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LUZERN

Faculty of Humanities and Social Sciences
Institute of Political Science

Working Paper Series „Glocal Governance and Democracy"

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WP 01

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Working Paper Series „Glocal Governance and Democracy" 01
Institute of Political Science
University of Lucerne
December 2008

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With its working paper series "Glocal governance and democracy" the Institute of Political Science at the University of Lucerne provides the opportunity to present conceptual ideas, normative debates and empirical findings regarding current political transformations of the modern state system. The term "glocalization" addresses key transformations in respect to levels of governance and democracy – multiplication and hybridization. These features can also be observed in the processes of horizontal interpenetration and structural overlaps among territorial units (transnationalization), in new forms of steering with actors from the private, the public and the non-profit sector (governance), in the interferences among functional regimes and discourses and in emerging new communities and networks between metropolitan centres and peripheries on various scales. One of our core themes is migration and its consequences for development, transnational integration and democracy. A second field of research and discussion is governance and democracy in functionally differentiated and multi-level systems.

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Abstract

Dual/multiple citizenship has become a wide-spread phenomenon in many parts of the world. Whereas during most of the 20th century it was seen as an evil which has to be avoided, today dual citizenship is it *de jure* accepted or *de facto* tolerated by most countries. The paper discusses the pros and cons of dual citizenship from the perspectives of six normative theories of democracy. For the more established theories – liberal, republican and communitarian democracy – we can draw on existing literature. From the perspectives of more recent and emerging theories of democracy – multicultural, deliberative and cosmopolitan/transnational democracy – the issue of dual citizenship has not been addressed yet. In consequence, I developed new arguments from core aspects of these theories of democracy for (and against) the normative desirability of dual citizenship**.** The most important innovation is the argument that in a world system which is characterized by the asymmetries of empires dual citizens can serve as representatives of peripheries with formal rights of political participation in central states. Overall, the analysis reveals – although in all theoretical perspectives we find arguments in favour and against dual citizenship – that the problematic aspects dominate only for communitarians. For all others, dual citizenship is a promising and important tool for strengthening democracy in a transnationalizing world.

Zusammenfassung

Die doppelte bzw. mehrfache Staatsbürgerschaft ist inzwischen in vielen Teilen der Welt zu einem verbreiteten Phänomen geworden. Während eine doppelte Staatsbürgerschaft zu Beginn und in der Mitte des 20. Jahrhunderts als ein zu vermeidendes Übel aufgefasst wurde, akzeptieren oder zumindest tolerieren heute die meisten Staaten eine mehrfache Mitgliedschaft in politischen Gemeinschaften. Dieser Aufsatz diskutiert die Vor- und Nachteile von mehrfacher Staatsbürgerschaft aus der Perspektive von sechs normativen Demokratietheorien. In Bezug auf bereits seit längerem etablierte Theorien – liberale, republikanische und kommunitaristische Theorien der Demokratie – können wir dabei auf Literatur zurückgreifen, die sich bereits explizit mit dieser Frage auseinandergesetzt hat. In jüngeren Theorien – multikulturelle, deliberative und kosmopolitische/transnationale Theorien der Demokratie – wurde das Phänomen der doppelten Staatsbürgerschaft bisher nicht thematisiert. Deswegen wird in Bezug auf diese Theorien eigenständig Argumente für und gegen die doppelte Staatsbürgerschaft abgeleitet. Das wichtigste neue Argument für die Wünschbarkeit der doppelten Staatsbürgerschaft wird aus einem spezifischen Verständnis von transnationaler Demokratie abgeleitet. In imperialen Beziehungen zwischen zentralen und peripheren Ländern können Migranten aus den peripheren Ländern als legitime Repräsentanten dieser Länder betrachtet werden und sie sollten deswegen in zentralen Ländern deren Staatsbürgerschaft erhalten ohne ihre alte Staatsbürgerschaft abgeben zu müssen. Ingesamt zeigt der umfassende und systematische Überblick, dass die mehrfache Staatsbürgerschaft nur aus kommunitaristischer Perspektive mehr problematische als vorteilhafte Aspekte aufweist. Aus allen anderen demokratietheoretischen Perspektiven stellt die doppelte Staatsbürgerschaft ein viel versprechendes und wichtiges Instrument zur Stärkung der Demokratie in einer sich transnationalisierenden Welt dar.

Introduction[1]

During most of the 20th century, the clearly dominant opinion (in the Western world) was that dual citizenship causes problems and should be avoided. The fact that many European states held on to the principle of perpetual allegiance caused serious tensions when many of their citizens migrated to the United States. This issue was one of the triggers for the War of 1812 between Great Britain and the United States and strained the relationship between the US and Prussia (Koslowski 2003, Gosewinkel 2001). In consequence, the United States invested heavily during the second part of the 19th century in bilateral treaties with European states in order to settle this issue (the so-called Bancroft Treaties). Although not all states adopted the *ius solis* principle – such a harmonization of nationality laws would have solved the issue most consequentially – the states came to agree that dual nationality should be avoided. This conviction was expressed in the 1930 Hague Convention on Certain Questions Relating to the Conflict of Nationality Laws, whose preamble stated that "…it is in the general interest of the international community to secure that all its members should recognize that every person should have a nationality and should have one nationality only." This conviction was reaffirmed and strengthened in the 1963 Convention on the Reduction of Cases of Multiple Nationality and Military Obligations in Cases of Multiple Nationality. These treaties and conventions can be seen as attempts to liberalize the individual (migrant) from the grip of their state of descent (Spiro 1997). Nevertheless, it was the interest of states which dominated the discourse, individuals' rights and interests were of secondary concern (Triadafilopoulos 2007: 32).

During the last quarter of the 20th century this consensus evaporated and at the turn of the century in many countries – not only in the Western world – there have been intensive discussions about the acceptance of dual citizenship (Brondsted Sejersen 2008). Dual citizenship stood not only at the centre of the sea-change which ended the hegemony of the principle of natural and perpetual allegiance of subjects/citizens to their state a hundred years ago, it is now again a key issue in the current transformation of the Westphalian system of contained nation states towards a strongly interdependent world.[2] The range of arguments for and against dual citizenship has broadened and is no longer limited to aspects of security for states and the international system – although these aspects still loom large in many political controversies. The central difference to earlier debates is that be-

[2] Nevertheless, it has to be realized that (im)migration policies which represent these new transformation are in many places only one context in which the issue of dual citizenship comes up; in some places (like Eastern Europe) it overlaps and usually is overshadowed with the context of nation state (re-) building (Faist & Kivisto 2007, Bauböck, Perchinig and Sievers 2007).

yond consideration of the interests and rights of the states or the stability of the international system, is now also consideration of the interests and rights of the individuals (Frank 1994).

In contrast to normative approaches to the topic (e.g. Bauböck 1994) I will not prioritize one perspective based on a specific normative foundation (like liberal democracy in Bauböck's case). This paper aims for providing a comprehensive overview of normative arguments based on various strands of democratic theory. It does not seek to develop a specific normative position or concrete proposal for regulating dual citizenship. I apply the three theories of democracy which are used to discuss the pros and cons of dual citizenship (and permissive and restrictive naturalization rules) by legal scholars (Neuman 1994, Spiro 1997: 1465-1484) – liberalism, republicanism and communitarianism – but will extend these established theories of democracy with more recent theories: multicultural democracy, deliberative democracy and cosmopolitan/transnational democracy.

Nationality law and any kind of citizenship regulation are basically concerned with membership in *political communities/polities* and specifically with the rules for entry into and exit from such political communities. Political communities are usually seen as being embedded in *social communities/societies* and many rules which regulate political membership refer to aspects of the social community (e.g. residence as a prerequisite for political rights). Nevertheless, in line with Bauböck (1994: 172-177) I would like to stress that these two forms of communities and memberships have to be analytically distinguished. For example, whereas immigration and integration policies are geared towards the social community, citizenship and nationality policy is focused on the political community.

I will concentrate in this paper on arguments which refer to the consequences of dual citizenship for the political community. Although in public debates of dual citizenship it is often the consequences for the social community and the instrumental value of dual citizenship for the individual that take centre stage, I think that these aspects should not be given priority. The causal effect of membership regulation for the political community on the social community is indirect and probably rather marginal because of the multiplicity of other relevant factors of influence. For example, citizenship regulations may be one policy instrument to enhance the socio-economic welfare of a society, but other policies and other non-political factors are almost certainly much more important. In contrast, the causal link between citizenship regulations and the political community is more direct and probably also stronger. The second and even more important argument for the prioritization of the effects on polities is the conviction, which is shared among almost all advocates of democracy, that democratic self-determination is a value in itself and not just an instrument for social values like welfare or socio-economic equality. In consequence, I will concentrate on the effects of dual citizenship on democracy, the now generally accepted normative standard for governing political communities. As already mentioned I will look at the (potential) impact of dual citizenship on democracy from a broad variety of normative theories of democracy. The inclusion of more recent conceptualizations of democracy is especially warranted because I believe that the contested boundaries of the demos represent an important aspect of an ongoing "second transformation of democracy" towards a "reflexive democracy" (Warren 2003, Blatter 2008).

Major terms and goals

Before we can trace the arguments in favor and against dual citizenship we have to get a more detailed and precise understanding of the disputed phenomenon. First, some notes on terminology. Although I am aware of the differences between citizenship and nationality especially in legal parlance I use the terms interchangeably. It might also be worth mentioning that most of the time when I use the term "dual citizenship" this is an abbreviation of the more correct but longer term "regulations which allow or facilitate dual citizenship." The normative discussion is about which rules should be adopted to regulate dual citizenship and not about individual occurrences of dual citizenship.

Second, I have to clarify the denotative content of the term dual citizenship. If not otherwise stated, arguments for or against dual citizenship are directed towards all ways for gaining dual citizenship and they imply a symmetric regulation of dual citizenship. The major possibilities for attaining dual citizenship are a) by birth, b) by marriage, and c) by naturalization. In current nationality laws we can detect a decreasing acceptance of dual citizenship from a) to c). It is more widely accepted that children from couples with different passports get both nationalities by birth than it is accepted that those who apply for the nationality of their current state of residence can keep the nationality of their country of descent (Brondsted Sejersen 2008: 529). Nevertheless, often the children have to decide between their nationalities as soon as the reach maturity. As long as not otherwise specified, I refer to adults when I discuss the arguments for and against dual citizenship. For a symmetric regulation of dual citizenship a state must not make any difference between the rights of those who immigrate into the country and the rights of those who emigrate from this country. Not only empirical reality is deviating in many countries from such a symmetric regulation but we find also some normative justifications for asymmetrical regulations.

By taking into account arguments which differentiate between various ways to attain dual citizenship and between immigrants and emigrants, we indulge into the specification of conditions for accepting or rejecting dual citizenship. Nevertheless, since the main goal of this paper is to lay out a broad spectrum of arguments, I will mostly sacrifice the depth of the argumentation which comes with these kinds of specifications in favour of the breadth of principal perspectives and criteria which can be applied in the normative discussion on the regulation of dual citizenship.

The following discussion cannot indicate the political salience and empirical cogency of theoretical approaches and the arguments for or against dual citizenship which are derived from those. The major goal is to demonstrate the basic theoretical assumptions and conceptions of specific arguments. Furthermore, for the established theories we try to provide empirical evidence for causal assumptions which are more or less explicitly included in specific arguments found in the literature. Since we will detect how many gaps we have in this respect, the following overview can also be seen as a plea for further empirical research. This is certainly also the case for the arguments derived from the newer theories of democracy – although, in this paper we limit our self on the first step: deducing arguments from theoretical principles.

In the following, six different strands of democratic thought are introduced in order to capture the entire spectrum of arguments for and against dual citizenship. In the history of democratic thought there exist many more internal differentiations, mixtures and overlaps between the various theoretical approaches. In the following I cannot do justice to full and comprehensive conceptualizations of theoretical approaches provided by specific authors. Instead, I will focus on some core concepts of each theoretical strand – those aspects which are absolutely central for specific lines of thinking (and absent or of only secondary importance in other normative theories). For each theoretical approach I will state what I perceive as the central conceptual starting point and two aspects which are crucial for our discussion on the consequences of dual citizenship: the demands on the polity (the institutional system) and the demands on the citizens (the members of the polity) which are made by each theory in order to qualify a polity as democratically legitimate and sustainable.

Dual citizenship and liberal democracy

The central points of reference for liberal conceptions of democracy are the natural/universal rights and equal liberties of individuals which have to be secured by, and at the same time, against the government. In liberal theory there exists a rather strong conceptual differentiation between the society and the polity (which is basically reduced to the government)[3] and the relationship between the government and the society is thought to be instrumental: the government serves the society and is not constitutive for the society (Held 2006: 56-95).[4]

In order to be a legitimate instrument for the society, governments have to fulfil the will of the people, which is conceptualized as an aggregation of individual preferences. All those who are subject to governmental rule should have the right to vote freely and their vote has to be taken into account equally. In consequence, one of the central struggles of liberal democrats has been the fight for universal suffrage – within the bounded universes of nation states (Dahl 1989: 129, Bauböck 1994: 174-186). With the abolition of property requirements and equal political rights for women, it seemed that the liberal principle of congruence between the demos and the democratic government had been fulfilled in western democracies.

But in recent years, it became obvious that migration represents another challenge for the principle of congruence.[5] This challenge to the core principle of liberal democracy can be

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[3]   See for example: Held 2006: 63, with reference to Locke's Two Treaties of Government.

[4]   The use of the term "government" instead of "state" for the institutionalized form of the polity represents this (Anglo-Saxon) instrumental conceptualization. The U.S.-American term "administration" expresses this view even more clearly. The contractual relationship between citizens and government is based on the concept of principals and agents.

[5]   Bauböck is stressing much more the liberal principal of inclusiveness (e.g. Bauböck 1994: 88), but his reflection is strongly influenced by the assumption of territorially bound sovereign states. If this assumption is getting contingent, the principle of congruence expresses much more adequate the liberal idea that those who are subject to political rule should be the authors of those rules.

addressed either by giving non-citizen residents voting rights (Munro 2008) or by facilitating immigrant's acquisition of citizenship if voting rights and other rights of political participation are kept reserved for formal members (Bauböck 2003).[6]

Since the requirement to renounce the citizenship of the country of decent has been mentioned as the major motivational hurdle to naturalize (Schröter & Jäger 2005: 16 provide supporting empirical data for the prevalence of this motivational hurdle among immigrants in Germany), acceptance of dual citizenship seems to be a necessary measure for making the second strategy successful. There is already a rather solid empirical base for this causal assumption although all these studies have looked only at the consequences of accepted dual citizenship by Latin American countries on the naturalization rates of their emigrants in the United States (Mazzolori 2005, Escobar 2004, Jones-Carrera 1998, 2001a, and 2001b).[7] Currently, no one has studied the consequences for the naturalization rate when a receiving country changes its citizenship laws towards explicitly accepting dual nationality (the US tolerates it only *de facto*).

Providing all residents with voting rights (independent of their citizenship status) emphasizes the principle of territoriality which has been one core principles of the modern Westphalian system of sovereign nation states (and devaluates the principle of citizenship/membership which has been another core principle of the modern order, see Brubaker 1992).[8] It assumes a world where states have full sovereignty over clearly delineated territories and where individuals have stable and single residencies.[9] The less these assump-

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[6] It is worth mentioning that from a liberal perspective, it is the right to vote and not the actual voting which is crucial in order to fulfill the congruence requirement. Liberalism accepts abstention form political participation as one option of individual's freedom to choose. In consequence, the finding of Staton, Jackson & Canache (2007a) that first generation immigrant Latinos in the U.S. with dual nationality are 9% less likely to register to vote and 15% less likely ever to have voted in an American election than their mono national counterparts, is not very damaging for a liberal defender of dual citizenship.

[7] An exception is the first empirical study done by Yang (1994) who finds that individuals from countries that allow dual nationality are actually less likely to naturalize in the United States. Furthermore, Staton, Jackson and Canache (2007b) reintroduce some skepticism whether the acceptance of dual citizenship in the country of origin increases the likelihood of naturalization in the U.S.

[8] The same is true if the provision of citizenship would be strictly based on the residency principle. Since in most (Western) countries civil and social rights are already based on residency and not on citizenship, such a regulation would fully eliminate membership/citizenship as a meaningful category. There would be no difference anymore between residents and citizens. However, this holds only for the situation within migrant receiving countries. Citizens, but not residents, would still enjoy external citizenship rights of diplomatic protection, right of return and absentee ballots (thanks to Rainer Bauböck who pointed to this remaining difference).

[9] It is important to realize that it is especially the changes in the second characteristic of individual life – the singularity of place in which the social life of individuals is embedded – which contains the momentum for the acceptance of dual citizenship. If only the stability of residence would be eroding, the congruence principle would demand quicker naturalization and denaturalization procedures but not necessarily membership in two political communities.

tions hold, the less convincing is this solution. When the sovereignty of states and their jurisdictional autonomy is compromised *de jure* and/or *de facto* and when many individuals are connected to more than to a single place, the modern logic of "spaces of place" is called into question by "spaces of flows" (Castells 1996). Trade and world-wide financial integration undermine the sovereignty of nation states and many forms of migration are undermining the singularity of socio-spatial attachments of individuals.

As we will see in the section on transnational democracy, the *de facto* existence of asymmetric dependencies of specific states/polities from other more powerful states/polities could be seen as a justification for dual citizenship since the individuals within the weaker states have to obey to rules which are not (only) the result of internal aggregation of interests but are *de facto* determined by external forces. Nevertheless, within a liberal approach, which is usually combined with constitutionalism, there is a strong differentiation between a *de facto* and a *de jure* relationship. Only when a state exercises formal and permanent jurisdictional power over a territory the residents of that territory can claim the right to political participation and representation according to the liberal congruence principle.

In consequence, from a liberal constitutionalist perspective, it is the flow of people who migrate from one country to another and/or who circulate between different places which creates the relevant context for the discussion about dual citizenship. In contrast to libertarians who argue that individuals should be fully fee to choose their citizenship according to their preferences, liberals argue that there are necessary preconditions which determine who is eligible for entry. Rainer Bauböck (2007) develops a "stakeholder principle" as a general guideline for evaluating naturalization and external voting policies. He argues that "a claim to citizenship depends on objective biographical circumstances, such as birth in the territory, present or prior residence, having a citizen parent, or being married to a citizen."[10]…"Individuals whose circumstances of live link their future well-being to the flourishing of a particular polity should be recognized as stakeholders in that polity with a claim to participate in collective decision-making processes…" (Bauböck 2007: 2421/2422).[11] Such an objectivistic definition of preconditions is combined with an emphasis that individuals who qualify should have a free choice to naturalize or not to.[12]

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[10] These criteria combine the traditional criteria for assigning citizenship by birth – *uis sanguinis* and *uis solis* – with a much more voluntaristic criteria – marriage – which has become more important for acquiring citizenship because of international mobility and the equalization of women's rights.

[11] In earlier accounts Bauböck (2003: 27) advocated stricter limits for citizenship eligibility. Only those who live on the territory of a state should be included and only those who live for a longer time on this territory. He now (conditionally) accepts citizenship and voting rights for expatriates. And he puts less emphasis on the past experiences within a polity as a precondition but stresses the shared fate of the individual and the polity in the future.

[12] Neuman (1994) calls this approach "unilateral liberalism" since the emphasis is on the decision of the individual and contrasts it with "bilateral liberalism" in which the consent of the individual has to be matched by the consent of the society. I will discuss the later under the headings of republican and communitiarian democracy since it clearly shifts the emphasis towards the collectivity.

Based on the stakeholder principle, states should not only tolerate but embrace dual citizenship because it reflects the empirical reality that biographical circumstances do link many people to more than one polity.

There is another line of argumentation which supports the acceptance of dual citizenship in order to fulfil the congruence requirement. Liberal democracy builds on a strong connection between legal rights of citizens and political rights since only the combination of rule of law and the accountability of governments secures the natural rights and liberties of individuals. Therefore, disaggregation and non-congruence of these two components of modern citizenship should be avoided. Since we can observe a clear trend to transnationalize and universalize legal rights of individuals (Cohen 1999: 258/259), it seems adequate to also expand the scope of political rights beyond the confines of a single nation state. Dual/multiple citizenship is a step towards such an expansion of political rights and contributes not only to the congruence principle but also to the reconnection between legal and political rights.

Whereas the congruence principle leads to a strong endorsement of dual citizenship, the second core principle of liberal democracy seems to lend more weight against dual citizenship (e.g. Hansen & Weil 2002: 8, Martin 2003: 13/14). It is liberalism's strong emphasis on formal equality among all members of a political community. Dual nationals can vote in two different countries whereas mono nationals have the right to vote only in one country and therefore, dual nationals seem to be privileged. Liberals (e.g. Bauböck 2007: 2428) provide two arguments against this widespread feeling of a privilege for dual citizens:[13] First, the voting right should not be conceptualized as a resource which can be accumulated but as a means to control all those governments whose decisions will affect the future of the citizen. Since dual citizens have a stake in two countries they should also have a say in both. Second, as long as the vote in the first country does not have any influence on the aggregation of interests within the second polity, the principle of equal weight of individual votes is not violated within the sphere of each polity. Only when the aggregation of votes and governmental decision making is connected between the two polities, inequality arises because a dual national can make his or her preferences counted twice. In federal states and confederal arrangements, for example, the voting rights must be restricted to one place of residence. This leads to the fact that the mutual acceptance of dual citizenship among members of the European Union, which is a growing reality (Jungnickel 2005),[14] is more problematic from a liberal perspective,[15] as the acceptance of dual citi-

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[13] It seems obvious that the campaign against "dual citizenship" in Germany (more precisely, in the Land of Hesse) was successful because the (native) people perceived the "Doppelpass" as a privilege for the immigrants. Nevertheless, politicians and experts who are against dual citizenship rarely use the equality-argument in their justifications (see e.g. the contributions by sceptics in Schröter, Mengelkamp & Jäger 2005, also Renshon 2005).

[14] Jungnickel (2005:63-65) shows how the principle of reciprocity that Germany uses for deciding about the acceptance of dual citizenship for citizens from countries of the European Union has lead to a massive undermining of the its general principle not to allow dual citizenship. This leads to the problematic effect that Germany accepts dual citizenship in those cases in which it is problematic (from the perspective of equal voting rights) and rejects it for those cases in which it is not problematic.

zenship between countries which have only a very weak and distant institutional connection in the United Nations. In principle, the equality problem can be easily solved by giving dual citizens the right to vote only in one polity at the same time – in praxis, this solution is quite difficult to implement because it would require an exchange of information about naturalization among nation. We can assume a strong correlation between the need for such an exchange (the more the polities are integrated into federal arrangements) and the willingness and possibilities to exchange such information states (but see Hagedorn 2003, who shows that the exchange of information is already a major problem within an established federal system).[16]

The principal of securing equal political rights as an expression of individual autonomy and as a tool for advancing/protecting individual interests has to be taken one step further for adequately addressing the challenges of a world which is inhabited by sedentary as well as mobile individuals. Dual citizens have a right of entry in another country (in the sense of fully resettling) that mono citizens do not have. From a liberal perspective, this right of entry (into more than one state) represents first and foremost a step towards more individual autonomy (complementing the right to exit for which the United States fought in 19th century, see introduction). Furthermore, it constitutes another mechanism for protecting individual interests and controlling governments. The "entry" right makes "exit" – permanently leaving the country – easier for dual citizens than for mono citizens. In consequence, they have a second instrument (besides "vote/voice") readily at hand to express their interests and to control their governments.[17] Dual citizenship provides the legal foundation for making "exit/entry" a relevant political instrument of expressing preferences and for controlling governments. In consequence, within a liberal account, it elevates "exit/entry" to a formally equal status than "voice/vote". Securing political equality among sedentary and mobile individuals would therefore require rather less than more options to vote for dual nationals. These considerations provide extra leverage for the argument that dual citizenship violates the principle of formal equality.

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[15]   This is not only relevant for the elections to the European Parliament (Bauböck 2003: Footnote 8) but also for national elections since the results of these elections influence the composition of the European Council which is still the core institution in aggregating preferences in the European Union.

[16]   The fact that expatriates have not made much use of their right to vote in the past (e.g. Martin 2003: 14) and that the practical impact of double voting rights is insignificant, holds true for the past but probably not for the future since politicians more and more visit their diasporas during the election campaigns and some parties even set up local organizations abroad (e.g. Jones-Correra 2001b: 1007).

[17]   The insight that "exit/entry" posits another important means to express preferences and to control governments in addition to "voice/vote" goes back to Tiebout (1956) and Hirschman (1970) and has triggered a formidable research program in the field of US-American metropolitan governance (e.g. Schneider 1989, Fischel 2001, for a critical overview Blatter 2007: 210-235). Teske et al. (1993) showed that it needs only a small proportion of the population who deliberatively use or threatens to use the exit/entry option in order to influence and control governments. Whereas political economists stress (the threat of) "exit" as the core mechanism for political influence, in our context it is the "entry" right that comes with dual citizenship and which is a precondition for the exit mechanism to work effectively.

In consequence, the equality requirement provides rather strong arguments against dual citizenship. Especially, if we go beyond the classic form of political participation in liberal thinking - voting – and take into account that growing importance of (threats of) exit/entry as a means to express and defend political interests. This is because dual citizenship violates the liberal principle of formal equality.[18]

Liberal democracy highlights the rights of individuals which should be secured with the help of governments but also against the infringement of governments. In comparison to other theories of democracies there is much less emphasis on the duties of citizens, but nevertheless, there are expectations on the behaviour of the members of a polity which are seen as preconditions for the sustainability of a liberal democracy. The first and central element of these expectations is that citizens respect the rule of law.[19] This line of thinking has led many countries to introduce a knowledge test as one of the requirements for naturalization.[20] As long as the questions of the test concentrate on the applicant's knowledge of formal rules and norms of the polity, it is clearly in line with a liberal democratic approach.[21] But what does it mean for the acceptance of dual citizenship? There are two logical arguments (but no empirical evidence) which lead to the conclusion that dual citizenship might have negative effects on the adherence to the law. First, dual citizens have to know and learn two sets of rules – and it seems quite realistic that – ceteris paribus – the general knowledge about the legal norms within one political community will be lower in comparison to mono citizens.[22] The other effect is not cognitive but normative: dual citizens get to know two different sets of legal norms – the more these two sets diverge,

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[18] Bauböck (2007: 2428) takes the exit option not into consideration and reaches therefore a different conclusion from a liberal perspective.

[19] Many liberal theorists have made a step towards a republican conception of democracy and demand a "commitment to democratic norms" (e.g. Bauböck 1994: 91) or patriotic feeling towards the constitution (Sternberg and Habermas). I stick to a more narrow and clearcut understanding of liberal democracy in which the beliefs and attitudes of individuals are seen as private matters.

[20] Or at least it has been used to justify such a test although the political motivations might have been different.

[21] My interpretation of liberalism is quite different in this respect from Bauböck, who strongly argues against teaching and testing the knowledge of applicants. He argues that "political resocialization" should be an act of self-education which takes place primarily through participation in civil society and public political life (Bauböck 1994: 92). This can not be interpreted as a strict liberal position. Like in other aspects of his normative position Bauböck straddles into republicanism. A strict liberal position does not assume a strong political participation and involvement in the political community but the respect of the law. Teaching and testing applicants for naturalization corresponds exactly to the formal approach of liberalism in which the state should help the individuals to build the capacities for a full life but in which the state also controls individual actions and abilities in order to secure the rights of the other members of the political community.

[22] Although, even Betts (2002: 67) who is quite critical towards dual citizenship admits "…,there is yet no evidence that plural citizens will break the law as they pass through Australia,…" Furthermore, Bloemraad's finding that dual citizens in Canada are significantly higher educated than the average immigrant mediates against this assumption (Bloemraad 2004: 421).

the more the normative relativity of these norms becomes apparent. This may tempt the dual citizen into not taking specific norms too seriously. Nevertheless, one should not underestimate the ability of modern individuals to follow different rules in different social settings. Within modern societies which are internally differentiated according to functional spheres, classes, localities but also into different life-style milieus, individuals are used to dealing with different rules and norms. Furthermore, the negative effects on the respect for the legal norms of a polity which might result from dual citizenship may also have positive effects if we take into account the transformational nature of legal norms and the ongoing process of mutual adjustment or mutual tolerance of law which accompanies the emergence of international regimes and multi-level governance (see the section on cosmopolitan/transnational democracy). It is quite likely (but not yet proven) that dual nationals are best suited to deal with the resulting complexity and ambiguity.

A second expectation of liberal democracy on the behaviour of citizens is that they pay taxes in order to finance a professional and efficient government. Most countries extract (income) taxes on the basis of residency and not based on citizenship but some important countries like the US do. The Caribbean islands of Dominica, Grenada and Saints Kitts-Nevis offer second passports for investments from $ 50.000 to 250.000 without requiring any enduring residential or family ties (Aleinikoff and Klusmeyer 2001: 84). Although it is quite obvious that these policies are aiming to attract people who want to avoid taxes in their home states, it is not clear how far the granting of a second citizenship actually undermines the ability to extract taxes from this kind of dual citizens.

Overall, I conclude that from a liberal perspective the congruence principle leads to a strong advocacy for dual citizenship but at the same time dual citizenship might violate the equality principle if we take the exit option as an important instrument to express and defend individual interests. Whether dual citizenship undermines the duties that liberal states can demand from their citizens remains unclear. Deductive reasoning leads to ambiguous results and empirical information is not available.

Dual citizenship and republican democracy

Republican theories of democracy start from the premises that humans are political animals (*zoon politicon*) who can realize freedom and a good life only in participating in public affairs. Like liberals, republicans differentiate between a public or political domain and a private or socio-economic domain. In contrast to liberals, it is the public or political domain that takes normative precedence. Intensive participation of citizens in the self-government of political communities is therefore least as much a duty as it is a right. A polity demands involvement and commitment to the public good from its citizens (which is not the same as commitment to a specific community). In exchange, it offers not just formal voting rights but a multiplicity of opportunities for political participation and contestation. For republicans, it is not equality but political self-determination (or non-domination, Pettit 1997) that is endangered by the transnational world of socio-economic flows.

If we clearly differentiate between republicanism and communitarianism[23], it seems obvious that dual citizenship is in accordance with republican conceptions of democracy because dual citizenship opens up more opportunities for political participation. From this perspective, there should be no restrictions on voting or taking office for dual nationals – they should be allowed to participate as much as possible in both polities. Citizen participation provides resources and legitimacy to political systems which makes them capable of regulating socio-economic systems. This political regulation is necessary to balance the dangers of socio-economic domination. In short – the increased possibilities of political participation that dual citizenship provides helps to secure the self-determination of political communities and individuals.

Nevertheless, this line of argumentation, which we might – following but slightly modifying Held (2006: 37) – call a "developmental republican" approach, is not the only possible line of argumentation within a republican perspective. A "protective republican" approach would not focus on the enhanced opportunities and capacities but on the dangers for polities posed by dual citizenship. Potential dangers for the polity are that dual nationals use their multiple memberships to escape civic duties or that less civic minded people are included into the demos.

Historically, the strongest form of commitment that republics have demanded – from all its male members – has been to serve in the military. Mandatory military service has been a core element for securing political autonomy against external domination not only for the classic Greek polis but also for modern democracies exemplified by the French revolutionary army. Furthermore, from a republican perspective, military service is a socializing mechanism which precedes the inauguration of young men into citizenship. In consequence, dual citizenship is problematic insofar as it allows individuals to avoid military service.[24] Since more and more countries abolish compulsory military service in favour of professional armies, this argument against dual citizenship is loosing weight (Triadafilopoulos 2007).[25]

The most important further duty that is important from a republican perspective and which goes beyond those stipulated in liberal approaches (respect for the law including paying taxes) is political participation. If dual nationals strive for a second passport only for instrumental reasons, but do not participate in politics, they are undermining the legitimacy of political steering and regulation. Therefore they do not contribute to the necessary capacities for political intervention into socio-economic affairs.

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[23]   Very often, this distinction is not made and republican and communitarian approaches are thrown together to form a single and simple alternative to liberal democracy (e.g. Betts 2002).

[24]   From a republican perspective (in contrast to a communitarian perspective), it does not matter in which country the individuals serve their military duty.

[25]   Which does not mean that it cannot loom large in countries like South Korea where the security situation still resembles the dominant situation in the 20th century: ideological confrontation and armies based on compulsory service of all male citizens. The fear that dual citizenship makes it possible to escape military service is the main reason why the government is hesitating to introduce dual citizenship – an idea it otherwise considers as a mean to attract human capital.

Furthermore, sceptics claim that dual citizenship devalues the concept of citizenship (e.g. Renshon 2005: 159). From a republican perspective a clear distinction should be made between an easy entrance into formal membership of a political community and the acceptance of multiple memberships. Easy access to citizenship but also the trend towards denizenship (the phenomenon that rights and duties are not coupled to membership but to other criteria, usually residency) indeed devalues formal citizenship: The former because it makes it easy to acquire citizenship only for instrumental purposes, the latter because it makes citizenship an "empty" legal status.[26] Even more so than from a liberal perspective, entry tests can be justified from a republican perspective – more than in a liberal approach, such a test must be conceptualized as a tool for mobilizing political participation and civic involvement.

Does dual citizenship enhance political participation or does it rather reduce political involvement? Since republicanism is not so much concerned with rights than with real deeds, the practical consequences for political participation are crucial.[27] Empirical evidence is still very scarce for answering this central question. If we take into account only classic forms of participation in the receiving country, empirical research tends to bolster the skeptical view. Whereas Ramakrishnan (2005: 93/94) concludes that there is a positive relationship between dual nationality and political participation, Cain and Doherty (2006) provide evidence for the opposite conclusion. In the most sophisticated empirical study, Staton, Jackson and Canache (2007a) find that among first generation Latino immigrants in the US dual citizens are not only 9% less likely to register to vote and 15% less likely ever the have voted in an American election than mono citizens (immigrants who have given up their former citizenship), they are also 18% less likely to express high levels of civic duty.[28] Unfortunately, we do not have empirical data in respect to other forms of political participation which demand more involvement than voting, e.g. being a party member, a candidate or taking political office. From a republican perspective, these aspects would be even more important than voting.[29]

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[26]   Nevertheless, it is important to realize that the latter phenomenon (denizenship) strongly reduces the negative effect of the former (easy access). If all civic and socio-economic rights are based on residency and not on citizenship, not many instrumental motivations remain for gaining citizenship. In consequence, rationalist instrumental reasoning is not adequate anymore in conceptualizing the value of citizenship. Instead, the value of citizenship is in this context mainly symbolic or expressive: Easy access expresses a welcoming attitude of the political community to the newcomer and the acquisition of citizenship by the individual expresses a (non-instrumental) interest in and a commitment to the political community (for a similar argumentation see Bauböck 1994: 102-114, Bauböck 2003: 30/31).

[27]   In consequence, I will take into account here mainly empirical data which measures behavior and not data which measures skills or attitudes. Data on the latter two aspects is taken up under the headings of deliberative democracy and communitarian democracy.

[28]   The question by which the sense of civic duty was surveyed asked whether the respondents think that voting is a waste of time. In consequence, this finding can clearly be seen as an indicator for republicanism and not communitarianism.

[29]   We also do not know whether the lower political participation of dual citizens in comparison to those who have abandoned their former nationality disappears after the first generation

Finally, it is crucial to realize that from a republican perspective, participation in the receiving country is not the only involvement that counts. Political participation in the country of origin and/or political involvement in transnational arenas are equally important features of civic virtue. There exists a lot of anecdotal and ethnographical evidence that dual nationals are quite actively involved in their country of origin,[30] but only scarce systematic data. Guarnizo et al. (2003) have found that one-sixth of immigrants from Columbia, the Dominican Republic and El Salvador in the U.S. are involved in both electoral and non-electoral activities aimed at influencing the conditions in the home country on a regular basis. Another sixth do this on an occasional basis. The same is true for transnational political activities. Tarrow (2005) provides a lot of empirical evidence for this growing phenomenon. Nevertheless, no connection to dual citizenship is made in these studies.

It is very likely that including these other political arenas will lead to a balanced or even positive account of political participation for dual citizens in comparison to mono citizens. In respect to formal participation, only dual citizens are allowed to participate in another polity (that is not the case for informal forms like demonstrations), and since the likelihood that they live a transnational life is higher, it is also more likely that they are involved in transnational politics.

To sum up, from a republican perspective, dual nationality enlarges the possibilities for political participation of individuals by opening up multiple polities for personal involvement. At the same time it seems to reduce the average level of political participation of citizens within each polity. We do not yet know whether dual nationals are overall more or less politically active than mono nationals. My hypothesis is that if we include political activities in all of the polities in which dual citizens are formal members, as well as those activities which are directed towards international or transnational arenas, we will end up with a positive result for dual citizens.

Dual citizenship and communitarian democracy

Most approaches to communitarian democracy show some overlap with republican approaches since they are both opposed to liberal individualism. Nevertheless, whereas republicans conceptualize the relevant collective entities as political entities which are differentiated from socio-economic entities (in the classic Greek democracy, the polis from the oikos), communitarians presume specific social entities – usually nations. These are separated from each other by different cultures and can be conceptualized more or less strongly as dependent on historical and natural traces. The conceptual differentiation between polities and societies which are crucial for liberal and republican theories of democracy disappears in the communitarian perspective. Instead the political and social domains are seen as strongly interdependent. For communitarians it is the national society/polity that should provide orientation and identity for the individual. Furthermore, it should up-

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as other features of lower political connectedness do. See below where I discuss those findings of Staton, Jackson and Canache (2007a and 2007b) which belong to the communitarian perspective.

[30]   E.g. Escobar (2006) for Columbian immigrants in the US; Bousetta and Martiniello (2003) for Moroccan immigrants in Belgium (according to Bauböck 2006: 41).

hold solidarity and social rights for the members of that specific community. In exchange, it demands and stimulates citizens' identification with and their loyalty to their nation (state) (Sandel 1982, Walzer 1983, for an overview: Reese-Schäfer 1994).

The strongest opposition to dual citizenship is based on arguments which can be appropriated to communitarian thinking. We can differentiate four core arguments against dual citizenship: First, dual nationals like immigrants with strongly different cultural backgrounds endanger the solidarity among members of the community. Whereas the latter endanger solidarity because they reduce the homogeneity of the community, the former undermine solidarity by having an easy exit option. Second, both transform the traditional culture of a national community and this change is evaluated negatively since the traditional culture is a prerequisite for national cohesion and integration. Thirdly, being a member of two communities at the same time is endangering loyalty to a specific community and its political institutions – it dissipates patriotism. Finally, membership in two communities leads to psychological problems for individuals because they cannot develop a consistent personal identity (the most sophisticated lay-out of all these arguments can be found in Renshon 2005).[31]

Since in communitarian thinking there is a strong overlap and interdependence between society and polity, all these arguments are relevant from a communitarian democracy perspective. Nevertheless, in this section I will concentrate on the one which takes centre stage in the discussion about the political consequences of dual citizenship – its influence on individual's patriotism and loyalty to a specific polity.

Historically, patriotism has been mainly a matter of loyalty to a specific nation in times of war. But formal citizenship no longer seems to be an important criterion for judging the loyalty of people in times of military conflict. Countries with professional armies, e.g. the U.S., accept dual nationals and even non-citizens in their military forces. Furthermore, most countries are only a little bit more restrictive when it comes to officer positions. Legomsky found only one state, Mexico, explicitly disqualifying dual nationals from military service (Legomsky 2003: 86-87). Dual citizenship is a challenge for those countries which do not have a professional army and conscript their male citizens. The communitarian perspective on military service – individuals/males should be so loyal to a national polity that they are willing to fight and die for it – seems to lead straightforwardly to a rejection of dual citizenship since membership in two polities undermines the loyalty to one specific polity. Nevertheless, in reality we can observe a different reaction. In 2005, South Korea amended its nationality law in order to make it impossible for male dual nationals to renounce their Korean nationality before they served the military service in South Korea. For a state which is still confronted with a strong ideological dividing line at its border, dual nationality seems to be much less of a problem as loosing potential soldiers. Many other states in similar situations, like Germany and Turkey, have adopted similar policies by which dual citizenship is accepted in order to maintain potential citi-

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31   More well-known communitarians have not addressed the issue of dual citizenship/ membership. Members of "The Communitarian Network" endorsed dual citizenship but provided no justification (see http://www.gwu.edu/~ccps/dwu_positionpaper.html).

zens who can be conscripted (Legomsky 2003: 110/111).[32] Overall, this leads to the paradoxical conclusion that such an "oppressive communitarianism," which tries to force natives into military duty despite the fact that they do not have such strong feelings of loyalty, leads to a broader acceptance of dual citizenship than a "protective communitarianism" which sees the existence of individual feelings of loyalty and national attachment as a necessary precondition for fighting for a country and for being included into the demos.

The main line of argument of protective communitarianism does not focus on the consequences of dual citizenship for fulfilling of military duties. Rather it focuses on the consequences for the social integration of a polity. Patriotism is not only necessary to fight external threats but also for securing internal cohesion (Renshon 2005: 186). Renshon (2005: 67) defines patriotism as "national attachment" including "(1) a warmth and affection for, (2) an appreciation of, (3) a pride in, (4) a commitment and responsibility toward, and (5) support of the United States – its institutions, its way of life and aspirations, and its fellow members." Following from this definition it is quite typical for communitarians, to consider a patriot not only attached to the institutions (the political dimension in a narrow sense), but also to the culture and to the community of a specific country. Furthermore, Renshon (2005: 67/68) claims that patriotism is based on emotional attachments which are built up in early childhood. In consequence, this logic of argumentation does not only lead to opposing dual citizenship but the naturalization of immigrants in general.[33]

Other scholars who have applied a communitarian perspective to dual citizenship make less clear-cut conclusions: Neuman (1994: 277) argues that the "(p)reservation of cultural habits, ties, and some political loyalties to the old country are compatible with identity as an American" because the U.S. is a pluralist immigration society. Even Renshon has to acknowledge that attachment to former countries has always been a feature of U.S. immigrants. Nevertheless, Rhenson replies that in earlier times the immigrants put their American identity first, and even more important, the internal cultural cohesion within the U.S. was much stronger than today. In a context in which a country like the U.S. is in a "cultural warfare" (Renshon 2005: 178), dual attachments reinforces the centrifugal forces. This makes the development and maintenance of national attachments "no longer a matter of sociology, but of life and death" (Renshon 2005: 186).

Empirical data seems to support the critical stance of communitarians against dual nationality – at least at first sight. Staton, Canache and Jackson (2007a) found in their already cited study that dual nationals are 18% less likely to identify as Americans and 19% less

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[32]   In international law – especially the Protocol Relating to Military Obligations in Certain Cases of Double Nationality from 1930 – and in international treaties we find other principles for dealing with the issue of conscription for dual nationals. Both principles, letting the dual national decide in which state to serve and using the "habitual residence" criteria, are in accordance with a liberal democratic perspective. Another approach – double drafting – which is based on the argument that "double-dippers should be double-payers" (Legomsky 2003: 100), could be based on liberal and republican thinking. This principle is not applied nowadays (Legomsky 2003).

[33]   Renshon bases his argumentation on the most part on rather old literature in psychology. Furthermore, he transfers theories of individual psychology and identity without any reflection onto the collective level.

likely to consider the U.S. to be their homeland in comparison to single national immigrants. Nevertheless, when the authors tested whether the disconnecting effect of dual citizenship holds beyond the first-generation immigrants, they found it did not. From the second-generation on, no difference in self-identification between the two groups can be found anymore– almost all self-identify as Americans (Staton, Jackson and Canache 2007b). This second finding provides evidence that the problem of affective integration into the host community is not as big as communitarians believe.[34]

The problem of divided loyalties seems to be even more pronounced for dual nationals who take public offices. Renshon (2005: 202/203) provides many examples for U.S. citizens which held high political offices in other countries.[35] Although he also mentions Hussein Mohammed Aidid, a U.S. Marine Corps Veteran and one of Somalia's most powerful warlords, he concludes: "Still, most of those named above left the United States to serve their country of origin in what would be considered a productive way. …on balance [there is] no real problem that they do so, as long as their civic and citizenship rights are not exercised in two places at the same time" (Renshon 2005: 205). Nevertheless, since he provides examples for the latter phenomenon as well, he recommends that U.S. citizens should be fined if they seek office in another country without giving up their U.S. passport and that those who hold a public office in the U.S. should denounce their other citizenship. For Renshon, being politically active in two countries is problematic because of limited time and attention for each constituency, but especially because it leads to conflicts of interest. Whereas the first arguments (limited time and attention) directly lead to a rejection of dual citizenship which opens up opportunities for political activities in two countries, the issue of conflicts of interests can be solved with much more limited restrictions (see Spiro 1997. 1481-1483). Dual nationals might be barred from very sensitive positions or they might declare a conflict-of-interest in specific situations (like in international negotiations with the country of the second nationality) and stay absent from these specific tasks. Nevertheless, for communitarians, these pragmatic approaches are not feasible since they "neglect the psychological laws of attachment" (Renshon 2005: 207). From a communitarian perspective, loyalty to a specific political community/state is the central precondition for office holders and cannot be compromised.[36]

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[34]   Renshon might question the relevance of this finding because in the empirical study no differentiation was made between first identity and other identities. He is demanding not only some or partial identification but primary or predominant identification with the host country (Renshon 2005: 74).

[35]   The most widely mentioned example is Valdas Adamkus, president of Lithuania.

[36]   Surprisingly, even liberal advocates of dual citizenship sometimes accept this communitarian reasoning (e.g. Bauböck 2003: 33, Bauböck 2005: 22, and the members of the Comparative Citizenship Project working Group of the Carnegie Endowment for International Peace, see Aleinikoff and Klusmeyer 2002: 41). For example, Martin and Aleinikoff (2002: 80) mention that Adamkus gave up his U.S. citizenship before he became president of Lithuania and argue that this is what one could expect because of "political considerations."…"If not, both states concerned could properly bar dual nationals from holding such posts." From a liberal, a republican and a multi-cultural perspective, this reasoning is not convincing. From a liberal perspective, in which the representative is conceptualized in an

Beyond the reasoning from an oppressive and from a protective communitarian perspective, there is another line of thinking which can be called "developmental communitarism". This is because it focuses on the possibilities of dual citizenship for enhancing the solidarity with the national community. It can be found mostly in those countries in which international migration is mainly a phenomenon of emigrants and expatriates.[37] More and more of these countries allow dual citizenship in order to strengthen the cultural bonds and to facilitate socio-economic transactions of emigrants between the two countries (Jones-Correra 2001a and b, Escobar 2004, Itzigsohn 2007). This phenomenon contains two paradoxes: First, these policies are based on conservative notions of community and citizenship – ethnicity and *uis sanguinis* (Joppke 2005) – but they lead to a proliferation of dual citizenship which in turn undermines the embeddedness and enclosure of individuals in specific and single communities. Second, although expatriates and migrant sending countries draw on communitarian arguments (like cultural bonds) in order to demand or legitimize the acceptance of dual citizenship, the main motivations are clearly instrumental in nature: for sending countries the remittances and investments of their expatriates are economically important, for many expatriates economic considerations take centre stage in their motivation to acquire or to lobby for dual citizenship (but see Preston, Siemiatycki and Kobayashi 2007 who show that instrumental and intrinsic motivations for naturalization often interact). Nevertheless, it seems obvious that a pragmatic communitarian approach no longer perceives of emigrants as traitors, but rather as valuable members of the national community who can contribute to the socio-economic development of their country of decent. Accepting dual nationality not only allows these members of the national community to keep intact their formal ties to their original community but also to make these members even more valuable since their second nationality provides them with more options to serve their original community.

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instrumental way as somebody who should pursue the interests of the represented, somebody who has the option to vote in another country has an additional means to do this. If the fact that the office seeker is a dual national is openly presented, it should be up to the people to decide whether (s)he is a good representative for the constituency. It is up to the electorate to decide whether they weight the additional capabilities or the potential distraction of a dual citizenship candidate higher. The same is true for republicans who conceptualize representatives as trustees and expect political leadership. Dual citizens might be perceived as especially qualified as political leaders (because of their broader knowledge and connections) but they can also be seen as potentially disloyal to the specific community. Most consistent with a liberal and a republican perspective is a differentiated "conflict-of-interest" approach which would generally allow dual citizens to take offices but with restrictions for specific positions and situations. Whereas liberals and republicans should not bar dual nationals from seeking higher political offices but should leave it to the voters to decide whether dual citizens (which have to declare their dual citizenship) actually achieve these positions, from a multi-cultural perspective it should be institutionally secured/stimulated in political communities with high numbers of dual citizens. Multi-culturalism is akin to a theory of mirror representation in which dual citizens should be represented by dual citizens.

[37]   And in countries in which not the people but the boundaries "moved" and left people with ethnic bonds in other countries (the most important example is Hungary).

In the end, all involved communities might have to pay a price for allowing and even stimulating dual nationals as development agents. First, the migration receiving community gets less socio-economic and political investments from dual nationals than from immigrants who have given up their original membership (but more than from those who do not naturalize). Second, within the migrant sending countries, new cleavages are emerging between those with ties to another (wealthier) county and those without. In consequence, "developmental communitarianism" presents another paradox: although the problematic effects for community coherence seem to be more problematic for the sending countries than for the receiving countries, the sending countries are the ones who promote dual citizenship by adjusting their citizenship laws. The paradox is resolved if we disaggregate nation states and take into account that promoting dual citizenship is basically an elite-driven process – and often initiated by expatriates (Jones-Carrera 2001a).

In sum, whereas communitarian reasoning provides many deductive arguments against dual citizenship, the empirical reality shows that many problems are not as big as feared and that governments nowadays often accept a partial commitment of individuals to their national community. They no longer want to formally expulse those who obtain membership in another national community. Partial loyalty and solidarity often seems to be preferable than no loyalty.

Dual citizenship and multi-cultural democracy

A third strand in democratic theory in which collective entities take centre stage can be called multicultural democracy. With communitarians advocates of multicultural democracy share the assumption that social groups with a common culture[38] are central building blocks for a functioning society and democracy. In contrast to communitarians they emphasise the multiplicity of culturally defined groups. Liberal and constructivist accounts of multi-culturalism connect culture less with stability and tradition and much more as a phenomenon that is contextual and usually formed in opposition to hegemonic others. Membership is seen as voluntary, and the boundaries of cultural groups are conceptualized as fluid and overlapping (Benhabib 1996a, Kymlicka 1999: 84/85).[39] In consequence, multi-culturalists highlight the need for political recognition of group differences and for additional rights of minorities or marginalized groups (Kymlicka 1996, 1999, Young

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[38]   Although the term "multiculturalism" clearly points to culturally defined groups, I include into this approach not only theories which emphasize culturally defined groups (e.g. Kymlicka 1999, Gutmann 2003) but also those who put more emphasis on groups which are defined according to their "nature" (e.g. women, coloured people) or socio-economic position (classes). Multiculturalists conceptualize all those groups in a "relational" and not according to a substantialist logic (Young 1990: 82), which means that all these groups and their identity are constructed in a social process of distinction from (dominant) "others" and their existence and identity are not based on any essential or exclusive traits.

[39]   The less essentialist and the more socially constructed culture is conceptualized the more there is overlap between a multi-cultural and a deliberative democracy approach (Benhabib 1996b). A core difference remains, though, since multi-culturalism is primarily concerned with building and protection of communities/polities as such, whereas deliberative democracy is focusing on the policy-dimension of politics.

2000: 141-153). Whereas "recognition" is the more encompassing concept and focuses on symbolic and communicative measures, the call for specific rights can be translated into self-government or into special representation and affirmative action. This is undertaken in order to bring disadvantaged groups on an equal footing with the dominant group. Advocates of multicultural democracy expect from citizens and groups that they not only tolerate each other but that they value difference and diversity as something that enriches society (Spinner-Halev 2006, Galeotti 2006).

A multi-cultural perspective[40] is focusing on two different groups for which dual citizenship might provide political recognition and specific rights: a) migrants; and b) national minorities with strong (usually ethnic) ties to an external "kin state."

Allowing immigrants to naturalize while keeping their former nationality provides both: recognition of cultural difference and specific rights which provide them with additional leverage for political participation and representation. First, it is a symbolic gesture which indicates that the migrants are welcome and valued not only in their function within the socio-economic system, but as culturally distinct members of a pluralistic political community. Secondly, a second nationality provides them with political rights and power in order to make up for the disadvantages and discrimination they experience in the receiving society. What is problematic from a strict liberal perspective – double voting rights and the easier use of the exit option for dual nationals – is seen from this perspective as measures of affirmative action which compensate for their specific disadvantages and dangers. Migrants can use their voting rights in the country of origin to mobilize the government in that country to defend their interests and rights in their host country. Furthermore, the lower threshold for using the exit option is necessary in order to balance the typical danger that migrants face: xenophobia. Since xenophobia quite often does not only lead to socio-economic and political discrimination but endangers the physical life of migrants, dual citizenship seems an especially adequate measure since it facilitates a last remedy: escaping. The alternative, providing migrants with rights for self-government is much less adequate and feasible since migrants are neither a homogeneous group nor territorially concentrated to the extent that the boundaries of a jurisdiction with specific tasks for self-governing would not produce another significant minority problem. Furthermore, according to liberal advocates of multi-cultural democracy (e.g. Kymlicka 1999: 48) the ultimate goal is political integration (but not cultural assimilation) of immigrants and not political autonomy.

The argument that dual nationality is a compensation for socio-economic disadvantages, cultural discrimination and physical dangers builds upon the image of poor immigrants from third world countries as the typical candidates for dual citizenship. The argumentation is less convincing if we realize that dual citizenship is often a result of having parents with different passports or getting married with a partner from another country. It is even

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[40]   Major proponents of multi-culturalism like Kymlicka (1996) basically ignore the transnational ties of minorities and migrants. In consequence, dual citizenship as a potential tool for strengthening the self-determination of these groups is not addressed. Bauböck (2007: 96-104), who addresses the relationship between minority rights and transnational ties, is arguing from a liberal point of view and not from a cultural or group-based perspective.

less convincing if we look at those migrants which did not escape dreadful circumstances at home but which are highly skilled and lured abroad by well-paid job opportunities. Since many governments already add tax incentives to attract those "high potentials" it seems unnecessary to give them additional political rights in order to defend their interests. As already discussed in the section on liberal democracy the rights and capacities to "exit" is emerging as a powerful instrument for protecting the interests of the mobile in addition to "voice/vote". In consequence, we have to qualify the multi-cultural embrace of dual citizenship: Receiving countries have to provide dual citizenship primarily for those who are endangered to discrimination because of their cultural differences. There is no need to grant dual citizenship for mobile individuals (and culturally integrated children or spouses) who do not face any discrimination. Nevertheless, the "fluidity" of group boundaries in multi-cultural theory leads to an argument for granting all immigrants the right of dual citizenship. This is basically because all immigrants and not just the poor and culturally distinct are potential targets of xenophobia. The power to define the boundary between those who are in need for protection by the country of origin and those who are not should not given to the native population of the receiving country (or their representatives) but should evolve as a consequence of the decisions taken by the immigrants. According to the social-constructivist basis of multi-cultural democracy, it is assumed that these decisions are depending on the experiences within the receiving country and on the policies of the sending country in respect to accepting dual citizenship and in respect to diplomatic protection for dual citizens.

Whereas dual citizenship seems to be an adequate political instrument to help those migrants which face specific disadvantages and dangers in receiving countries,[41] the solution for national minorities who are territorially concentrated and have a traditional affiliation with a specific territory, is to grant them a certain degree of political autonomy and power sharing within a federal polity.[42] Granting members of national minorities the citizenship of an external kin state could be justified with the same argument as granting dual citizenship for migrants: the external government can be an instrument for protecting their rights and interests. Nevertheless, it is much more likely that such rights and activities constitute or are perceived as a threat to the territorial integrity of the nation state in which these minorities live. In consequence, it is found that dual nationality is unlikely to contribute towards a system of nested and shared sovereignty. Rather it is a step towards moving the

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[41]   Those who advocate dual citizenship as affirmative action for immigrants are faced with the same problems and paradoxes as the proponents of multi-culturalism in general. First, those polities in which minority rights are most needed (because minorities are most oppressed) are the least likely polities for granting them. Second, political recognition of difference and special rights might reinforce a discriminatory praxis since it highlights the differences and leads to a counter-mobilization of those who get no special treatment or rights.

[42]   With secession and not exit the last remedy if the majority is not reacting to the demands of the minority.

boundary between nation states (Bauböck 2007). It therefore is not a proper means to defend the interests and identities of national minorities from a multicultural perspective.[43]

In sum, multi-cultural democracy provides strong arguments for accepting and embracing dual citizenship as a means to compensate for the disadvantages and dangers that some groups of migrants face. It does not seem to be a productive measure for protecting national minorities with ties to an external "kin" state.

Dual citizenship and deliberative democracy

Deliberative democracy is another strand of democratic thought which emerged in opposition to the individualism of liberalism (Held 2006: 231-255, Bohman 1996, Dryzek 2000, Fishkin and Laslett 2003). But instead of relying on communities as conceptual fundaments of theory building it turns to communication as an anchor for conceptualizing legitimate polities. Whereas liberalism assumes authentic, exogenously determined, and rather stable individual preferences and focuses on the "aggregation" of these preferences through voting procedures, advocates of deliberative democracy put emphasis on discussion and argumentation which deepen participant knowledge and create an awareness of the interests of others. The institutional setting should facilitate the (trans)formation of individual preferences and attitudes (Held 2006: 231-255).[44] A consequent conceptualization of deliberative democracy applies the criteria of inclusiveness/congruence and equality not to individuals (as liberalism does) but to salient normative positions or to relevant discourses (Bohman 1996: 19, Dryzek and Niemeyer 2007).[45]

Can we deduce any normative arguments from deliberative democracy for or against the acceptance of dual citizenship? Does dual citizenship influence the quality of public discourses and/or the quality of individual preferences?[46] From a structural perspective, the positions of migrants and mobile people seem to be very valuable for the quality of public discourses within polities since those voices from the margins are seen as necessary coun-

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[43]   At the time this pages were written Russia used the argument that it had to protect Russian citizens in South Ossetia in order to legitimize its military intrusion into Georgia.

[44]   Whereas most advocates of deliberative democracy are influenced by Habermas' theory of communicative rationality and assume that public deliberation enhances rationality and consensus, advocates of a "discursive democracy" (Dryzek 2000) highlight the mobilizing effect of (antagonistic) public discussions. A similar cleavage within this strand of democratic theory evolves around whether reasonable argument should be "impartial" (Held 2006: 239-246).

[45]   As a result, deliberative democracy does much less rely on the drawing of boundaries among peoples/demoi and (cultural) groups in comparison to liberal, communitarian and multi-cultural approaches. In fact, the logic of boundary drawing in deliberative democracy is much closer to republican thinking. Whereas the latter exclude those who lack "public virtue", the former would exclude the uninformed, the unreasonable and the non-impartial. Nevertheless, republicanism is still much more anthropocentric since it connects virtue to specific individuals whereas the latter connects the boundary-markers to arguments in public discourses.

[46]   Please note that is not by accident that the public discourse is taken up before the individual preferences. Within a strict deliberative perspective the discourse takes ontological precedence to the formation of individual preferences.

tervailing forces which help to avoid "groupthink" and contribute to the rationality of the deliberative outcome (Dryzek and Niemeyer 2007: 4). Nevertheless, at first sight, dual citizenship would not be the prime instrument to make these voices heard. Formal membership is not as important within deliberative democracy as in other models of democracy since not individuals or groups have to be included but salient positions or relevant discourses. The salience of positions or the relevance of discourses does not depend on the membership status of the articulating person but on the quality of the arguments (the criteria for argumentative quality will be address below). In order to make the positions of immigrants heard in the receiving polity, deliberative democrats would first think about specific committees/councils representing non-citizens residents (Ausländerbeiräte) as already established in many municipalities. If the interests and identities of expatriates are seen as specific and salient positions which should be taken into account in their country of origin, a complementary measure would be not only to facilitate external voting but also to use the principle of discrete representation for non-resident citizens – which means that a certain number of seats in parliament are reserved for expatriates (Spiro 2006: 119-123, Bauböck 2007: 2432-2335). In sum, there are other, more direct means available than dual citizenship to make sure that the positions of non-citizen residents and non-resident citizens are heard in public deliberations.

Nevertheless, a second and closer look at the theories of deliberative democracy reveals that formal membership also matters. Most advocates of deliberative democracy conceptualize deliberation not as a substitute but as an addition to aggregation and stress the necessary connectedness between deliberative forums and formal constitutionalized polities in which all members decide on the basis of the majority rule (e.g. Bohman 1996, Aaken, List and Luetge 2004).[47] From an analytical perspective, deliberation has a triadic structure: it involves not only two speakers but also an external authority and/or audience (Risse 2004: 297-299). And this external authority or audience is not only crucial in implementing the outcome of a deliberative process. It also has a strong influence on the range of evaluative criteria which the speakers have to meet in their argumentation. Enlarging the audience or making it more diverse strengthens the "laundering effect" of public deliberation because more of the "unreasonable agreements" of in-groups are getting challenged and filtered (Bohman 1996: 101, with reference to Goodin 1986). Since membership in the demos defines the boundaries of the authoritative audience of public deliberations in democracies, the formal boundary of the demos is regaining importance within this democratic theory. Consequently, from a deliberative democracy perspective dual citizenship is important not so much for the quality of the input but for the quality of the outcome of public deliberations.

But will the outcome of public deliberations really improve by accepting people as members of the authoritative audience who are members of other authoritative audiences at the same time? Claus Offe and Ulrich Preuss (1991: 157/158) have introduced three criteria in order to judge a political will which has been formed through public deliberation: "ideally

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[47]   But see Dryzek (2007) who emphasizes the priority of informal discourses in contrast to formal constitutions as the constitutive elements of political order in a transnational world of governance networks.

it would have to be at one and the same time "fact-regarding" (as opposed to ignorant or doctrinaire), "future-regarding" (as opposed to myopic) and "other-regarding"(as opposed to selfish)." In respect to the first criterion, dual citizenship might produce ambiguous results. This is because we can assume that those who are members in two polities at the same time have less time to get thoroughly informed about the issues in each polity in comparison to those who are involved in just one (Renshon 2005). This makes it more likely that the quality of public discourses is lowered. On the other hand, those who are also addressed by speakers of public discourses in other countries are very likely to be better informed about all the issues which have a transnational dimension. Therefore we can conclude: the more policy decisions are dependent on transnational "facts," the more it is likely that dual citizenship contributes to a fact-regarding outcome of public deliberations.

The other two criteria point into different directions: On the one hand, it seems quite obvious that the inclusion of dual citizens in the audience of deliberative processes makes it more likely that the arguments used, and the outcome that is produced, are more "other-regarding." On the other hand, it might well be that they are less "future-regarding" since for dual citizens it is more easy to escape the long term consequences of decisions in one polity by retreating to the other polity (Bauböck 1994: 88, Aleinikoff and Kluesmeyer 2002: 30/31).

In sum, we can conclude that for deliberative democracy accepting the formal status of dual citizenship can influence the quality of democracy mainly because it expands and diversifies the authoritative audience of public deliberation. This expansion and diversification is enhancing the quality of policy making in as much as these policies have transnational causes and consequences. Dual citizenship contributes to a phenomenon that we might call "presentism" – individual and collective will formation is more influenced by a multiplicity of current occurrences in many places of the world and it is less determined by past experiences. It has a shorter time horizon into the future. Whether this has to be judged positively or negatively is open for dispute.

Dual citizenship and cosmopolitan/transnational democracy

The notions of cosmopolitan or transnational democracy have only recently (re-)gained salience in normative political theory. Whereas the first term – cosmopolitan – is the more prominent and well-developed approach, I will put more emphasis on the ideas which are connected to the latter term because dual citizenship has clearly more affinity with "transnationalism." Advocates of cosmopolitan democracy (Held 1995, Archibugi et al. 1998, Archibugi 2004) propose the establishment and democratization of formal institutions on multiple levels. Cosmopolitans focus on the rule of law and on a global constitutional framework that establishes step by the step civic, socio-economic and political rights of a global citizenry. They build their arguments on the history of national democracy in which the rule of law most often preceded political participation and in which political institutions created a demos and not the other way round (Archibugi 2004). Such an understanding of constitutional cosmopolitanism, with its strong emphasis on the establishment of a legal order and formal institutions on the supra-national level, had its peak during the op-

timistic 1990s and is continually being reinterpreted at the beginning of the 21st century. The focus on levels of democratic governance within a supra-national legal order is superseded by a new focus on both the interpenetration of various levels (vertical interpenetrations) and on transnational governance and community building (horizontal interpenetrations). The new guiding images for thinking about governance and democracy are "hybridity" instead of "complementarity", asymmetric "empire" instead of symmetric "(con)federalism", "glocalization" instead of "globalization" and "transnationalism" instead of "internationalism" or "supra-nationalism" (Vertovec and Cohen 2002, Benhabib 2004, 2006, Bohman 2006, Beck and Grande 2004/2007).

Until now, no elaborated normative model of transnational democracy has been produced.[48] Nevertheless, it seems clear that dual/multiple citizenship can play a major role for such an endeavour especially in approaches which focus on the horizontal processes of transnational interpenetration and hybridization. It is only when we combine the rapidly growing insight that the world order in the 21st century will not follow the idea of constitutional (con-) federalism but resembles the structural features of empires that we can decipher the fundamental importance of dual citizenship[49]. Constitutional federalism assumes a formal and symmetric relationship among the constituents. In contrast, the political order of empires is characterized by informal and asymmetric relationships between centers and peripheries.[50] Not only the United States of America, but also the European Union, Russia

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[48] The model of transnational democracy that John Dryzek (2006) is advocating is just taking his concept of "discursive/deliberative democracy" into the transnational realm. He is focusing on the representation of discourses as crucial inputs into deliberative processes. His approach is dualistic and not triadic since the audience does not play a conceptual role. Furthermore, he downplays the importance of formal institutions (Dryzek 2007). In consequence, his approach to a transnational discursive democracy is ignoring the relevance of formal membership and does not provide any normative arguments in favor or against dual citizenship. The approaches of James Bohman (2006, 2007) and Seyla Benhabib (2004, 2006) put much more emphasis on formal citizenship rules, but by focusing on Europe they are concentrating on the vertical interpenetrations between European citizenship and national citizenship and on the processes of disentangling voting rights from citizenship rights. Blake (2007) correctly calls this "territorial parochialism" which is geared towards the integration of outsiders into the residential community ignoring those citizens who keep their foreign (formal and informal) ties.

[49] Ulrich Beck and Edgar Grande (2004/2007) are among the few social scientists whose writings imply that empires can be democratized. First, they conceptualize Europe as an empire by going beyond the European Union including those neighbor states who are in an "extended zone of political order" (Beck/Grande 2004: 101, Beck/Grande 2007: 63). In order to democratize the European Empire they recommend direct interventions of citizens through European referenda; the inclusion of neighbors of the EU by opening up EU-institutions for representatives of foreign states or civil societies; the recognition of difference by sticking to consensus instead of majority vote as primer decision making rule and institutional checks and balances as main mechanisms of political control (Beck and Grande 2004: 350-357). They ignore dual citizenship as a mechanism that can contribute to many of the goals that their recommended measures are hoped to accomplish.

[50] By stressing the central importance of asymmetric relationships between central and peripheral states for our understanding of the term "empire" we make clear that we do not fol-

and China (and also other countries on a lower geographic scale) use their military, economic, communicative and political power in their relations to other countries. They use these powers to forge international regimes and national adaptive regulations which help to perpetuate their favourable position within these relationships. The European Union, for example, uses it's "neighbourhood policy" not only to spread its norms and values but demands specific measures and regulations from its neighbours that serve primarily its own interests (Lavenex 2004).

From a transnational democratic perspective, migration from the peripheries to the centers opens up the most promising perspective to counter the inequalities in political influence which emerge from the asymmetric nature of influence in empires. Migration can be seen to a large part as the corresponding "counter-flow" to the asymmetric flow of influence between imperial centers and peripheries. Giving immigrants from peripheral states a citizenship status and the right to vote in the central states of empires provides peripheral political communities with a bottom-up tool *within* the central states that counterbalance their inferior position in international negotiations *between* states. If immigrants from peripheral states are accepted as full members of the central states and have a full voice/vote they influence the formation of the "national interest" of these central states. If we assume that the national interest is an aggregation of the preferences of the members of the nation and also the result of public deliberation in which speakers have to address all members of a nation as the authoritative audience, such an inclusion brings the "national interests" of central states closer to the interests of peripheral states. Overall, the inclusion of immigrants from the peripheral states into the demos of core states leads to a more inclusive and just representation of all individuals and their interests which are affected by the formal and informal regulations within transnational empires.

Before we go into the details of this conception of transnational democracy it seems worthwhile to stress the differences between the multicultural and the transnational endorsement of dual citizenship. Whereas from a multicultural perspective dual citizenship provides the legal foundation for allowing the sending country to support its (potentially) discriminated and endangered emigrants in receiving countries, dual citizenship within a transnational perspective strengthens the opportunities for emigrants to support its marginalized country of decent. What is decried by communitarians as unacceptable external influence on domestic politics (Huntington 2004, Renshon 2005) is not only acceptable but normatively desirable from a transnational democracy perspective. When central states accept the voice/vote of immigrants in their will formation they explicitly recognize the strong transnational consequences of their own policies.

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low the post-territorial and post-structuralist concept of Hard and Negri (2000, 2004). Instead, we stay closer to the World System Theory of Wallerstein (1974) – without necessarily sharing his Marxist conceptualization of the world economy and his strong economic determinism - and the debates about the imperial nature of the United States (e.g. Howe 2003, Ferguson 2002). Beyond the latter discussion, it is getting increasingly clear that the 21st century is characterized not by the absolute hegemony of one imperial power but by the competition among a multiplicity of empires – as has been the case during most of

Why is the right to dual citizenship for migrants from peripheral to central states the most adequate way for democratizing imperial systems? First, migration flows are the best available proxies for revealing asymmetric flows of influence within transnational imperial relationships. In consequence, they are one of the most adequate criteria for recalibrating the congruence principle which holds that those who are (negatively) affected by policy-making should be included in the policy-making process.[51] Second, I argue that accepting migrants as representatives of those who are affected by externalities of policy-making in central states is not only the more realistic option in comparison to providing all people in the periphery with the right of political participation in the core states, it is also the structurally more adequate solution. This is because it corresponds to the informal and transnational nature of influence from the centres to the peripheries and takes also the formal sovereignty of peripheral and central states into account. Finally, I argue that in contrast to cosmopolitan concepts of democracy beyond the nation states, a transnational approach with a focus on dual citizenship is not only more realistic because it corresponds to the asymmetric structure of the world system but is also normatively superior because it is a bottom-up approach in which people and not lawyers play the most important role.

First, we have to clarify our understanding of "centres/cores" and "peripheries" in imperial relationships. In contrast to World System Theory (Wallerstein 1974) I apply a strictly dyadic concept of "center/core" and "periphery". Individual countries do not have a clear and rather stable place within "zones" (cores, semi-periphery and periphery according to Wallerstein) but their position is specific to every state dyad and not as stable as assumed in World System Theory.

Second, there are at least two policy fields where the relationships between countries are characterized by asymmetric flows of influence. The first one is economic development and welfare. The current situation is characterized not only by the fact that some countries possess stronger economic resources and capabilities than others but also by strong economic interdependencies among countries. In consequence, the economic prosperity and development of individual countries is not only dependent anymore on endogenous factors but is influenced strongly by transboundary flows. If we follow those who belief that transboundary economic interaction is not so much characterized by mutual interdependencies and symmetric power relations but by one-sided dependencies and asymmetric

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modern history if we do not look at the formal principles of sovereignty but at the factual interdependencies in the world.

[51]   For other elaborations on the question how to secure the congruence principle in transnational relations see for example Held (2004) and Agné (2006). Agné (2006) provides some examples which illustrate that the principle that all those who are affected should be included in democratic decision-making cannot hold. Nevertheless, all these examples point to cases in which those who were not participating in democratic decision-making were positively affected. If we adjust the principle slightly, the principle still holds: All those who are at least partly negatively affected should be included. Our proposal is fully consistent with such an adjusted principle because only migrants whose migration is triggered by negative effects of asymmetric influence from the core states to the periphery should be included in the decision-making process of the core states. If the policy of core states has only positive effects on peripheral states there would be no (relevant amount of) migrants.

power relations, we discover a world of asymmetric flows of influence. In respect to capital, goods and know-how, we witness asymmetric flows from core to peripheral states – in respect to human capital, in contrast, we discover asymmetric flows from the peripheral to central states. Labour migration reflects the asymmetric relationships of influence which result from economic interdependence.[52] This counter-flow of people opens up the opportunity to conceptualize migrants as legitimate representatives of those countries which are negatively affected by economic asymmetries.

The following example indicates that our dyadic and dynamic understanding of "core" and "periphery" makes the right to dual citizenship for migrants not only a instrument for transnational democracy between the developing to the developed word. Instead it is a universal approach which is relevant and justified for all transnational relationships. In the relationship between Germany and Turkey, the former state had (and still has, but less clearly) a central position and the latter a peripheral, but Turkey has its own peripheries defined by those neighbouring countries which depend economically on Turkey and from which people move to Turkey for economic reasons. On the other hand, in the relationship with many of its smaller neighbouring countries (Switzerland, Australia, the Netherlands, and Denmark) Germany has slipped into a peripheral role in recent years, since significant differences in economic growth have led to strong labour market induced migration flows from Germany to all these countries.[53]

Not only in respect to economic welfare but also in respect to security we can identify a line of argumentation which leads to the conclusion that the migrants from the periphery – in this case refugees and asylum seekers – should be given a formal voice/vote in the central states in order to fulfil the democratic principles of inclusion and justice. Within a system of competing empires peripheral states are often the battle grounds (with more or less violence and military conflict) on which the central states try to expand their sphere of influence. Providing the battle ground countries with a voice within the centers of empires is at least as justified as for the economic periphery.[54]

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[52]   Since states do not only regulate naturalization but also immigration, the real flow of migration is not fully mirroring the economic asymmetries in comparison to an equilibrium based model of free flows of human capital. Nevertheless, it is certainly one of the best proxies we have in order to map economic asymmetric interdependencies among countries.

[53]   These developments have partly been a result of shifting informal economic power relations among these states. On the one hand side, through the establishment of the European Central Bank and the joint European currency Germany lost its major instrument of informal imperial economic influence in Europe. On the other hand, the small neighboring countries strengthened their competitive edge by attracting companies and highly skilled people with tax incentives during a time period in which Germany could not follow these policies because of the burdens of German unification.

[54]   Since not all (civil) wars can be appropriated to the power struggles between the centers of empires and since most (civil) war refugees end up in neighboring countries which do not have to be in a central position vis-a-vie the battle field country, this kind of migration flow is certainly not an optimal form of representation of those who are negatively affected in asymmetric relationships based on military power. But also here, it seems to be one of the best available proxis.

If we accept that peripheries which are negatively affected by asymmetric flows of influence from the core states should be represented in the political decision making process in these core states, why not giving all interested people in the peripheries the right to vote in core states? In the following I want to show that providing only migrants with such a right is the structurally more adequate conception of transnational democracy because the participation of migrants corresponds much better to the structural features of influence in present-day empires. For the characterization of the structural features of present-day empires, I follow Beck and Grande (2004: 86-100) who argue that the structural order among the political entities within empires is based on a mixture of *formal-symmetric* and *informal-asymmetric* relationships. The peripheries are not subordinated to centers within a formal hierarchy. They are legally sovereign and equal. The international relations between central and peripheral states are characterized by formal equity and the need for consensus in order to reach international agreements. Nevertheless, different levels of socio-economic capabilities and military power between centers and peripheries lead to asymmetric informal relationships. These asymmetries can be played out in international negotiations between states but much more important is the fact that they unfold their power in the transnational realm of socio-economic and military transactions. Asymmetries in capabilities translate in asymmetric interdependencies. In consequence, peripheries have to adapt to the interests and norms of the cores much more than the other way round. Nevertheless, it is important to realize that peripheries have formally the right to use their political sovereignty to resist these pressures and not to adapt their norms and behaviour to the interests and values of the core states. The higher the transnational interactions and the higher the asymmetries between centres and peripheries in respect to these relationships, they higher the price the peripheries have to pay for resistance in respect to prosperity, stability and security.

Conceptualizing immigrants from peripheral political communities as the representatives of these communities by granting them dual citizenship in core states corresponds strongly to these structural features. The justification for accepting the votes/voices of the representatives of the peripheries in the political process in the centers is based on the recognition of a relationship of influence that is informal and asymmetric. The fact that the relationship of influence is *informal* and is working primarily through *flows in the transnational realm* (especially financial investments and informal military support) leads to proposing that political representation and participation should also be based on a transnational flow – the flow of immigrants from the periphery to the centers.

The formal independence of peripheral (and central) states should be mirrored by a regulation which holds that individuals should have political rights only in those states in which they are citizens. In consequence, not all citizens of the peripheral states should be included in the decision making process in central states although all might be affected. Structurally, such an inclusion of all citizens of peripheral states into the demos of core states is not justified because peripheral states are legally sovereign, which means not only that they have the formal right to resist the influence of core countries but also that they them-

selves do not grant citizens from core countries any rights of political participations.[55] The idea of conceptualizing dual citizens as representatives of peripheries in core states allows inhabitants of peripheries different kinds of reaction to being exposed to (negative) influence from core states. Instead of adapting to and/or resisting the external influence at home, they can try to move to the source of this external influence in order to influence the polities of the core country and/or in order to adapt to these policies in the core countries.[56]

If we assume that labour migration is a reaction to differences in economic prosperity which is partly a result of asymmetric economic power, it follows that these migrants are legitimate representatives of those countries which are negatively affected by these asymmetries. Since the differences in economic prosperity are *not only* the results of asymmetric power relations between the states but is still influenced by endogenous processes to a large degree, it would be inappropriate to give all citizens of peripheral states a say in central states. The amount of people who migrate from a specific peripheral state to a specific core state does certainly not correspond exactly to the level of influence from the same core country to the same peripheral country but it comes certainly closer to a correct reflection of the level of influence in comparison to the two alternatives: including no people from peripheral states or including all people from peripheral states.

Another argument why migrants should be seen as the best available representatives of those who are negatively affected from asymmetric influence and policy-making in the centre is the salience and comprehensiveness of the act of migration. Migration is a reaction to a problematic situation that comes with many costs and risks – therefore, it is an indicator for strongly affected interests. It is not only more appropriate but also much more politically feasible to accept only those who are strongly negatively affected as members of the demos in core states.

The inclusion of all citizens from the periphery into the demos of the central states is also not justified since this would destroy the legal sovereignty of these states which is a precondition for democratic self-determination and non-domination. Sovereignty demands a formal definition of membership in order to make the aggregation of individual preferences into a collective will possible. Formal membership has to be explicit but not exclusive which means that only citizens should be included into the demos but these citizens can have an additional citizenship. From the formal autonomy of central states follows, that they can set the rules for immigration and for naturalization (and for other means to enter the citizenry, e.g. by birth or by marriage). Nevertheless, the proposed concept of

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[55]   From a structural perspective which is focussing on relationships of power and influence, peripheries should not grant these political rights to citizens from core states because the differences in socio-economic and military capabilities would even more directly been translated in political power.

[56]   Whereas both processes of adaptation (at home and in the core countries) represent non-political and individualistic reactions to a transnationalizing world, resistance at home and representation of peripheral interests/identities in the core state form the two basic options for political and collective reaction. The first political reaction is a conservative one which tries to stop the process of transnationalization, the second represents a progressive reaction that stimulates and stabilizes processes of transnationalization.

transnational democracy leads to the following normative guidelines which have to be taken into account:

a) in order to avoid a formal asymmetry between "servants" and "citizens" within the central states, there must be low hurdles of naturalization for all those who have been officially accepted as immigrants (Walzer 1983);[57]

b) in addition to established reasons for allowing immigration (humanitarian and self-centred economic reasons), central states have to accept immigrants from peripheral countries, when those can provide evidence of influence from central to peripheral states which affected them negatively. Whereas the proof of negative effects can be most easily proven in the case of military interventions, it might be much more difficult in respect to economic influence. Nevertheless, a right for immigration based on such a justification would carry the discussion of negative consequences of transnational influence into the juridical, public and political arenas of central states.

c) In order to facilitate naturalization and to keep ties to the sending countries, dual citizenship has to be fully accepted.

Many more aspects would have to be discussed (e.g. whether the right to dual citizenship should be granted only to migrants from peripheral to central states or to all migrants) before this idea could be translated into specific policies and laws. This is not the place for doing this. Instead, I would like to point to an important feature of this proposition: A conceptualization of transnational democracy that concentres on granting migrants from peripheral states dual citizenship in order to allow them to represent the interests and values of these peripheral states within the core states is clearly a transnational concept and a bottom-up approach to democratization beyond the nation states.

Thinking of dual citizenship as a means to democratize imperial relationships represents a truly transnational idea since it involves no supra-national level and it is citizens- and not government-focused. Dual nationals from peripheral countries are not envoys of the governments of peripheral states. First, they are probably more committed to specific communities than to the government of the countries from which they emigrated. Second, dual citizens do not have to act as representatives of peripheral states. They are free not to be politically active at all or to combine the interests that develop as a result of their embedding into the community and polity of their current place of residence and the interests of the community of decent. How far they include the perspectives and interests of their current community/polity in their individual identities and interests probably depends strongly upon how they are treated in the receiving country. From a transnational democracy perspective, quick naturalization and dual citizenship would not be seen as a tool for integration/assimilation but primarily as a matter of justice. Nevertheless, by doing this the receiving central polity sends a signal of respect for the needs and interests as well as a

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[57]   The more asymmetric the economic exchange is between states, the more the core states experience a labor shortage and have an economic interest in immigrants. The obligation to grant these immigrants (immediately) citizenship rights would counter the current tendencies to complement the asymmetric relationship between states (centers and peripheries) with an asymmetric relationship between the residents of core states (citizens and servants).

signal of appreciation for the political involvement of "the other" to the immigrant and to the peripheral country. It can therefore expect a reciprocal respect from the immigrant and the sending communities/polities for the interests and political order of the receiving polity. Whether these expectations would be fulfilled is an open question since currently there exists no open discourse which would conceptualize immigrant dual citizens as legitimate representatives of peripheral countries.

Overall, whereas cosmopolitan constitutionalism characterizes the top-down route to transnational democracy with lawyers in the driver seat, dual citizenship can be seen as the bottom-up approach with (mobile) citizens taking the most active role. It has to be stressed though, that law (formal regulations and not informal discourses) and the nation state (and not post-national communities) play a crucial role and would not be overcome. It is the nation state that formulates its citizenship law – but it is *de facto* not a sovereign nation state anymore. As both the US and Germany in particular have experienced, citizenship laws in other states have a strong influence on their own citizenship regime (Martin and Hailbronner 2003). From the view of transnational democracy, the states which are central in imperial relationships should accept dual citizenship as a mode of representation of the interests of peripheral communities within their own polity. This demand is primarily a matter of justice but it is also in the long-term self-interest of core states since it provides them with an internal sensor that contributes to developing better relationships with foreign countries. The United States comes closest to already fulfilling this demand for transnational democracy. Even without formally accepting dual citizenship (but de facto tolerating it) it has a long tradition in being open to immigrant influence on their foreign policy (Smith 2000). Of course, the incorporation of immigrants in the process of formulating the foreign policy is no guarantee that the foreign policy is more respectful to *specific* peripheral countries because there are plenty of peripheries with different interests and different levels of influence.

Summary and conclusion

The regulation of membership is a constitutive and therefore fundamental aspect of democratic self-determination of political communities. And the acceptance or promotion of dual citizenship represents a crucial step away from the conceptualization of political communities as exclusive and non-overlapping entities – a conceptualization that was dominant in the 20th century.[58] The fundamental importance of dual citizenship is a first reason as to why we should not be surprised about public controversies which arise in many countries. The overview of arguments in favour and against dual citizenship which is provided in table 1 adds a second reason: We found not only between, but also within, the six theories of democracy always argument in favour and against dual citizenship. In consequence, neither the advocates nor the sceptics can claim that the other side has no normative foundation for their position.

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[58]   Although, like Steven Krasner (1999) has shown for the principle of sovereignty, the reality of the principle of exclusive membership has also always been characterised by hypocrisy, since in many countries there has been a gulf between the *de jure* and the *de facto* norm.

At a closer look, half of the theoretical perspectives lead to a rather clear tendency in respect to the question whether dual citizenship should be accepted or not. The only perspective which clearly favours a negative stance towards dual citizenship is the communitarian one. Multi-cultural and cosmopolitan/transnational perspectives, on the other hand, embrace dual citizenship. The arguments that speak against these dominant conclusions within these three approaches question the empirical salience or instrumental adequacy of the dominant conclusion – they are not arguments which are based on a similar strong normative foundation as the main arguments.

The situation is not as clear-cut with the other three perspectives, although all tend towards an endorsement of dual citizenship: From liberal democracy, we can deduce one of the most powerful arguments in favour of dual citizenship: it is a major step in order to come closer to fulfil the congruence principle which states that all those who are subject to authoritative rule should have a right of participating in making these rules. Nevertheless, if we recognize "exit/entry" as an additional option to express political preferences and to control governments and dual citizenship as the legal fundament to make this option available, another core liberal principle, formal equality, is violated because mobile people with dual citizenship have not only *de facto* more options but *de jure* more political rights than sedentary people with mono citizenship.

A republican perspective, as we have defined it, entails a clear tendency in favour of dual citizenship. Nevertheless, beyond the fact that many theorists conceptualize republicanism as having more overlap with communitarian principles, systematic empirical evidence, which is crucial in this case, is not existent.

Finally, the conclusion that I derive from deliberative democracy for dual citizenship is a quite differentiated one. The inclusion of dual citizens in the authoritative audience of public deliberation enhances the informational quality of public deliberation only if the debated issues have transnational causes and consequences. This is increasingly the case for most policy issues. The price for taking better account of the interests of "others" beyond state borders might well be a reduced weight of long-term consequences of political decisions (whether the fact that internal "traditions" do not weight so strongly anymore, should be seen as problematic, is very doubtful).

Overall, within established and recent theories of democracy more and stronger arguments can be found which speak not only for the informal acceptance, which we already can observe in many countries, but for the active and official promotion of dual citizenship. On the other hand, it seems normatively acceptable for political communities to include specific qualifications in their citizenship laws. In the public deliberations which should precede the formal decisions on citizenship regulations of specific political communities the rights, identities and interest of the members as well of "the others" should be taken into account.

Table 1: Democratic arguments for and against dual citizenship		
Theory of democracy	Argument in favor of dual citizenship	Arguments against dual citizenship
Liberal democracy	• Dual citizenship is the most important step in order to secure the congruence principle	• Dual citizenship violates the principle of formal equality in political participation
Republican democracy	• Dual citizenship opens up more opportunities for political participation which strengthens the capacities and legitimacy of polities • It is quite likely that dual citizens are indeed politically more active if we take into account all relevant political arenas	• Dual citizenship leads to lower average levels of political participation in each nation state which undermines the legitimacy of these polities
Communitarian democracy	• No strong empirical evidence for suspected dangers • Communities can accept less than full solidarity and loyalty (especially if confronted with the alternative of no solidarity and loyalty)	Dual citizenship endangers: • a coherent identity of individuals, • homogeneity of social communities, • solidarity within social communities and • loyalty to political communities (patriotism)
Multi-cultural democracy	• Dual citizenship allows external governments to help their emigrants if they are discriminated • Exit as an adequate option for escaping xenophobia	• Not all immigrants face discrimination • Counterproductive effects of external intervention and affirmative action
Deliberative democracy	Dual citizens as members of the authoritative audience of public discourses *enhance the quality* of collective will formation within every polity: • if the policy issue has strong transnational causes and consequences; and • because it makes deliberations more "other regarding"	Dual citizens as members of the authoritative audience of public discourses *reduce the quality* of collective will formation within every polity: • if the policy issue has no or minor transnational causes or consequences; and • because it makes deliberations less "future regarding"
Transnational democracy	• Dual citizenship gives members of peripheral polities a voice/vote in the will formation of central polities • It is the most realistic and conceptually adequate means to democratize asymmetric and informal "imperial" relationships among polities	• Dual citizenship is only a second best option in comparison to symmetric and formal cosmopolitan constitutionalism • Migration flows do not adequately counter-reflect the flows of influence among polities

In addition to this rather classic plea, the newly emerging differentiation between the mobile and the sedentary has to get more attention not only in normative discourses and political decision making. In all three established theories of democracy we discovered that established ways of thinking are being challenged by this phenomenon. Liberal theorists have to reflect on the status of a rights-based exit/entry-option and its consequences for the principle of formal equality. Republicans have to discuss how to conceptualize the boundaries of polities and whether the principle of non-domination is more relevant in respect to the dangers of socio-economic domination (through global capitalism), military domination (through the resurgence of authoritarian powers) or through "normative" domination by supra-national organizations like the WTO (the latter seems to be the main perspective of Bohman 2007). Especially, if the conceptual boundaries of "republics" are drawn between political and socio-economic entities, and the danger of domination is identified in global capitalism, membership and participation in *all* political communities and arenas has to be seen as virtuous and as strengthening republican democracy. Two core elements of modern communitarianism are challenged by the rising valuation of the Diaspora: the priority of the residential community and the singularity or exclusivity of belonging to one and only one community.

Dual citizenship and the emergent differentiation between the mobile and the sedentary represent challenges and opportunities for the more recent theories of democracy, as well. Transnationalism expands the perspectives of multi-cultural reasoning beyond the confines of the nation state. On the other hand, multi-cultural thought can help to ground conceptions of transnational democracy on the basic assumption of asymmetric relationships among the constituent entities. In contrast to cosmopolitan democracy, transnational concepts of democracy take asymmetric relationships among nation states into account and give (mobile) citizens (and not lawyers) a major role in the process of democratizing a globalizing world. Also in respect to the theories of deliberative democracy, the discussion on dual citizenship highlights another audience of (transnational) discourses beyond the usual formal political authorities and powerful business corporations: the citizens! But citizens should neither be conceptualized as homogeneous collectives nor as a collective counterforce against institutionalized forces (the multitude in Hardt and Negri's account) but as an authoritative audience which contains and reflects the same tensions between the sedentary and the mobile that we find between political institutions and between socio-economic corporations.

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