



What is Citizenship for?

Citizenships and Naturalization in Latvia

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Chapter One

Introduction

Citizenship has been a sought-after status by members of groups who used to be excluded from citizenship – workers, women, ethnic minorities (Marshall 1950; Bloemraad 2004:390). To be included into the citizenry means to ‘count’; citizens, unlike subjects in authoritarian regimes, have a say in decisions affecting them. The “quest for inclusion” (Shklar 1991) has a long history, and citizenship seems to be a given in contemporary democracies – as Kivisto and Faist claim, citizenship is democracy’s “twin sibling” (2007a:3). States confer citizenship, it is what they need to do to be a democracy, and people are citizens, either by birth or by naturalization. Indeed, most people resident in democracies are citizens. Some may be citizens of a state other than the one they live in, but citizenship is a common and widespread form of political membership.

What happens, however, when citizenship is not a given but an option? Are people eager to become citizens and is the state eager to confer it? This study analyzes a case – Latvia – in which citizenship, due to historical and political circumstances, has become an option rather than a given for a sizeable part of the population which challenges our understanding of citizenship as a progressive and desirable status.

What is citizenship for, what needs does it satisfy, what functions does citizenship perform? I aim to answer these questions by looking at two subordinated sets of questions:

- (1) Why does the state need citizens; why does it use citizenship as the form of political membership that it gives to people as opposed to some other status of membership? How does the state go about encouraging (or discouraging) people to naturalize, and
- (2) From the perspective of non-citizens, is citizenship deemed valuable and worth adopting or not, and why? What are the goods that people need citizenship for?

These questions emerge out of an understanding that citizenship is not a given status, but one which, presented as an option, satisfies some needs, but not others. The question ‘What is citizenship for?’ might seem too simple and mundane to ask about citizenship, a concept that has been researched empirically and theorized extensively over the past two decades. I believe, however, that the question seems simple and mundane because we have been accustomed to thinking of citizenship as a given. This, in turn, obscures the benefits of citizenship and disables us from spelling them out.

The assumption of citizenship as a given is challenged by the given case. The underlying puzzle of this study is that people, who would be eligible to naturalize

and enjoy the rights that citizenship of a state offers, choose to not naturalize. This book shall offer some insights into why this is the case and why citizenship, an important means to enjoy rights and a marker of membership, is not valuable to these individuals. Conversely, I ask how the state goes about encouraging people to naturalize, and why it is (not) interested in residents being citizens. I look at both people and the state because I think of citizenship as a relationship (Tilly 1999:252; Lister 1997:3); as Lister (1997) notes, one is a citizen *of* something (see also Bosniak 2000:465).

The problem

The collapse of the Soviet Union had implications both for former Soviet citizens and the fifteen Soviet successor states. The latter needed to find out who their citizens were; the former were, depending on the choices their state of residence made, turned into citizens of a successor state, or, as in the case that I analyze, initially put into a legal vacuum. Brunner describes the citizenship issue in the post-Soviet states as “one of the most explosive problems of domestic and foreign politics in Eastern Europe” (2001:113), due to the presence of the “living relics of the Soviet period” (van Elsuwege 2004:1). Laitin describes Russian-speakers’ experience in the non-Russian republics after the collapse of the Soviet Union as a “cataclysm that has but few analogies. (...) Things fell apart for Russian-speakers in these republics because their center did not hold” (Laitin 1998:ix). One thing that did not hold was their citizenship – along with the Soviet Union, Soviet citizenship collapsed.

For many states, there are straightforward answers to the question of who its citizens are. Citizenship is conferred either through birth or through a legal process called naturalization. If citizenship is acquired at birth, it is either through blood (*ius sanguinis*) or territory (*ius soli*) (Weil 2001:17): parents transmit citizenship to their children, or a state automatically declares children who are born within its borders as its citizens. States know who their citizens are because they know who their citizens were. *That* citizenship is acquired in the first place right after one’s birth is not an issue in many places of the world and certainly not in Europe, it simply happens. However, an estimated number of 15 million¹ stateless people worldwide suggests that citizenship is not self-evidently given. Statelessness has different causes – while

1 There are different estimates of how many people are stateless. The UNHCR has estimated in 2002 that there were 8.9 million, the 2003 and 2004 estimate was one million; in 2005 it estimated simply “millions”. The 15 million estimate was made in 2006 (van Waas 2008:9–10).

there are “technical causes” that can result in stateless individuals², state succession has the potential to make whole groups of people stateless. Since citizenship conventionally is tied to statehood (Ziemele 1998:248), a state that collapses poses problems for people in terms of their citizenship; and it requires successor states to make decisions about who to accept as citizens from among those residents whose state had disappeared. When the Soviet Union collapsed, approximately twenty-five million Russian-speakers were living in what were now former Soviet republics (Kolstø and Edemsky 1995). People remained even after the state that had given them citizenship had disappeared, so what state did they now belong to?

The newly independent post-Soviet states handled citizenship questions differently (for an overview, see Barrington 2000; Brubaker 1992, 1994; Smith 1996c). Latvia restored, rather than established, its statehood upon the collapse of the Soviet Union, arguing that the Latvian state might not have existed *de facto* during Soviet times, but *de jure*. Accordingly, there was no need to define a citizenry since the citizenry was there, and the task was to *restore* citizenship to the citizenry (Brubaker 1992b:278). This was also the stance taken in a resolution passed in 1991 and the law on citizenship which was passed in 1994. This implied that almost 30 percent of the population – Soviet citizens who could not draw on 1940 Latvian citizenship – were initially not eligible for citizenship. While “[b]eing a citizen is (..) an extraordinarily complicated business” (Heater 1999:79), *not* being a citizen is a complicated business also. Indeed, the initial ineligibility for citizenship meant that people were stateless and statelessness implies a disadvantaged, even dangerous condition (Blitz and Lynch 2009; Weissbrodt and Collins 2006; van Waas 2008).

The initial legal vacuum that those ineligible for Latvian citizenship found themselves in, was abrogated in 1995 when non-citizenship was introduced as a legal status. This status gave former Soviet citizens a legal status that included the right to permanent residence in Latvia, but no voting rights. Also in 1995, a naturalization process was initiated. Non-citizenship was intended to be a temporary construct as it was expected that people would either naturalize or leave Latvia and adopt citizenship of another state (Krūma 2010a:1). However, the pace of naturalization was remarkably slow – in 2016, there were still 232 143 non-citizens in Latvia, making up 11.79 percent of the population.³ At the point of its implementation, there was no expectancy of non-citizenship being the persistent category that it has turned out to be.

2 A “technical cause” can be the “unintentional result of a conflict between the domestic legislation of two or more countries. In particular, the existence of two contradicting principles on which to base the attribution of nationality to a child at birth – *jus sanguinis* and *jus soli* – has inadvertently led to many cases of statelessness” (van Waas 2008:50). For a detailed account of the various causes, see van Waas 2008, chapter IV.

3 Central Statistical Bureau of Latvia, www.csb.gov.lv/, accessed December 19, 2016.

Despite all contentions in the past two decades in the field of citizenship studies, there is what Bosniak calls a “habit of citizenship romanticism” (Bosniak 2006:1), namely the conviction that citizenship is fundamentally good, progressive and desirable. While there are inquiries about the impact that migration and globalization have on citizenship, worries that the significance of citizenship is being eroded, and research on statuses that fall short of citizenship, there is still a firm understanding of citizenship as a good and useful status and concept in place. While citizenship is acknowledged as an instrument of inclusion and exclusion (Brubaker 1992a) in the hands of states, there seems to be little doubt about citizenship being a fundamentally good thing for people.

Bosniak writes that citizenship is used as a term that “rings unmistakably with the promise of personal engagement, community well-being, and democratic fulfillment” (2000:451). In the classic conception of citizenship going back to Aristotle, citizenship “is not just a means to being free; it is the way of being free itself” (Pocock 1998:34); indeed, being a citizen is “the best thing to be” (Walzer 1995:155). Equally celebratory, yet more practical, Macklin writes that if “citizenship were a home appliance, it would be the only one you would ever need” (Macklin 2007:476). For Bosniak, using the language of citizenship means to imply “substantial political recognition and social value” (2006:12) and to employ a “hurrah word” (2000:451).

Given all the positive attributes of citizenship, it is surprising that people – not just a few people, but thousands of people – do not make use of the opportunity to gain citizenship. When citizenship is the key to holding rights, and when citizenship is “all things to all people” (Bauböck et al. 2006a:15), why is there such a large group of people who reject it? Vink asserts that the “‘stateless’ Russian minority in Latvia” is in a “fundamentally disadvantaged position in society” (2005:41). The way out of this disadvantaged position is naturalization, an opportunity that a remarkably small part of the non-citizen population has made use of. The Latvian case hence challenges citizenship romanticism: There is a remarkable hesitancy to become citizens by parts of the non-citizen population and, also, the state does not take substantial measures to confer citizenship to non-citizens other than offering and encouraging naturalization. Given the close association between democracy and citizenship, why would a state with a significant number of residents without full citizenship not take measures to substantially increase the number of citizens?

Another puzzle emerging from the same phenomenon is that people *do* naturalize – if we accept that people do not naturalize because their non-citizen status gives them enough rights and protection, then we have trouble explaining why people do naturalize. I suggest that the ‘what is citizenship for’ question is an appropriate question for approaching both puzzles.

Approach and methods

My prime interest in the Latvian case lies in the implications of non-citizenship for theorizing citizenship. The persistence of non-citizenship as a legal status more than fifteen years after its inception urges me to rethink the seemingly self-evident value of citizenship. Assuming that non-citizens do not naturalize for a reason and that the democratic state has reasons for accepting the persistence of non-citizenship, I suggest that it is necessary to spell out what it is about citizenship that is valuable for some but not for others, if only to know more precisely *why* citizenship can still be considered a valuable status.

Latvian citizenship politics have been analyzed in the context of accession to international institutions (Birckenbach 1997; Gelazis 2000, 2004; Morris 2003), as part of research on Latvia's relations with Russia (Muižnieks 2006a, 2006b; Rupp 2007), and as part of the political transformations in Latvia (Dreifelds 1996; Pabriks and Purs 2001). Latvia's approach to citizenship has been criticized not only by international institutions, but also by scholars who deem non-citizenship exclusionary and discriminatory (for instance, Hughes 2005). My interest in the case does not evolve out of concerns about the legitimacy of how Latvia has handled citizenship issues. I do not argue that Latvia's citizenship policies are normatively bad, wrong or exclusionary; neither am I arguing that decisions as they were taken in the 1990s and politics as they are pursued today are 'right' or 'good'. While I do not adopt a normative stance, I take normative assessments seriously. I take them to say something about citizenship, however, and not whether non-citizenship is good or bad, exclusionary, or innovative.

My approach is grounded in citizenship theory and in literature on naturalization. I think of citizenship as having multiple dimensions: Relying on classic approaches to citizenship, I think of citizenship as a 'bundle' of rights, membership, practices, and duties (Castles and Davidson 2000; Faist 2007b). Broadly, the literature on citizenship provides answers to the question of what citizenship is (namely, rights, membership, etc.). I hence suspect that citizenship is 'for' these things: it is for having rights, it is for being a member, it is for fulfilling duties, and it is for knowing how to behave. For the state, citizenship is for giving (certain) people rights, it is for defining the collective that people are a part of, it is for receiving something – like taxes and loyalty – from people in return for rights. Crucially, for the state, citizenship is for telling citizens apart from other people, it is a powerful instrument of social closure (Brubaker 1992a:23); the instrument which distinguishes those who belong and for whom the state assumes responsibility from those who do not belong and for whom the state will not feel responsible.

However, in order to assess whether citizenship is really seen as being 'for' these things, we need a different theoretical perspective. The literature on naturalization provides such a perspective, because it does not treat citizenship as a given, and it allows looking at elements of the bundle rather than at the entire bundle. I assess

each dimension of citizenship in its ability to contribute to explaining my puzzle; for example, I assume that citizenship is for having rights/for conferring rights. Furthermore, I take naturalization seriously as a procedure and discuss the implications of naturalization requirements in a post-Soviet context.

I rely on different methods and data sources. I have conducted interviews with state officials working in all ministries and agencies dealing with naturalization. I am furthermore relying on a collection of accounts of views of non-citizens on naturalization and citizenship issues. This unrepresentative collection is complemented by surveys that Latvian social scientists of the Baltic Institute of Social Sciences (BISS), who have studied why naturalization was and is slow, have conducted.

We know from research done by the BISS and from naturalization statistics that young, female and well-educated people are most likely to naturalize, and that non-citizens proficient in Latvian are much more likely to naturalize than people who do not speak Latvian. The surveys furthermore reveal a mix of factors feeding into decisions for or against naturalization which I will point to in this study. Despite the ambiguous picture given by different surveys – some find, for instance, a feeling of belonging to Latvia to have a strong positive influence on naturalization, while others find less significance – these data give a solid sense of the issues that make naturalization for some non-citizens a very complicated issue; an issue in which rights, feelings of membership, betrayal, and humiliation play a role.

I have not seen the data provided by the BISS used in a theoretical discussion of citizenship, or an interpretation of these data and their implications for thinking about citizenship theoretically. Indeed, the Latvian citizenship situation generally has not been discussed very prominently in citizenship theorizing. I suggest in chapter 2 that this is due to the peculiar citizenship situation in Latvia, and, more importantly, due to a notion of citizenship as a universal status that makes alienage and non-citizenship difficult to see (Bosniak 1998:31).

Results and contribution

This study contributes both to theoretical debates of citizenship as well as to empirical studies of citizenship and naturalization. Focusing on one state, I am swimming against the stream: recent publications in citizenship studies (Howard 2006, 2009; Janoski 2010) and research projects like the European Union Democracy Observer on Citizenship (EUDO)⁴ have engaged in comparative analyses, arguing for large-n studies and developing comparative methodologies, rather than doing case studies.

4 See eudo-citizenship.eu, last access July 8, 2010. EUDO is based at the Robert Schuman Centre for Advanced Studies (RCAS) at the European University Institute in Florence.

However, my contribution is more theoretical in that I suggest stepping back from assuming that citizenship is a given and a needs-satisfying status and instead making explicit the dimensions or aspects of citizenship that are more or less useful, both for people and for states. I hence argue for a different way of thinking about citizenship and for asking different questions about citizenship.

Looking at citizenship as an option, and at the reasons states have for naturalizing people, and at the reasons people have for (not) adopting citizenship, will contribute to debates on whether citizenship is the master status of political belonging (Brubaker 1992a; Joppke 2007) or a category on the decline as suggested by debates about postnational citizenship (Carter 2001; Soysal 1994), albeit with a different assumption. The former approach views citizenship as a relation between individuals and a state, whereas the latter argues that entities other than the state serve as a reference point for citizenship. European Union citizenship has been used as an example of a form of postnational citizenship (Bosniak 2000).

Critics of postnational approaches have pointed out that it is the state that grants rights (and asks for the fulfillment of duties) that come with citizenship and that taking the state out of citizenship will render citizenship meaningless (Himmelfarb 1996; Walzer 1996). Both approaches problematize the prominence of the nation state, but citizenship as a valuable status is rarely subject of these debates. There is a shared understanding that citizenship is changing and that it is important (Kivisto and Faist 2007a:1).

My study both challenges and supports this understanding: The Latvian case shows that citizenship is a very powerful instrument for states, but is also shows that citizenship is not needed by all residents in a state. Stepping back from the taken for granted allows us to look at how things that are supposedly ‘naturally’ given – in a democracy, people are citizens because it is one of the accomplishments of democracies that people are citizens and not subjects – are really alterable and subject to negotiation. My approach is hence rooted in a theoretical discussion and takes an empirical case to contribute a hitherto neglected facet to this debate: the usefulness of citizenship, contrasted by looking at the state as a provider of citizenship and people as the receivers. While I do not claim that my results are generalizable, I argue that my theoretical lens and the questions I ask are well suited also for cases in which the question seems less urgent. More specifically, my contribution consists of five arguments:

First, *asking a new question about citizenship* offers a new perspective on this seemingly familiar concept. Thinking of citizenship as an option will help to usefully think about other cases in terms of assumptions both of why people are citizens and why the democratic state has citizens and not simply people. Drawing attention to non-citizenship means to call into question supposedly common-sense assertions like Heater’s: “Apart from slaves and stateless persons, mainly refugees not yet

resettled, every human being has an international legal status as a citizen of a state” (2004:337). Moreover, my approach means to de-romanticize citizenship.

Second, I suggest that integrating data on state officials’ understanding and perception of citizenship and people’s stance on citizenship deepens our understanding of citizenship as a *relationship* (Tilly 1999:253), rather than as a status.

Third, my analysis aims to *bridge gaps between the citizenship and naturalization literature* by showing how naturalization and citizenship are intimately connected, yet how much of a barrier naturalization can be on the way towards citizenship. The perception of the naturalization procedure as troublesome, coupled with the perception that citizenship does not offer much, makes it unlikely that people will adopt citizenship. From the perspective of the state, I show that citizenship is an instrument of closure like Brubaker (1992a) has argued, and, in line with Bloemraad’s findings (2006), that the way that the state encourages and/or discourages naturalization has an effect on naturalization rates. Naturalization requirements have recently been studied as part of integration efforts of states (van Oers, Ersbøll, and Kostakopoulou 2010). In the post-Soviet states, I suggest, naturalization requirements are a response to the legacy of the Soviet occupation. Spelling out the requirements will give insights into how the post-Soviet states define themselves and their citizens.

Fourth, I suggest that *the language of costs and benefits*, borrowed from naturalization studies, helps to assess the usefulness of citizenship over other statuses.

Fifth, I find citizenship to be *both backward-looking as well as forward-looking*: The motivations feeding into the decision to naturalize may be rooted in experiences made in the past as much as they are influenced by considerations about one’s life chances in the future. The same holds for the state as the naturalizer: to naturalize someone means to view that person as not ‘naturally’ belonging to the citizenry, yet it means to accept the person as a member of the future citizenry.

I furthermore argue that citizenship is of greater importance for people than for the state, simply because a person has one state but a state has many people. This might be self-evident, but I have not seen this argument. The impact on a person who has one citizenship or none will differ from the impact that the state feels when it has 2.5 million or 2.499 999 citizens. Citizenship may hence be more crucial for people than for the state: The democratic state needs citizens, but it can also have denizens, quasi-citizens and non-citizens. Citizenship is important for the state in the sense that it needs a *majority* of people to be citizens, but not all people need to be citizens. Like Bloemraad argues, when the state offers citizenship, someone needs to be there to take it – but that there needs to be *someone* to take it does not mean that *everyone* needs to take it (2000).

Structure of the book

This book is organized in eleven chapters. Chapter 2 introduces the development of Latvian citizenship policies and statistics on naturalization. I furthermore spell out the puzzles that emerge from these statistics in light of theoretical knowledge of citizenship. Chapter 3 identifies strands in the literature that are helpful for studying the puzzle and suggests pulling together a citizenship perspective and a naturalization perspective. Chapter 4 develops hypotheses for each element of citizenship, through the lens of it being an option. In chapter 5, I explain the methods and data I used.

Chapters 6, 7 and 8 present the results of the empirical analysis; the chapters in this part are guided by the ‘usual suspects’ of citizenship theorizing, rights, membership, and duties. In chapter 6, I show that the rights that are associated with citizenship are not as strong a pull factor towards citizenship as we might have expected coming from a liberal framework. For the state, I argue, rights have been an important aspect in the past in its efforts to be perceived as a democratic state, but the way of doing this was not through granting citizenship, but non-citizenship. Rights matter, I furthermore argue, but not the status they are tied to. Chapter 7 looks at a dimension of citizenship privileged in communitarian thought: membership. I argue that membership can play a paradoxical role for people, as a strong sense of belonging to Latvia may result in the rejection of citizenship. While we might expect that a strong feeling of belonging motivates naturalization, this expectation is not fully supported. Instead, due to a strong sense of belonging, naturalization is perceived by some non-citizens as humiliating and offensive, which results in them not naturalizing. For the state, I suggest that decisions concerning citizenship were heavily influenced by perceptions of membership. Regulations of dual citizenship and citizenship for special merits exemplify this. Chapter 8 then looks at duties, the element of citizenship that most easily lends itself to be viewed in terms of costs and benefits. Besides duties that are commonly acknowledged in citizenship research, such as military service and paying taxes, there is a larger set of duties that the state expects from citizens and that revolves around the use of language, the ‘right’ perspective on history and a perspective on oneself as legitimately undergoing naturalization. In other words, agreeing to become a citizen means agreeing with a perspective on the state and its history *as well* as with a perspective on oneself that one might not agree with.

I conclude from these chapters that looking at the usual suspects of citizenship explains the puzzles only partially. The following two chapters pick up two notions that appeared frequently throughout the analysis, i.e. the impact of a (vague) notion of ‘benefits’ of citizenship and non-citizenship respectively and the role that naturalization plays. Chapter 9 describes how non-citizens’ adoption of citizenship is belittled by some politicians as happening ‘just’ for the benefits. Such a sentiment reflects, I argue, a broader understanding of citizenship as a notion loaded with expect-

tations, yet disappointingly consisting of practical benefits. Chapter 10 picks up what has been hinted at in chapter 7: the naturalization procedure as a decisive factor for non-citizens and as an area in which the state conveys messages about citizenship to the non-citizen population. By some non-citizens, naturalization is perceived not as an opportunity but a slap in the face. The argument is that naturalization is one of the core reasons why people do not adopt citizenship – it is not only the content of the procedure but the very existence of a naturalization procedure, that makes people stay non-citizens. Simply put, I argue that the reason why people naturalize and why they do not naturalize is largely the same: it is their sense of membership. Because they feel like they belong to Latvia, people naturalize; other people do *not* naturalize because they feel like they belong to Latvia. Chapter 11 concludes.