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Abstract
Dual citizenship has increased dramatically in recent decades. More and more states are tolerating or even accepting dual membership for various reasons. This is a puzzling trend because citizenship and political loyalty to sovereign states were thought to be indivisible until very recently. The new developments cast doubt on the assumption that overlapping membership violates the principle of popular sovereignty and that multiple ties and loyalties of citizens in border-crossing social spaces and world society contradict state sovereignty. The argument put forward is that dual citizenship is neither an evil nor an intrinsic value for political communities. Dual citizenship is tied to genuine links of citizens across various sovereign political communities. Three perspectives shed light on dual citizenship: national, postnational and transstate approaches. Analytically, a transstate perspective can best describe relatively dense and continuous border-crossing ties as the overlapping membership of citizens across several political communities. In contrast to national concepts, a transstate view grasps the integrative potentials of reciprocity and solidarity in border-crossing spaces for bounded political communities. Also, a transstate perspective does not make unwarranted assumptions about a quantum leap in collective affiliation from the ‘nation’ to ‘Europe’ or even ‘humanity’, as assumed by views such as postnational membership, suprastate citizenship and global democracy.
1. Introduction

Dual citizenship has rapidly increased all over the world in the past decades. About half of all sovereign states in the world nowadays tolerate or even accept multiple nationalities for various reasons (Goldstein and Piazza 1996). Various immigration countries - such as Canada, France, Israel, Portugal, and, as of late, Sweden - have reframed their rules allowing for dual nationality. The share is even higher among countries with substantial numbers of immigrants abroad. Even countries like Germany, that do not tolerate dual citizenship as a rule, about one fourth to one third of all naturalizations from the 1970s through the 1990s resulted in multiple citizenship (Beauftragte der Bundesregierung 1999:27). This is a puzzling state of affairs. Until very recently, public opinion and political theory regarded citizenship and loyalty to a nation as indivisible. Yet these new developments in state laws and practices raise considerable doubt to what extent border-crossing ties and loyalties of citizens violate the principle of popular sovereignty and contradict full sovereignty claimed by national and multinational states.

Dual citizenship raises the fundamental question whether political membership across borders in democratically legitimated states can be designed in a way that upholds the feedback loops between the governed and the governing. Ideally, citizens are the basic law-givers in a democratic society. And at least theoretically, all political power taming unrestrained social power flows from citizens to their elected representatives. This principle of popular sovereignty requires socially functioning communities. Empirically, we observe that citizenship - understood as the set of ties between the governed and the governing,
which are based upon social and symbolic ties among citizens – has developed over time in territorially enclosed, socially relatively coherent and intergenerationally viable political communities (Rokkan 1999). Therefore, the implications of citizenship overlapping at least two political communities are in need of closer analysis, keeping in mind the two fundamental dimensions of full political membership: the legal status of equal political liberty for each citizen and the ties of citizens amongst each other. These relations reflect citizens’ affinity to a political community claiming sovereign statehood, often called a nation (cf. Weber 1968:395). Concerning the legal status of citizens, dual citizenship raises the issue whether border-crossing ties violate basic principles of democracy, such as ‘one person, one vote’. As for the ties amongst citizens we may ask whether loyalty is divisible, or whether border-crossing ties may, to the contrary, help to export democratic values abroad. It is only from answers to such questions that we can evaluate whether dual citizenship is an evil to be avoided, or a status to be tolerated or even accepted.

Three perspectives throw light on the consequences of dual citizenship. A stylized national viewpoint regards dual citizenship as either contributing or hindering the integration of newcomers within a political community. The specific verdict depends on whether one takes a more exclusive ethnic, or a more assimilatory republican perspective. An equally stylized postnational perspective would emphasize the need for democratically legitimate procedures for making decisions beyond the sovereign state in order to politically embed border-crossing realities, such as environmental threats, that impact upon citizens’ lives. In such a view, dual citizenship is primarily of
transitory importance as a step from national citizenship to regional or even global citizenship. By contrast, a transstate perspective sees dual citizenship as a political and legal expression of relatively dense, continuous and border-crossing ties of citizens.

The proposition advanced here is that dual citizenship is neither an evil nor an intrinsic value in political communities. Dual citizenship mirrors border-crossing social and symbolic ties of citizens and thus emanates out of transstate life worlds. Analytically, this insight comes out of a transstate perspective. Such a vantage point analyzes the potentials for exchange, reciprocity and solidarity within border-crossing spaces, which are neglected or shortcut in the national perspective. And unlike the postnational-cosmopolitan perspective, the transstate view does not need to make heroic assumptions about a quantum leap of collective identity from the sovereign state level to ‘Europe’ or even humankind.

Using the term transstate rather than the word transnational spaces is intended to denote interstitial ties. Essentially, the analysis concerns ties spanning states but not necessarily nations. There are several multinational states such as Canada, Indonesia, India and Belgium. Within the borders of these sovereign political entities, citizens' ties may cross nations. It is not primarily relations within states that matter for the analysis of border-crossing phenomena, although these may become relevant in the case of civil wars and secessionist movements – just think of the conflicts between ‘Turks’ and ‘Kurds’ in Turkey, or the continuing quarrels over minority rights between ‘Quebecois’ and the rest of Canada. In addition, border-crossing ties not only refer to nations but also to other collectives such as kinship systems, village
communities, churches, religious congregations and professional groups - to name only the most obvious ones. Decades ago, the Canadian politician William Henry Moore (1919:5; cf. Connor 1984:chapter 4) put the difference between state and nation succinctly: “At first sight, allegiance to a common state, appears to be the test of nationality; and in that sense the word is probably most frequently used. But the word nationality should not be confused with the word nation in the sense of a state. The state is the casing; the nationalities are the encased.”

The following analysis first differentiates nationality and citizenship. Second, it explicates the notion of dual citizenship and the main reasons for its recent growth. Third, a discussion of three perspectives sheds light on the characteristics of dual citizenship - national, postnational and transstate. Fourth, the use of these stylized perspectives allows to gauge the significance of border-crossing ties for citizens' life worlds. Ultimately, political socialization and social cooperation within and across state borders form a societal basis for citizenship. This leads to the final question of whether dual citizenship - when viewed against national and postnational perspectives - primarily fulfills a complementary or a substitutive function.

2. Nationality and citizenship

Nationality means full membership in a state and the corresponding tie to state law and subjection to state power. The interstate function of nationality is to clearly define a people within a relatively clearly delineated territory and to protect the citizens of a state against the outside, at times hostile, world. The intrastate viz. domestic function
of nationality is to define the rights and duties of members. According to the principle of domaine réservée, each state decides within the limits of sovereign self-determination which criteria it requires for access to its nationality. One general condition for membership is that nationals have some kind of close ties to the respective state, a genuine link (Rittstieg 1990:1402). In contrast, citizenship essentially concerns two broader dimensions which condition each other. First, the legal status of equal individual liberty, which implies the paradoxical unity between governing and governed in a democracy (cf. Aristotle 1962:III.1274b32-1275b21). Without democratic procedures guiding citizens' political self-determination, citizenship would only amount to members of political communities being subjects of a sovereign. Second, citizenship requires some affinity to a political community with a distinct collective identity. Otherwise, there could be no trust and solidarity which underlie citizens' entitlements.

The constitutions of modern states enshrine human and fundamental rights of liberty as belonging to citizenship as a legal status. In general, citizens' rights fall into various realms, for example, civil or negative rights to liberty, political rights to participation, such as the right to vote and to associate, and social rights such as education, entitlements to services in case of sickness, unemployment and old age (Marshall 1992). It is highly contested whether, to which degree and for which category of citizens cultural or even group-differentiated rights should be a constitutive part of citizenship (e.g. Kymlicka 1995). The duties corresponding to citizens' entitlements are the duty to serve in the armed forces in order to protect the state sovereignty toward the exterior, while the duty to pay taxes, to acknowledge the rights and
liberties of other citizens and to accept democratically legitimated
decisions of majorities structure the internal sphere (cf. Habermas

Also, citizenship rests on an affinity of citizens to certain political
communities (cf. Rex 1991), the partial identification with and thus
loyalty to a self-governing collective. Normatively speaking,
citizenship rests on popular sovereignty which is empirically grounded
in continuous, intergenerational social and symbolic ties between
citizens in a political community. Social ties constitute continuous
series of interpersonal transactions – bounded communications between
at least three actors. The participants attribute common interests,
obligations, expectations and norms to these ties. By contrast, symbolic
ties are steady transactions to which the participants connect common
meanings, memories, future expectations and symbols. Social and
symbolic ties may reach beyond immediate viz. direct ties between
persons, referring to indirect transactions regarding religion, language,
etnicity and nationality. Affiliation to a collective, expressed as a set
of relatively continuous, symbolic ties of citizens otherwise anonymous
to each other, is linked to the status dimension because citizenship
means the formalization of reciprocal obligations of members in a
political community, akin to a social treaty (Dahrendorf 1992:116).
By means of laws and official norms, government institutions hold in
trust networks of reciprocity and collectives of solidarity, which cannot
be produced by the state itself.
3. The accelerated diffusion of dual citizenship

A few decades ago, most states on earth agreed that multiple citizenship should be avoided as best as possible. State laws, bilateral treaties – such as the famous Bancroft Treaties the USA concluded with European countries around the middle of the 19th century – and interstate conventions, such as the Hague Convention of 1930 and the European Convention on the Reduction of Multiple Nationality (Council of Europe 1963), bear testimony to this dominant belief. While these conventions did not carry the binding character of interstate regimes, such as the human rights regime, they guided sovereign states’ declared policies. The preamble to the Hague Convention reads: “All persons are entitled to possess one nationality, but one nationality only” (League of Nations 1930). Political commentators used to connect dual citizenship to treason, espionage and a whole range of subversive activities. In concrete terms, two rules dominated law and state practice from late 19th century until the Cold War. First, acquiring a new nationality meant losing the previous one. Most states automatically excluded a citizen from membership when this person acquired the nationality of another state, or when other signs suggested that a citizen expressed loyalty to a foreign potentate – for example, serving in its army or voting in its elections (cf. Spiro 1997). In many cases, countries of immigration required release from the original nationality upon naturalization. Second, since dual citizenship could never be avoided completely, some states dealt with the actual increase in multiple nationalities by providing for an optional rule. Upon reaching majority age the respective person had to choose one of the two nationalities; otherwise he or she risked to be expatriated (cf. Bar-Yaacov
Despite all these provisions, dual citizenship multiplied. Persons continued to migrate across state borders and eventually settled upon their territories, or even came as immigrants who were set on the road to citizenship. Thus, dual nationality usually arose when a person was born on the territory of a state where jus soli reigned supreme, while the parents of the child held a nationality transmitted by jus sanguinis. Actually, all countries have jus sanguinis rules. The question is whether they are supplemented by jus soli and other regulations. In addition, increasing gender equality in law also contributed to the rise of dual nationality. The New York Protocol of 1957 revised the status of women who automatically lost their nationality when marrying a foreign man. Women used to be totally dependent on the citizenship status of their husbands. Increasingly, most countries have remedied this discrimination, and now allow for eased naturalization to ensure family cohesion (de Groot 1989:308). Even more far-reaching is the new European Convention on Nationality (Council of Europe 1997). This agreement demands that both parents may transfer their nationality to their children. This rule opens new venues for the multiplication of full state memberships.

Over the past years, many sovereign immigration states have made naturalization less and less dependent upon giving up the former citizenship. This trend clearly pervades nationality laws and regulations. For instance, the rules of loss have changed. Some states who required release from former citizenship now tolerate multiple nationalities to a much higher degree. Examples of this kind of change include reforms in France in 1973, Portugal in 1981 and Italy in 1992.
It is certainly no coincidence that emigration states outside Europe have changed their laws to permit multiple citizenship even upon naturalization in an immigration country. Other measures include the re-naturalization of former citizens and eased access to property and heritage for former citizens. Such countries include Mexico, Turkey, Tunisia, El Salvador, Colombia and the Dominican Republic (cf. Freeman and Ögelman 1998). Even those states that, in principle, strive to avoid multiple citizenship usually have some exempting rules (cf. Hailbronner 1992). In general, such regulations apply when the former state refuses to release the citizen from nationality, or makes the release dependent upon unreasonable conditions; for example, the rule that young men need to serve in the army before being discharged from citizenship.

4. Three perspectives on dual citizenship: national, postnational and transstate

Three models help us understand dual citizenship: national, postnational and transstate perspectives. All three vantage points emphasize the central dimensions of dual citizenship in different ways: legal status based upon equal political liberty of citizens amongst each other and the ties among citizens - which may cross state borders.

4.1 The national perspective: dual citizenship as a mechanism of domestic integration

As a sort of anomaly, citizens living abroad belong to territorially and intergenerationally bounded political communities. It is no coincidence that many countries are usually more tolerant towards
multiple memberships of their own citizens living abroad if compared to immigrant newcomers in their territory. In countries with a strong ethno-national tradition the transmission of citizenship may even proceed across several generations. In a national perspective there may be a plausible reason for tolerating or even accepting dual citizenship. The most persuasive is that dual citizenship increases the propensity among newcomers viz. immigrants to naturalize in the country of settlement. All available empirical surveys suggest that immigrants prefer maintaining their old citizenship when naturalizing in another country (cf. Chavez 1997:131; BM AS 1995:422). Even more telling are actual tendencies: For example, from 1992 until 1997, The Netherlands did not make naturalization dependent upon release from the old citizenship. During this period the naturalization quota increased from 5% to 12%. By early 1997, 55% of Turkish and 40% of Moroccan immigrants held Dutch citizenship. Although Turkish immigration to Germany occurred around the same time as in The Netherlands and the legal non-citizen status of Turks was similar in both countries, the rate of naturalized citizens was much lower in Germany, only around 10% (Groenendijk 1999:76-79). However, there are also critics of dual citizenship who employ a national perspective – arguing that it creates problems of loyalty should the two respective states of membership go to war with each other (cf. Kammann 1984).

Run-of-the mill distinctions such as the one between ethno-national and civic conceptions of nationhood and citizenship offer no guideline to evaluate de jure tolerance or rejection of dual citizenship. Often, analysts have contrasted countries with an ethno-national tradition and an emphasis upon the jus sanguinis principle with those espousing
a more civic tradition, which complement the jus sanguinis with the
jus soli principle. And a common hypothesis reads that citizenship
laws in countries with a civic tradition are more amenable to
naturalization of immigrant than those with an ethno-national tradition
(cf. Brubaker 1992). Jus sanguinis, on the one hand, and jus sanguinis
complemented by jus soli, on the other hand, are, however, over-stylized
types. Virtually all countries have additional and diverging rules, which
apply, for instance, to the children of immigrants, the so-called ‘second
generation’. Among these are optional rules, grounding access to
citizenship upon socialization in the country of settlement - as is the
case in Sweden - or quasi-automatic access at majority age based
upon birth in the country - as in France. Even when awarding optional
rules to jus sanguinis and quasi-automatism to jus soli, no consistent
correlation emerges between the overgeneralized dichotomy and the
attitudes or rules towards dual citizenship. Quite to the contrary, jus
sanguinis countries such as Sweden and Norway have passed (in 2001)
the most liberal laws concerning dual citizenship, while a rather pure
jus soli country such as the USA has consistently opposed an official
acceptance of dual citizenship. Germany, where a recent reform of
citizenship law (in 2000) has resulted in one of the most liberal rules
on the European continent for the second generation - matched only
by Portugal and the UK - does not officially recognize dual citizenship
as a rule when naturalizing new citizens. Of course, it should not be
forgotten that even in such restrictive cases the reality of law has been
more tolerant than the letter.

Not surprisingly, emigration countries have been generally interested
in maintaining ties to their citizens living abroad, in order to ensure
the continued re-transfer of remittances, economic investments, know how and skills. Moreover, quite a few emigration states show an interest in using emigrants to influence the foreign policy of immigration country governments (cf. Schmitter Heisler 1984). While the principle of jus sanguinis was meant to guarantee these ties in the age of nationalism, contemporary emigration countries favour dual citizenship as the most appropriate legal mechanism.

One of the weaknesses of the national perspective on dual citizenship is, however, that it does not take into account the importance of transstate ties of citizens and the resources inherent in relations, such as reciprocity and solidarity. Examples abound: Chinese entrepreneurs have long been known to rely on guanxi - friendship-communal - networks to integrate economically in a great variety of countries all over the globe (Ong et al. 1995: Part V). In the cultural realm, Greek immigrants in Germany have succeeded in achieving a relatively high educational status in building ‘Greek national schools’ (Hopf 1987), and showing a high rate of return migration to the country of origin. Politically, Irish-Americans, Polish-Americans and Jewish-Americans have supported national projects in their ancestral homelands, sometimes up to the fourth and fifth generation after the original immigration to the United States occurred. This transstate engagement has not hindered their integration into the political community of the USA. The realm of eventual integration is an open question: whether immigrants and minorities eventually integrate into the receiving countries, or whether other realms of integration such as diaspora communities should also be considered, can only be determined by empirical analysis.
4.2 The postnational perspective: dual citizenship as a transitory phenomenon

The postnational concept comes in three variants: postnational membership, suprastate citizenship, and global democracy. Postnational membership focuses on the impact of interstate norms upon citizenship in sovereign states. Suprastate citizenship asks about the rights of citizens in multi-level governance systems such as the European Union (EU), and global democracy addresses the implications of exchanges in the world society for democratic participation of citizens beyond territorial states.

4.2.1 Postnational membership

The main idea is that the two main components of citizenship – which, in the postnational membership concept, may be reduced to (a) rights and duties and (b) collective identity – have increasingly decoupled over the past decades. Thus, for example, human rights, which used to be tightly connected to nationality, nowadays also apply to non-citizen residents. In other words, settled non-citizens also have access to significant human, civil and social rights. Therefore, citizenship as a “right to have rights” (Arendt 1949:166) is not anymore the fundamental basis for membership in political communities. Instead, discourses tied to interstate norms, such as the various charters on fundamental rights by the United Nations (UN) and the EU, are supposed to contribute to postnational membership (Soysal 1994). This perspective, however, cannot comprehend the democratically legitimated part of citizenship status and the importance of affective ties to and within states. It is therefore no coincidence that analysts...
speak of postnational membership rather than citizenship. The popular legitimization of membership in political communities, of utmost importance for any democratic regime, is lost. Instead, the focus is on courts who uphold interstate norms – “rights across borders” (Jacobson 1995). The very basis of equal political liberty is neglected by the postnational membership concept. For example, political rights are still almost exclusively tied to formal citizenship.

**4.2.2 Suprastate citizenship**

This concept primarily concerns citizenship in political multi-level systems such as the EU. At first sight, suprastate citizenship appears as the logical next step in the centuries-old evolution of citizenship in what nowadays are liberal democracies. It is a current process much like the one by which sovereign states have gradually centralized and assimilated local and regional citizenships over the past centuries. In our times, this may proceed under propitious political-economic conditions, such as continued prosperity and the absence of war, and under the umbrella of proto-federal systems such as the EU. The formidable obstacles on the road to substantive EU citizenship include the acceptance of democratic majority decisions and suprastate social policies, and the resources, such as trust and solidarity, necessary for the integration of political communities (Offe 1998; cf. Delanty 1996:6). EU citizenship, as it has developed since the Treaty of Maastricht (1991), is not coterminous with dual citizenship, as the latter overlaps several sovereign states. Rather, it is a sort of multiple citizenship nested on several governance levels – regional, state and suprastate. Only citizens of a member state are citizens of the Union. Although
only a few entitlements such as the participation in elections to the European Parliament are tied to Union citizenship, there are the rudimentary signs of European consciousness which are necessary for the evolution of a collective political identity on the EU level (cf. Bauböck 1997). In such a suprastate perspective dual citizenship is ultimately only of secondary importance. Dual citizenship could be said to have an auxiliary function smoothing the road to the coordination of nationalities. For example, European integration has fostered the mutual recognition of multiple citizenship in the member states. Germany does, e.g., not require citizens of other member states to ask for release from their former citizenship when acquiring German nationality.

4.2.3 Global democracy
The implicitly subordinate importance of dual vis-à-vis postnational citizenship becomes even more apparent in the third concept, cosmopolitan viz. global democracy (Held 1995). This perspective aims at bolstering interstate and suprastate organizations and regimes ‘from below’, or to go even further in creating a confederal framework for politics on a global scale. In essence, global democracy strives to replace or at least complement territorial with functional criteria of governance (cf. McGrew 1998). Global democracy means to ensure that the citizens affected by border-crossing phenomena in obvious areas, such as economic transactions and military threats, have a vote in the decision-making process. The view of democracy most congenial to this effort, deliberative democracy (cf. Elster 1998), tries to embed the expressions of world society, such as transstate
organizations and social movements, into the world of states by attributing individual rights to citizens across states. However, emerging visions of global democracy cannot yet point to a feasible political community to which the citizens of the world should feel attached. In sum, it is hard to imagine a quantum leap from the sovereign state level to the world level.

4.3 The transstate perspective: dual citizenship reflects overlapping ties

Detailed analyses of border-crossing exchange show that different states and distinct economic, political and social sectors have been impacted by ‘globalization’ in very different ways and to varying degrees (e.g. Held et al. 1999). It is necessary to move beyond this insight. Geographically mobile persons, in contrast to goods, capital and information, frequently form dense and continuous border-crossing networks, communities and organizations, which connect the relatively sedentary and the more mobile parts of citizenries. In short, geographic mobility results in transstate spaces. Descriptions of transstate spaces paint a picture of life worlds and the efforts of states and other organizations to regulate border-crossing exchange. In essence, four stylized types of transstate spaces can be discerned. First, there are contact fields of goods, persons, ideas and services. These include processes of diffusion, for example, of social movement strategies (cf. Tarrow 1996), such as the Kurdish New Year’s celebration Nevroz viz. Nevroz, which re-migrated among Kurdish groups via Europe back to Turkey, and has even been declared an official holiday by the Turkish government. Second, there are small groups such as kinship
systems. Examples include nurses from Jamaica working in New York City hospitals, while their mothers care for their offspring in the Caribbean. Of central importance for dual citizenship are also bi-national partnerships. The partners usually settle in one country but frequently entertain symbolic and social ties abroad (cf. Brown 1997).

Third, a multitude of non-governmental organizations has mushroomed in world society, forming “transnational advocacy networks” (Keck and Sikkink 1998); not to forget networks of economic entrepreneurs who venture beyond state borders. Fourth, there are numerous communities and organizations whose reach crosses state borders. The most obvious examples include village communities with emigrants abroad, and classical diasporas with a strong sense of an imagined homeland. Border-crossing organizations not only comprise multinational companies and political parties such as the Socialist International but also religious institutions, the most prominent being the Catholic Church. In sum, small kinship groups with geographically mobile members, and transstate communities (cf. Portes 1996) and organizations in particular, foster a life style which implies frequent and dense social and symbolic transactions across state borders. And quite a few of the persons involved possess genuine links reaching into different states (see the case studies in Smith and Guarnizo 1998).

All of this suggests that relatively dense and continuous interstitial ties of citizens are not located beyond states but cross state borders. A transstate perspective also implies that dual citizenship is not a separate form of membership in political communities such as national citizenship in sovereign states or suprastate citizenship in multi-level governance systems. Rather, dual citizenship is essentially a form of
political membership complementing national citizenship when life-world ties of citizens overlap state borders. And dual citizenship may even support postnational forms of citizenship, if suprastate integration fosters the mutual recognition of other nationalities in case of naturalization – such as in the EU. Unlike the national perspective on dual citizenship, the transstate angle offers a way to recognize the potentials for reciprocity and solidarity in border-crossing social and symbolic ties. And unlike the postnational vantage point, a transstate perspective can take border-crossing identities into account without making excessively optimistic assumptions about cosmopolitan ‘we-feelings’.

5. Socialisation and social cooperation in transstate spaces
To answer the question about the potentials for reciprocity and solidarity inherent in dual citizenship, it is inevitable to specify the mechanisms that turn citizens’ border-crossing ties into relevant elements for political membership. Citizenship not only concerns legal ties between the state and citizens. Eventually, states hold in trust direct and personal ties in small groups and indirect ties in bigger communities and organizations. The double coding of citizenship through both a legal and a socio-cultural dimension implies a more ‘liberal’ and not a strong ‘republican’ view of citizenship. Both concepts differ fundamentally: The republican perspective emphasizes the active and ‘good’ citizen in the Aristotelian tradition, the zoon politikon. The liberal concept starts in a more Lockean vein from the freedom of citizens in the private sphere of the oeconomia (cf. Locke 1980). In the republican view, the ties of persons are especially relevant when
concerning virtuous citizens who engage in public affairs (Rousseau 1966). In a liberal perspective, it is the totality of social and symbolic ties between citizens - including both the private and the public sphere that matters for membership in political communities.

The socialization argument says that loyalties of citizens to political communities emerge out of their ties to other persons - for example, parents, siblings, partners and children (cf. Easton 1965:chapter 20). In other words, the affiliation to the country of birth or settlement closely correlates with affective ties towards significant others. This is true for diverse settings, such as childhood experiences and bi-national partnerships. Political socialization via transmission also means that ties towards state are intrinsically tied to feelings towards members of such political communities. This implies that there is a close correlation between specific reciprocity and focused solidarity, on the one hand, and generalized reciprocity and diffuse solidarity, on the other hand.

Without socialization in small communities on the basis of specific reciprocity and focused solidarity there would be no grounds for a more far-reaching reciprocity and solidarity among citizens resulting in social cooperation. Reciprocity in its specific forms refers to situations in which known partners exchange items of equivalent value in a strictly delimited sequence. If any obligations exist, they are clearly specified in terms of rights and duties of a particular actor. Specific reciprocity pertains to varied situations, for example, when children care for their elderly parents. Generalised reciprocity means that equivalence is less precise, one's partners may be viewed as a group in a community or a country, rather than as particular actors, and the sequence of events is less narrowly bounded. It involves conforming
Generalized reciprocity is of utmost importance in upholding the welfare function in sovereign states. For example, public old age insurance in continental Europe usually rests on a ‘contract of generations’ – persons of working age finance the pensions of the retired. As a prerequisite, those still in the active labor force trust that the succeeding generation will do the same for them. Similarly, solidarity can be either focused, directed towards a narrow kin group and thus frequently bounded by household and blood lineage, or it can extend to more diffuse forms. Diffuse solidarity pertains to larger aggregates, such as territorial and symbolic community groupings (nations) and organisations (states), in which participants and members largely lack face-to-face contact. Diffuse solidarity exists, for example, if citizens recognize moral claims of needy fellow citizens and pay taxes to finance some kind of social assistance. For specific reciprocity to turn into generalized reciprocity and for focused solidarity to come into diffuse solidarity, ties between citizens need to go beyond dyads, refer to ‘third’ persons and thus to a structure of cooperation: Citizens (X) should help others (Y) who need the kind of help they (X) may require from others (Z) in the future; also, citizens (X) should help others (Y) who now need the kind of help which they (X) received from third citizens (Z) in the past (cf. Ekeh 1974:206-7).

Thus, reciprocity and solidarity can go beyond small groups and reach to generalized reciprocity and diffuse solidarity in larger groups, even nations and states. The main mechanism here is participation in voluntary associations which might lead to social structures of cooperation. Such structures undergird civic engagement (cf. Putnam
1993: chapter 6; of course, the locus classicus is Tocqueville 1966, Vol. 1, Part II: chapter 4). Citizens socialized in small groups have a necessary, albeit not sufficient, grounding to apply forms of reciprocity and solidarity to larger aggregates in the political community, and to the polity itself.

In principle, these considerations also apply to the border-crossing ties of citizens. Dual citizenship is not only a recognition of border-crossing ties to another political community but also of concrete ties on the sub-state level. As to specific reciprocity, for example, immigrants take care of their elderly parents living abroad. They sometimes fulfill an implicit contract of generations in sending remittances or sponsoring the immigration of their parents to the new country of settlement. Conversely, grandparents may commute in transstate spaces to care for their grandchildren. In short, citizens claim and fulfill specific obligations towards significant others - to inherit, to purchase property, to aid to relatives, or to travel (cf. Jones-Correa 1998). Such life world relations signify crucial aspects of socialization and continued attachments to the communities of origin. Moreover, generalized reciprocity can be found in organizations which exchange information across state borders, and diffuse solidarity floats in networks of non-governmental organizations - for example, when human rights associations transfer financial assets to their partners in countries where citizens are tortured. To contribute to democratic governance and to mutual recognition of rights among citizens, such voluntary associations - akin to those without border-crossing ties - need not necessarily be organized internally along democratic principles. Most associations in civil society are rather agnostic (Eckstein 1966: Appendix A);
examples include soccer clubs and choirs. Nevertheless, it is only upon the existence of voluntary structures of cooperation that the informal claims and codified entitlements of other citizens are recognized. Dual citizenship implies the recognition or at least toleration of citizens’ border-crossing ties in small groups, networks and organizations.

A transstate perspective, taking the life world of border-crossers seriously, then leads to a balanced evaluation of the potentials and dangers of dual citizenship. It sounds utterly unrealistic when critics of dual citizenship claim that dual citizens are in danger of developing a very instrumental attitude – action oriented to realize explicit goals efficiently – and not enough of affective ties to the new countries of citizenship (Schuck 1998:219). First, settled immigrants with a permanent residence permit generally have access to most civil and social rights available to citizens. Therefore, naturalization in the country of settlement will give permanent residents primarily additional political rights. Thus, naturalization in those cases is very unlikely to be of an instrumental nature in the material sense. Second, if the goal of the applicant to citizenship is to more effectively participate in the polity of settlement, it is a kind of instrumental orientation to be welcomed from a normative basis. It is in tune with democratic virtues. Third, it is very likely that the wish to naturalize is usually also connected to two other “modes of orientation”: expressive – action directed at realizing emotional satisfactions – and moral – action concerned at realizing standards of right and wrong (cf. Parsons 1951:58). Again, if naturalization does not yield substantial additional material rights when compared to the status of permanent residency, chances are that extra-instrumental orientations also play a role. What
could be criticized from a normative point of view, however, is rather the practice of some states in the Caribbean and the Pacific to purposely offer their citizenship for sale.

6. Dual citizenship: not an evil, no intrinsic value
The question now is whether dual citizenship violates fundamental principles of democratically legitimated membership and governance – such as ‘one person, one vote’, additional exit and entry rights not available to ‘single’ citizens, lacking loyalty – or even contributes to the spread of democratic forms of governance.

In principle, dual citizens have the right to vote in two countries. At first sight, this situation seems to violate the principle ‘one person, one vote’. First, however, overlapping membership does not violate equal political liberty. This is so because dual citizens have voting rights in states formally sovereign and independent. These states lack a common political authority. This would be different in multiple-level governance systems with a central government. This could be the case in the EU in some future time – for example, when a common government in Brussels will be based upon popular elections. Multiple votes on the same level – e.g. member states – could then indeed lead to inequalities between citizens. Imagine a dual citizen who votes in both France and the UK. True, in such a future scenario, this dual citizen would have more than one vote within the EU polity. Yet, second, fears of multiple voting and participation are vastly overdrawn for really existing political systems. Empirical research shows that even highly mobile persons such as the proverbial ‘astronauts’ – businesspeople from Hong Kong whose families prefer to live in North
America – have a definite geographical center of their life (Wong 1997); in spite of or perhaps indeed because of their cosmopolitan lifestyle. And in cases in which duties of citizens may conflict – such as tax payments or service in the armed forces – bilateral arrangements or even the instrument of dormant citizenship are available. Dormant citizenship means that citizens can activate full citizenship only in the country of actual settlement, while full rights and duties in the partner country are temporarily suspended until the person relocates the place of habitual residence. In practice, states easily implement dormant citizenship through bi- and multilateral treaties. The agreements between Spain and twelve Latin American countries are just one case in point (Chavez 1997:141).

One may also object to dual citizenship that emigrants living abroad may exit the political community at any time, although they have participated in bringing about the laws and regulations they prefer to escape from. This would be a case of violating the identity principle of democracy. However, the exit option is a fundamental freedom available to all citizens in all countries on earth, codified in the Charter of Fundamental Rights of the United Nations (UN). This means that dual citizens do not have an unjustified exit option but an additional entry option if they possess the passport of the respective state(s). The high volume of refugee migration and the human suffering involved, as evidenced by interstate wars and proliferating civil wars in disintegrating and authoritarian states, shows how important such added entry options actually are. Many refugees use the additional entry option as a temporary device. Indeed, the majority of refugees usually intends to return to the home country when the armed conflicts
and the most dire threats to life cease (cf. UNHCR 1997). Also, it is useful to place this entry option in perspective: ‘single’ citizens in Western liberal democracies usually have more entry options than dual citizens of the ‘South’ and the ‘East’.

A popular and widespread argument against multiple citizenship is that dual citizens’ loyalties are torn in case of war between the respective countries of membership (Aron 1974). First, however, the loyalty nexus between universal conscription and nationality is becoming less and less relevant, as many liberal democracies reorganize their armed forces into voluntary and professional armies. For the past, the argument could muster somewhat more support because ‘nation-building’ sometimes involved a trade-off between the right to vote and compulsory military service (Bendix 1996:114). But this correlation only applies to liberal democracies. In more authoritarian regimes, such as 19th century Prussia, universal conscription did not entail voting rights on an equal and free basis.

Second, all empirical evidence indicates that new citizens are the ones who are most eager to show loyalty to their new home country in case of war (Hammar 1989:90). As to populist reactions against lacking loyalty, these have been usually directed against certain categories of new citizens, not against dual citizens in particular; take the discrimination directed at German-Americans during World War One and Japanese-Americans during World War Two in the USA as examples. Also, there are no indications that dual citizens have been more prone to engage in espionage than ‘single’ citizens. And the charge from a national perspective that dual citizenship encourages the import of political conflicts from emigration to immigration
countries misses the point. Exports and imports of conflicts are quite independent of formal nationality because fundamental rights, such as the freedom of association, are usually also available to permanent residents – as evidenced by the activity of authoritarian social movements such as the Kurdish PKK in Sweden, Germany and the Benelux countries. More generally, it can be said that that stable democracies allow for diverse and plural ties of citizens. In fact, plural loyalties to organizations may even foster democratic practice as long as citizens do not single-mindedly pursue the interests of a specific class or set of organizations (cf. Truman 1951:168). Again, there are no plausible reasons to limit citizens' plural ties to the container box formed by the people of a state, the state government and the state territory.

A more plausible set of objections emerges when looking at national minorities instead of immigrants. After all, dual citizenship not only occurs in immigration settings but also in situations of secession and state succession. In the case of transstate migration and settlement, the parameters for the political triangle are: emigration country, immigration country and immigrants. In the second case - for example, the emergence of new states out of faltering empires - dual citizenship is framed by the relations between the old imperial power, the newly independent state and the respective national minorities; Russians in the Ukraine are a recent example (Shevchuk 1996). Other cases concern the relationship between an ancestral country of settlement, an external patronage state and national minorities; think of the Hungarian minority in Romania. Compared to labor immigrants and refugees, autochthonous national minorities tend to be more adamant, persistent
and often more successful in claiming a distinctive ‘national’ collective identity. National minorities often pursue rights of limited self-government within the traditional country of settlement. In cases of ethnic and nationals strife this often means that it tends to be easier for patronage states to instrumentalize national minorities abroad for political purposes in supporting irredentism (Brubaker 1996:6-7). But it would be far-fetched to attribute potential irredentism in the Ukraine or Romania directly to the recognition or tolerance towards dual citizenship. At the most, dual citizenship could be one instrument in public debates to bolster the belonging of certain national minorities to the external patronage state, especially if rights granted to a national minority set in motion a spiral of rising expectations and demands. However, it is equally likely that dual citizenship serves as a moderating influence in ethnic and national conflicts because dual citizens entertain ties intersecting multiple states. In essence, the function of dual citizenship in conflictual settings depends on factors external to the intrinsic values of multiple membership.

While the dangers of dual citizenship in the national perspective seem to be widely exaggerated, the hopes invested in this form of supplementary membership in political communities from a postnational viewpoint are equally overrated. One hypothesis says that dual citizenship may help to make the transition to democracy in certain emigration countries (Spiro 1997:1477). There is some truth to this claim when arguing that the export of democracy as a creative mix of exit from the authoritarian regime and voice from abroad carries more weight today than in the early decades of the 20th century. In the past, examples such as the Spanish Civil War and anti-fascist
movements during World War Two indicate that emigrés did contribute to the fall of authoritarian or totalitarian regimes but were not the main cause - which can be found in lost wars and economic recessions (cf. Shain 1989). Nowadays, the conditions for an effective mix of exit & voice have increased. Most emigration countries do not resemble the ‘strong’ authoritarian states of the early and mid-20th century - and some states in Sub-Saharan Africa are even torn by feuding warlords. Activists in transstate spaces thus encounter somewhat more propitious conditions to reinforce political transitions towards democratic life in their home countries. However, the same caveat as in the case of negative implications of dual citizenship has to be added here as well: dual citizenship is neither the main prerequisite nor the principal mechanism of democratic transition. Rather, it can fulfill the role of an intervening factor.

An interesting future development would be a radical individualization of the first dimension of citizenship - democratically legitimated rights and duties - towards borderless transactions. Such a thought experiment could be derived from ‘constitutional democracy’. Citizens could purchase public goods such as protection from military threats, collective and club goods such as social welfare and individual goods such as life insurance in places most convenient for them. Even further reaching would be a trade with nationalities (Tullock 1997). However, such a policy would totally disregard the danger that it would be impossible to institutionalize generalized reciprocity and diffuse solidarity beyond particular single group interests on a sovereign state or global level. Especially those citizens rights and duties, which are not only instrumentally but also morally and expressively
References


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