citizenship control becomes the target. And dual citizenship has been examined in that light of traditional state-centric theories which challenge how an individual could exercise his or her membership with the same intensity in two different nation-states(Vera-Larrucea 2013:38).

According to Vera-Larrucea (2013) the concerns from the opponents of dual citizenship are mainly associated with overlapping membership. They have been argued that dual citizenship denounce double membership as a threat to 'societal solidarity and reciprocity among citizens and within civil society which may even threaten state security (Vera-Larrucea 2013:39). Naujoks (2009) in (Vera-Larrucea 2013) enumerates the main objections to dual citizenship into two aspect. One, is technical concerns objection. Technical concern is a ‘dual military obligation’ (ibid). According to Naujoks, the fear of military obligation is especially relevant for the group such as second generation of the migrants’ background (ibid). This is based on the fact that retention of their parent’s nationality on the part of citizens living abroad there is a possibility of preforming military service in the country of birth of second generation. Taking
second generation of Turks immigrants as an example Naujoks notes that, this lifts the incompatibility of duties in retention to two countries, making dual citizenship a feasible alternative for second generation. There is though a more subjective argument behind this idea. The old Hobbesian idea of dying to be citizen framed the capacity to defend a country militarily in terms of a certain loyalty in times of war. Which country would second generation die for?

Second, socio-political objections. Among the socio-political objections according to Naujoks (2009) and that the most often mentioned by political theorists is the sacred rule of one citizen, one vote would be violated. The common understand here is that allowing dual citizenship means giving an individual a privilege to vote into two different countries and the major question that often comes up in public is the consequences of dual voting on the national security. For example if a citizens of both German and France we allowed to vote in each country for the European Parliament, as Faist and Jurgen (2008) point out would mean his/her vote would be counter twice and thus would clearly violate the principle of one citizens, one vote (Faist Jurgen 2008:12). That means people with more money and other resources exert a large influence in elections than others do (ibid) and hence national national-security it might be at risk.

Another factor which has been used by opponents of dual citizenship is the concept of lack of loyalty or divided allegiance. Faist and Jurgen (2008) argue that citizenship implies individual identifies with common political values, a sense of responsibility toward the common good and sense of solidarity with fellow citizens in a particular nation-state. They further argue that for governments the most pressing problem regarding loyalty concerns those permanent residents who are not willing to renounce their citizenship of origin. That means immigrants who maintain social and symbolic ties to their home countries as expressed in their wish to retain their original citizenship are more often seen as lacking substantive identification with their country of settlement (Faist and Jurgen 2008:13). That is to say, from traditional point of view dual citizenship is restricted because of the possible conflict of obligation toward two sovereign states. As Pogonyi (2011) argues, sovereign states assume exclusive authority over their citizens regardless of where they resided because of two reasons; first, citizenship has been seen as a perpetual bond between the political community and the individual and second, loyalty is required from citizens even if they stayed within the jurisdiction of another sovereign state (Pogonyi 2011:690).
Thus, the general idea is that, to allow dual citizenship means to allow divided allegiance which has been arguable seriously compromises the security of the particular country.

4.3. New Migration Era and Dual Citizenship

4.3.1. Post-national Identity

In this new migration era, citizenship has been related to the concept of post-national identity which in fact identifies the membership of individuals beyond predominantly conception of citizenship embraced within territorial state’s borders. Among many of reasons that mentioned to increase tolerance of dual citizenship in the world is ‘alteration of relations between nation-states and their citizens’ (Thomas Faist 2008). However, Yasemin Soysal (1994) theoretically points out two major sources of what she calls post-national membership (to mean dual citizenship). One, is an increasing density and interdependence of transnational political structures that constrain the host states from dispensing their migrants’ population at will; and Two, the rise of universalistic rules and conceptions regarding the rights of the individual that is of a global human rights culture after World War II (Soysal 1994, Joppke 2010:21). Dahlin and Hironaka (2008) added that post-national model confers rights based on multiple membership statuses and it is legitimated by membership in international political structures such as the United Nations, the European Union, international treaties, and international associations in way that associate with the global human rights regime that has become dominant in the world polity(Dahlin and Hironaka 2008:59). What they emphasize is that while importance of human right is gaining its strength, in other side individuals have increasingly gained voice in the ‘international community as actors themselves rather than as merely representatives of a state and feel they should have the right to have their legal status reflect the multiplicity of national political cultures to which they feel they belong’ (ibid, see also Hayden 2005; Heater 2002).

In the same way, evaluating the rise of cosmopolitan norms and jurisgenerativity Seyla Benhabib (2009) argues that the introduction of Universal Declaration of Human Rights has been widely accepted and entered a phase in which the evolution of global civil society characterized by a transition from international to cosmopolitan norms of justice. The norms which accrue to individuals considered as moral and legal persons in a worldwide civil society originate through treaties and obligations(Benhabib 2009:695). International instruments like
UN Charter and various international covenants and protocols have been part and parcel to the member states functions limiting the sovereignty of states and obliging them to treat their citizens in accordance with certain human rights standards (Seyla Benhabib, 2009: 659, 2006 and 2007a). The general idea here is that for those who have been expelled from being members of certain political community such as immigrants or expatriates have a green light to claim a certain rights as Arendt (1951) coined 'the right to have rights' under the umbrella of international instruments. Therefore the global human rights regime has been perceived as justification of post-national identity where individuals can participate their rights in multiple nation-states of which they are members. That means it is now possible as Spiro argues to frame acquisition and maintenance of the post-national identity ‘as a right to the extent that dual citizenship implicates individual autonomy’ (Spiro 2010:116-118).

Moreover, in circumstances that children born to parents from different countries and children born in countries that recognize jus soli rights to parents from countries that have jus sanguinis rights and in addition to gender equality, citizenship is no longer determined solely by the father. To mean that children themselves are able to inherit citizenship from both mother and father. Similarly to Carens (2006) who asserts that “when we conceptualizing citizenship we should perceive at the global level and not at the national level; and whatever we think about the justice of borders and the limitations of the claims of aliens, our views must be compatible with a respect for all other human beings as moral persons”(Carens 2006:45). Nevertheless as more nation-states are embedded in international community, the more human rights are expected to apply to both citizens and non-citizens. As a result membership in a specific political community is less important (Faist, Gerdes, and Rieple, 2004; Howard, 2005) rather than to legitimize the acceptance of dual citizenship (Dahlin and Hironaka 2008:60).

To sum up, despite the reality that ‘these international norms are stickier than merely legal ones’ (Spiro 2010:118), the growing demand of human rights, integration of immigrants and the consequences of globalization processes have revealed theoretical grounds towards the toleration of dual citizenship. To mean that dual citizenship under the concept of post-nation identity is an instrument for belonging and achieving equality among different members of society as well as a convenient tool to adjust realities. (Gambyte 2013:9)
4.3.2. Diaspora, Transnationalism and Dual Citizenship

International migration studies maintain that the acceptance of dual citizenship has been influenced by a high extent of diaspora communities and transnational activities in the world. Michael Banton (1968) defines diaspora as a voluntarily organized groups of individuals that come together for the purpose of attaining and defending specific common interests under sustained ties across multiple states boarders. According to Bauböck and Fiast (2010: 20-35) diaspora has been often used to denote religious or national groups living an imagined homeland within receiving countries. Moreover, these diasporic communities ‘create a sense of identity in their exile situation, a national of imagination that supports the maintenance of solidarity in dispersion’(Dufloix 2008:29) and when comes to identify themselves the concept of regrouping and formation of associations arose. Basically it is from that point of view where the concept of transnationalism plays a major role in their existence and practices between their new/host country and their country of origin. Faist (2000) describes transnationalism to mean “sustained ties of persons, networks, and organizations across the borders of nation-states, ranging from little to highly institutionalized forms” (Royan 2012:19 also see Faist 2000a: 189). It also involves individuals, their networks of social relations, their communities, and broader institutionalized structures such as local and national governments (Portes, et al 1999: 221).

Generally, these diasporic communities and their home countries counterparts have developed ‘a rich gamut of activities as to come to the attention of authorities who previously regarded their expatriate solely as a source of remittances’ (Portes 1999: 467). As Portes argues, governments of the sending nations have started to perceive their diaspora communities as a source of investments, entrepreneurial initiatives markets for home country companies and even political representation abroad (ibid). So these two concepts cannot be separated in any meaningful way because in a fundamental way as Fiast (2010) calls “dance partners” the meaning of diaspora and transnationalism overlap (e.g. second generation return), espouse similarities and or divergent perspectives (e.g. diaspora as simply one form of transnational social formation). The general idea here is that diaspora and transnationalism are crucial elements for questioning and redefining essential terms of social science such as social space and boundaries (Bauböck and Fiast 2010: 33).
According to Fiast a transnational or diaspora perspective should be able to ‘deal with both new social formations 'sui generis' such as transnational social space (which consist of combinations of ties and their contents, position in networks and organisations) and how old national, international and local institutions such as citizenship or local policies acquire new meaning and functions in the cross-border transactions’ (Fiast 2010:33). Furthermore it is essential to look not only at transnational ties and formations across the borders of national states but also repercussions for national and local institutions. In this migration era which characterized by globalization process and where the human population mobile and belong to multiple nation-states, it has tremendous impact on the national states policies.

It is fact that diaspora communities are ‘a particularly challenge towards citizenship policies and the growing phenomenon on the acceptance of dual citizenship’ (Royan, 2012:11). The main questions raised upon these cross-border communities and which have been regular featured with political life is about their membership in both states of immigration and emigration. To cover the consequences Fiast et al (2013) point out that dual citizenship 'is thus an ideal site for the exploration of the social and political practices of individuals, groups and organisations across borders in one hand and the changing political institutional membership in immigration, emigration and countries of onward migration in another(Fiast et al 2013:110). According to them, the cognitive mechanism of symbolic recognition is a prime example of how the tension between transnational ties and political institution has been addressed the following.

First, many migrants commonly have attachments and involvements in two or more places across national states borders and consequently they have plural identifications and loyalties and when dual citizens regard their citizenship as an essential part of their identity, they often express emotional difficulties deciding which citizenship they would keep it they had to give up one of them. The toleration of dual citizenship may recognize the specific symbolic and emotional cross-border ties immigrants have. Social-cultural cross-border activities of immigrants can reinforce their self-images and collective solidarities. In this case, they regard the respective state's acceptance of dual citizenship as a kind of official legitimation of their plural-cultural identity (See also Partkanen and Kalekin-Fishman 2007).
Second, the attachment or even loyalty to the country of immigration of children of migrants is facilitated if the respective state accepts or even embraces dual citizenship. This is mainly because the self-confidence in developing specific competencies related to a transnational background such as bilingualism and intercultural role-taking is encouraged as a result.
CHAPTER FIVE

ANALYSIS AND DISCUSSION

PART ONE

5.1. The Political Reforms of 1980s – 1990s and Tanzania Citizenship Law

The common understanding maintains that citizenship rests on something more than rational input in legal institutions, and something which embedded with a certain political organization ('nation-state'). It is through these legal instruments where 'citizenship' and 'citizen' defined as well as they provide duties, responsibility and rights belonged to their citizens. After two and a half decades of its independence, in 1984 Tanzania started to transform from socialism state to liberal democratic state, introducing new structural adjustment policies of free trade and investments, harmonization of democratic principles and redefining its citizenship law so as to comply with new global patterns and formations (2014:10). In this part, the study has analysed basic legal instruments which govern issues of citizenship in Tanzania. Basically Tanzania citizenship law is governed by two fundamental legal instruments; The Constitution of the United Republic of Tanzania of 1977 and Tanzania Citizenship Act, No. 6 of 1995.

5.1.1 The Constitution of the United Republic of Tanzania

The Constitution of the United Republic of Tanzania of 1977 as amended from time to time is the supreme law of the country. The Constitution vests powers to state authorities to ensure that in discharging their duties, human dignity and other human rights are respected and cherished. Among other things the Constitution amendment of 1984 put on board the ‘Bill of Rights’ by ensuring that human dignity is preserved and upheld in accordance with the spirit of the Universal Declaration of Human Rights of 1948. There is no article in the Constitution that specifically provides direct definition or interpretation of what 'citizenship mean. However, the Constitution provides some articles (like the Bill of Rights as provided in Part III) which by their mutual interpretation provide grounds of declaration and protection of the rights of citizens in Tanzania. For example, in Article 12 the Constitution provides that:-

\[i. \text{ All human beings are born free, and are all equal.}\]
Every person is entitled to recognition and respect for his dignity.

To mean that, as the mother law, the Constitution of Tanzania recognizes the basic principle of human rights which its entitlement rest upon any member of human being family. This is to say human being perceived as a ‘completely emancipated and completely isolated being who carried his dignity within himself without reference to some larger encompassing order’ (Arendt 1958:291). Similar to what Arendt (1958) argues, since the rights of man are proclaimed to be inalienable, irreducible to and undeducible from other rights or laws, man himself is their source as well as their ultimate goal, as well as appeared as the only sovereign in matters of law (ibid). Thus, for the first time, the Constitution amendment of 1984 puts on board principles of Human Rights in order to protect rights of citizens. As provided in Article 9:-

The object of this Constitution is to facilitate the building of the United Republic as a nation of equal and free individuals enjoying freedom, justice, fraternity and concord... therefore, the state authority and all its agencies are obliged to direct their policies and programmes towards ensuring:

(a) that human dignity and other human rights are respected and cherished;
(f) that human dignity is preserved and upheld in accordance with the spirit of the Universal Declaration of Human Rights;
(g) that the Government and all its agencies accord equal opportunities to all citizens, men and women alike without regard to their colour, tribe, religion, or station in life;
(h) all forms of injustice, intimidation, discrimination, corruption, oppression or favouritism are eradicated.’

Furthermore, it is known that during the socialist regime 1967–1985 under the so called the Arusha Declaration of 1967’ (the government blueprint for the country’s socialism and self-reliance development strategy), government authorities and the ruling party shared a commitment where the international migration was restricted and if not largely ignored (Hansen 2012:77; Aminzade 2013:346). Therefore, the inclusion of Bill of Rights and ratification of the Universal Declaration of Human Rights in 1984 made possible for the freedom of movement to be declared in the Constitution for the first time. Article 17 (1) provides that,

“Every citizen of the United Republic has the right to freedom of movement in the United Republic and the right to live in any part of the United Republic, to leave and enter the
country, and the right not to be forced to leave or be expelled from the United Republic." [Article 17(1)]

The adoption of this article was the turning point of migration movements in Tanzania which opened up the door for many Tanzanians to emigrate the country searching a better life abroad especially in Europe and Northern America. As the Tanzania's Foreign Affairs Minister, Bernard Membe states that;

“Tanzania migration is now a reality. It is a reality that historically presented a challenge and a sense of loss; as growing number of Tanzanians who went abroad for studies never came back. Meanwhile, others trained and already serving in key professions left the country for ‘greener pastures’ (Membe 2013:2).

The effect that increased Tanzania’s population in the diaspora similar to what Yasemin Soysal (1994) propounds as the source of post-national citizenship. According to her, freedom of movements has increased density and interdependence of transnational political structures that constrain the host states from dispensing their migrants’ population at will. Also, it rises the universalistic rules and conceptions regarding the rights of the individual that is of a global human rights culture after World War II (Soysal 1994; Joppke 2010:21).

5.1.2. Tanzania Citizenship Act of 1995

Principally, after the Constitution amendment of 1984, there was a need of some legislations, regulations and policies either to be amended or repealed in order to accommodate and facilitate the new political formations. It was during this period where the socialism regime and the Citizenship Act of 1961 were abolished and repealed. The Constitution under article 5 bestows power to the Parliament of Tanzania to enact legislations that among other things would impose the conditions on the issues of citizenship. Thus, the Tanzania Citizenship Act was enacted in 1995 under the object of repealing the Citizenship Act of 1961 as well as to consolidate rules relating to citizenship. The Act provides definition of citizen, types of citizenship, renunciation and deprivation of Tanzanian citizenship.

According to the Citizenship Acta citizen means any person who is a citizen of United Republic of Tanzania under the following categories of sections 4, 5 and 6 of the Act respectively:-
i. Citizen by Birth; any person born in the United Republic on or after union day is deemed to be a citizen of the United Republic if at the time of his birth one of his parent is or was a citizen of united Republic of Tanzania. To mean citizen by birth on a country’s territory (jus soli).

ii. Citizenship by Descent; any person born outside the United Republic on or after Union day is deemed to be a citizen of the United Republic by descent if one of his parents is a citizen of the United Republic of Tanzania by birth or naturalization. Based on the principle of jus sanguinis.

iii. Citizenship by Naturalization; any person who is not a citizen of Tanzania whether by birth or by descent may acquire citizenship of the United Republic only by naturalization to the Minister responsible for citizenship matters.

Therefore, the acquisition of Tanzania’s citizenship shows flexibility whereby Tanzania authorities are free to recognise either method or to depend upon some combination of the two method. Moreover, the citizenship Act also provides sections which restrict dual citizenship. That means for those Tanzanias’ nationals who reside abroad and wish to acquire citizenship of their new home countries are obliged to renounce their Tanzania's citizenship. Section 13.- (1) provides that;

“If any citizen of the United Republic of full age and capacity makes a declaration in the prescribed manner renouncing his citizenship of the United Republic, the Minister may cause the declaration to be registered and upon that registration the person in question shall cease to be a citizen of the United Republic.”

Failure to do so, that person can be stripped-down (deprived) his or her Tanzania's citizenship in accordance with section 14 of the Act which provides that,

“[...] if the Minister is satisfied that person has at any time while a citizen of the United Republic and of full age and capacity voluntarily claimed and exercised, in a foreign country, any right available to him under the law of that country, being a right accorded exclusively to its own citizens, and that it is not conducive to the public good that he should continue' to be a citizen of the United Republic.”
Discussion: Part One

Generally, the study reveals two major impact which in fact resulted after the amendment of the Constitution of the United Republic of Tanzania in 1984. First, the inclusion of Bill of Rights and the ratification of the Universal Declaration of Human Rights made possible for Tanzanians to access and enjoy their rights like any other human beings in other countries. It also enhance Tanzanians to migrate internationally following the declaration of freedom of movements. Second, the enactment on the new Tanzania Citizenship Act of 1995 which in fact defines the term citizen, also provides procedures for citizenship acquisition, renunciation and restriction of dual citizenship. However, the Act provides some clauses which are more complicated and exclusive contrary to the object of the Constitution. Contrary to the Article 9 of the Constitution (which provides the object of the constitution is to facilitate the building of the nation of equal and free individuals enjoying freedom, justice, fraternity and concord), the citizenship Act provides exclusive and discriminatory clauses similar to Aminzade (2013:340) who argued that are targeting some individuals and some groups of citizens particularly women and Tanzanians with Asia origin.

The citizenship Act prohibits Tanzania women to pass citizenship to their spouses and children which is critically argued that it violates the Constitutional principle of equal rights and justice. Also the Act provides complicated and restrictively procedures of naturalization process. The naturalization period has been increased from seven years as provided in the repealed citizenship Act of 1961 to ten consecutive years as provided by section 9 and the second schedule the citizenship Act of 1995. Moreover, under section 5(2), individuals who are born in Tanzania are no longer qualified to Tanzanian citizenship unless one or both of the parents are a citizen of Tanzania unlike the repealed Act of 1961 which recognizing automatic jus soli citizenship as long as the person was born in Tanzania.

As the findings shows, the weaknesses of Citizenship Act is caused by two reasons. First, the lacuna in the Constitution, where nothing has been define about citizenship especially status and identity. Second, the domination of the ruling party members during law making process influenced the adoption of discriminatory clauses in the Citizenship Act. As Carol Bacchi (2009) argues, 'problems are created within the policy making process and many policies constitute or give shape to problems rather than reacting to problems'(Bacchi 2009:1). It has revealed that during the Parliamentary discussion to enact the Citizenship Act, some Members
5.2. The debate of Dual Citizenship in Tanzania

Basically the debate on dual citizenship started in the Parliament of Tanzania during the making process of the Citizenship Act in 1995 (Aminzade 2013) following the inclusion of Bill of Rights and Universal Declaration of Human Rights in the Constitution of Tanzania. Though the Citizenship Act came up with restrictive clause against dual citizenship, it couldn't stop the debate on the issue of dual citizenship in other life spheres. From that time the debate has been gaining attention media and social networks day after day. However, as stipulated in previous chapters there are little scientifically analysed on the arguments raised by either opponents or proponents of dual citizenship in Tanzania. By using data collected from media, online forums and blogs in relation with theoretical framework, this part analyses arguments based on restriction of dual-citizenship vis-à-vis that advocating the acceptance of dual citizenship in Tanzania and discussion will follow afterward.

5.2.1. Arguments from the Opponents

As stated above, the opposition of dual citizenship started in 1995. Though there are different arguments against dual citizenship, but all of them rooted on the conception of traditional model...
of citizenship which relates with the principles 'right given by soil (jus soli) and right given by
blood (jus sanguinis). To mean that citizenship is membership entitled to full inclusion and
participation in particular nation-state, it signifies national identity and culture of particular
nation-state, so as to allow dual citizenship the national identity and national security will be at
risk. However these arguments can be categorized into three different groups; (i) threat to the
national identity (ii) divided allegiance and (iii) threat to the national security.

i. Threat to the national identity. This argument was commonly used in early 1990s.

Because of the socialism mentality citizenship was related with national identity
'where members believed to share common traits that mark them off from others, and
these common traits can be cultural in character, consist the shared values, shared
tastes or sensibilities'(Miller 2008, p. 30). So the restriction of dual citizenship during
that time was targeting to protect national identity from the outsiders (like Asian-
Tanzanians). In the same years the popular opposition politician Rev. Christopher
Mtikila coined the term 'uzawa' (to mean indigenization) as part of his effort to
restrict the rights of Asian Tanzanians(Aminzade 2013:340). Similar to what
suggested in the Parliamentary debate in 1995, where some of ruling party Members
of Parliament feared and denounced Asian-Tanzanians who had become naturalized
citizens. For example a Member of Parliament Hon. Khamis Dadi stated:-

“...Tanzanians with one or more nationalities on reserve [.....], they are playing
games with our identity” (Tanzania National Assembly Debates [Hansard]
1995:17)

Another ruling party Members of Parliament suggested that restriction of dual citizenship
should go with more restrictive law towards naturalised citizens by restrict them to participate
in political leadership. Hon Mbawala asserted that;

“Some Asia Tanzanian investors may not be worthy of citizenship, claiming that
many were crooks,” Mbawala (in Aminzade 2013: 345).

Moreover, in the discussion tittle 'My love for my country Tanzania' conducted in Jamii Forum,
one of Tanzania's largest online platforms in 2008, some of the arguments blamed those
expatriates who have renounced their origin Tanzania's citizenship have nothing binding them
Mzee wa Gumzo introduced as a senior citizen stated that,

“We should love Tanzania because it deserves to be loved by every Tanzanian, by doing so we will be able to make our love all weather long lasting till death do us part. Those who feel proud to be associated with anything from west are doing it because there is nothing binding them to Tanzania.” Mzee Wa Gumzo argues in (Jamii forum, 2008)

Also Dar es Salaam based citizen Maxence Melo stated that,

“I disappointed when most of my friends wish to further their studies acquire citizenship in USA, UK, Australia or India. [...] Normally, I see my friends, boasting about how much they love the country by singing Tanzania national anthem and writing long essays on 'I'm a Tanzania and proud of it.' The truth is they just know how to talk big but when it comes to show their love they just struggle. Anyway, Tanzania is my one and only home” Melo(in Jamii Forum, 2008)

ii. Divided Allegiance. The issue of divided allegiance is based on two common arguments; first dual citizenship signifies disloyalty to the country of origin and second, those who emigrate and acquired another country citizenship are perceived as unpatriotic to their home country. A Syndicated Columnist in Various Africa's Magazine, Mohamed Matope (2014) among other things he mentions 'the divided loyalty as one of the reasons which has been used to restrict dual citizenship in Tanzania. He asserts that the argument implies on the split of loyalty where one can never be truly loyal to two countries (Matope 2014). Insisting on the divided loyalty President of Tanzania, Jakaya Mrisho Kikwete occasionally cited saying:-

“[...]opponents of dual citizenship are saying that their fellows nationals who are abroad want to ‘kula huku na huku’, (which when literally translated means 'they want to eat here and there)” Kikwete (in Chachage 2009)

The Law Professor Issa Shivji who is one the opponents of dual citizenship posed two questions before dual citizenship is allowed in Chachage (2009:5). First, which Tanzanians want such
citizenship and how many of them want it? Second, what does dual citizenship imply and who stands to benefit from it? For him, the demand of dual citizenship is spearheaded by an elite comprise of few people. He argues that these Tanzanians cannot be the majority Tanzanians. Prof. Issa Shivji stated that;

“[…] reform in favour of dual citizen is a sign of a lack of patriotism and would lead to a loss of national identity.”  Shivji (ibid)

Another comment stated that:

“Which country will the dual citizen be loyal to? People whose loyalties are either divided or elsewhere may be a threat to the national security.”  Anonymous author (in Panapress website 6 September, 2014)

Moreover, in online discussion titled 'Dual Citizenship – Coming to Tanzania in 2010' conducted in vijana forum on 24th June, 2010, a Dar es Salaam based resident identified as Azaveli Lwaitama argued that,

“dual citizenship means being ruled by a fellow who is a British citizen and a Tanzanian one…come on […] I want to believe you are with me in my believing that the agenda of dual citizenship is an agenda of the African comprador petty bourgeoisie and not even of the patriotic/matriotic national bourgeoisie”  Lwaitama in (vijanafm.com 2010 )

iii. Threat to the National Security. This is a most common argument raised not only by individuals but also the government authorities. In way that dual citizenship has security component so as to allow it could be threat to the national security. For example, A Tanzanian prominent Lawyer and Journalist Mwassa Jingi replying to the question on, why citizens who hold dual citizenship be denied holding of positions like those of single citizenship?

“The reason is obvious - lack of national integrity. It is all about national security and development. These are people of two minds - they are just opportunists and cannot be trusted to be loyal to any territory. No person can serve two masters - definitely. He will love one and hate the other.”  Jingi in The Citizen (9 February, 2014)
Another comment from the person identified as Mzalendo in Jamii forum states that;

[...] “yes dual citizenship is un patriotic and threat to our security especially if it’s for selfish reasons,... you’ve committed murder or espionage in Tanzania and fled to the USA where you also a citizen, in Tanzania you’ll be eligible for a death sentence, and probably the state you reside in US doesn’t practice death sentencing, would the yanks be willing to extradite? Mzalendo in (Jamii Forum, 2008)

Another citizen identified as Geoffrey Wambura commenting on the Article tittle 'Dilemma in Tanzania: Dual Citizenship Puzzling Peace’ posted in Wanabidii forum 2014 forum argues that Tanzania is a peaceful country and needs to distinguish itself from its neighbours by not recognizing dual citizenship status as it may offer green cards to natives who no longer hold Tanzanian Citizenship. Because,

“[.]dual citizenship is a vulnerable law that may destabilize Tanzania. Country that has dual citizenship laws, its internal and foreign policies get affected when the country is experiencing turbulent political challenges.” Wambura in (Hamis 2014)

Moreover, the same reason was mentioned by the representative from Tanzania's Immigration Department during the seminar to Members of the Constituent Assembly. He said that 'the Department rejects the idea on ground that it would compromise national security and turn people to become unpatriotic to the national' (Rweyemamu 2014).

Furthermore, the issue of security has been argued as political fear of the ruling party 'about the return of the Oman Sultanate who was overthrown during the Zanzibar revolution of 1964' (Rweyongeza 2014:3). The Cabinet Minister who was also a Chairperson of the Constituent Assembly Mr. Samwel Sitta told the Voice of America that the Constitutional Assembly turned down the issue of dual citizenship because of national security and historical facts.

“you have to remember that during Zanzibar revolution in 1964 there were 20,000 Oman-Zanzibaris who fled to Oman and now they are about 200,000. Most of them are powerful economically with a hidden desire to come back and overthrow the Zanzibar Government.” Sitta (in Zanzibar ni Kwetu 2015)
5.2.2. Describing the Demand of Dual Citizenship

Since the political and economic reforms of 1980s - 1990s, a number of those demanding Tanzania to allow dual citizenship has been increased, championed by the diaspora community which is amounting to population of 3.7 million. It was until 2004 where for the first time their voice knocked the ears of Tanzanians authorities to rethink about allowing the dual citizenship after being restricted through the Tanzania Citizenship Act in 1995. As result in the same year the Law Reform Commission (LRC) in 2006 released a report recommending Tanzania to allow dual citizenship concluding a two years study on the introduction of dual citizenship in the country (The Citizen Correspondent, 24 August, 2014). The arguments raised by the proponents of dual citizenship based on; first criticism on the concept of patriotism loyalty and national security and second based on the growing importance of human rights paradigm, high extent of diaspora community and socio-economic gain.

5.2.2.1 Criticism on Patriotism, Loyalty and National Security

According to the findings, some comments criticized patriotism, loyalty and nation security as raised by the opponents as weak and uncorrelated reasons to restrict dual citizenship. For instance, a professor at University of Dar es Salaam Kitila Mkumbo (2007) arguably noted that there is no correlation between supporting or objecting to dual citizenship and patriotism. You don't become more patriotic by staying in Tanzania for ever neither do you necessarily become less Tanzanian or less patriotic by spending some or most of your time outside the country.

"[...] they have to give us reasons for objecting to the idea of dual citizenship without labelling those who support it unpatriotic” Mkumbo (in Jamii Forum 2007)

Also Professor. Chachage (2009) points out that, patriotism in the 21st century should never be determined by people’s postal addresses since it surely does not come from ones' postcode but, rather, from one's code of conduct in relation to his/her nation. Moreover Business Time Correspondent Nkwazi Mhango critically argues the advocates of these reasons, they are misleading. He insisted that the reasons for opposing dual citizenship among are fear and ignorance. Furthermore, he argues that how come that our neighbours such as Burundi and Rwanda have allowed, Tanzania is and it won't be the first country to allow dual citizenship?
Why do rich and developed countries such as Australia, Canada, US and others allow paupers from Africa and Asia to have dual citizenship without the fear of the so-called indivisible loyalty? (Mhango, 2014)

“Loyalty doesn’t depend on the number of citizenship one’s but his or her personal integrity, choice and understanding. If a citizen’s corrupt whether has one or dual citizenship doesn’t matter” Mhango (in Business Times, 19 September 2014.)

Professor Deogratias Rw Yongeza of Cantan Policy Institute Edmonton, Alberta Canada commenting on Dual Citizenship in Tanzania states that,

“It is right to say that those who doubt the loyalty of Tanzanian emigrants and see them as a national security risk are either not familiar with the attitude and activities of Tanzanian emigrant communities or are still glued to the long gone era of east-west cold war when Tanzanians were fearful of travellers and imaginary spies.” (Rw Yongeza, 2014:3).

Moreover, the survey published on February 2014 conducted by Diaspora Council of Tanzanians in America (DICOTA) shows that ‘national security is neither enhanced nor diminished just because the constitution permits dual citizenship. It must be viewed in a case based on the actions of an individual. Tanzania like any other countries which recognize human rights and justice for all should avoid labelling and stigmatizing those who reside abroad as threat to the national security’ (DICOTA 2014). Also a Tanzanian Diaspora member Hassan Saudin argues, dual citizenship will not diminish one’s identity as a Tanzanian; it will instead enrich it and add to the diversity of the nation. On the matter of national security Hassan added that there is absolutely no evidence to suggest that people with dual citizenship are more susceptible to commit treason or any acts that would jeopardize national security.

“Even the intelligence community or psychologists have never floated any theories suggesting that citizens with dual citizenship pose a greater threat to national security than those with a single nationality. Obviously one does not have to be a dual citizen to blow up buildings or sabotage infrastructure or the economy.” Hassan Saudin (in Tanzaniatoday website 2014)

Furthermore, the findings show that reasons of loyalty and national security have been used for
the political interest. During the debate on the new Constitution a representative from Tanzania Diaspora Community in the Constituent Assembly Kadari Singo admitted that there is no hope that Dual Citizenship would be introduced because the matter has been politicized. He said majority of members of Constituent Assembly were against the matter relied on the recommendations from Immigration Department which in fact focused only on the disadvantages than reality. (The Citizen 31 August, 2014). As the comment from author identified as Petit stated,

“very sad, [...] the current ongoing Constituent Assembly consists only the ruling party (CCM) members and their accomplices, they are afraid of fresh idea from their fellow countrymen who are in the Diaspora who would give best guidance and experiences... and to get rid of the perennial theft of the ruling party” Petit (in The Citizen website 2014,)

Another criticism raised by the prominent Journalist Ally Saleh who argues

“The hatred that is being planted in politics is growing by the day. For five decades since the Revolution of Zanzibar the political card that has been wielded by the CCM (ruling party) to woe voters, is to play with the people’s mind by making them live with fear that dual citizenship would threat national security” Ally Saleh (in The Citizen, 1 March, 2015).

5.2.2.2. Right, Diaspora and transnationalism

The proponents of dual citizenship are based on mainly these three main arguments. The issue of right in one side, diaspora and transnationalism in another side. The Chairman of Tanzanians in Washington DC, Maryland and Virginia (DMV) Iddi Sandali argues that, since the world has recognized human rights as an international norm and the effect of globalization process, 'human society becomes more integrated where the value of dual citizenship and a second passport is increasingly becoming a necessity (Sandali, 2014:3). They challenge the Tanzanian Citizenship Act of 1995 (which provides that a Tanzanian shall cease to be a citizen if he or she acquires citizenship of another country) as unconstitutional and violating the Universal Declaration of Human Rights. For instance Mohamed Matope states that,

“by denying Tanzanians in the diaspora the right to have dual citizenship, we are not only denying them a constitutional rights but also specific rights that would otherwise be
guaranteed to all Tanzanians, whether it is permission to enter or leave a country as often as they wish.” Matope (In Michuzij blogspot, 2014)

The Secretary General of the Confederation of Tanzanian Associations in the US, Deogratius Mhella argues that, dual citizenship allows expatriates to retain their birth right (right of return) and the sometimes enjoy some rights and benefits in their new home countries. He said that;

“The right of return, is a basic human right enshrined in the Universal Declaration of Human Rights, where anybody has the right to go back to the country he or she was born or where relatives reside and dual citizenship allows keeping my birth right and bond to my ancestors,” Mhela (The EastAfrican 12 Feb, 2014)

Moreover, it has argued by a Tanzanian based in United State Hassan Saudin that Tanzanians must shun from political trivialities and be on the right side of history by embarking on a new path in which the country can take full advantage of its people abroad, including looking into the possibility of demanding taxes from its diaspora community which is not made up of aliens (Saudin, 2014:2).

“the diaspora community is composed of your neighbours, friends and relatives who are more than happy to invest their resources and experiences to build Tanzania.” Saudin (ibid)

What Saudin insists is how dual citizenship provides a better mechanism to the county to identify its nationals/citizens resides abroad as well as strengthen transnational activities. As Matope noted in his comment that

“Tanzanians in the Diaspora have also made homes in their new countries, some have housing payments, debts, school age children or college age children that they are still obligated to. Thus dual citizenship will mostly provide the opportunity for some Tanzanians in the Diaspora to travel home without harassment.” Mohamed Matope (2014)

Moreover a blogger Andrea Cordes who is German citizen and single mother of German-Tanzanian son asserts that;

“in this age of mobility the world is no longer one of single identities.. we marry, reproduce,
live, learn and work across borders. By no means does dual citizenship mean they love Tanzania any less, but forcing one to divide their own identity into separate parts is no longer an easy task...” Cordes (2014)

Score board (1-1) Literally speaks what Ilyas represents; one part is Tanzanian, one part is German (Photo: By Andrea Cordes)

The above picture of Ilyas, (son of Andrea Cordes) represents many children of Tanzanian nationals who have married abroad and difficulties their children faced when they turn the age of 18. Because to decide one amongst two nations which are both part of them is like to separate them with one of their parents. To them there is a need as Spiro argues ' to maintain the post-national identity which implicates individual’s autonomy' (Spiro 2010:116-118) and participation in multiple nation-states of which they are members.
Discussion: Part Two

The above findings can be classified into two major groups. First, on how the concept of citizenship has been portrayed by either side. Second, factors that influence them whether to oppose or support dual citizenship in Tanzania. In fact as findings shows both sides their understanding on the concept of citizenship rooted as Christian Joppke (2010) propounds that citizenship can be illustrated into three different aspects as status, rights and identity. However the differences appear when it comes to relate citizenship with a certain political organization either domestically or globally. The opponents of dual citizenship portray the relationship between citizenship and political organization much more in a traditional model where citizenship is grounded on ‘the principles of right given by soil and right given by blood. To mean that citizenship as a membership entitled to full inclusion and participation in particular nation-state, it signifies national identity and culture of the nation-state and citizenship law can be used as the mechanism to protect national identity. As the findings shown, this idea has been championed mostly by local Tanzanians and sometimes politicians who are either unaware of new dynamics of citizenship in this migration era or they are still driven by socialism mentality where emigrants perceived as threat to the national security and unpatriotic citizens. To them to allow dual citizenship national identity will be at risk and much more will jeopardize the national security. Moreover the findings shows that, presently the notion of threat to the national identity is not much used instead the opponents of national security and divided loyalty are the dominant reasons used to oppose dual citizenship. They perceive that those who demand dual citizenship lack national integrity, they seem to be people with two minds, opportunists and cannot be trusted to be loyal to any territory because no person can serve two masters at a time. Furthermore, as findings show the arguments of national security and divided loyalty have much politicized for the political interest. The ruling party (CCM) hesitates to allow dual citizenship because its fear on the return of the Oman Sultanate which overthrown during the Zanzibar Revolution of 1964 (Rweyongeza, 2014:3).

However, the proponent’s side (mostly academicians and diasporic members) perceive the concept of citizenship as a right much more as a post-national identity manner. To mean a membership in global society. As findings shown their arguments based on the growing importance of human rights paradigm (such as protecting the right of domicile) and the effect of human mobility in globalized world (accommodation of sons and daughters of migrants such as the case of Ilyas) where individual is no longer embedded with the national-states boundaries.
To the fact that as human societies become more integrated the more individual identity becomes integrated with global society and hence dual citizenship becoming a 'necessity' (Sandali, 2014). Moreover findings shows the proponents mostly who have already become citizens of another countries and renounced their origin citizenship critically challenge the Tanzanian Citizenship law to strip out citizenship to its nationals as the violation of Human Rights Principles. Their idea here is that to retain origin citizenship (under the principle of the right domicile) is a basic human right enshrined in the Universal Declaration of Human Rights, where anybody has the right to go back to the country he or she was born and the only way to protect this right as Mhela (2014) argues is toleration of dual citizenship because it allows to restore the right of domicile and the sometime provides some rights and benefits in the new home countries. It has also argued that in this new migration era where the number of diaspora population is highly extent, dual citizenship is a best mechanism to the county like Tanzania to identify its nationals resides abroad as well as to strengthen transnational activities. As the study reveals, Tanzania nationals abroad have also already initiated their homes and have families and children. The case of Ilyas serves as good example of many sons and daughters of Tanzania nationals abroad. They obliged by law to decide one of his two identity which in fact is not an easy task. As Pogonyi (2011) argues many of them will be reluctant to do so because it entails cutting social and emotional bonds with their countries of origin (Pogonyi 2011: 689-690).

Moreover, the proponents of dual citizenship also challenge the arguments of disloyalty and unpatriotism as weak and irrelevant grounds for restricting dual citizenship. They asserting that that there is no correlation between supporting or objecting dual citizenship and the aspect of patriotism or divided loyalty. The findings show that people may not become more patriotic by staying in Tanzania for ever neither do you necessarily become less Tanzanian or less patriotic by spending some or most of your time outside the country (Mkumbo 2007). Similarly to what the findings reveal that there is no empirical evidence which suggesting that citizens with dual citizenship pose a greater threat to national security than those with a single nationality (Saudin, 2014:2). This is to say Tanzania is not an isolated country, it is a stakeholder like many other countries in this contemporary world. As Mhango asked, how come that all its neighbours have allowed dual-citizenship? Why do rich and developed countries such as Australia, Canada, US and others allow paupers from Africa and Asia to have dual citizenship without the fear of the so-called indivisible loyalty? (Mhango, 2014).

In summary as the findings shown the restriction of dual citizenship lacks scientific evidence
that can prove how someone who holds dual citizenship can be threat to the national security or cannot be patriotic or loyal because he or she has acquired another citizenship. It is illogical and irrelevant to perceive someone's loyalty in terms of number of passports he/she holds or his or her geographical location. The issue dual citizenship in Tanzania has been politicized and used to protect the current ruling regime rather than reality. As the findings reveal what happened to the Constituent Assembly which was dominated by the ruling party members by 70 percent and took the decision of side-lined the matter on the basis of political fear. And the introduction of the Article in the proposed Constitution which provides special status to Tanzanians who have renounced their origin citizenship is just a means of slow down the pressure of the demand of dual citizenship mostly from Tanzania nationals abroad. As I’m writing this thesis, Tanzanians are waiting for referendum of the new Constitution while the pressure toward government of Tanzania to allow dual citizenship is still alive.

PART THREE

5.3. Benefits of Dual Citizenship

Since there is a strong connection between dual citizenship and globalization process which in fact facilitates human mobility and resources flow in the world, it has been argued there are benefits in favour of those countries tolerating dual citizenship. The previous studies show that the acceptance of dual citizenship in other African countries with large emigrant/diaspora population reflects a range of economic gain but in political eye meant that beneficiaries of inclusive diaspora policies are people with connections to those in power and diaspora involvement in political (e.g. voting rights) typically has not been seen as a threat (Whitaker 2013:768).

The discourse of benefits of dual citizenship to Tanzania is mostly based on the economic and social benefits to both Tanzanians nationals living abroad, families and the country development at large. In 2013 the Tanzania's Foreign Affairs Minister Bernard Membe, occasionally states that the government is looking to utilize the resources (financial and skills) from diaspora community and dual citizenship is central for a success. For example;

“in the country of destination, only dual citizenship and related laws can effectively address
the issues of access to education, adequate health services, insurance, loans and employment. Whilst remittances sent to their home country have economic impact not only to their families but also to the government and national development.” Membe (at the Global Diaspora Ministerial Forum. Geneva, 2009)

In the interview conducted on 4 April, 2014 by UKENTV on the benefits of dual citizenship to Tanzania a Tanzanian-British Businessman resides in London identified as Chris Lukosi stated that;

“We have settled here for a long time, we have families and everything here. But remember we are from Tanzania.... I’m a shipping agent here, I work with Kenyans, a lot of them they return to Kenya with a lot of things, for Tanzanians too but most of them they scared because they don’t have the same status like Kenyans have. Kenyans they return and invest to Kenya because they have dual citizenship. So we Tanzanians we need dual citizenship for development of our country. What we are doing now is to make sure our parents and relatives who have left home they’re ok.... But we are scaring to invest because we don’t know what will happen on the future. It’s very sad for me ‘Mhehe’ (means Hehe’s tribal member) to be treated like foreigner in my own country... So are supposed to have that right. Nigerians have done, Kenyans have done and a lot of countries have done that and they’re successful. Why not us?” Chris Lukosi in (UKENTV interview, 4 April, 2014)

Moreover the DICOTA's survey published outlines the following benefits;

- access to privileges reserved for citizens in both countries, benefit from social and economic values, educational and work opportunities in the two countries,

- Transfer of resources between countries, advancement in science, engineering and technology.

- Access to diaspora communities to learn both cultures and improve a sense of belonging to both countries.
Discussion: Part Three

Different studies have shown that countries that tolerate dual citizenship have in advantageous position to benefit from resources that their diaspora communities have earned overtime. These benefits which varies from financial, technology, moral and culture have added a big impact mostly to their home countries economies.

However, the best way to benefit from its potential of 3.7 million population in the diaspora among other things is to tolerate dual-citizenship. As the findings shows, most of Tanzania abroad scared to invest in Tanzania because they are no longer identified as Tanzanians citizens after they have acquired another citizenship in their new home country. Thus to allow dual citizenship could guarantee and facilitate them to increase their support to the country development by investing and transferring the knowledge they have accumulated in their new home countries. Moreover, by allowing dual citizenship it could also be easier for Tanzania to reach its nationals abroad through diaspora associations like Diaspora Council of Tanzanians in America (DICOTA) to motivate and work with the local entities, to build the strategic partnerships and enable the flow of capitals, resources and technology for the betterment of both sides. As Sandali (2014) argues, with dual citizenship, the returning Tanzanian experts can maintain close ties with the countries where they studied and these ties will enable the process to have continuity as they import opportunities to Tanzania.
CHAPTER SIX

CONCLUSION

This chapter includes the summary of what has been researched. The dominant purpose of this study has been to add knowledge on the concept of dual citizenship in the field of migration and citizenship with two specific objectives. First, was to make a scientific analysis on the ongoing debate of dual citizenship in Tanzania and second was to investigate the benefits in favour of Tanzania if it could allow dual citizenship. Therefore this conclusion summarizes the findings based on three research questions.

The findings on the first question show that regardless the introduction of some fundamental principles of human rights and or rights of citizens in the Constitution amendment of 1984, the Tanzania Citizenship Act of 1995 by virtue of its interpretation is more exclusive and discriminatory seeking to protecting the so called 'national identity and national security'. The results show the motive behind during the law making process was to target and exclude some individuals particularly Asian-Tanzanians who perceived as outsiders or foreigners. Also women are not allowed to pass their citizenship to their husbands and children whilst dual citizenship is strongly restricted and ignored for the reasons of disloyalty and threat to the national security and identity. As the results show, the concept of citizenship in Tanzania is rooted within the perception of national identity characterized similarly with Dahlin and Hironaka (2008) argument of strict citizenship laws demarcate incontrovertible ethno-cultural boundaries and legal definitions of the citizenry promulgate restrictive nationalist identities (Dahlin and Hironaka 2008:58).

Second question was to analyse the arguments raised within the debate of dual citizenship in Tanzania. The resistance of dual citizenship is based on the perception of the opponents of dual citizenship towards the concept of citizenship. The study reveals that the opponents portray the concept of citizenship in a traditional model which citizenship related with the principles rights given by soil and right given by blood with full inclusion and participation within nation-state boundaries. Dual citizenship seems to be threat to the national identity, divides allegiance (unpatriotic) and threat to the national security. However, these reasons have still facing strong criticism from the proponents of dual citizenship. They argue that the reasons of national security and divided loyalty are weak arguments and they have no strong connection with issue
of dual citizenship. Because people may not become more loyal or patriotic by staying in Tanzania and become less Tanzanian or less patriotic by residing abroad. Also the findings suggest that there is no evidence that reveals citizens of countries that tolerate dual citizenship pose a greater threat to national security than those with a single nationality. It has revealed that, issue of dual citizenship has been more politicized mostly by the ruling party which fears the political opposition from Tanzania's who live abroad.

Moreover, their advocacy on dual citizenship based on two common arguments; first, the growing importance of human rights paradigm. The idea here is that retention of origin citizenship is a basic human right enshrined in the Universal Declaration of Human Rights, where anybody has the right to go back to the country he or she has born. That means dual citizenship allows to restore the right of domicile and the same time provides some rights and benefits in the new home countries. Second the effect human mobility in globalized world where individuals are no longer embedded with the national-states boundaries. It is fact that the Tanzania's diaspora population is highly extent, which means transnational activities has been increased as well. Tanzania nationals who resides abroad have already initiated their homes and have families and children there. Therefore, forcing them to decide one amongst two identities which they belong it is inhuman and not an easy task. Hence dual citizenship appears to be not only a possible means but also a necessity for Tanzania if it wants to accommodate its nationals regardless they reside inside or outside Tanzania.

Third, the study was investigating the benefits of dual citizenship in favour of Tanzania. Although the benefits of dual citizenship range from political, social, and economic benefits. In the case of Tanzania the benefits are more social and economic, because like many other African countries with large diaspora populations, in political eye they are seen as threat. Therefore, according to the findings dual citizenship will provide more socio-economic benefits to Tanzania. It will easily facilitate Tanzania to reach its nationals abroad either individually or through diaspora associations like Diaspora Council of Tanzanians in America (DICOTA), to motivate and work with the local entities, to build the strategic partnerships and enable the flow resources, capitals and technology for the national development. Also the study reveals that dual citizenship will also maintain close ties with the countries where these diaspora members reside and these ties will enable the process to have continuity as they import opportunities to Tanzania.
To summarize, it is my hope that this thesis will add some new insights on the concept of citizenship and dual citizenship in Tanzania as well as in the field of migration and citizenship. Moreover the analysis and discussion of the findings will bring an impact in legislation and policy making process not only in Tanzania but also in other countries which are still hesitating to tolerate dual citizenship and guarantee them to reach their nationals so as can be able to build the strategic partnerships such as flow of capitals, resources and technology for the betterment of both sides.


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Photos

Photo 1; By Cordes, A. (2014) available