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Dual citizenship in the context of globalization, identity and belonging debate

Igor Rosic
Ryerson University

DUAL CITIZENSHIP IN THE CONTEXT OF GLOBALIZATION, IDENTITY AND BELONGING DEBATE

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Igor Rosic, BA, University of Bergen, Norway, 1996

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ABSTRACT

At the beginning of the 21st century, there seems to be a global shift in paradigms of identity and belonging. For a long time, both of these entities have been deemed to be fixed and one-dimensional, tied to a specific nation, state and territory. But, under the influence of globalization, notions of identity and belonging are undergoing some fundamental changes. In the interconnected and migratory world we are living in, transnational communities possess and nurture identities of multiple belonging. These global interconnections create new challenges for previous notions of exclusive belonging to a single state-territory, and by extension, citizenship as the ultimate form of political belonging to a nation-state. In this context, dual citizenship has emerged as a legal recognition of this situation. In this paper, I discuss various issues connected to dual citizenship and argue for the need for recognition of full dual citizenship by every country in the world.

Key words: dual citizenship, globalization, identity, belonging, transnationalism.

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TABLE OF CONTENTS

INTRODUCTION

By UN estimates, more than 185 million people today live outside of their countries of birth and/or nationality (Martin, 2003: 5) – some voluntarily, and others not. In addition, these numbers do not even include millions of illegal migrants around the world. Many western countries, European in particular, are increasingly closing their borders, not only to potential asylum seekers, but also to immigrants in general. At the same time, these countries are faced with rapidly aging populations and will have to rely, at least to a certain extent, on immigration in order to meet the challenges associated with this trend.

One of the most prominent immigration questions in this context is one of political belonging and access to citizenship. While the "classic" immigration countries like Canada, Australia and the US have fairly liberal approach to granting citizenship to immigrants, more recent countries of mass immigration in Western Europe have not extended equally liberal access to acquiring citizenship, thereby creating a large number of *quasi-citizens* (Castles and Davidson, 2000) or *denizens*, people "who are foreign citizens with a legal and permanent resident status" (Hammar quoted in Castles and Davidson, 2000: 94) and who may have the right to a number of social rights, yet have no access to official political membership exemplified by citizenship of that country. In the case of a few countries, like Germany, this extends even to second and third generation immigrants.[1] This view of citizenship also extended to dual citizenship[2] which until a

[1] Some movement towards granting citizenship to children of immigrants born in the country has happened in the last decade, as will become evident from the discussion below.

[2] Most researchers use terms "(dual) citizenship" and "(dual) nationality" almost interchangeably. However, as Jones-Correa points out they have somewhat different meanings. "Nationality refers to the formal legal status of state membership," while "citizenship delineates the specific character of member's rights and duties within the national polity" (Jones-Correa, 2003: 304). Both terms may come up in quotes

couple of decades ago was definitely frowned upon and, in 1974, even called "an evil that should be avoided and eliminated in the interests of states as well as in the interests of the affected citizen" (the constitutional court of the Federal Republic of Germany quoted in Aleinikoff and Klusmeyer, 2001: 70). However, since the 1980s, there have been more and more countries that started accepting dual citizenship in one way or another. Almost 100 countries in the world now offer some form of dual citizenship (Renshon, 2001: 45) which constitutes a rather dramatic shift taking into consideration that "the world community entered the last third of the twentieth century with a domestic and international legal order that generally treated dual nationality as unnatural and undesirable" (Aleinikoff and Klusmeyer, 2002: 23). Nevertheless, reservation towards dual citizenship still prevails among populations and politicians in some countries. In my discussion of arguments for and against dual citizenship, I will address some of these reservations.

In order to further discuss and find explanations for the increasing acceptance of dual citizenship in the last several decades, I believe that it is necessary to go back to the fundamental questions of identity and national belonging that underwent some changes under the intensifying influence of globalization in the recent decades. By shining a light on the causal relationship between globalization and identity formation, I intend to draw a link between these two factors and the growing acceptance of dual citizenship.

I will then take a detailed look at the concept of dual citizenship, its historical evolution and a number of issues involved in the debate around it. I will contend that, under the influence of globalization, the crisis of identities and the subsequent formation

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from various sources; however, I will use "dual citizenship" as the main term of reference in this paper for the sake of consistency.

of transnational identities have a direct effect on the forms of political membership in terms of citizenship policies, as evidenced by an increasing acceptance of dual citizenship in many countries of the world (both immigration and emigration ones) over the last few decades. Nevertheless, the practice of offering dual citizenship, to their own citizens, as well as immigrants, varies in countries around the world. To illustrate this, I intend to offer comparative insights into dual citizenship regulations in three different countries: Canada as a "country of immigration" with quite liberal approach to dual citizenship, Germany as a former "country of emigration" with quite strict approach to dual citizenship and Mexico as an example of a "sending country" that has recently radically changed its policies on dual citizenship.[3]

Through the discussion in this paper, I intend to show and argue that a radical re-definition of citizenship and political belonging is necessary in order to accommodate the increasing transnational nature of today's world and multiple forms of identity and belonging that it leads to. In this context, dual citizenship should be offered as, at least, a minimal legal recognition of this reality.

[3] Please make note that the labels I use to describe these countries are just generic descriptors to discuss three approaches to the development of dual citizenship policy. I am fully aware that Germany today is very much a country of immigration and had recently liberalized somewhat its dual citizenship policy.

METHODOLOGY AND THEORETICAL ORIENTATION

I intend to look at this particular topic by using two main methods: review of relevant literature and comparative analysis of dual citizenship policies and regulations. I chose literature review as my main method due to the conceptual nature of my MRP topic. As such, I will present an analysis of main discourses on globalization, its effects on identity formation and how these two concepts influence political belonging and citizenship policies, particularly regulations regarding dual citizenship. In addition, I will compare dual citizenship regulations in three above mentioned countries.

While much of this paper will explore theoretical and conceptual literature on dual citizenship, I believe that theory of transnationalism is pre-eminent in understanding of dual citizenship. In the process of discussion, I intend to juxtapose it to the theory of postnationalism that offers an intriguing counterpoint to transnationalism, not least in terms of its view of dual citizenship.

Transnationalism refers both to identity issues relating to immigrants living in the adopted country of residence and to the practices of organizations and institutions whose activities transcend national borders (Wayland, 2006). It refers to "sustained ties of persons, networks and organizations across the borders across multiple nation-states" (Faist, 2000: 189) and involves "the processes by which immigrants forge and sustain multi-stranded social relations that link together their societies of origin and settlement" (Basch et al. quoted in Bosniak, 2003: 35). As such, it "involves the creation of new identities that incorporate cultural references from both the place of origin and the place of residence" (Wayland, 2006: 18).

In addition, Bosniak identifies two main themes in the transnationalism debate (Bosniak, 2003: 36). The first one deals with cross-border networks and political activities of migrants which span across borders. Due to developments in transportation and communication technology which make establishing and maintaining transnational networks very efficient, some researchers have started to talk about "transnationalism from below" (ibid: 34)

The second aspect deals with actions of the state. This concerns both the immigration states and their efforts to accommodate and integrate immigrants within the confines of a nation-state, as well as the sending states and their outreach and promotional activities within their diasporas and in the countries where a large contingent of their citizens live. Thus, the state becomes a transnational agent itself and this, together with corporate transnationalism, is what is referred to as "transnationalism from above" (ibid: 37).

It is specifically in the context of transnational migrant networks between the places of origin and places of residence that the question of dual citizenship becomes relevant in terms of rights, duties and obligations of dual citizens in both countries.

In the transnational model of citizenship, "dual citizenship recognizes that immigrants' lives transcend borders," and thus, "dual citizenship becomes both a cause and effect of transnationalism" (Bloemraad, 2004: 394). It facilitates it by allowing easy access to multiple geopolitical spaces and encouraging development of transnational identities that spans both the receiving and sending country. Bloemraad indicates three implications that transnational approach has on dual citizenship. First, when both countries allow for dual citizenship, large numbers of immigrants will opt for this status.

Second, under the influence of globalization, cases of dual citizenship should increase over time. Third, as the world becomes increasingly transnational, each successive cohort of immigrants will be more likely to claim dual citizenship (Bloemraad, 2004: 395).

In some of the discourses on dual citizenship and citizenship in general (Soysal, 1994; Bloemraad, 2004; Bosniak, 2003), transnational approach to citizenship is often juxtaposed to postnational belonging/membership, a concept that was popularized by Soysal's influential *Limits of Citizenship: Migrants and Postnational Membership in Europe* (1994) in which she argues that de facto incorporation of "guest workers" and their offspring (some of whom have spent decades living under that status) into social and welfare net of Western European countries, has already transformed the basis for membership in a nation-state that transcends its boundaries. She cites Hammar's classification for these long-term residents of European states, who possess substantial rights and privileges just short of formal membership, as *denizens*. Castles (2000) also uses the same term to describe people with limited citizenship rights and states that new modes of inclusion for these "citizens who do not belong" must be found. Soysal goes on to connect these developments to the development of universal personhood, that is, universal rights that were before based on national belonging, but today transcend national borders. Thus, "human rights provide migrants with a discourse to make claims regardless of citizenship status" (Bloemraad, 2004: 396). Proponents of postnationalism claim that the term refers "not so much to any alleged dissolution of the nation-state system as to a moment in time when national forms of public life have simply lost their assumed authority and predominance" (Bosniak, 2003: 31).

Postnationalism, however, may be painting too optimistic picture of international rights regime that transcends the jurisdiction of individual nation-states. How to enforce these rights remains an obstacle, as nation-states still remain the main determinants of policies regarding political belonging and citizenship. Following the thought of universality of human rights, in terms of dual citizenship, adherents of postnational theory of citizenship claim that immigrants will not seek naturalization in their new country of residence since they are "secure in the knowledge that their rights are guaranteed based on personhood and that their identities transcend the trappings of citizenship" (Bloemraad, 2004: 397). But is this really so? Canadian statistics, for example, show a high rate of naturalization despite the fact that almost all of the rights given to legal citizens, such as health care coverage and access to welfare, are also provided to all permanent residents.[4] Thus, Galloway reports that of 2 525 321 individuals who became permanent residents of Canada between 1977 and 1993, 2 052 738 became Canadian citizens (Galloway, 2001: 184). Similarly, in 1996, 75 percent of all adult immigrants claimed Canadian citizenship through naturalization (Bloemraad, 2004: 401). On the other hand, Bloemraad concludes that, compared to Canada, low levels of naturalization in Europe are not a sign of any postnational belonging, but rather a consequence of strict citizenship laws and regulations (ibid).

Contrary to postnationalism, transnationalism takes into account the prevailing relevance of borders and nation-states, but argues that they are no longer (nor they should be) the only determinants in questions of identity and national belonging.

[4] The rights that Canadian citizenship provides is the absolute right of entry onto Canadian soil and rights to vote and run for office. (Bloemraad, 2004: 401)

CITIZENSHIP AND POLITICAL BELONGING WITHIN THE CONTEXT OF GLOBALIZATION AND IDENTITY

McNevin defines "political belonging" as encompassing "the physical and conceptual shape of polities [and] the status attached to members of a political community relative to non-members [...] At different points in history, particular accounts of political belonging have become naturalized, entrenching particular relations of privilege and marginalization as matters of "common sense" (McNevin, 2006: 135). Indeed, as Shklar points out: "There is no notion more central in politics than citizenship, [yet] none more variable in history or contested in theory" (Shklar quoted in Bosniak, 2001: 239)

Currently, the Westphalian state system[5] still dominates the discourses of national and political belonging. As such, belonging is interpreted as a fixed relationship between state, citizen and territory, backed up by a potent mix of history, "foundational myths" and "narratives of the nation" in which culture and media play a significant role (Kymlicka, 1995; Castles and Davidson, 2000; Kennedy, 2001; Benhabib, 2002; Hedetoft, 2004). However, these efforts at creating homogenous, unified national narratives and common identity soon reveal that "most territorial states are not proper nation states, but 'multiethnic' in one way or another" (Hedetoft, 2004: 31). Likewise, glorified national myths also hide "invention of tradition" (Kymlicka, 1995: 185) and "centuries of violent civil wars, the forced amalgamations, exclusions or oppressions of peripheral peoples, periods of inward and outward conquest and frequent migrations

[5] The concept of Westphalian state sovereignty stems from the Treaty of Westphalia, signed in 1648 which ended long wars between European powers and is considered a key moment in the establishment of the inviolability of a nation-state sovereignty, as well as the inter-state system as we know it today (Croucher, 2004: 46/47).

bringing new cultures to unwelcoming shores" (Kennedy, 2001: 4). However, as all the researchers mentioned above are quick to point out, this still does not undermine the strength of the concept of national belonging that is a key factor in attitudes of western "host" societies vis-à-vis immigrants. At the same time, "identities, conceived as homogenous, essentialized categories, are being contested , *inter alia* through more massive and qualitatively different forms of global migratory patterns" (Hedetoft, 2004: 26). Faced with the crisis of identity that these changing migratory patterns inevitably lead to, people react by seeking out to protect centred and distinctive identities tied to particular and familiar locations. This is evident sometimes in immigrant communities as a response to stigmatization and social exclusion. At the same time, majority host populations living in wealthy established nations try to control these "incursions" on their identity as evidenced by the rise of right-wing and anti-immigration parties across EU and the increasingly restrictive policies with respect to immigrants and asylum seekers, especially in Western Europe.

As mentioned, globalization has a crucial influence on this situation, as well as on the notions of political belonging and citizenship. In order to discuss this influence in more detail, I will first take a brief look at the concept of globalization and its effect on identity formation that, in turn, play a decisive role in the debates around dual citizenship.

There is a tendency to view globalization as a relatively new phenomenon. On the contrary, most researchers agree that the phenomenon of globalization, in terms of economy and communications, can be traced back to the mid-nineteenth century with the spread of colonial imperialism, and, later, industrial revolution and peak in world migration at the turn of the centuries (Kennedy, 2001; Friedman, 2004, Croucher: 2004).

However, it has only been in the recent decades, with the development of mass transport, and rapid communications and information technology, that there was a great leap forward in terms of transnational interconnectedness and interdependencies we today associate with globalization (Kennedy, 2001, Croucher: 2004).

Discussions on globalization are frequently limited to its impact on economic life, i.e. the worldwide spread of capitalism, unregulated financial markets and the proliferation of global corporations. In this context, Hedetoft's definition of globalization fits well. He defines it as "a set of processes, transnational by nature, driven by economic interests, and primarily fathered by the USA, processes which basically regard the existence of national borders and national sovereignty as an obstacle and strives towards minimizing their role" (Hedetoft, 2004: 40). Nevertheless, globalization penetrates our lives much deeper than that. Thus, Held states that "globalization is neither a singular condition nor a linear process. Rather, it is best thought of as a multidimensional phenomenon involving diverse domains of activity and interaction, including the economic, political, technological, military, legal, cultural and environmental" (Held quoted in Croucher, 2004: 11). Similarly, Appadurai identifies five interrelated dimensions of globalization:

> "ethnoscapes (flows of immigrants, refugees, exiles, guest workers, and tourists); technoscapes (rapid movement of technology, high and low, informational and mechanical, across previously impenetrable boundaries); finanscapes (rapid flows of money via currency markets and stock exchanges); mediascapes (flows of images and information via newspapers, magazines, television and film); and ideoscapes (the spread of elements of western enlightenment worldview –

namely, images of democracy, freedom, welfare, rights and so forth)" (Appadurai cited in Croucher, 2004: 11).

It is obvious that globalization's influence penetrates many facets of our lives. I would like now to concentrate on its effect on what Appadurai's calls "ethnoscapes," or increased migratory movements across borders. As a matter of fact, as Hedetoft stated above, globalization tries to "erase" the borders and diminish the influence of nation-states on the flow of the economic capital. Castles says that "globalization breaks the territorial principle, the nexus between power and place" (Castles, 1998: 225). Indeed, this "deterritorialization" is one of the main dimensions of the current globalization processes which entails "the spread of supraterritoriality [and] a reconfiguration of geography, so that space is no longer wholly mapped in terms of territorial spaces, territorial distances, territorial borders" (Scholte quoted in Croucher, 2004: 12). This inevitably leads to the weakening of local societal structures as not only capital, but people, goods, ideas and images, among other things, are more mobile than ever before (Appadurai cited in Croucher, 2004: 11). Actually, globalization "has undermined the ideology of relatively autonomous national cultures" (Castles, 1998: 226). If this is indeed so, then one could argue that free movement of capital and culture should be accompanied by the free movement of people who can use their human capital in the free market, where they see fit, in order to achieve economic success. But here is where we encounter globalization's inherent contradiction. While it encourages the free flow of capital across borders, the movement of people/migrants across the same is met with increasing hostility as reflected in the increasingly restrictive policies and hostile attitudes

with respect to refugees, asylum seekers and immigrants in Western countries, particularly the EU. What is then behind this contradiction?

Without a doubt, immigration to a new country leaves significant and lasting effects on an individual's identity. At the same time, immigration deeply affects the receiving society's identity, whether it wants to admit it or not. Agnew states that "identities are socially constructed, contingent on time, place and social context, and are therefore fluid and unstable" (Agnew, 2005: 12). This particular view of identity formation, known as *constructivist* or *social constructionist*, has become popular among scholars as they try to define changing concepts of identity and belonging in the globalized world. Constructivists contend that individuals at any given point in time might have any number of identities (individual, group or societal) whose context and meanings shift across time and place (Croucher, 2004). It is also an ongoing process since it involves constant re-construction throughout the lives of individuals. As much as everyone would like to say that he/she has a "fixed" identity, the truth is we all change and adapt to changing circumstances throughout our lives. As evident from the above discussion on globalization, this is particularly true in today's globalized world of rapid interaction and communication, fragmentization of cultural expressions and lived experiences, where even such concepts like "culture" and "tradition" have been redefined since neither of these entities can be regarded today as totally fixed and coherent forces (Kennedy, 2001). "Globalization is in fact a process of local transformation, the packing in of global events, products and frameworks into the local. It is not about deterritorializing the local but about changing its content, not least in identity terms" (Friedman, 2004: 67). Friedman goes on to define the process of national identity

formation as "linking a matrix of local identifications and experiences to a higher order category which then comes to function as a unifying symbolic complex" (ibid: 70).

It is here, in the concept of the creation of a single, "unifying," national identity, that we get a view of a different approach to the identity question and one that is diametrically opposed to the constructivist one; so called *primordial* or *essentialist* approach where identities are conceptualized as static, pregiven, predetermined and unidimensional, and where "loyalty and attachment to one's own nation is presumed to be a natural, deeply felt, even spiritual bond" (Croucher, 2004: 36). According to primordialists, because of individuals' deep attachment to the national identity, it is assumed that when different cultures come into close contact they will inevitably clash.[6] While violent ethnic and national conflicts raging in the world today would certainly give credence to this theory, what primordial theory of identity fails to do is to explain and understand the nature of identity itself; it is taken for granted and seen as fixed and unchangeable, something that constructivist theory remedies by looking at identities as fluid, unstable and prone to re-construction throughout our lives. Nevertheless, constructivist theory's weakness is that it emphasizes fluid and constructed identities, while at the same time around the world, "rooted" and essentialist definitions of identity are some of the main factors in ethnic and national conflicts. That is why some analysts have combined these two theories to come up with *constructed primordiality.* This approach can "preserve an appreciation for the emotional appeal of belonging, while shifting needed attention to the dynamic processes and politics of identity formation and reconfiguration" (Croucher, 2004: 40). It also emphasizes that identity formation never

[6] This view was particularly popularized by Samuel Huntington's influential book *Clash of Civilizations* (1993).

happens in isolation. Rather, it is a dynamic process where state, community, organizations and politicians all have a large say in formulating and assigning identities that people then "accept, resist, choose, specify, invent, redefine, reject, actively defend, and so forth" (Cornell and Hartmann quoted in Croucher, 2004: 40).

But, as much as identities are constructed and re-constructed under the influences of outside societal forces, they are, of course, also constructed and validated through ongoing interactions between individuals. "The sense of identity, or awareness of identity, involves comparison and contrast – with some emphasis on basic likeness, but with special attention called to obvious unlikeliness" (Greenacre quoted in Akhtar, 1999: 46). It is this presence of the "other" against which citizens can identify themselves, which is one of the biggest factors in creating a sense of the common national identity and belonging to a nation-state (Kennedy, 2001; Benhabib, 2002; Croucher, 2004; McNevin, 2006). In other words, people define who they are by specifying who they are not. McNevin paraphrases Engin Isin's contention that "the alien other, the immanent outsider and the citizen are mutually constitutive. The insider identity is only possible via the parallel marking of the outsider. These insider/outsider, citizen/non-citizen dynamics are [...] an enduring feature of political communities" (McNevin, 2006: 137). Indeed, "all identity construction requires the summoning of difference, the relativization of the self as against the 'other' imagined as separate, outside – and perhaps also as marginal, inferior and dangerous" (Kennedy, 2001: 3). In other words, "belonging to an "Us" necessitates the existence and recognition of a "Them." Belonging, as such, necessitates and implies boundaries" (Croucher, 2004: 40). This process of "othering" is therefore an

important factor in determining who belongs and who does not and how to treat "others" in a nation-state becomes a key question.

Castles and Davidson (2000: 59) discuss the doctrine of "the controllability of difference" whereby receiving nation-states have historically tried to regulate the situation of immigrants and minorities within their borders via two approaches: assimilation and differential exclusion.[7] The former approach "meant encouraging immigrants to learn the national language and take on the social and cultural practices of the receiving community" (ibid: 60), while the latter "meant accepting immigrants only within strict functional and temporal limits: they were welcome as workers, but not as settlers; as individuals, but not as families or communities; as temporary sojourners, but not as long-term residents" (ibid: 61).

However, as they point out, in a globalized world, it is becoming increasingly difficult to uphold these two approaches due to the increased population mobility and the development of multicultural societies. It is not unusual today to meet people who often find little difficulty in moving across cultures. They juggle different identities and maintain permanent transnational networks and multiple loyalties and interests. Christiansen and Hedetoft observe that

> "a consequence of such developments is that the Other has become relativized, borders have started to appear less monumental, and existentially defining, and the racial/ethnic components of national belonging have, if not disappeared, then at least emerged from the closet of organic assumptions and moved into the arena of cognitive debate and open contention" (Christiansen and Hedetoft, 2004: 11).

[7] A third approach, pluralism or multiculturalism, has only become significant recently (ibid).

In such a situation, "the Other can be neither excluded nor assimilated, and the traditional models no longer offer credible solutions" (Castles and Davidson, 2000: 61). It is therefore no surprise that many researchers point to a necessity of the re-definition of political membership and the consequent changes in the citizenship policies.[8]

Instead of being viewed as pre-determined and fixed term that symbolizes membership in a nation-state, "the question of citizenship thus sets the stage for negotiations of identities between states and immigrants" (Kastoryano, 2002: 122). Following this line of thought, what is needed is citizenship practice that goes beyond formal membership in a nation-state since "international migration transnationalizes both sending and receiving societies by extending relevant forms of membership beyond the boundaries of territories and of citizenship" (Bauböck quoted in Benhabib, 2002: 95). Thus reconfiguration of citizenship is called for, especially when it comes to the full recognition of dual citizenship (Castles and Davidson, 2000; Aleinikoff and Klusmeyer, 2001 and 2002; Martin, 2003; Croucher, 2004).

Nevertheless, despite this, most researchers agree that the nation-state and its rules of citizenship, as defined by the connection between citizen-state-territory, will still be the norm for some time to come. How strong that link is was in evidence last year when the evacuation of Canadian citizens from Lebanon brought to the light the fact that many of them have not lived in Canada for years, yet maintained their Canadian citizenship. Debate that arose around that issue revolved around the duties and rights of dual citizens towards their adopted country of citizenship. Most of all, this event showed that debate around dual citizenship is a multidimensional one.

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[8] (Soysal, 1994; Kymlicka, 1995; Castles, 1998; Kymlicka and Norman, 2000; Castles and Davidson, 2000; Aleinikoff and Klusmeyer, 2001 and 2002; Benhabib, 2002, Kastoryano, 2002; Martin, 2003; Christiansen and Hedetoft, 2004; Croucher, 2004).

What are then the main issues in this debate, and how has this policy evolved from being strongly discouraged and forbidden to being accepted and tolerated?

DUAL CITIZENSHIP: EVOLUTION AND ISSUES INVOLVED

Nationality has been defined as "a legal-political category that constitutes the most basic legal nexus between an individual and a state" (Aleinikoff and Klusmeyer, 2001: 64). The view that dual citizenship was something to be avoided has its roots in the notion of the unbreakable and exclusive bond between a citizen/national and the state/territory where he/she belongs. In this context nationality "rests with territory at the heart of the definition of *nation*-state" (Weil, 2001: 17, original emphasis) and is seen as a "legal bond having at its basis a social fact of attachment, a genuine connection of existence, interests and sentiments, together with the existence of reciprocal rights and duties" (The International Court of Justice quoted in Hailbronner, 2003: 19).

Weil (2001: 17) identifies two main legal principles for acquiring citizenship:

- "Birthplace or *jus soli*: the fact of being born in a territory over which the state maintains, has maintained, or wishes to extend its sovereignty.
- Bloodline, or *jus sanguinis*: citizenship as the result of the nationality of one parent or other more distant ancestors"

In addition, two other principles are used in acquiring citizenship: "marital status, such as a marriage to a citizen of another country, which can lead to acquisition of the spouse's citizenship" and "past, present, or future residence within the country's past, future, or intended borders (including colonial borders)" (ibid). The combination of these four principles (birthplace, bloodline, marital status and residence) forms the basis of citizenship laws of every country in the world and has a major effect on dual citizenship regulations.

Howard identifies three key components in a citizenship law that have a direct influence on a country's dual citizenship policy: "1) whether or not it grants *jus soli*, or citizenship by birth, to the children of noncitizens; 2) the difficulty of its naturalization requirements, in particular the mandatory length of residence; and 3) whether or not it allows naturalized immigrants to hold dual citizenship" (Howard, 2005: 705). It is particularly the third component that is important in the context of dual citizenship debate, and as such, it is twofold. Distinction has to be made between countries that allow dual citizenship for their own emigrants who may become citizens of other countries and countries that allow first generation immigrants in their countries to retain their native citizenship when they become naturalized citizens.

> "In other words, there is an important difference between what might be called "emigrant dual citizenship" which comes at little direct "cost" to the emigrant or sending country and often serves to maintain and promote stronger cultural and linguistic connections to people who reside permanently in another country, and "immigrant dual citizenship," which allows for integration of foreigners as naturalized citizens who plan to live, work, and settle permanently in the host or receiving country" (Howard, 2005: 707-8).

The historical opposition to dual citizenship (Martin, 2003; Howard, 2005) culminated officially in 1930 with the League of Nation's adoption of "Convention on Certain Questions Relating to the Conflict of Nationality Laws," also known as the "Hague Convention." The convention states that "it is in the interest of the international community to secure that all members should recognize that every person should have a nationality and should have one nationality only" (League of Nations quoted in Howard,

2005: 700). After World War II, this position was reiterated again by the International Law Commission in 1954. European countries sought to consolidate the single citizenship policy in 1963 with Council of Europe's "Convention on the Reduction of Cases of Multiple Nationality." Among other things, it underlined that the nationals who, of their own free will, acquire the nationality of one of the contracting states shall lose their former nationality (Aleinikoff and Klusmeyer, 2001: 72).

However, both the "Hague Convention" and Council of Europe's convention could still not effectively stop the proliferation and growing acceptance of dual citizenship since the 1960's. There are several factors that contributed to this. Increased movement of migrants across borders after World War II resulted in the creation of permanent transnational social networks. In such environment, many people began holding two passports discreetly, without either country being able to find out (Howard, 2005: 702). At the same time, more and more international marriages resulted in an increasing number of children who could technically lay claim to both parents' nationalities. This development was speeded ahead by the repeal of the patriarchal legal laws that provided for the child to receive the citizenship only of the father ("patrilineal ascription"), often also forcing the wife to surrender her previous citizenship and take the citizenship of her husband. Such discriminatory laws were one of the main targets of the suffragette movement and were phased out once women secured the right to vote, and by the latter third of the twentieth century, children from international marriages could claim the citizenship of both their parents (Martin, 2003: 10).

Howard (2005: 703-4) also identifies a couple of other factors that influenced the gradual emergence of dual citizenship. One is the pressure from international human

rights groups that has created a more tolerant and permissive attitude among Western nation-states towards dual citizenship. Thus countries hostile towards dual citizenship, like Germany whose regulations will be discussed below, have been under pressure to find ways to allow dual citizenship to some of the immigrants in their countries.

Another factor has to do with the changes that some "migrant-sending countries" (including Mexico, Colombia, Turkey, Italy, the Dominican Republic and Ecuador) made to their dual citizenship regulations. Increasingly, they have moved from previous stance of disallowing dual citizenship – by requiring from their nationals to abandon their original citizenship if they acquired another – to open acceptance and encouragement that their citizens retain their citizenship when they naturalize elsewhere. The main reasons behind this change had to do, not only with maintaining active connection with large diasporas and promoting return economic investment, but also hope that they will form lobbies to influence their host country's policies toward the country of origin.

All of these events resulted in changing of attitudes towards dual citizenship that was evident to a degree in the new European Convention on Nationality, adopted by the Council of Europe in 1997. Article 6, for example, deals with the acquisition of nationality and clearly states that "each State Party shall provide in its internal law for the possibility of naturalisation of persons lawfully and habitually resident on its territory" (article 6.3.) and lists persons who can acquire a country's citizenship (article 6.4.). These include: "spouses of its nationals; children of one of its nationals, children one of whose parents acquires or has acquired its nationality; children adopted by one of its nationals; persons who were born on its territory and reside there lawfully and habitually; persons who are lawfully and habitually resident on its territory for a period of time beginning

before the age of 18, that period to be determined by the internal law of the State Party concerned; stateless persons and recognised refugees lawfully and habitually resident on its territory."

It is evident that many of the above mentioned situations could lead to a person holding a dual citizenship, and the convention recognizes this in its Chapter V that deals exclusively with multiple nationalities. The convention's recommendations indicate changes in attitudes towards dual and multiple nationality since the rather draconian (when it comes to permissiveness of dual citizenship) 1963 convention, but only to a degree. Thus, in article 14.1, it states that "a State Party shall allow: a) children having different nationalities acquired automatically at birth to retain these nationalities; b) its nationals to possess another nationality where this other nationality is automatically acquired by marriage." This provision obviously reflects the rights of women and children to acquire dual citizenship, if they wish to do so. However, when it comes to a person retaining his or her own previous citizenship when becoming naturalized citizen, the convention still leaves it to member states to determine rules and regulations governing citizenship acquisition and/or loss of previous citizenship. Thus, article 15 states that "the provisions of this Convention shall not limit the right of a State Party to determine in its internal law whether: a) its nationals who acquire or possess the nationality of another State retain its nationality or lose it; b) the acquisition or retention of its nationality is subject to the renunciation or loss of another nationality." In addition, article 16 provides that "a State Party shall not make the renunciation or loss of another nationality a condition for the acquisition or retention of its nationality where such renunciation or loss is not possible or cannot reasonably be required." As evident from

these clauses, while dual citizenship is certainly not discouraged, a lot of decision making concerning allowance of dual citizenship is left to individual nation-states. As will be evident from some comparative insights in the chapter below, in some countries, like Germany, domestic political pressures make it difficult to pass liberal dual citizenship policies.

What are then the main issues of concern when it comes to dual citizenship? I will here take a closer look at six main issues, as identified by Aleinikoff and Klusmeyer (2001; 2002) and Martin (2003): voting rights, office holding, unfair advantage of dual citizenship, loyalty, diplomatic protection and military service. In addition, there are issues of changes in a nation's culture, as well as possible conflict of laws regarding civil status, inheritance taxation and similar issues that will not be directly discussed here. Some of these issues, like voting rights and military service, are tied to concrete political rights and duties of citizens, while some, like questions of loyalty, alleged unfair advantage of dual citizenship and changes in a nation's culture, are more connected to the questions of identity and belonging that were discussed above. I will first discuss the two issues that, according to reviewed literature, seem to be of most concern to nation states: loyalty and voting rights.

Loyalty seems to be the biggest concern when one gauges the attitudes toward dual citizenship. Critics of dual citizenship claim that if dual citizenship is fully allowed, then dual citizen will not be able to be loyal to both countries equally, or will favour loyalty to one country over the other which can create problems for either the host or the sending country. However, as discussed above, this concept of exclusionary identity and belonging, while still relevant, does not carry so much weight in today's deeply

interconnected, globalized world. Clearly, the phenomenon of migration itself creates a multiplicity of identity. What is at play here is the concept of the exclusive and indivisible bond between citizen and nation-state. Aleinikoff and Klusmeyer observe that "dual nationality is not so much a problem between states as it is one within a state. It might be seen as sapping the national commitment that states need and have a right to demand of their citizens" (2001: 83). However, whatever the reasons for the declining sense of civic commitment are, dual citizenship has very little to do with it. There is no reason to believe that dual citizens feel that their belonging and commitment to one country compromises or clashes with their loyalty to the other. If anything, naturalized citizens, in the United States for example, seem to have a much more developed level of commitment to their new country, a level not required of native-born who may be taking their citizenship rights and duties for granted (ibid). However, more worryingly, "this kind of argument against dual nationality can be a proxy for opposing the full acceptance of new members on other grounds" (Aleinikoff and Klusmeyer, 2002: 30). Those receiving states who may wish to discourage permanent settlement of certain cultural, religious or racial groups can use the seemingly neutral rationale of mono-nationality as a screen for the exclusion in a world where liberal-democratic states are reluctant to openly acknowledge exclusion and discrimination based on religion or race.

When it comes to voting rights, there are several issues raised by the critics of dual citizenship. The first one is somewhat connected with the concern for unfair advantage of dual citizens discussed above, namely that in this case, dual citizens can vote in two polities, while others cannot. They have "achieved a status that is at least symbolically superior to their fellow citizens – a status, moreover, that is simply not

available to most of their fellow citizens" (Martin, 2003: 13/4). However, critics of dual citizenship may be overestimating the significance of this difference. Dual citizens still get to vote only once in one national polity. On the other hand, many countries have strict regulations for non-resident voting, either banning it altogether (even for mono-citizens not living in the country) on one end to allowing parliamentary seats for representatives of diaspora on the other. In between, one finds countries with various regulations, like absentee voting by mail, making arrangements through consulates, or even demanding that a citizen returns to the country for voting. Due to this, voting by non-resident citizens has historically been low (Martin, 2003: 14).

Secondly, there are concerns that dual citizens may engage in "instructed voting," reflecting the interests of one state when voting in the other. Although this may be a possibility, there seems to be almost no empirical evidence for this either way (Aleinikoff and Klusmeyer, 2001: 81). Emotional and psychological attachment that dual national may feel with his/her native country may be always there, but in no way can be taken as a conclusive proof that a dual citizen will only heed interests that best serve his native country. "Voting is an intensely local affair, reflecting perceived costs and benefits for the voter (and perhaps groups with which he or she is affiliated) in the immediate context" (ibid). On the other hand, it may be argued that monocitizens can also develop vested interest and affinity toward another country, and can thus be also perceptive to influences from that country's public and political figures when voting in their native country's elections. Yet, they cannot be disqualified from voting. "In short, in the modern world cross-national contacts will almost certainly generate these sorts of influences and

affinities. They may be reflected to some extent in individual's voting decisions, whatever dual nationality doctrine the nation enforces" (Martin, 2003: 13).

Closely related to this concern, as well as the issue of loyalty, discussed above, is the issue of office holding for dual nationals. While this may not be concern when it comes to lower level civil service positions, it certainly is when it comes to high policy-making positions. Countries certainly do not want to be placed in a situation where an unpopular policy decision brought on by a high-ranking official who is dual citizen may cause, as a spill over effect, inter-state tensions towards the other country. Recently, this particular issue of office holding was highlighted in Canada in two high profile cases. According to reports, Canadian Governor General Michaelle Jean was persuaded to renounce her French citizenship prior to taking this high profile post (O'Neill, 2007). Initially, Paul Martin, Canadian PM at the time, did not consider Ms.Jean's dual citizenship as an issue, going so far as telling her during negotiations about the post that "in Canada, I don't think it would be a concern for Canadians...So many Canadians have dual citizenship" (ibid). Only after the controversy erupted, did he have a change of heart. Among other things, since Governor General is technically commander-in-chief of Canadian forces, the spectre of hypothetical conflict with France over, for example, St. Pierre-Miquelon islands off the coast of Newfoundland that belong to France, was raised, an issue that would bring her into a serious conflict of interest (ibid). Likewise, when Stephane Dion became the leader of the Liberal Party, it was revealed that he, too, had French citizenship, in addition to Canadian one. However, Mr.Dion has so far rejected calls to renounce his French citizenship (Aubrey, 2006). As evidenced, this particular aspect of dual citizenship remains a highly debated one.

The issue of the unfair advantage that dual citizens might have over monocitizens is almost solely connected to the "exit option" that dual citizens have, namely that they can leave the country when the times are tough and move to the other one, something that monocitizens cannot do. In addition, because they can easily relocate, the argument goes that dual citizens may take little interest in solving the problems in their current state of residence. Nevertheless, dual citizenship is just one of the factors that can facilitate relocation. Wealth, business and professional contacts and family ties can also play a large role irrespective of dual citizenship. In fact, regional arrangements, like the EU, have technically eliminated barriers to the exit option for nationals of the member states, yet there are no concerns about unfair advantage there (Aleinikoff and Klusmeyer, 2002: 31). Secondly, critics may be overlooking some practical issues as well. Once settled in the country with established networks, it may be difficult for many immigrants to just pack up and leave. Guest workers in Western European countries who came between 1950s and 1970s often expressed intention to return to their countries of origin after a few years, yet high proportion remained in the countries to which their families have grown accustomed, even if they were in a disadvantaged situation with no citizenship status (ibid).

Military service has been one of the earliest sticking points in the debate around dual citizenship. In the nineteenth and early twentieth century, when the classic interstate war and shifting alliances were the norm, suspicion of dual nationals serving in military ranks was understandable. However, the times have changed and economic and political alliances based on shared values and interests have proven to be durable. While many countries have abolished conscription, those that still have it, have entered into bilateral

or multilateral agreements that regulate military service of dual nationals and give primacy to the state of residence which discharges dual nationals from serving in the other country's military.

However, the concerns regarding military service are not completely unwarranted. International wars still occur and states may limit access to high national security positions to monocitizens, or require renunciation of citizenship in other parties to the conflict. This possibility, together with being conscripted in a state where one does not reside, illustrates that dual citizenship is not always in the interest of the persons holding such a status, necessitating retention or creation of some mechanism for voluntary expatriation with minimal qualifications (Aleinikoff and Klusemeyer, 2002, Martin, 2003).

Lastly, diplomatic protection as an issue with dual nationals has been brought up as recently as last summer in the case of many Canadian dual citizens who moved back to Lebanon, only to seek protection from Canadian government and evacuation from Lebanon when the crisis in that country escalated.[9] Indeed, this seems to be the thorniest issue in the debate around dual citizenship since it has often been invoked as one of main reasons against acceptance of dual citizenship. Most of the concerns in the past mostly revolved around the refusal of the country of original nationality to recognize the surrender of their citizenship when a person naturalized elsewhere. Recently, we have also seen the cases where the country of original nationality does not even want to recognize the efforts for diplomatic protection of the country of naturalized citizenship, as well as other countries deporting citizens to their original country of nationality even

[9] I will discuss this particular case in more detail in the discussion of Canadian dual citizenship regulations below.

though they may face torture or imprisonment there, as evidenced by the recent cases of Canadian citizens Maher Arar (on the way back to Canada, arrested at the US airport and deported by the US to Syria, where he was subsequently tortured), Huseyin Celil (captured in and extradited by Uzbekistan, where he was on a family visit, to China who subsequently sentenced him to life in prison and denied him any Canadian consular access even though, technically, he is not a Chinese citizen since according to Chinese law any Chinese citizen who naturalizes elsewhere is automatically stripped of Chinese citizenship) and Zarah Kazemi (arrested and tortured in Iran, subsequently dying in custody).[10] Indeed, there seems to be very little one country can do for its (naturalized) dual citizen if the other country does not recognize the expatriation or dual citizenship as a legal concept. Even though international human rights doctrine may be sometimes sufficient in protecting dual citizens, as evident from the above cases, it is not always the case.

The solution to this particular problem may seem to lie in the suggestions that the diplomatic protection be exercised by the country of dominant and effective citizenship at the time (Alleinikoff and Klusmeyer, 2002; Martin, 2003; Hailbronner, 2003), as discussed in the conclusion below.

As evidenced by the discussion of the above issues, debate around dual citizenship is a multidimensional one. As such, the growing tolerance and acceptance of dual citizenship has resulted in countries taking different approaches to it, depending of their historical concepts of citizenship and belonging. To illustrate this, I will now take a

[10] For more information on these three high profile cases, please see three CBC News sources in the bibliography.

look at Canadian dual citizenship policy and compare it with German and Mexican regulations regarding the same.

COMPARATIVE INSIGHTS ON DUAL CITIZENSHIP: CANADA, GERMANY AND MEXICO

Aleinikoff and Klusmeyer (2001: 76) group dual citizenship regimes into three general categories: open, tolerant and restrictive. Open regimes (like Canada, France and the United Kingdom) follow some form of *jus soli* principle that allows for dual citizenship at birth and do not require subsequent renunciation of one citizenship at a certain age. In addition, they allow naturalized citizens to retain their prior citizenship and their citizens who naturalize elsewhere are not required to renounce their citizenship. Tolerant regimes (like Australia, Germany, Mexico and the United States) permit dual nationality at birth, but some countries, like Germany, still require renunciation of one citizenship at a certain age. Likewise, some countries, like the United States and Mexico, allow their citizens to retain their citizenship when naturalizing elsewhere. Others, like Australia, require the opposite: their citizens are required to renounce their citizenship, while those naturalizing in the country are not required to do the same. Lastly, restrictive regimes, like Austria and Japan, follow *jus sanguinis* principles. They both require proof of renunciation of prior citizenship as a requirement for naturalization.

There are several factors that may influence which path a country takes in its dual citizenship regulations (Aleinikoff and Klusmeyer, 2001: 77). One of them is whether a country is state of immigration or emigration. While some countries of immigration, like the United States, require naturalized citizens to renounce their prior citizenship (even though in practice, it is very rarely followed), others, like Canada and Australia, do not. Likewise, some countries of emigration, like Mexico and Dominican Republic, are willing to permit their citizens to retain their prior citizenship in order to maintain ties

with their diaspora and encourage return economic investment. Another factor is whether the country is newly formed. Some new countries may limit or deny dual citizenship in order to instil a sense of loyalty and connection to the new state while some may adopt more open policies in order to attract and retain members. Lastly, dual citizenship regulations may be affected by how strong country's conception, ethnic or civic, of itself is. Thus, countries with strong ethnic identities, like Austria and Japan, will follow *jus sanguinis* principle and have rather restrictive attitudes towards dual citizenship. On the other end of this spectrum is country like Canada, with its liberal approach to its dual citizenship rules.

I have chosen here to juxtapose dual citizenship regimes in Canada, Germany and Mexico because they offer a representative sample of various approaches to dual citizenship regulations and changes that some of these countries introduced in order to facilitate dual citizenship in one way or another. Canada has always been considered as a classic "country of immigration" with quite liberal approach to dual citizenship. On the other hand, Germany, as a former "country of emigration" that has become a country of immigration only in the last four decades, have had quite strict approach to dual citizenship until recent changes made her regulations somewhat more tolerant, while Mexico is an example of a "sending country" that has recently radically changed its policies on dual citizenship in order to accommodate needs and rights of its significant emigrant community, especially in the United States.

Canada

According to Canadian Citizenship Act, there are three main ways by which one may get citizenship status. First, the principle of *jus soli* is recognized since any person born in Canada automatically becomes a Canadian citizen, with the exception of children of foreign diplomats (Department of Justice Canada, Citizenship Act, paragraph 3.1 (a) and 3.2).

Second, a person also automatically becomes a Canadian citizen if he/she was born outside of Canada to a Canadian citizen (Department of Justice Canada, Citizenship Act, paragraph 3.1 (b)). However, if the parent has also become a citizen through this provision, the child may lose citizenship status unless, before the age of 28, he/she makes an application to retain the citizenship, registers as a citizen and either resides in Canada for a year, or establishes a substantial connection to Canada (Department of Justice Canada, Citizenship Act, paragraph 8). Third way of granting citizenship is by naturalization where citizenship is granted if a person, eighteen years of age or over, makes an application; has been legal permanent resident for at least three years of accumulated time within the four years immediately preceding the application; has an adequate knowledge of one of the official languages and of Canada and responsibilities and privileges of citizenship; and is not under a deportation order (Department of Justice Canada, Citizenship Act, paragraph 5).

Prior to the Citizenship Act of 1977, Canada did not allow full dual citizenship. In some ways, one can argue that the liberalization of Canadian immigration policies throughout the 1960's, including the introduction of the points system and the adoption of

the official Multiculturalism Policy in 1971 have facilitated the liberalization of Canadian dual citizenship regulations as well.

Now Canada falls under open regimes due to allowance of *jus soli* principle that provides dual citizenship at birth without asking for renunciation of one of those at the age of majority. In addition, permanent residents who become citizens do not have to renounce their prior citizenship, and Canadian citizens who naturalize elsewhere do not have to renounce Canadian citizenship. However, it is interesting to note that Canadian Citizenship Act has no explicit provisions dealing with dual and multiple nationalities (Galloway 2000: 87).

Nevertheless, despite having one of the most liberal dual citizenship policies in the world, persistent questions regarding the ethics of dual citizenship did not die down. It seems that the *essentialist* notions of identity and belonging, as discussed in chapter 3 above, are never far away from surface in these debates, even in the countries with most liberal approach to dual citizenship. As late as 1994, the Parliamentary Standing Committee on Citizenship and Immigration produced a report that included three recommendations regarding dual nationality: that the Canadian citizenship be stripped of those who voluntarily acquire a second citizenship; that those who have dual citizenship by virtue of events beyond their control accord primacy to their Canadian citizenship while living in Canada; and that naturalized citizens declare that they will accord primacy to the Canadian citizenship (Galloway, 2000: 100). However, Galloway points out that Canadian Citizenship Act neither contains provisions that would identify the ways that Canadians are required to show their loyalty, nor does it determine how one shows preference for Canada when loyalties conflict. He concludes that it is therefore no

surprise that the citizenship bill that was introduced in 1998 did not make any recommendations for altering Canadian dual citizenship practice (ibid: 101).

Nevertheless, Canadian liberal dual citizenship policy still remains a hotly debated topic. In addition to the debates around Michaelle Jean and Stephane Dion's dual citizenships, discussed on page 26 above, most recently, the case that provoked a heated wider debate around Canadian dual citizenship regulations was sparked by the crisis in the Middle East in July 2006 when Israel started heavy bombardment of targets in Lebanon as a response to Hezbollah's kidnapping of two Israeli soldiers. At first slow to react, Canadian officials were quickly overwhelmed by evacuation demands from estimated 30,000 dual Canadian-Lebanese citizens, out of which Canada evacuated approximately 15,000 by the end of July 2006 at the cost of estimated $96 million dollars (Cohen, 2007). The negative reaction around this crisis started when it was found out that a large number of Canadian dual citizens in Lebanon had had very little meaningful contact with Canada which brought accusations of "citizenship of convenience." It prompted then-minister of immigration, Monte Solberg, to serve notice in the fall of 2006 that the government intends to review dual citizenship regulations because "Canadians want to know "that we are not just a port in a storm" for people who don't pay taxes from abroad" (Blanchfield, 2007). This review still continues. However, as Blanchfield reports, the debate still continues to simmer due to unsubstantiated claims that as many as 7000 of those evacuated on Canada's expense, returned back to Lebanon, some within a month of their evacuation.

As evidenced by this particular case, even in a country with extremely liberal approach to dual citizenship, notions that dual citizens' loyalty and attachment to their

adopted country is something to be questioned, still pervades debates around dual citizenship. This is especially true when the phenomenon of "return migration,"[11] enters the picture. But, as DeVoretz and Woo point out, reaction to the Lebanon evacuation "has precipitated a debate on dual citizenship that is long on emotion and short on fact [...] (a debate) that has been framed in terms that pre-judge the value of Canada's dual citizenship and characterize the new Canadian diaspora (including return migrants) as a liability to Canada" (DeVoretz and Woo, 2006: 2). They make a pointed remark that if dual citizens are a liability, why is this applied only to the recent wave of return migrants and not to an earlier generation who live in the United States and England, many of whom are dual citizens. DeVoretz and Woo conclude that this attitude has to do with the pre-conceived notions of the cost and benefits that the different generations bring to Canada. Similarly, Drohan (2006) observes that, in the context of the dual citizenship debate, most assume implicitly that the benefits in the relationship between a state and a citizen flow in only one direction, from Canada to the citizen. However, she argues that the benefits that flow in the other direction – from the citizen to the state – must be taken into consideration. They bring much more to the table, then what they take away, both in terms of their economic, human and cultural capital. However, despite this, the phenomenon of "return migration" may be also connected to the lack of opportunities that foreign trained professionals encounter upon their arrival here due to the difficulties connected to the recognition of foreign credentials and experience. In a fiercely competitive globalized world, they may just decide to move back to their countries in

[11] "Return migration" refers to the instances when recent migrants, for various reasons, return to their native countries after obtaining citizenship in another country.

order to find meaningful work in their fields (or move to another country) upon obtaining their Canadian citizenship.

It is clear that the debate around dual citizenship in Canada is still ongoing. However, DeVoretz and Woo (2006: 3) warn that "any tightening of citizenship requirements has to be weighed against the negative effects on immigration and citizenship ascension" and ask a very pointed question: "Which is worse? To have large numbers of Canadians living overseas who have little attachment to the country, or to have large numbers of non-Canadians living in the country who don't take up citizenship because they have an attachment to their native lands?" Some of the suggestions regarding this situation will be provided in the conclusion.

Germany

Both Germany and Mexico are grouped under tolerant regimes after the changes that both countries made in their dual citizenship regulations in the late 1990's. Before these changes, one could say that both countries belonged to restrictive regimes. However, the reasons for the changes differ between the two countries due to their history and current situation.

The main basis of German citizenship legislation is Nationality Act of 1913 that has been amended several times and finally superseded by the new Nationality Act of 1999. Nationality Act have had provisions that allowed for acquisition of citizenship through naturalization, but it was always thought of as an exception rather than a regular procedure. As Hailbronner remarks, "dual nationality has always been considered as being inconsistent with the concept of loyalty and attachment to Germany" (Hailbronner,

2001: 102). Therefore, Germany has always requested a renunciation of prior citizenship of its naturalized citizens (and likewise requested renunciation of German citizenship of its citizens who voluntarily naturalized elsewhere). Nevertheless, throughout the 1980's it became evident that many of the immigrant workers who came to Germany in the 1960's and the 1970's and who were originally thought of as temporary workers who would eventually return to their home countries, were there to stay, together with the second generation that was born in Germany yet had not legal citizenship status. Germany has become a de facto country of immigration with a substantial population of immigrant workers and their children.

Some changes were made in 1990 to citizenship acquisition provisions for young foreigners aged 16-23 provided that they "renounced their previous citizenship, had lived permanently in Germany for eight years, attended a school in Germany for at least six years and had not been prosecuted for a criminal offence" (Hailbronner, 2001: 103). The acquisition of citizenship for first generation immigrants was also facilitated with the requirements that they renounce their previous nationality, had no criminal convictions and were able to earn a living (ibid). Nevertheless, despite the requirement for renunciation of prior citizenship, Aliens Act of 1990 provided a number of exceptions under which dual citizenship may be accepted. These include cases when

- the law of the foreign state does not make provision for giving up its citizenship
- the foreign state refuses release and the foreigner has given the competent authority an application for release to forwarding it to the foreign state
- the foreign state has refused release from citizenship for reasons beyond the control of the foreigner or has attached unreasonable conditions to it or has not

decided within an appropriate period on a complete and formally correct application for release

- the naturalisation of older persons is barred by the sole obstacle of resulting multiple nationality and refusal of naturalisation would create a particular hardship
- giving up the foreign citizenship would bring considerable disadvantages to the foreigner, especially of an economic or financial kind which go beyond the loss of his rights as a citizen
- the applicant is a victim of political persecution or a recognized refugee (German Aliens Act of 1990, section 87 and Wiedemann, 2003: 336).

As evident from the above, these provisions would influence the rise in dual citizenship. Thus, for example, of 79 442 naturalizations in 1997, 17 423 (21.3%) were granted under provisions of acceptance of dual citizenship (Hailbronner, 2001: 105).

However, the major change in the German Nationality Law of 1999 was the introduction of *jus soli* principle, in addition to *jus saguinis*, which has been a leading principle in the Nationality Law since 1913. Namely section 4, paragraph 3 of the Law states that

"a child of foreign parents shall acquire German citizenship by birth in the domestic territory if one parent

1. has legally been normally resident in the domestic territory for eight years and
2. possesses a right of residence or has possessed for three years a residence permit for an unlimited period.

This introduction of *jus soli* was expected to lead to an increase of dual citizenship in Germany since foreign children usually receive their parents' citizenship by descent. Therefore, since the new law again did not accept dual or multiple citizenship on a regular basis, a compromise was found by the introduction of so called "optional model" in section 29 of the Law. All individuals who acquired German citizenship under the provisions of section 4, paragraph 3, cited above, must declare at the age of 18 which of the two citizenships they intend to keep. If they choose the foreign citizenship or do not make an official declaration by the age of 23, the German citizenship is lost by law. If they choose to keep the German citizenship, they have to prove the loss of the other citizenship. If this proof is not provided by the age of 23, again, the German citizenship is lost. However, as before, if renunciation of citizenship is impossible and unreasonable, as stated in section 87 of the Aliens Act cited above, dual citizenship would be allowed.

While these changes to the German Nationality Act do represent a major departure from the previous policies, if only by the introduction of the *jus soli* principle, it is important to note in the end that these provisions were far from universally greeted and were quite controversial, especially section 29 and the "optional model." (Wiedemann, 2003: 342-4). Among other things, some opponents were questioning whether this model is compatible with the principle of equality in the German Basic Law, that is, whether it is discriminatory that a German citizen who acquired dual citizenship by *jus soli* is obliged to choose one of the two when attaining majority, while a German citizen who acquired dual citizenship by *jus sanguinis* does not have to do the same. Wiedemann provides an intriguing explanation for this:

> "If a child acquires German citizenship by descent, a certain connection with the German state exists already as a result of the family community, whereas the acquisition of citizenship merely by birth on German territory does not lead to such closeness to the German nation. This difference in expected integration justifies limiting the optional model's rules to children acquiring German citizenship by *ius soli*" (Wiedemann, 2003: 344).

As it is evident from this statement, essentialist notions of identity and belonging are again present. At best, the level of expected integration is a relative qualifier. Just because a child has a native German parent, it does not mean that the child will feel connected to the German community or state as strongly as it would with the community or state of the other parent. Likewise, someone who was born and raised in Germany, even though both parents may be immigrants, can feel equally strong bond of belonging to both the German and his/her community. As argued in the chapter 3 above, these essentialist notions of belonging that presume identities as static, pregiven and unidimensional clash with the reality of interconnected, transnational world where an individual may nurture multiple identities. As Hailbronner remarks: "Germany, having become a de facto immigration country, cannot ignore that part of its population consists of migrant workers and their children. The basis of German nationality cannot, therefore, be seen any longer in the attachment to the idea of a nation with identical cultural identities and backgrounds, primarily transferred by descent" (Hailbronner, 2001: 109). Nevertheless, despite the introduction of *jus soli*, dual citizenship still remains a controversial topic in Germany.

Mexico

Nationality law in Mexico has its roots in the Constitution of 1857. Many of the provisions relating to citizenship were retained in the subsequent law adopted in 1917. For this discussion the most relevant part is article 30 where nationality is based on a combination of *jus sanguinis* and *jus soli* principles. Article 30 establishes that Mexicans are: "I. All those born of Mexican parents within or outside the territory of Republic; II. Those foreigners who naturalize in accordance with the laws of the Federation; III. Those foreigners who acquire real estate or have Mexican children, as long as they manifest that they have no intention of retaining their nationality" (Ramírez, 2000: 316).

It is interesting to note that Mexican law differentiates between concepts of nationality and citizenship. While nationality signifies connection to the Mexican state, citizenship refers to the ability to exercise political rights (vote and hold office). As stated above, nationality is established through birth or naturalization, while citizenship is automatically acquired at the age of eighteen (Ramírez, 2000: 314). For the sake of consistency, I will use this distinction while discussing the situation in Mexico.

The principle of *jus soli* was added to article 30 in 1934 to confer nationality on all those born in Mexico, independent of the nationality of the parents, resulting in incidence of dual nationality/citizenship. However, similar to Germany, upon reaching the age of eighteen, the individual may apply to keep the Mexican nationality, if and when proof of residence is provided for the previous six years (ibid: 319). Traditionally, Mexican legislation treated dual nationality as something to be avoided, and while introduction of *jus soli* principle technically introduced dual nationality, it was seen as

temporary since an individual would have to opt for one nationality at the age of majority (ibid: 324).

However, in the context of dual citizenship, the most significant changes happened with the constitutional reforms of March 20, 1997 that resulted in reforms relating to nationality that took effect in 1998. The most important change dealt with the forfeiture of nationality. Prior to 1998, Mexican national could lose Mexican nationality "by voluntary acquisition of a foreign nationality" (Mexican Nationality Law cited in Ramirez, 2000: 323). The 1998 provision states that "no Mexican by birth shall be deprived of his or her nationality" (ibid). This technically means that all Mexican nationals who reside abroad can now seek naturalization in their country of residence without forfeiture of their Mexican nationality. Thus, the doors were opened for the legitimate status of dual nationality in Mexican legislation.

Ramírez concludes that the drive to allow dual nationality for Mexican emigrants was largely inspired by the fact that a considerable number of Mexican immigrants in the United States were not naturalizing there in order to retain their Mexican nationality, thus accepting legal, employment, administrative and political disadvantages this entails (Ramírez: 2000, 313).

However, as Jones-Correa argues (2003), this move by the Mexican government is just an indication of a larger movement by many Latin American countries (and by extension other "sending countries" in general) in the last couple of decades to recognize dual nationality/citizenship in order to maintain stronger ties to their significant emigrant communities, encourage political participation in both countries and maintain the significant economic benefits that local economies get from emigrants' remittances.

In the context of this debate, I should also mention one more aspect of the Mexican situation that is interesting to note. Mexico is no longer exclusively a sending country. It is also a country of immigration for many migrants from the countries to the south, who come to Mexico in hope of finding work in the United States just like Mexicans. Some of them move; some stay for a prolonged period of time. As Ramirez points out this leaves Mexico in contradictory situation. While it "protects and promotes the rights of its nationals in the international arena [...] it neglects the protection of those from the countries to the south" (Ramirez, 2003: 339). This is certainly an area that requires more attention.[12]

As it becomes evident from the previous discussion, different nation-states have taken widely different approaches to dual citizenship. The difference in approaches stems, in one part, from their varying historic backgrounds and attitudes towards immigrants and emigrants that stem from that. Thus, countries of immigration, such as Canada, can be said to have accepted dual citizenship much easier due to the country's immigration roots and waves of immigration in the 19th and 20th centuries that have shaped Canada in many different ways. On the other hand, countries with more essentialist notions of historical and national identity, such as Germany, have had much tougher time in accepting dual loyalties, inherent in dual citizenship. Nevertheless, due to a number of factors, as differing and manifold as the increasingly well-connected transnational migrant networks, the question of integration of immigrants and the emergence of human rights doctrines that look at citizenship as one of inalienable human rights, dual citizenship became increasingly accepted and tolerated by countries

[12] Please note that I was not able to identify more literature on this topic in English. Some reports that were referenced in this and other works are almost exclusively in Spanish.

previously hostile to it. On the other hand, sending countries, such as Mexico, did not historically encourage active connections with their large diasporas. However, in a globalized world environment, they realized economic and political potentials of such transnational networks and allowed the dual citizenship/nationality for all their citizens. One can therefore argue that the globalization and transnationalism have not only influenced and shaped the feelings of identity and belonging of migrants, but also, in the end, receiving and sending states, thus bringing together transnational processes "from above" and "from below" in one dynamic whole. However, as evident from above, the process of full acceptance of dual citizenship is far from over.

CONCLUSION: DUAL CITIZENSHIP – THE WAY FORWARD

At the beginning of the 21st century, there seems to be a global shift in paradigms of identity and belonging. For a long time, both of these entities have been deemed to be fixed, unchangeable and one-dimensional, tied to a specific nation, state and territory. But, under the influence of globalization, notions of identity and belonging are undergoing some fundamental changes. In the interconnected and transnational world we are living in, identity formation happens in interaction with, not only other people, but different ideas and cultures which have become more mobile than ever before. These global interconnections create new challenges for previous notions of exclusive belonging to a single state-territory, and by extension citizenship as the ultimate form of political belonging to a nation-state.

> "What is really being threatened by globalization perhaps is the need – both by citizens and some social scientists – to believe in the idea of bounded, coherent, distinctive and separate societies, nations, cultures and communities tied to familiar, concrete locations, even though our actual daily experiences mostly tell us that these once closely entwined but now lost entities are neither possible any longer – nor are we necessarily harmed by their departure" (Kennedy, 2001: 18).

It is evident that we are witnessing slow erosion and transformation of traditional definition of citizenship under the influence of increasingly transnational practices of many citizens around the world. While I agree with most researchers that these traditional notions that emphasize citizen-state-territory connection will be valid and will continue to be on the agenda in the near future, the inevitable process of re-definition has already started. At the same time, I am not saying that these traditional notions will, or should,

disappear completely. What is needed is a definition that takes into account both the pull of traditional belonging that is still so much in evidence, and the reality that transnational practices of our "migratory" world are in the process of redefining our accepted notions of identity, belonging and citizenship. Transnational communities, that have already existed around the world in many guises throughout the history and whose interconnectedness has only become stronger and better organized with globalization, already possess and nurture identities of multiple belonging. They have truly embraced what McNevin calls "a new 'common sense' of belonging" (2006: 148). Christiansen and Hedetoft define this "new" citizen as the one

> "who feels (s)he belongs to multiple settings in different ways, whose sense of attachment is in a state of temporal and spatial constructedness, who is able to instrumentalize such individualized 'identity diversity' in and for their life trajectories, and who has shed the hegemonic assumptions of national identity as homogenous, absolute and unchanging" (2004: 11).

In this context, dual citizenship has emerged as a legal recognition of this "identity diversity." Therefore, I argue for the need for recognition of full dual citizenship by every country in the world since there is not one country that already does not have transnational communities of their own in other countries or is not "hosting" other transnational communities on its own territory. Dual citizenship is already too prevalent for it to be suppressed or treated as if it does not exist. As evidenced by the insights into dual citizenship policies of Canada, Germany and Mexico, practice of dual citizenship so far, with all its attendant challenges, has certainly not subverted international order fundamentally or added tensions to interstate relations. If anything, rise in the acceptance

of dual citizenship points to the way globalization has split power between the state and the citizen in the arena of political belonging. Citizen can no longer be seen as just a passive subject who gets slotted into a specific identity/belonging category by a nation-state. Modern transnational migrant networks and the phenomenon of return migration show that migrants are increasingly attempting to exert some control over their migratory processes, as well as their legal status. One could argue that we have entered a period in which "citizenship from above" (where state is the sole determinant of who belongs and how) is being joined by "citizenship from below" (where transnational migrants are challenging predetermined notions of identity and belonging) to create a dynamic process of negotiation of belonging.

So, what does this all mean in the context of Canadian dual citizenship debate and what are some of the areas of further research? Apart from clearer rules and regulations regarding dual citizenship and rights and duties of dual citizens towards both countries that I will discuss in detail below, I have identified two areas that need to be focused on in the future in the context of dual citizenship. The first is a purely statistical one: getting a better estimate of the numbers of Canadian dual citizens. As both Zhang (2006: 1) and Drohan (2006) report, Canada does not have a statistical system in place to accurately record the number of Canadians living abroad nor does it keep figures on the numbers of dual citizens. When it comes to living abroad, there is a voluntary Foreign Affairs registration service, but as of 2005, only 9818 Canadians registered themselves (Zhang, 2006: 2). Also, since 1981, Canadian census has been asking people to declare multiple citizenships (Drohan, 2006). In 2001, the statistics show that 560,000 of the 5.5 million people in Canada who were born elsewhere declared they were citizens of at least one

other country (ibid). Using Canadian census figures over a period of 60 years (1941-2001), taking Canadian life expectancy of 65 years in 1940-42 and assuming that the same death rate applied to emigrants as to Canadian residents, Zhang came to a rough estimate of 2.7 million Canadians who live abroad (Zhang, 2006: 2). Some of these Canadians may be presumed to be dual citizens as well (Drohan, 2006). However, collecting this information may not be easy. Declaration of multiple citizenships is voluntary and an individual may well decide not to declare it in the census or survey form. This applies to naturalized Canadians living in Canada, as well as Canadians living abroad.

Another area of further research, as DeVoretz and Woo indicate (2006: 3), is how to find ways of enhancing the benefits of the new diaspora created by return migration without abandoning dual citizenship. They argue that there is "the urgent need for a Canadian diaspora strategy that recognizes the transnational reality of the modern-day immigration" (ibid). Some suggestions include extending political rights and encouraging new immigrants to vote, whether they reside in Canada or not. Other ways of fostering closer economic and cultural links include taxation and education policies, as well creation of overseas Canadian networks (ibid). So far, the research concerning closer ties with emigrant diasporas and dual citizenship has almost exclusively been focused on sending countries. Clearly, more research needs to be done on the emigrant communities of the receiving countries (including return migrant citizens) and their rights and obligations, especially in the context of dual citizenship regulations.

As stated above, rules and regulations regarding dual citizenship and rights and obligations of dual citizens towards both countries are areas that need to be carefully

clarified. In this context, Aleinikoff and Klusmeyer (2002: 38-41) make several effective recommendations for managing dual citizenship, some of which clearly reflect concerns expressed above in the discussion of issues involved with dual citizenship:

1. Accept dual or multiple nationality for individuals with a genuine link to the countries concerned. Among other provisions, this particular recommendation includes repealing any legal provisions that require either renunciation of former nationalities upon naturalization or loss of nationality when citizens naturalize elsewhere. Furthermore, children should be allowed to inherit nationality of both parents and not be required to choose which to keep upon attaining majority. In addition, in order to reflect a genuine link between the individual and the state of citizenship, nationality should not be perpetuated to distant generations after the family has lost all real contact with the state involved.
2. Permit dual nationals to renounce a nationality. If an individual makes a conscious and informed decision regarding renunciation of former citizenship, he/she should be allowed to do so, as long as that does not make a person stateless.
3. Where laws, obligations, or entitlements conflict, give primacy to principal residence country. This is particularly relevant for two issues outlined during the discussion of main issues around dual citizenship, namely, military obligation and diplomatic protection.
4. Surrender of other nationality for those in policy-level positions in national governments. This is clearly a sensitive area, as evidenced by the debate around Michaelle Jean and Stephane Dion described above. On the one hand, it is true

> that dual citizenship can be interpreted to represent a conflict of interest, especially when interests and policies can change quickly. So in that respect, it may be prudent, as Aleinikoff and Klusmeyer argue, to not allow dual citizens to assume high-level policy and security sensitive responsibilities. On the other hand, dual nationals should be permitted access to ordinary civil-service positions.

As shown in these recommendations, with proper regulations, as well as willingness from countries that still abide by the traditional notions of belonging and citizenship to take a new and fresh look at these concepts, offering dual citizenship as a common rule would be the start of a new period where belonging to one country would not have to exclude belonging to another.

BIBLIOGRAPHY

Agnew, Vijay. (2005). "Introduction," in Vijay Agnew (ed.) *Diaspora, Memory and Identity. A Search for Home.* University of Toronto Press. pp. 3-17.

Akhtar, Salman. (1999). *Immigration and Identity. Turmoil, Treatment and Transformation.* Northvale, New Jersey: Jason Aronson Inc.

Aleinikoff, T.Alexander and Douglas Klusmeyer. (2001). "Plural Nationality: Facing the Future in a Migratory World" in T. Alexander Aleinikoff and Douglas Klusmeyer (eds.) *Citizenship Today. Global Perspectives and Practices.* Washington D.C.: Carnegie Endowment for International Peace. pp. 63-88.

Aleinikoff, T.Alexander and Douglas Klusmeyer. 2002. *Citizenship Policies for an Age of Migration.* Washington D.C.: Carnegie Endowment for International Peace.

Aubrey, Jack. (2006, December 6). *Dion keeps French citizenship.* National Post. Retrieved July 11, 2007 from http://www.canada.com/nationalpost/news/story.html?id=000ae195-d235-4ba8-9b1a-750490f76ebe&k=16568.

Benhabib, Seyla. (2002). "Citizens, Residents and Aliens in a Changing World: Political Membership in the Global Era" in Ulf Hedetoft and Mette Hjort (eds.) *The Postnational Self. Belonging and Identity.* Minneapolis: University of Minnesota Press. pp. 85-119.

Blanchfield, Mike. (2007, July 12). *Dual citizenship debate rages long after mass evacuation.* The Ottawa Citizen. Retrieved August 11, 2007 from http://www.canada.com/ottawacitizen/news/story.html?id=b6e6b7a0-44c4-429e-9aae-006935d36db7.

Bloemraad, Irene. (2004). "Who Claims Dual Citizenship? The Limits of Postnationalism, the Possibilities of Transnationalism and the Persistence of Traditional Citizenship." *The International Migration Review* 38 (2): 389-426.

Bosniak, Linda. (2001). "Denationalizing Citizenship" in T.Alexander Aleinikoff and Douglas Klusmeyer (eds.) *Citizenship Today. Global Perspectives and Practices.* Washington D.C.: Carnegie Endowment for International Peace. pp. 237-252.

Bosniak, Linda. (2003). "Multiple Nationality and the Postnational Transformation" in David A. Martin and Kay Hailbronner (eds.) *Rights and Duties of Dual Nationals: Evolution and Prospects.* The Hague: Kluwer Law International. pp. 27-48.

Castles, Stephen. (1998). "Globalization and the Ambiguities of National Citizenship" in Bauböck, Rainer and John Rundell (eds.) *Blurred Boundaries: Migration, Ethnicity and Citizenship.* Aldershot: Ashgate Publishing Limited. pp. 223-244.

Castles, Stephen and Alastair Davidson. (2000). *Citizenship and Migration. Globalization and the Politics of Belonging.* New York, Routledge.

Castles, Stephen. (2000). *Ethnicity and Globalization.* London/Thousand Oaks, California. Sage Publications.

CBC News. (2007, July 10). *Ottawa 'deeply disappointed' over rejection of Celil's appeal.* Retrieved August 10, 2007 from http://www.cbc.ca/world/story/2007/07/10/china-celil.html.

CBC News In Depth: Maher Arar: Timeline. Retrieved August 10, 2007 from http://www.cbc.ca/news/background/arar/index.html.

CBC News In Depth: Zarah Kazemi: *Iran's Changing Story.* Retrived August 10, 2007 from http://www.cbc.ca/news/background/kazemi/.

Christiansen, Flemming and Ulf Hedetof. (2004). "Introduction" in Flemming Christiansen and Ulf Hedetoft (eds.) *The Politics of Multiple Belonging. Ethnicity and Nationalism in Europe and East Asia.* Aldershot: Ashgate Publishing. pp 1-19.

Citizenship and Immigration Canada. (2004). Dual Citizenship. Retrieved June 30, 2007 from http://www.cic.gc.ca/english/resources/publications/dualci_e.asp.

Council of Europe. (1997). *European Convention on Nationality.* Retrieved June 2, 2007 from http://conventions.coe.int/Treaty/en/Treaties/Html/166.htm.

Cohen, Andrew. (2007, July 24). *Canadian in passport only.* The Ottawa Citizen. Retrieved August 11, 2007 from http://www.canada.com/ottawacitizen/news/sports/story.html?id=cd6aee5e-7814-4379-bd6d-0e1f8ed6a88a.

Croucher, Sheila L. (2004). *Globalization and Belonging. The Politics of Identity in a Changing World.* Oxford: Rowman & Littlefield Publishers, Inc.

Department of Justice Canada. Citizenship Act (R.S., 1985, c. C-29). Retrieved July 20, 2007 from http://laws.justice.gc.ca/en/showtdm/cs/C-29.

DeVoretz, Don J. and Yuen Pau Woo. (2006, September). *Dual Citizenship and Canada's New Diaspora.* Research on Immigration and Integration in the Metropolis Commentary Series No. 06-03. Retrieved August 11, 2007 from http://www.riim.metropolis.net/Virtual%20Library/2006/C06-03.pdf.

Drohan, Madelaine. (2006). *What dual citizens bring to the table.* CBC News Viewpoint. Retrieved August 12, 2007 from http://www.cbc.ca/news/viewpoint/vp_drohan/20060803.html.

Faist, Thomas. (2000). "Transnationalization in International Migration: Implications for the Study of Citizenship and Culture," *Ethnic and Racial Studies* 23 (2): pp.189-222.

Fox, Jonathan. (2005). "Unpacking 'Transnational Citizenship'," *Annual Review of Political Science* 8: 171-201.

Friedman, Jonathan. (2004). "Globalization, Transnationalization and Migration: Ideologies and Realities of Global Transformation" in Jonathan Friedman and Shalini Randeria (eds.) *Worlds on the Move: Globalization, Migration and Cultural Security.* London: I.B.Tauris. pp 63-88

Galloway, Donald. (2000). "The Dilemmas of Canadian Citizenship Law" in T.Alexander Aleinikoff and Douglas Klusmeyer (eds.) *From Migrants to Citizens. Membership in a Changing World.* Washinton D.C.: Carnegie Endowment for International Peace. pp. 82-118.

Galloway, Donald. (2001). "Citizenship Rights and Non-Citizens: a Canadian Perspective" in Atsushi Kondo (ed.) *Citizenship in a Global World. Comparing Citizenship Rights for Aliens.* Basingstoke: Palgrave Publishers. pp. 176-195.

German Nationality Act (Staatsangehörigkeitsgesetz, StAG). (1999). Retrieved June 2, 2007 from http://www.iuscomp.org/gla/statutes/StAG.htm#fn1.

German Aliens Act (Ausländergesetz, AuslG) (1990). Retrieved July 20, 2007 from http://www.iuscomp.org/gla/statutes/AuslG.htm.

Hailbronner, Kay. (2001). "Citizenship Rights for Aliens in Germany" in Atsushi Kondo (ed.) *Citizenship in a Global World. Comparing Citizenship Rights for Aliens.* Basingstoke: Palgrave Publishers. Pp 100-115.

Hailbronner, Kay. (2003). "Rights and Duties of Dual Nationals: Changing Concepts and Attitudes" in David A. Martin and Kay Hailbronner (eds.) *Rights and Duties of Dual Nationals: Evolution and Prospects.* The Hague: Kluwer Law International. pp 19-26.

Hedetoft, Ulf. (2004). "Discourses and Images of Belonging: Migrants Between New Racism, Liberal Nationalism and Globalization" in Flemming Christiansen and Ulf Hedetoft (eds.) *The Politics of Multiple Belonging. Ethnicity and Nationalism in Europe and East Asia.* Aldershot: Ashgate Publishing. pp 23-43.

Howard, Marc Morjé. (2005). "Variation in Dual Citizenship Policies in the Countries of the EU." *The International Migration Review* 39 (3): 697-720.

Jones-Correa, Michael. (2003). "Under Two Flags: Dual Nationality in Latin America and its Consequences for Naturalization in the United States" in David A. Martin and Kay Hailbronner (eds.) *Rights and Duties of Dual Nationals: Evolution and Prospects.* The Hague: Kluwer Law International. pp 303-333.

Kastoryano, Riva. (2002). "Citizenship and Belonging: Beyond Blood and Soil" in Ulf Hedetoft and Mette Hjort (eds.) *The Postnational Self. Belonging and Identity.* Minneapolis: University of Minnesota Press. pp 120-136.

Kennedy, Paul. (2001). "Introduction: Globalization and the Crisis of Identities?" in Paul Kennedy and Catherine J.Danks (eds.) *Globalization and National Identities. Crisis or Opportunity?* New York: Palgrave. pp 1-28.

Kymlicka, Will. (1995). *Multicultural Citizenship.* Toronto: Oxford University Press.

Kymlicka, Will and Wayne Norman. (2000). "Citizenship in Culturally Diverse Societies: Issues, Contexts, Concepts" in Will Kymlicka and Wayne Norman (eds.) *Citizenship in Diverse Societies.* Oxford, New York: Oxford University Press. pp 1-41.

Martin, David A. (2003). "Introduction: The Trend Toward Dual Nationality" in David A. Martin and Kay Hailbronner (eds.) *Rights and Duties of Dual Nationals: Evolution and Prospects.* The Hague: Kluwer Law International. pp 3-18.

McNevin, Anne. (2006). "Political Belonging in a Neoliberal Era: The Struggle of the Sans-Papiers," *Citizenship Studies*, 10 (2): 135-151.

O'Neil, Peter. (2007, May 7). *Canadian Governor General persuaded to give up French Citizenship, book reveals.* CanWest News Service. Retrieved August 11, 2007 from http://www.canada.com/topics/news/politics/story.html?id=46269570-b84a-4ab3-8069-bc9c6bb5c493.

Rapport, Nigel and Andrew Dawson. (1998). "Home and Movement: A Polemic" in Nigel Rapport and Andrew Dawson (eds.) *Migrants of Identity. Perceptions of Home in a World of Movement.* Oxford: Berg. pp 19-38.

Ramírez, Manuel Becerra. (2000). "Nationality in Mexico" in T.Alexander Aleinikoff and Douglas Klusmeyer (eds.) *From Migrants to Citizens. Membership in a Changing World.* Washinton D.C.: Carnegie Endowment for International Peace. pp. 312-341.

Renshon, Stanley A. (2001, October). *Dual Citizenship and American National Identity.* Centre for Immigration Studies, Washington DC. Retrieved July 31, 2007 from http://www.cis.org/articles/2001/paper20/renshondual.pdf.

Soysal, Yasemin. (1994). *Limits of Citizenship. Migrants and Postnational Membership in Europe*. Chicago: University of Chicago Press.

Wayland, Sarah V. (2006). "The Politics of Transnationalism: Comparative Perspectives" in Lloyd Wong and Vic Satzewich (eds.) *Transnational Identities and Practices in Canada.* Vancouver: UBC Press. pp. 18-34.

Weil, Patrick. (2001). "Access to Citizenship: A Comparison of Twenty-Five Nationality Laws" in T.Alexander Aleinikoff and Douglas Klusmeyer (eds.) *Citizenship Today. Global Perspectives and Practices.* Washinton D.C.: Carnegie Endowment for International Peace. pp. 17-35.

Wiedemann, Marianne. (2003). "Development of Dual Nationality Under German Law" in David A. Martin and Kay Hailbronner (eds.) *Rights and Duties of Dual Nationals: Evolution and Prospects.* The Hague: Kluwer Law International. pp 335-345.

Zhang, Kenny. (2006, March). *Recognizing the Canadian Diaspora.* Canada Asia. Number 41. Asia Pacific Foundation of Canada. Retrieved August 11, 2007 from http://www.asiapacific.ca/analysis/pubs/pdfs/commentary/cac41.pdf.