

Introduction

It is a brilliantly sunny and cool Buenos Aires morning outside the Spanish embassy in August 2003. By nine o'clock in the morning, a line of people extends from the front door to the corner, almost a full block. They are waiting to apply for Spanish nationality or, as many put it, to “get a Spanish passport.” Lines get long so early that some enterprising *Porteños*—as this city’s dwellers refer to themselves—do brisk business by saving a spot for clients who must drop kids off at school or check in at work before joining other aspiring Spaniards. I learn about these daily practices and people’s concerns by waiting in line with them. Their stories suggest that, while the worst of the 2001 financial crisis in Argentina has passed, uncertainty about the future lingers in the minds of an economically strapped middle class. Many tell me that their grandparents and great-grandparents came looking for a better life and thought they had found it in the land of silver.¹ Now the descendants of these mythic, hard-working immigrants see their aspirations threatened if not dashed by a financial crisis that has decimated their savings. In these circumstances, the nationality of a long gone Spanish *abuela* or Italian *nonna* can be a ticket to a place with better prospects.

The people I talk to in these lines and in one-on-one interviews alternate between pragmatic explanations of their decision to seek a second nationality, justifications for what fellow Argentines might view as disloyalty, and surprise or anger that the fortunes of Argentina have declined in the face of seemingly insurmountable challenges. Regardless of how many other passports they

hold, interviewees assert their Argentine identity. Emotion punctuates much of what these would-be emigrants tell me. Lidia, a professional woman in her fifties, whom I meet at a repository of immigration records, is applying for an Italian passport so that her children can improve their work prospects.² She needs proof of her relatives' arrival in Argentina to support her application. Although by her own account she is there for strictly strategic reasons, she is overcome with emotion when the database assistant shows her an entry in the digitized historical records of port authorities. There she sees the names of her great-grandparents, grandmother, and great-uncles, the name of the steamer that carried them to Buenos Aires, and the date of arrival in the early 1900s. Lidia also discovers that her grandmother returned to Italy once with her family for a visit, suggesting that ties with the home country were not severed after the initial trip to Argentina. She wonders about the trip, other relatives that may have accompanied her family, and those who stayed behind. Questions about where they came from and what they experienced come pouring out. She regrets not asking her grandparents more questions. Lidia's experience illustrates how affective links to an ancestral homeland become mixed with a desire to have a legal affiliation with its state.

Argentines are not alone in their struggle to come to terms with the meaning and implications of ancestral homeland nationality and dual citizenship. The *Aussiedler*, or ethnic Germans, and members of the Jewish diaspora are among the best-known examples of people for whom place of birth or residence do not neatly align with citizenship.³ An ethnic German, for instance, may at one time have held the nationality of a birth country other than Germany but also had access to German citizenship through ancestral connections. And there are many other instances of a mismatch between jurisdictional and ethnic belonging: Latin Americans descended from Italian, Japanese, and Spanish emigrants; ethnic Hungarians in Eastern Europe; descendants of the Irish in the Americas; and West Siberians of Estonian descent (Corcoran 2002; Fox 2006a; Kulu 1998; Rhi Sausi and García 1992; Tsuda 2003).⁴ In most of these cases, migration and nationality laws forged in a different historical context give the descendants of emigrants a privileged migratory or citizenship status. This pattern of migration or citizenship policy emerged as a result of population movements at a time when both sending and receiving countries were solidifying their borders and membership rules. In any event, purported members of a national diaspora abroad, as well as their birth and ancestral homeland countries, face challenges similar to

those briefly described in the opening stories, primarily because most people in the West presume that there is an enduring and exclusive link between nation-states.⁵

Governments have historically viewed plural citizenship as an anomalous status that challenges the quality of the link between individuals and their state and nation. State officials have worried about plural affiliations since the advent of nationality law, but global migrations beginning in the 1920s sharpened this concern. The League of Nations, for example, named committees to inventory types of nationality law and to solve the “problem” of plural citizenship through an international convention on nationality.⁶ A substantial portion of the proposed convention aimed to minimize the potential for plural nationality. Richard Flournoy, an influential scholar and state expert on these matters, decried the problems caused by the division of countries’ nationality policies into those that favored blood descent (*jus sanguinis*) and those that privileged place of birth (*jus soli*). What he saw as the nefarious effects ranged from conflicting demands on citizens by at least two states to the problem of individuals able to vote in multiple jurisdictions or not at all (Flournoy 1921; 1926). These effects had been foreseen early on by the framers of nationality law in Latin America. In Argentina’s Chamber of Deputies, Deputy Montes de Oca referred to the problem of using both birthplace and blood as determinants of citizenship when he said of the children of immigrants born in Argentina: “They would be Argentine by birth and at the same time, foreigners, which is to say that they would have prerogatives not available to the children of the Republic of Argentina.”⁷ Even today, governments worry about the practical implications of dual citizenship. The U.S. government, for instance, “recognizes that dual nationality exists but does not encourage it as a matter of policy because of the problems it may cause,” such as the claims by other countries on dual national U.S. citizens.⁸

The normative assumption of an enduring and exclusive link between individuals and their nation-states informs the suspicion with which governments and people at large have viewed plural citizenship. And yet, dual citizenship has become more widespread and less of a juridical anomaly (Sejersen 2008). The assumption has been that once citizenship links states to individuals, this link takes precedence over other such ties. However, substantial migration since the nineteenth century has meant that people’s memberships have not neatly mapped onto the jurisdictions through which they move and in which they settle.⁹ As a result, individuals have multiple membership

statuses: some adopt the nationality of a country in which they settle, others retain their birth nationality, others do both, and some have had single, dual, or no nationality during their lifetime, depending both on fluctuations in the letter and implementation of laws to which they have been subject and on the ways they have negotiated these changes.¹⁰ This trend has increased the potential for even more cases of dual citizenship. How have we arrived at this situation and what are the circumstances under which people choose dual citizenship? What have been the specific mechanisms through which dual nationality has become possible, and when do people pursue the option of taking on other nationalities?

I explore these questions by examining contextual dynamics that have shaped the quality of legal and affective bonds between nation-states and citizens. Concretely, I analyze immigration and nationality law, its implementation, the organizational initiatives to win the hearts and minds of people who have migrated between Argentina and Italy and Spain since the mid-nineteenth century, and people's reactions to these laws and administrative practices. I argue that the very legal and organizational efforts made by state-builders of the past to affiliate and gain the allegiance of these individuals have made possible the dual memberships represented by the line outside the Spanish embassy in Buenos Aires. States' attempts to link people to particular territories and nations were challenged by an increase in international migration beginning in the nineteenth century. Under these circumstances, sending and receiving states scrambled to make people citizens by means of laws and related administrative practices. Nationality laws organized on the principle of birthplace (*jus soli*) and naturalization through residence made it easy in the short and medium terms for countries receiving immigrants to claim the children of new arrivals and to offer parents citizenship on relatively easy terms. Nationality laws organized on the principal of blood descent (*jus sanguinis*) made it possible for states from which people emigrated to maintain at least juridical ties to their departed citizens and offspring. In the long term, these dormant nationality ties have become active as the fortunes of sending and receiving countries have changed. The recent market-driven erosion of rights and privileges traditionally guaranteed by national states has motivated individuals in former countries of immigration to seek nationality in ancestral homeland states; these individuals believe that two nationalities are more valuable than one.

The chapters of this book detail the legal and administrative mechanisms at work, describe the patterns of law and practice that came out of these

mechanisms, and explore the implications of the dynamics of citizenship for how we think of this foundational form of political membership. To set the stage for what is to come, I begin by specifying what I mean by citizenship, how other scholars have typically explained it, and why it is a concept of enduring relevance. I also articulate why the relationship between countries and their mobile members during the period examined can help people in other contexts understand how citizenship has evolved and how it affects them.

What Is Citizenship?

Making people citizens of France, the United States, Argentina, or many other countries has involved two distinct but interrelated processes. The first process has been one of *cultural integration* accomplished through the work of roads and railways, schools, print media, and military service in a particular state jurisdiction (Anderson 1991; Deutsch 1966; Eley and Suny 1996; Geertz 1963; Gellner 1983; Weber 1976). A second has entailed *state organizational efforts* to define citizens in law and to create the administrative means to implement and enforce nationality laws. Citizenship has been a crucial dimension of the process by which states embrace and penetrate individuals or render them available for administration (Mann 1993; Torpey 2000). If citizenship policy has defined the boundaries of national political communities, immigration law has operated as a sorting device for who may enter political jurisdictions (Brubaker 1998), on what terms, and with what potential, if any, for full membership; hence the need to jointly consider these legal norms.

Citizenship is a slippery, normatively charged, and ideologically contested concept. Precisely these challenges make it an analytically valuable concept since they require that serious students of citizenship unpack its meaning and the ways in which it is used. The “return of assimilation” in the field of immigration illustrates the logic and potential benefits of rehabilitating a problematic concept (Alba and Nee 2003; Brubaker 2001). Sociologist Robert Smith (2006, 7) in particular has noted how preserving the term *assimilation* allows an analyst to capture its nationalist and coercive significance and consequences for immigrants. Similarly, by using the term *citizenship*—which admittedly carries a more positive valence than *assimilation*—I draw attention to the different political theoretical traditions it subsumes, its inherent theoretical and practical tensions, and its reconfiguration in the contemporary context.

Citizenship is an elusive term because it refers to two distinct though related meanings, which people often conflate: state-defined or legal citizenship, and affective citizenship. *Legal citizenship* refers to an individual's membership in a state as formally prescribed by official rules or laws. Max Weber (1978) has famously defined the state as an organization that exercises the legitimate means of violence over a particular territory and its inhabitants. Building on Weber, Rogers Brubaker (1992) notes that the modern state is both a territorial and a membership organization. Historically, citizenship in this configuration has referred to membership in an association of officially defined insiders. Residence in a state's jurisdiction has typically made individuals available for official administration but has not necessarily made them members. The status of citizen and its associated rights and privileges derive from this kind of membership in an association of citizens. This is a *Roman model of citizenship*, wherein membership entitles insiders to rights and privileges, access to which is guaranteed by a ruler (Pocock 1992). It is the kind of membership people have in mind when they say that someone is, for example, an Italian citizen: able to freely enter and leave that country's territory, to vote in its elections, and to benefit from protection of the Italian government while traveling abroad. An older, *Aristotelian model of citizenship* stresses that membership in the polity entails the practice of ruling and being ruled. Participation in democratic governance and deliberation are essential to this understanding of citizenship. From this perspective, an Italian citizen is one that participates in referenda, voting, and public debate rather than one who "merely" has an Italian passport or citizenship certificate. I refer to this model as *participatory citizenship*.

If legal citizenship and associated rights and obligations stress the *state* in "nation-state," *affective citizenship* stresses the *nation*. Modern states have historically mobilized the idea of an imagined political community in support of their culturally integrative efforts (Anderson 1991). Individuals have often identified with "the nation" in ways that shaped their subjectivities and oriented their action in the world. In this form of citizenship, a subjective sense of identification rather than a legally defined status links the individual to a broader community. This is the stuff of national identity and nationalism—or "patriotism" for those who see nationalism only in others. Affective citizenship is what motivates people to take up arms and risk death in defense of the nation, to use *we* in reference to an abstract collection of individuals related to a putative nation, or to rush into the streets in celebration of a victory by

the national football squad during a World Cup. In these examples, identity is linked to a perceived nation that overlaps with a state territory, but national identities can span more than one jurisdiction, as when ethnic Hungarians in Romania identify with the Hungarian nation (Fox 2006b).

People use citizenship imprecisely and in reference to different dimensions of the two broad meanings described, a tendency that fosters pointless debates. For instance, the worn discussions about “postnational citizenship” and the “limits of citizenship” (Soysal 1994) occur frequently between scholars who focus on the status of citizen (formal or legal citizenship), and hence view citizenship as largely unchanged in the recent past, and those who focus on identifications and political participation (affective and participatory citizenship). The meaning of citizenship may have remained relatively constant in the first sense but has changed in the affective sense, and proponents of each view will talk past each other if they assume one or the other to be a definitive or universal meaning (Joppke 2007). Moreover, these emphases tend to focus on one or another face of citizenship: those who focus on legal citizenship are more likely to recognize the *external face of citizenship*, or what scholars have dubbed citizenship at the threshold, while those who have given more weight to affective and especially participatory citizenship privilege the *internal face of citizenship*.

The distinction between internal and external faces of citizenship suggests an underlying ideology that naturalizes a division of the world into nation-state compartments. This ideology largely explains the squabbles between cosmopolitan and nationalist camps that stress internal and external faces of political belonging. It also contains the seeds for further ideological contradictions. For instance, while political liberalism in the historic sense contains a sensibility for growing inclusion—recall the Marshallian account of ever-expanding citizenship rights—it also is exclusive at the threshold. It was the right to exit, not to entry, that became enshrined as a universal liberal right during the great migrations of the late nineteenth and early twentieth centuries. This emphasis took hold because countries have aspired to domestic universalism—with notable exceptions—but have been pragmatically particularistic toward foreigners, who are excluded from full citizenship status and rights.

Linda Bosniak (2006) has correctly stressed that citizenship is a contested concept and that discussions about its scope are political battles over “visions of collective life that we want to embrace and enact.” In particular, she objects

to the tyranny of the national in defining citizenship, and to the contradictions and ironies of formulating nationalist understandings of liberal political belonging.¹¹ It is not clear that scholars are willfully or inadvertently naturalizing citizenship in the way suggested by Bosniak or that they fit neatly into the camps she describes, but it is true that efforts to conceptualize citizenship matter a great deal. Just as law is performative because it constitutes that which it purports to describe, academic discourse is not merely descriptive but can legitimate a particular vision of political membership (Austin 1975; Bourdieu 1991; Scott 1998). Still, to maintain that people have historically imagined citizenship in legal and affective idioms that use the nation or state as referents is not to concede that these idioms are natural or inevitable, but rather that they have been pervasive and powerful. As this book shows, people have found ways to imagine membership and belonging in the gaps between the official framings of different countries, often in the language of modern nationalism, and constrained by state organizations. This evaluation of legal and affective citizenship is not necessarily a legitimation, although it may not always recognize other potential framings. Bosniak recognizes the difficulties inherent in proposing alternative views of citizenship and indeed struggles to do so. Her struggle supports my contention about the historical idioms in which people have imagined political membership and belonging. A positive first step is precisely to expose the contradiction inherent to imagining membership in a world of states that exercise legitimate control over clearly demarcated territories and that often mobilize the idea of a nation to sustain this type of organization, and a liberal political philosophy that stresses universal rights of individuals. A close second step is to recognize that the meaning and significance of citizenship changes along with institutions historically linked to it.

This book takes the political field constituted by Argentina, Spain, and Italy as its object of study to explore the changing meanings of legal and affective citizenship over time and across institutional contexts. Legal citizenship is an important starting point for several reasons. Methodologically, its concrete expressions—laws and associated administrative practices—can be examined across national and temporal contexts. Substantively, laws create the relationship they purport to describe when they sort people into citizens with access to goods controlled by a state organization and foreigners without this prerogative. Nationality laws merit careful scrutiny because they say a great deal about state actors' view of the world. Nationality has also frequently

served as a baseline for political subjectivities. Indeed, official membership categories have often, over time, become part of how people understand and identify themselves. In the years following Italian Unification in the 1860s, an Italian passport did not necessarily signal identification with the greater Italy, and the evidence shows that local identifications persisted well into the twentieth century. However, the substantial number of young men who returned from the Italian diaspora to fight in the Great War suggests that by the early twentieth century the legal category of “Italian” had gained legitimacy and commanded some level of allegiance (Choate 2008, 190). Finally, the importance of nationality becomes painfully clear when individuals lack a legal relationship with a country. In a world where fundamental rights have become linked to individuals’ state membership, its absence is considered such a highly anomalous condition that Hannah Arendt (1973) worried it left people bereft of “any community whatsoever.” The prospect of statelessness is of such concern that many countries have signed the 1961 *Convention on the Reduction of Statelessness*, and the United Nations has created a legal category of stateless persons to monitor the extent of the problem.¹² In brief, while nationality does not exhaust citizenship, it is one of its most crucial and consequential dimensions. To fully understand the relationship between legal and affective citizenship requires consideration of the process by which political membership and belonging gained their contemporary meaning.

Conventional Accounts and Their Limits

Conventional accounts of how states make citizens implicitly assume that processes of cultural integration and administrative penetration happen primarily within nation-state containers and that they move inexorably toward assimilation or some normatively palatable equivalent. The assumption of containment results in studies that view domestic factors as most important to the making of citizenship. Challenges to this process may be located internally (e.g., native minorities) or externally (e.g., immigrants), but they are overcome primarily through the efforts of sovereign states. Such studies tend to center on particular countries or to compare how two or more countries have made citizens.

Emblematic examples include modern European and early postcolonial states like France and Germany, as well as the United States, Canada, and Argentina. France was a destination for other Europeans and North

Africans whose loyalty and submission the country had to gain (Brubaker 1992; Hoerder 2002; Noiriel 1996). Germany faced the challenge of embracing and nationalizing migrants from neighboring countries and more recently from the Middle East (Hollifield 1992; Joppke 1998). The United States confronted the difficulties of integrating migrants from Europe, Asia, and Latin America into a political community that marginalized a native-born population of African descent as well as autochthonous inhabitants (Fitzgerald 1996; King 2003; Tichenor 2002). Canada tried to integrate English, French, and Aboriginal national groups, as well as to incorporate immigrants from other European countries and Asia (Choquette 1997; Harney 1978; Kymlicka 1995). Through its “crucible of races,” Argentine state-makers claim to have successfully melded a massive number of immigrants with a small Creole and Afro-Argentine population (Andrews 1980; Germani 1970; 1971). This is not to say that all receiving countries have wanted to embrace and nationalize migrants. The Chinese Exclusion Acts in the United States aimed to restrict the entry, settlement, and eventual naturalization of Chinese migrants (Calavita 2001; Cook-Martín and FitzGerald 2010), but that effort occurred precisely because policy makers had a conception of who could be culturally integrated. In the contemporary arena, Germany has until recently been notoriously reluctant to make citizens of Turkish migrants and their children born in Germany. In the main, however, conventional accounts view citizenship as having been forged within a contained political field where receiving states have acted unilaterally in nationalizing processes.

Studies have also tacitly assumed that the assimilation of disparate individuals into a national whole has been a unidirectional and irreversible process. Peasants become French at different rates, to different extents, and following different pathways, but in the end they become French in the sense that they are politically, infrastructurally, and affectively linked to the nation-state (Weber 1976). English, German, Irish, and Italians in the United States eventually become American even if stratified by origins or religion (Gordon 1964; Herberg 1960). Piemontese, Genovese, Sicilians, Galicians, and Catalans in Argentina follow different trajectories, but scholars and others presume that by the second generation all share a common language and a sense of Argentineness (Devoto 1992). By this view, it is nearly inconceivable in any of these contexts that the process leading to categorization or identification as “citizen” would be reversed or its results undone.