For most of the 20th century dual citizenship was seen as an evil that had to be avoided, as the world was understood to be divided into territorially delineated states, containing national populations expressing an indivisible loyalty to the aforementioned territorially defined state. This Westphalian world order, “…rested on the assumption that the national citizenry as the authors of democratic rules are congruent with those who reside within the boundaries of the nation state as the addressees of these rules, and with the nation state as arena of rule-making and agent of rule-implementation.”\(^1\) However, with the onset of globalization, the Westphalian system has experienced a transformation from, “…contained nation states towards a strongly interdependent world.”\(^2\)

One of the factors contributing to the transformation and interdependence is dual citizenship, as there has been a dramatic increase in the number of countries accepting some form of dual citizenship.\(^3\) Furthermore, legal scholars and political philosophers, in their evaluations of dual citizenship on the basis of normative theories of citizenship and democracy, end up legitimizing its acceptance.\(^4\) Dual citizenship, in the theoretical conception, is seen as fulfilling a democratic imperative and helping to reduce the incongruence, resulting from the modern globalized world, between inhabitants who are subject to the law in their territory of residence, and citizens, who are entitled to participate in the law making process.

Nevertheless, the normative discourse on the benefits of dual citizenship has focused primarily on established Western democracies. Little attention has been paid to the Eastern and Central European states who, having emerged from the collapse of the Soviet Union have experienced the rapid transformation of the political and economic landscape, felt the need to define and consolidate a national identity, and comply with the membership conditions of the multi-level post-national governing institutions. The suggestion has been made that in these newer democracies, where the territorial and sometimes national community boundaries are still disputed, overlapping memberships might be problematic because of the transnational membership overlaps dual citizenship creates.\(^5\) Particular concern has been expressed for states within which large minority populations connected to a neighboring kin-state reside,


\(^{5}\) Blatter, J. and Schlenker, A. (2012).
and where dual citizenship could potentially be misused for pursuing revanchist and ethnic nationalist purposes.  

Latvia has a somewhat interesting experience with dual citizenship. In 1991, immediately after the collapse of the Soviet Union, the decision “On the Restoration of the Rights of the Citizens of the Republic of Latvia and the Basic Principles of Naturalization” allowed dual citizenship for a certain select group of individuals defined as ‘exiles’ and their descendants, who, under the conditions of the occupation were outside of Latvia and had acquired a citizenship of another state in the period from 1940 to 1991. As a result of this decision, Latvian citizenship was restored to ethnic Latvians abroad who wanted to maintain ties with Latvia. However, these individuals had to reacquire Latvian citizenship and register their multiple nationalities until July 1, 1995. As a result of the decision and the exception, some 30,000 Latvians became dual citizens. From July 1, 1995 until October, 2013 dual citizenship was not officially permitted, and formally only recognized for the above mentioned select category of individuals.

On October 1, 2013, as a result of amendments to the Citizenship Law of Latvia, Latvia became the latest country to de jure accept dual citizenship. However, again, the decision favored only a certain select group of citizens from the countries of the European Union, European Free Trade Association, and North Atlantic Treaty Organization, and the Commonwealth of Australia, Federative Republic of Brazil, New Zealand and any country with which the Republic of Latvia has entered into an agreement regarding the recognition of dual citizenship (currently none). Dual citizenship was also, once again, to be recognized for exiles, and their descendants, who had Latvian citizenship prior to June 17, 1940. Dual citizenship for this select group of individuals is to be tolerated regardless of the country of which they have acquired citizenship, provided that the other country allows for multiple nationalities. The restrictions placed on dual citizenship means that excluded by the latest Latvian Citizenship Law amendments are the largest group of third country nationals residing in Latvia – Russians, Ukrainians, and Belarusians, or what can be referred to as the Russian speaking population. According to the Central Statistical Bureau of Latvia, as of 2013, the Russian speaking inhabitants comprises around 36 per cent (804,204) of the total population, with approximately 1.4 per cent (36,000) classified as Russian citizens.

Undeniably, for each state the citizenship legislation is underscored by their understanding of nationhood, by the geo-political position, demographic situation, state interests, and socio-political developments. Thus, it is not the intention of this article to condone, or reprove, the limited approach to dual citizenship implemented by Latvia. This article, after briefly introducing the Latvian case, aims to adopt the approach of Dr. Joachim Blatter (2008/2011)

in evaluating the normative foundation of the dual citizenship policy from the perspective of six theories of democracy.  

Democracy, as a concept, is not one-dimensional and has several accepted conceptions and developed theories. This article proposes to utilize the liberal, republican, communitarian, multicultural, deliberative, and cosmopolitan/transnational understandings of democracy. The normative standard of each democratic approach will be used to outline how the democratic process ought to function by presenting the central concepts of each theoretical position, Dr. Blatter’s conclusions in relation to democracy and dual citizenship summarized, and his work built upon within the specific context of dual citizenship in Latvia. An attempt will be made to evaluate Latvia’s legislation in regards to dual citizenship, in order to answer the following question; does the current version of the Citizenship Law, allowing for limited dual citizenship, in comparison to the previous regulation, strengthen democracy in Latvia according to the normative understanding of liberal, republican, communitarian, multicultural, deliberative, and cosmopolitan/transnational democracy?

LATVIA

In order to discuss and evaluate the applicability of the amendments allowing for dual citizenship for a selected category of nationals, while excluding a large portion of third country inhabitants residing in Latvia, in line with the theories of democracy, it is necessary to provide a brief historical background of factors which prove to be significant to the understanding of the theoretical discussion in application to Latvia.

The World Wars, and the ensuing Soviet era, have contributed to a massive transformation of the population of Latvia, with the ethnic or ‘titular’ group experiencing a significant decrease due to war casualties, refugees fleeing to the West, and deportations to the East, and the subsequent massive post-war immigration of Russian speakers. According to Lumans (2006), in the period between 1935-1945 roughly 180,000 Latvians died, and more than 100,000 fled to the West. From the displaced persons camps, the Latvian refugees eventually made their way to various Western countries which had signed the Convention Relating to the Status of Refugees, including the Commonwealth of Australia, Brazil, and New Zealand. Furthermore, during the Soviet era, Latvia experienced a massive influx of Russian speakers. The Table below illustrates the ethnic population composition changes resulting from the outmigration and the immigration in the years from 1935 to 2013.

**Ethnic Composition of Latvia**

<table>
<thead>
<tr>
<th></th>
<th>1935</th>
<th>1989</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Titular (Latvians)</td>
<td>1,467,035</td>
<td>1,387,757</td>
<td>1,237,463</td>
</tr>
<tr>
<td>Russians</td>
<td>168,266</td>
<td>905,515</td>
<td>530,419</td>
</tr>
<tr>
<td>Belarusians</td>
<td>26,803</td>
<td>119,702</td>
<td>70,273</td>
</tr>
<tr>
<td>Poles</td>
<td>48,637</td>
<td>60,416</td>
<td>44,457</td>
</tr>
<tr>
<td>Jews</td>
<td>93,370</td>
<td>22,897</td>
<td>5,761</td>
</tr>
<tr>
<td>Ukrainians</td>
<td>1,844</td>
<td>92,101</td>
<td>46,335</td>
</tr>
</tbody>
</table>

Source: LR Central Statistical Bureau (2014)

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As a means of restoring independence after the collapse of the Soviet Union, Latvia invoked the continuity doctrine. According to the continuity doctrine, if a state whose independence was unlawfully interrupted, restores its statehood, it can declare itself to be the same state which was unlawfully liquidated. Accordingly, legislation is introduced on the basis of the previous constitutional regulation, and the previously existing citizenry is also maintained. Thus, in the autumn of 1991 citizenship of Latvia was restored to inhabitants who had resided in Latvia prior to June 17, 1940, and their descendants, on the basis of the adopted decision “On the Restoration of the Rights of the Citizens of the Republic of Latvia and the Basic Principles of Naturalization”. This began the process of Latvian identity redefinition and consolidation upon the grounds of what Brubaker has defined as nationalizing state policies. This term describes the tendency of policy makers to see, “…the state of and for a particular nation…to make the state what it is properly and legitimately destined to be, by promoting the language, culture, demographic position, economic flourishing, or political hegemony of the nominally state-bearing nation.” In order to consolidate its position, the nationalizing state practices dissimilation, rather than assimilation. By dissimilation Brubaker (2009: 88-106) implies that attempts are made to displace, or exclude, those conceived as outsiders from key positions and avert their influence over the political, cultural, and economic life of the new state. As a result of the process of redefining who constitutes the Latvian citizenry, roughly 740,000 inhabitants of Latvia who had arrived during the Soviet period were labeled as ‘non-citizens’.

The non-citizens were faced with the choice of acquiring citizenship of another country (usually Russia), remaining in the non-citizens status, or completing the naturalization procedure of Latvia. However, this choice was further complicated by the fact that Latvia had not adopted a formal procedure for naturalization, and did so only in 1994 by the passing of the Citizenship Law. The 1994 version of the law envisaged strict language requirements and naturalization was to take place in accordance with, “…a system of ‘age brackets’ whereby a timetable (from 1996 through 2003) was created in which different categories of ‘non-citizens’ were allowed to submit applications depending on where and when they were born and arrived in Latvia.” Because of the restrictive nature of the law and the imposed quotas, naturalization was sluggish. According to Dorodnova, only 7 per cent of those who had a right to submit an application for naturalization in the time frame from 1995-1997, did so. The former USSR citizens were also given the right to apply for, and receive, Russian citizenship. Accordingly, the share of Russian citizens permanently residing in Latvia has steadily increased from 8,149, or 0.33 per cent of the total population, in 1996, to 36,147, or

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1.79 per cent of the total population in 2013. In addition, as of 2013, there were 2,345 Ukrainian citizens permanently residing in Latvia, 1,611 Belarussian citizens, and roughly 267,559 individuals, or 13.22 per cent, of permanent residents classified as non-citizens.21

The uncertain citizenship status of the Russian speakers, and the emphasis placed on language by the nationalizing policies, has complicated Latvia’s relations with Russia and signaled the beginning of what Brubaker has termed the ‘triadic nexus’ of relations between a nationalizing state, minorities, “…and the external national ‘homeland’ to which they belong, or can be construed as belonging....”22 Since the collapse of the Soviet Union, Russia has increasingly assumed the role of protecting, and negotiating for, the Russian diaspora abroad through the use of various economic, military, and political means. As Russia reestablished its role in the world and branded itself the rightful heir to Soviet achievements, the ability of Russia to influence the Russian speakers in Latvia has also notably increased, especially through the media. As a result, a research report showed that the, “…attitudes of many Russian speakers in Latvia are closer to the attitudes that are expressed in the Russian media, as opposed to the official views of the country in which these people live.”23

This relationship structure is distinct from the traditional Western understanding of immigration and emigration factors influencing dual citizenship legislation, as outlined by Blatter and Schlenker (2012), “…the world order de facto resembles a system of ‘imperial’ relationships among nation states that are characterized by asymmetric flows of (military, political, economic and cultural) influence from the powerful ‘core states’ to less powerful ‘peripheral states’”.24 Within the Russian and Latvian set-up the core and periphery relationship is unclear, and the resulting inter-dependencies are skewed. Where traditionally, populations from the disadvantaged periphery move to the prosperous core in order to better their position, in this instance the Russian speaking population in question has not moved, but has experienced borders moving. Brubaker explains that, “When the Soviet Union collapses, borders moved over people, not (immediately) vice versa, thus creating the post-Soviet internal and external membership politics in Russia and the other successor states.”25

The resulting uncertainty of where the Russian speaking population belongs, to whom it is loyal, and if it could function as a representative of Russia’s interests in Latvia, has been one of the main factors shaping the current restrictive approach to dual citizenship. The ever present Russian influence, coupled with the sizable Russian speaking non-citizens population in Latvia, has made Latvian officials hesitant to allow for unrestricted dual citizenship. This reasoning is rooted in the belief that, “Transnational citizenship is obviously incompatible with a desire or need to assimilate into mainstream society.”26 Dual citizenship for Russian speakers is, thus, viewed as a hindrance to their integration process within Latvia.

In contrast to this process of national self-assertion, are the constraints placed on policy and political decision-making by the international environment and the globalized world within which Latvia found itself upon the collapse of the USSR. The rapid transformation process of

22 Brubaker, R. (1996).., p. 4
24 Blatter, J. and Schlenker, A. (2012)., p. 43
26 Bauböck, R. (2007b)., p. 78
the 1990’s was spurred on by Latvia’s wish to ‘rejoin Europe’ as, “...a key means to ensuring their countries’ economic modernization, geopolitical security, and general social well-being.” The Europeanization process required significant readjustments to the nationalizing state policies and the processes of state-building. Most notably, the restrictive citizenship legislation of 1994 had to be amended upon the demands of the international community, which called for a solution to the sizable non-citizens population and minority integration issues before the extension of membership. Thus, the resulting approach to citizenship policy in the Latvian case, “…highlights the two contradictory wishes of the Latvian policymakers, the rebuilding of the ethnic Latvian nation-state, and the democratization of a multinational society.”

This duality manifests itself also in the current version of the dual citizenship legislation in that, on the one hand, Latvia is modernizing and accepting multiple nationalities, particularly with its Western allies and fellow members of international organizations, while safeguarding itself against the potential unwelcome influence of the remnants of the former Soviet Union. Documents from the Legal Affairs Subcommittee of the Latvian Saeima, tasked with drafting the amendments to the Citizenship Law of Latvia, show that in deciding with what countries to allow for dual citizenship the current list was subject to internal debate. In the final version, the international membership organization countries of EU, EFTA, and NATO were selected as qualifying for dual citizenship. However, committee meeting documents show that the suggestion to use the international membership organizations of the Council of Europe and the World Trade Organization, as indicators of countries with which to allow for dual citizenship, were rejected. Unsurprisingly, Russia is a member of both the Council of Europe and the World Trade Organization.

Additionally, the current dual citizenship legislation allows Latvia to combat another challenge it has faced upon joining the globalized world, and specifically the European Union, emigration. The Citizenship Law of Latvia, in Section 1 detailing the purpose of the law, clearly states that one of the reasons for the amendments is in order, “…to recognize dual citizenship in compliance with the political objectives and interests of the State of Latvia and to retain the aggregate of the citizens of Latvia under increased mobility conditions”. This formal institutionalization of a link with the homeland is again evoking the attempts to rebuild the ethnic Latvian nation-state and emphasizes the, “…permanent nature of the ethnic bond and about a wider national community extending beyond the state’s borders.”

The dual citizenship amendments of 2013 are envisioned as a way to maintain ties with the recent Latvian emigrant population. A motivating factor, propelling political action, has been the painful population decline of Latvia within the last century. Census data from 2011 suggests that the population of Latvia has decreased by 309,000 individuals, or roughly 13 per

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29 Morris, H.M. (2003), p. 3
31 LR Pilsonības likums (2013).
cent of the total population, since the last census of 2000. This decline can be partially attributed to natural causes, but the majority is due to out-migration of nearly 190,000 individuals. The formal acceptance of dual citizenship, for those emigrating to nations deemed as acceptable, is about Latvia, “…maintaining ties with emigrants; making it easier for them to retain their citizenship, even when they acquire citizenship elsewhere; and facilitating home-country involvement in such matters as voting, property ownership, and remittances.”

The combination of the above listed factors has resulted in Latvia accepting, what Bauböck (2007, 2009) has termed ‘external citizenship’. This notion, according to Blatter and Schlenker (2012: 26), “…denotes the phenomenon that the congruence between residents and nationals has been reduced not only by the inflow of people into the territorially demarcated nation states but also by the outflow of people and the fact that emigrants are not stripped of their citizenship status and rights as soon as they are leaving their country.” However, in the Latvian case, as pointed out by Bauböck (2007), the acceptance of ‘external citizenship’ is shaped by the ethno-national understanding of an ever enduring natural affiliation between a state and its nationals. It is the intention of the next section of this article to establish to what extent does the acceptance of the limited form of dual citizenship in Latvia, and the recognition of ‘external citizenship’, strengthens democracy in accordance the normative theories of democracy.

LIBERAL DEMOCRACY

The classic conception of liberal democracy is centered on the idea of a contract between the government and the governed, as a means of limiting the transgression of rulers and, “…assigning inviolable political rights and civil liberties….” The agreed upon rights, envisioned by Rawls's as justice, are defined as a, “…set of principles that rational individuals could endorse to fix the terms of social co-operation.” Liberal values, and adherence to the said values, play an important role in defining what constitutes a liberal democracy. The proponents of liberal democracy generally advocate, “…freedom of speech, press, assembly, religion, property, and procedural rights of due process, e.g., fair trial, right to counsel.” As phrased by Kochenov (2010), “…when liberal democracies refer to ‘being one of us’, their ‘particularism’ is necessarily bound to stop at the restatement of liberal values…”

Further, within the liberal paradigm, “The perspective is to see oneself as one among many free and equal individuals and to acknowledge that the political society to which these individuals belong must be governed by principles that all can potentially accept.” The conception of liberal democracy consents that each individual has a set, distinct preference,
that has to be afforded equal consideration. The aim of liberal democracy, thus becomes, “…to aggregate individual preferences into a collective choice in as fair and efficient a way as possible.”\(^{41}\) As such, formal equality is of key importance to the liberal conception of democracy so that the individual can defend his preference and because, “A free society requires that all citizens should enjoy equal rights.”\(^{42}\)

The second key principle of liberal democracy is concerned with the congruence between the government and those governed. The inclusion of equal individuals in the political community safeguards their preferences by allowing them to voice their position regarding decisions that might impact them. Thus, all those who are subject to the government rules, must have the right to vote freely and their vote has to be taken equally into account. Liberal democracy’s concern with congruence raises questions of how to define those who should be included, and how to delineate the boundaries of the demos. Dahl, in his ‘principle of full inclusion’, has famously made the claim that, “The demos must include all adult members of the association except transients and persons proved to be mentally defective.”\(^{43}\) Waltzer has also endorsed full inclusion by stating that, “The process of self-determination though which a democratic state shapes its internal life, must be open, and equally open, to all those men and women who live within its territory, work in the local economy, and are subject to local law.”\(^{44}\) In disagreement Schumpeter has stated, “Must we not leave it to every populous to define himself?”\(^{45}\) In Schumpeter’s statement there exists a presumption that the core of the populous, or the ‘people’ already exists. For liberal democracy this creates a paradox that is best paraphrased by Jennings when he states that, “The people cannot decide until somebody decides who are the people.”\(^{46}\)

In order to resolve this question, within the liberal conception of democracy, of who should be included in the decision making process and delineate pre-conditions for participation, Bauböck (2007) presents the ‘stakeholder principle.’ He states that a claim to membership, “…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.”\(^{47}\) In addition to the current biographical circumstances, “Individuals whose circumstances of life 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 that shape the shared future of this political community.”\(^{48}\) Thus, included in the process are those individuals who are not physically present within the territory, but reside abroad, who can, however, “…contribute in various ways to the flourishing of their home countries and therefore should have a claim to be represented in its political decisions.”\(^{49}\)

In his evaluation of the compatibility of dual citizenship with the liberal conception of democracy, Blatter (2008) reaches the conclusion that the liberal understanding of democracy offers both arguments in support, and in opposition, to dual citizenship. Working within the

\(^{41}\) Miller, D. (2000)., p. 9
\(^{42}\) Wolin, S. W. (2004)., p. 525
\(^{48}\) Ibid, p. 2422
\(^{49}\) Bauböck, R. (2007)., p. 2413
established framework of liberal democracy, Blatter notes that the individual will of the people subject to the rule of the government, has to be respected by the government. The challenge posed by globalization and migration is that, oftentimes, incongruences arise between those who are actually residing in the territory of the government, and those participating in the decision making process. In agreeing with Bauböck’s ‘stakeholder principle’, Blatter states that, “…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.”

Further, in expanding upon the congruence requirement of liberal democracy, Blatter (2008) offers the relationship between legal and political rights of citizens as an additional argument in support of dual citizenship. He states, “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.” Thus, dual citizenship, within the liberal conception of democracy, is a means of expanding political rights and ensuring accountability of the rule-makers to those who are ruled within the globalized world.

On the other hand, for Blatter, a convincing arguments against dual citizenship within the liberal conception of democracy is the inequality dual citizenship perpetuates between members of the political community. First, Blatter cites the commonly used argument that dual citizenship creates inequality as, “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.” However, he is quick to offer a rebuttal to this argument by first stating that, “…voting rights 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.” Thus, since dual citizens are potentially affected by the decisions of two different governments, they should have the right to voice in both polities. The second argument in support of dual voting rights for dual nationals, offered by Blatter, states that, “…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 voice is not violated within the sphere of each polity.”

For him, a more problematic issue for equal political rights amongst all citizens arises from the fact that, “Dual citizens have a right of entry in another country (in the sense of fully resettling) that mono citizens do not have.” As a result, dual citizens can more easily choose to leave a country permanently and resettle elsewhere without much difficulty. “In consequence, they have a second instrument (besides ‘vote’/ ‘voice’) readily at hand to express their interests and to control their government.” Blatter considers this a strong argument for why dual citizenship violates the equality principle within the liberal conception of democracy.

Further, Blatter discusses how dual nationality might be problematic for the liberal requirement that citizens respect and obey the rule of law. Here he offers the convincing

50 Blatter, J. (2008)., p. 9
51 Ibid, p. 10
52 Ibid, p. 10
53 Ibid, p. 10
54 Ibid, p. 10
55 Ibid, p. 11
56 Blatter, J. (2008)., p. 11
argument that, “…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.” As a result, dual citizens might wittingly, or unwittingly, be more likely to disregard certain legal requirements depending on their needs and wants. A further problem is envisioned in instances where the two legal norms diverge, thus, creating a situation of uncertainty about which standards are to be considered as just and observed.

In concluding his analysis of dual citizenship from the perception of liberal democracy, Blatter states that, “…from a liberal perspective the congruence principle lead 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.” As a result, liberal democracy offers both arguments in support, and in opposition, to dual citizenship.

Latvian Approach to Dual Citizenship and Liberal Democracy

Blatter, in defining the guiding principles of liberal democratic theory stated that, “All those who are subject to governmental rules should have the right to vote freely and their vote has to be taken into account equally”. Bauböck goes further in invoking the ‘stakeholder principle’ in which he argues that participation and decision rights should be afforded not only to all those who are affected by the government rules and regulations, but also to all, “Individuals whose circumstances of life 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…” These two statements encapsulate the positive and the negative aspects of the Latvian approach to dual citizenship. On the one hand, dual citizenship has been granted to the vast population of individuals with Latvian ancestry in countries abroad who have come to be there as a result of exile or outmigration. Where beforehand only a small portion of exiles were formally recognized as dual citizens, now the option, and the associated rights, is available to a greater number of individuals. Individuals with Latvian ancestry, who previously missed the registration period, as well as recent Latvian emigrants abroad, and citizens of other polities residing in Latvia, can now be formally recognized as having multiple nationalities with a select number of countries. Their collective concern for the future well-being of Latvia can now be formally taken into account and voiced through political participation in decision making.

On the other hand, the continued exclusion of the post-Soviet citizens disregards their preference in their country of residence, and contributes to contribute to a lack of congruence between the decision makers and the actual population. By implementing the limited approach to dual citizenship, Latvia has embraced Schumpeter’s understanding that the populous should be allowed to define itself and the composition of its membership, violating Dahl’s ‘principle of full inclusion’. It is also worthwhile to note that Bauböck (2010) has argued against ‘over-inclusiveness’ when it comes to dual citizenship. Within his ‘stakeholder principle’ a genuine link is necessary between the individual and the state. Thus, “Multiple citizenship ought to be granted only to persons with genuine links to several states. This principle would clearly condemn ius sanguinis transmission of citizenship across several

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57 Ibid, p. 12
58 Ibid, p. 13
59 Ibid, p.7
generations born abroad or preferential naturalization of persons residing permanently abroad whose ancestors had once been citizens.”

Within the liberal conception of democracy it seems unjustifiable to grant dual citizenship to individuals of Latvian descent, yet ignore the rights of the longstanding resident population.

The other guiding principle of liberal democracy, as discussed, concerns the formal equality of all members within a political community. The Latvian approach to dual citizenship already in 1991 privileged a certain group of individuals who, as a result of their dual citizenship status, had the opportunity to participate in more than one polity and have a say in multiple decision making processes. Now, with the 2013 amendments, and the recognition of ‘external citizenship’ that privileged group has been significantly enlarged. Blatter (2008) also argues that the dual citizens are privileged in that they can ‘exit’ the country of residence, and ‘enter’ their other country of membership, if they are dissatisfied with the decision making process. Dual citizens are, therefore, free to leave the community of membership at any time without any significant difficulty and escape unfavorable decision making policy, where mono citizens have no choice but to tolerate the made decisions. The combination of the above perpetuates the privilege of dual citizens, a privilege that within the liberal conception of democracy is unacceptable.

To circumvent the problem dual citizenship poses to the traditional understanding of liberal democracy, Bauböck has argued that voting rights cannot be construed as a privilege or a resource, as votes give an opportunity to participate in future decision making affecting all citizens, not simply improving one’s individual assets. Further, “…as long as the vote in the first country does not have an influence on the aggregation of interest within the second polity, the principle of equal weight of individual votes is not violated within the sphere of each polity.” However, in the Latvian case, it is specifically the impact these votes have, or could have, on each polity that is of immense concern. As it stands, the Russian citizens population in Latvia is currently an insignificant number, at only 1.79 per cent of the total population as of 2013, however, if the non-citizens population, at 13.22 per cent, is considered as a prospective candidate for dual citizenship, then the changes to the size and composition of the electorate could be dramatic.

By referring back to Bauböck’s two quotes, the one dealing with the stakeholder interest in the “flourishing of a particular polity”, and the above quote on “aggregation of interest within the second polity”, a summary of the fears underlying the reasons for the exclusion of Russian language speakers from dual citizenship can be presented. Russian language speakers have specifically been excluded from the dual citizenship privileges because of concerns for their loyalty in voting, and fears that their votes will reflect the interests of Russia, the neighboring kin-state. As such, there is a certain amount of apprehension as to if the Russian speakers future vision of a flourishing Latvia, corresponds to that of the titular population. However, according to the liberal understanding of democracy such assumptions originating from fear are unacceptable. Bauböck (2007b) states that, “From a liberal perspective we must not accept perceived threats as sufficient justification for restricting minority rights.”

Another aspect of the Latvian limited approach to dual citizenship, which causes strife with the liberal understanding of democracy, relates to something Benedict Anderson has termed

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61 Bauböck, R. (ed.) (2010)., p. 3
62 Bauböck, R. (2007)., p. 2428
63 Blatter, J. (2008)., p. 10
64 Bauböck, R. (2007b)., p. 74
‘long-distance nationalism’.\textsuperscript{65} He has suggested that some diaspora communities are fixed in time, preserving a culture and an image of a homeland that does not correspond to the actual contemporary reality. Further, these diaspora communities engagement in long-distance nationalism can, oftentimes, be ethno-centric and counterproductive to the resolution of minority and immigrant integration and accommodation issues. Granting these diaspora communities a formal say in the political process can further alienate and exclude the minority communities deemed as undesirable or non-conforming to the preserved image of the national homeland and culture. As a result, “Letting expatriates vote exposes residents to the risk of ending up with a government that they would not have chosen for themselves, while expatriates can escape the consequences of their own choices.”\textsuperscript{66}

In the Latvian case, an argument can be made that by enfranchising the former Latvian exiles, and those with a Latvian ancestry in the traditional Latvian diaspora centres abroad, the historical tensions with Russia may impact their voting patterns on issues related to Russian language speakers residence in Latvia. Evidence for this already exists when looking at the high level of support the nationalistic parties, "All For Latvia!" and "For Fatherland and Freedom/LNNK", have enjoyed from the voters abroad in parliamentary elections.\textsuperscript{67} By empowering individuals with Latvian ancestry to formally participate in the decision making process through dual citizenship, while excluding those residing in Latvia who are affected by the decision making process, the equality and congruence principles of liberal democracy are further debased and a dangerous precedent established.

An argument that could be used to defend the limited approach to dual citizenship employed by Latvia, in line with the liberal conception of democracy, pertains to liberal democratic values and subsequent legal norms. In granting dual citizenship only to the Western cooperation countries, who have shaped Latvia’s transition to democracy, a safeguard is implemented in that the two sets of legal norms and rules that the dual citizens will have to abide by and respect are similar and consistent. By specifically excluding the largest group of third country nationals, Russian citizens, from dual citizenship with Latvia, Latvia could be insinuating that Russia fails to abide by the liberal guidelines and, thus, dual citizenship with Russia would weaken Latvia’s resolve in applying the liberal framework.

In returning to the central question of this article, of whether the current version of the Citizenship Law of Latvia, formally allowing for limited dual citizenship, in comparison to the previous regulations, strengthens democracy according to the normative liberal theory, the following table below is used to help illustrate the conclusions. In the left hand column, an overview of the applicable aspects relating to dual citizenship and the normative theory of democracy are presented as they were previous to the 2013 amendments to the Citizenship Law of Latvia. In the right hand column, the applicable aspects of the new legislation are outlined. Their respective impact on the strength of democracy, according to the theoretical understanding, is illustrated with the use of arrows. An arrow pointing up represents a positive increase in democracy according to liberal democracy, an arrow pointing down represents a negative impact on democracy, and a sideways arrow represents no change to the previous status quo.

\begin{table}[h]
\centering
\begin{tabular}{|l|l|}
\hline

\textbf{Previous to 2013 Amendments} & \textbf{New Legislation} \\
\hline
\hline

Aspect & Impact on Democracy \\
\hline
\hline

\end{tabular}
\end{table}


\textsuperscript{66} Bauböck, R. (2007).\textit{p. 2418


12
## Latvian Citizenship Legislation and Liberal Democracy

<table>
<thead>
<tr>
<th>Citizenship Legislation Pre-2013</th>
<th>Citizenship Legislation Post-2013</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Inclusion/Equality:</strong></td>
<td><strong>Inclusion/Equality:</strong></td>
</tr>
<tr>
<td>- Small percentage of dual citizens have say in more than one polity on decisions that affect them.</td>
<td>↑ Dual citizens share has increased, greater percentage have say in more than one polity on decisions that affect them.</td>
</tr>
<tr>
<td>- Small percentage have ‘exit/enter’ option.</td>
<td>↓ Greater number of individuals have ‘exit/enter’ option unavailable to mono citizens. Perpetuates inequality.</td>
</tr>
<tr>
<td>- Non-citizens unequal with no say.</td>
<td>↔ The non-citizens still unequal with no say.</td>
</tr>
<tr>
<td><strong>Congruence:</strong></td>
<td><strong>Congruence:</strong></td>
</tr>
<tr>
<td>- Latvian exiles and emigrants abroad, with another nationality, who did not register by 1995 have no say.</td>
<td>↑ Latvian exiles and their descendants abroad, with another nationality (irrespective of what), have a say.</td>
</tr>
<tr>
<td>- High percentage of residents, such as third country nationals and non-citizens, have no say.</td>
<td>↑ Latvian emigrants abroad, with nationality accepted by the dual citizenship amendments, have a say.</td>
</tr>
<tr>
<td></td>
<td>↑ Third country residents of Latvia, with nationality accepted by the dual citizenship amendments, have a say.</td>
</tr>
<tr>
<td></td>
<td>↔ Non-citizens and residents of Latvia with nationalities unaccepted by the dual citizenship amendments still have no say.</td>
</tr>
</tbody>
</table>

As such, the analysis of the 2013 Latvian Citizenship Law amendments allowing for dual citizenship, in comparison to the previous regulation, suggests that progress can be noted in overcoming the incongruence’s resulting from historical exile migration abroad, and the recent effects of global migration. However, the incongruence’s are only remedied for the ethnic Latvians and select third country nationals. The largest groups of third country nationals residing in Latvia, subject to Latvian government decision making, are still disregarded by the dual citizenship legislation. As noted by Spiro (2007), “At some point, the territorial presence of political non-members will undermine the liberal premises of the modern democratic state, even if the non-membership is a matter of choice.”

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Additionally, from the liberal perspective, the policy emphasis on the *ius sanguinis* transmission of citizenship across several generations born abroad can be construed as ‘over inclusive’ and can also advance concerns for the potential of ‘long distance nationalism’, where the dual citizenship rights might be used for revanchist and ethnic nationalist purposes. Further, the dual citizenship legislation produces inequality in allowing dual citizens to have multiple ‘entry/exit’ rights, allowing for the situation in which dual citizens can escape unfavorable legislation or situations more easily than mono-citizens. In conclusion, the Latvian limited approach to dual citizenship, where certain individuals of specific backgrounds are being granted membership rights, while others are excluded, is difficult to legitimatize within the framework of liberal democracy as liberal democracy requires a commitment to equality and inclusion. Even though some progress can be observed through the adoption of the dual citizenship amendments, the new Citizenship Law of Latvia still leaves much opportunity for strengthening democracy according to the liberal perspective.

REPUBLICAN DEMOCRACY

The core of the republican conception of democracy lies in active political participation, which in turn results in greater political legitimacy for the polity as, “…political participation and representation rights are the core of republican conceptions of citizenship, under which a citizen is a full member of a self-governing political community.”69 Thus, republicanism envisions an, “…active citizen who takes part along with others in shaping the future direction of his or her society through political debate.”70 However, within the republican perspective there are two further avenues distinguishing the approach to republican democracy relevant for this analysis; ‘protective republicanism’ and ‘developmental republicanism’.

Within the ‘protective republicanism’ conception of democracy it is enough that citizens participate in shaping the rules governing their liberty, which in turn, shape their day to day existence. Thus, by participating they are ensuring that the laws which govern a polity are those drafted by the individuals subject to them. In a sense, they are ‘protecting’ themselves from tyranny. Paraphrasing from Rousseau, Held states that, “Citizens are only obliged to obey a system of laws and regulations on the grounds of publicly reached agreement, for they can only be genuinely obliged to comply with a law they have prescribed for themselves with the general good in mind.”71 The quote also highlights the importance of subordinating personal gains to the greater good, or the general will, within the republican understanding of democracy.

The ‘developmental republicanism’ differs slightly in that by endorsing citizen’s participation, an emphasis is also placed on promoting the equality of the participants in economic and political terms. The equality is envisioned as a precondition so that “…nobody can be master of another and all can enjoy equal freedom and development in the process of self-determination for the common good.”72 Within this branch of republicanism it is understood that political participation is a necessary pre-condition for individual’s personal development and fulfillment. “Developmental republicanism thus considers political participation a value unto itself. Citizens are only able to realize themselves through an active public life.”73

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72 Held, D. (2006),. p. 48
73 Moller, J. and Skaaning, S.E. (2013),. p. 24
The emphasis both conceptions of republicanism place on participation highlights how participation is, “…as much a duty as it is a right.”\textsuperscript{74} This duty to participate within the community, also places certain further requirements upon the citizens. Selbourne (1994) has argued that it is the duty of citizens to sustain the civic bond, thus, it is their obligation to inform themselves about the nature of the civic order.\textsuperscript{75} The republican arguments against dual citizenship hinge on these two, above mentioned, key provisions. The commonly held fear is that, “…dual citizenship constitutes an incentive to make use of the respective rights (of citizenship) without fulfilling and possibly even escaping the corresponding duties of citizenship…..”\textsuperscript{76} As such, if an individual possesses a citizenship, but does not participate, the legitimacy of the polity in question is undermined.

In his evaluation of dual citizenship, in light of the republican conception of democracy, Blatter reaches the conclusion that, “…dual nationality enlarges the possibilities for political participation of individuals by opening up multiple polities for personal involvement”.\textsuperscript{77} However, by opening up these multiple opportunities for participation, dual citizenship also risks reducing the total sum of participation in each polity and provides a means by which the citizen can shirk his civic duties. This is attested by Spiro’s findings that, “Even as many states move to facilitate exercise of the franchise by non-resident citizens, turnout rates have been low, sometimes remarkably so.”\textsuperscript{78} Thus, “…from a republican view dual citizenship seems to be a mixed blessing.”\textsuperscript{79} Taking the above into consideration, Blatter reaches the conclusion that, “From a republican perspective, dual citizenship has to be endorsed inasmuch as it leads to higher levels of political involvement and participation not only in the country of residence but also in other countries as well as across national borders and on a supranational level.”\textsuperscript{80} This statement foreshadows Blatter’s later work, in which he proposes that dual citizenship in the republican conception, can be further utilized to overcome the dominating influence of economic actors as dual citizens can, “…legitimatize political regulations beyond the nation state.”\textsuperscript{81}

Latvian Approach to Dual Citizenship and Republican Democracy

The republican conception of democracy advocates political participation as an essential condition of personal liberty. Habermas emphasizes as a crucial element of democracy, “…the political participation of as many interested citizens as possible through equal communication and participation rights; periodic elections (and referendums) on the basis of an inclusive suffrage…..”\textsuperscript{82} Previous to the acceptance of the dual citizenship amendments of 2013, a large contingent of Latvians who had been forced to flee abroad, or who had emigrated abroad on their own accord and had acquired citizenship of another polity lost their right to formally participate in the decision making process of Latvia. Only a small percentage of citizens who had attained dual citizenship as a result of the 1991 decision, could

\textsuperscript{74} Blatter, J. (2008)., p. 13
\textsuperscript{77} Blatter, J. (2008)., p. 16
\textsuperscript{78} Spiro, P.J. (2007)., p. 193
\textsuperscript{79} Blatter, J. (2011)., p. 779
\textsuperscript{81} Blatter, J. (2011)., pp. 787-788
participate in multiple polities. As such, from both the ‘protective republicanism’ and ‘developmental republicanism’ perspective, enlarging the group of prospective participants in the political decision making process who are to some extent impacted by the decisions made, should be interpreted as a step forward in strengthening democracy in Latvia.

From the republican perspective, participation, and the resulting legitimacy participation confers onto the political system, enabling self-determination, is the foundation of democracy. Thus, the greatest risk dual citizenship can pose to democracy is in reducing the political involvement of stakeholders. The fear surrounding dual citizenship for republicans is based on the idea that dual citizens might not participate adequately in either polity, or will shirk their responsibilities completely. Both Blatter (2008) and Bauböck (2007), in their articles, reference the limited empirical evidence that does exist suggesting that electoral participation is lowest amongst dual citizens and expatriates with out-of-country voting privileges.83 Bauböck goes as far as to state that, “Voter turnout among expatriates is nearly always lower than among the domestic electorate.”84

When looking at the Latvian case, the data from the Central Election Commission of Latvia on the statistics of the political participation of Latvians residing in the United States, seems to support this conclusion. In the last Saeima elections of 2011, a total of only 1,168 votes were cast in the United States.85 However, the official voter register shows that some 10,854 Latvian citizens in the United States are eligible for out-of-country voting privileges.86 The results on participation from these elections, which were held before the dual citizenship amendments came into force, suggest that in terms of electoral participation the fear that dual citizens might be less likely to participate could be well founded. Thus, the idea of a democracy as a self-governing political community where it is, “…each person’s good to be engaged at some level in political debate, so that the laws and policies of the state do not appear to him or her simply as alien impositions but as the outcome of a reasonable agreement to which he or she has been party”87, could be weakened by the introduction of the 2013 dual citizenship amendments in Latvia. Further, Bauböck has stated that, “Active political participation requires presence in the political arena.”88 It is true that modern technology makes it possible for dual citizens residing abroad to participate by other means, however, “…their absence disconnects them (even if sometimes only temporarily) from the ongoing process in which citizens living together collectively determine their future.”89 From the republican perspective, uninformed political participation, or worse, non-participation of eligible individuals, significantly weakens the democratic potential of a community.

The ‘developmental republicanism’ conception offers both arguments for and against dual citizenship in relation to democracy. On the one hand, dual citizenship can be construed as posing a challenge to democracy in that it violates the equality requirement. As discussed, ‘developmental republicanism’ requires equality in political and economic terms amongst the citizens as a pre-condition of participation in matters of self-determination. Because dual citizens have the right to participate politically in multiple polities, and their ‘voices’ can influence the political decisions-making in multiple political systems, they can be construed

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89 Ibid, p. 2417
as privileged in terms of political rights. However, dual citizenship can also be interpreted as a means for counterbalancing the domineering influence of external economic actors within a globalized system. By increasing the number of individuals who can participate in the decision-making process of multiple polities, it becomes possible to extend regulations over national borders and to constrain global influences.

Within the republican conception of democracy a continuing problem for Latvia, diminishing full democratic potential, is the exclusion of long term resident non-citizens and third country nationals of particular citizenships from participation. This exclusion perpetuates the continuing incongruence between those who, due to residency, are subject to the law, and those who can participate in the law making process regardless of their residency. Thus, the participation rights granted by the dual citizenship amendments of 2013 to a select group of individuals are an improvement, encouraging congruence, but are still inadequate for the republican conception of democracy envisioning full participation rights.

To answer the central question of this article of how the republican conception of democracy regards the 2013 amendments to the Citizenship Law of Latvia, in comparison to the previous regulations, in relation to the strength of democracy, the table below reflects the findings.

**Latvian Citizenship Legislation and Republican Democracy**

<table>
<thead>
<tr>
<th>Citizenship Legislation Pre-2013</th>
<th>Citizenship Legislation Post-2013</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Participation:</strong></td>
<td><strong>Participation:</strong></td>
</tr>
<tr>
<td>- Participation rights in the decision making process reserved only for citizens, and allow participation of small percentage of dual citizens.</td>
<td>↑ Increase the number of individuals who are subject to the laws governing the polity that are also eligible to participate in the decision making process.</td>
</tr>
<tr>
<td>- Non-citizens and third country national residents of Latvia obliged to obey laws did not draft.</td>
<td>↑ Increase the share of individuals who can realize themselves within the ‘developmental republicanism’ conception by participating.</td>
</tr>
<tr>
<td></td>
<td>↑ Increase means for overcoming domineering economic actors and extend regulation over national borders.</td>
</tr>
<tr>
<td></td>
<td>↓ Increase the likelihood of individuals not participating, or shirking responsibility. Potentially decrease legitimacy.</td>
</tr>
<tr>
<td></td>
<td>↓ Increase the likelihood of individuals being inadequately informed for participation.</td>
</tr>
<tr>
<td></td>
<td>↔ Non-citizens and residents of Latvia with nationalities unaccepted</td>
</tr>
</tbody>
</table>
by the dual citizenship amendments still cannot participate. Obliged to obey laws did not draft.

<table>
<thead>
<tr>
<th>Equality:</th>
<th>Equality:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Small percentage of dual citizens privileged in terms of political rights in comparison to monocitizens.</td>
<td>▼ Increase share of dual citizens. Dual citizenship challenges the equality requirement between citizens in ‘developmental republicanism’, as dual citizens privileged in terms of political rights.</td>
</tr>
</tbody>
</table>

As such, the 2013 amendments grant more extensive participation rights to a greater number of individuals, allowing for greater input into the decision making process from Latvians abroad and third country nationals from EU, EFTA, NATO membership countries, as well as from Australia, Brazil and New Zealand. At the same time, the danger in granting participation rights to individuals with multiple nationalities lies in the potential of decreased participation from the aforementioned individuals. Studies have shown, and the data from the latest Latvian elections seems to partially support, the notion that individuals with out-of-country voting privileges are less politically active. Thus, from the republican perspective, dual citizenship amendments potentially risk decreasing the democratic legitimacy of Latvia.

The Latvian dual citizenship amendments of 2013 could potentially strengthen democracy in Latvia by enabling a means to counterweigh the impact of globalization and the influence of transnational economic actors through the increased decision making power of dual citizens across national borders. At the same time, the privileged position these individuals hold, challenges the equality requirements of ‘developmental republicanism’. By increasing the number of potential dual citizens, democratic principles of equality are further eroded. The Latvian limited approach to dual citizenship also perpetuates the exclusion of non-citizens and third country nationals, who are long terms residents of Latvia, from participating in the decision making process. As such, from the republican conception of democracy the enlarged group of potential participants in the decision making process is both a blessing and a curse in terms of strengthening democracy. Much will depend on further specific empirical studies that detail the actual political involvement and activity of the dual citizens. If the granted membership rights encourage participation, democracy will be strengthened. However, if membership is only utilized for instrumental reasons and civic duties shirked, the dual citizenship amendments, from the republican perspective, will have served to dilute democracy in Latvia.

**COMMUNITARIAN DEMOCRACY**

The communitarian approach rests on the, “…assumption that social groups with a common culture are central building blocks for a functioning society and democracy.”

In communitarian thinking a collective identity, with shared values, a common purpose, as a national people is of vast importance in order to form and maintain a polity that can withstand the test of time. In arguing against liberalism and individualism, communitarians emphasize the collective, and the traditions of particular communities as the foundation of justice. Only within this framework of community and tradition, are special bonds between community members to be found which further motivate collective work toward the common good, and

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Blatter, J. (2008), p. 21
ensure the long term sustainability of the state. Thus, social cohesions within the community is of vast importance as, “Communitarians see social cohesion as the foundation which gives us the motivation to want to create rules and obey them.” As a result, any disruption to the community’s social cohesion is regarded as a potential threat to democracy.

Citizenship, in the communitarian approach, “…facilitates the identification of individuals with state-based communities.” As such, citizenship is a status that not only guarantees rights, but it is also a means of signaling belonging and compliance. The territorially bounded conception of citizenship, within the communitarian line of thinking, constitutes “…an institutional form of solidarity”, binding an individual to a state, serving to maintain the bonds between the citizens, and to the national society. For communitarians, “If nations are defined as imagined communities of shared language, culture, history, or descent, then membership need not be confined to those who reside in a state where this nation is established.” It is understood that, “…the nation can reach beyond its borders and include individuals who are seen to belong to it by virtue of their ethnic descent or cultural affiliation”. This formal institutionalization of a link with the homeland is based on the idea, “…about the permanent nature of the ethnic bond and about a wider national community extending beyond the state’s borders.”

Citizens of the nation can reside outside its borders and still identify, and be identified as, members of the state-based community. However, dual citizenship, where the individual has memberships of more than one community, is thought to have an, “…identity-diluting effect.” The community identity is weakened as the, “Acceptance of plural citizenship erodes this distinctiveness among national communities.” Because of the potential outsiders dual citizenship policy brings into the community, a worry is also expressed about social cohesion, and for democracy and the power of the state as such. Dual citizenship is, thus, thought to, “…incrementally further weaken the solidarity and trust shared among citizens in the state, which in turn will deplete the power of the state itself.” Dual citizenship also brings into question the primary identification and loyalty of an individual. Huntington has observed that, “…for a person with two or more citi shships, no one citizenship can be as important as his one citizenship is to a person who only has one.” There is a general fear from the communitarian perspective that, “…the short-term perception of dual citizenship as a tool for reinforcing state identity may mask long-term costs.”

Drawing on similar arguments as above, Blatter (2008) identifies four main points against dual citizenship from the communitarian perspective of democracy. First, dual citizens are thought to, “…endanger the solidarity among members of the community” because of their ability to easily ‘exit’ or leave the community. Dual citizens are also thought to, “…transform the traditional culture of a national community…” which negatively impacts the cohesion of

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91 Betts, K. (2002). Democracy and Dual Citizenship. People and Place, 10(1), pp. 57-70, p. 59
92 Spiro, P.J. (2007)., p. 191
94 Bauböck, R. (2007)., p. 2414
95 Ibid. p. 2414
96 Bauböck, R. (2007b)., p. 71
97 Spiro, P.J. (2007)., p. 189
98 Ibid. p. 197
99 Ibid. p. 201
101 Spiro, P.J. (2007)., p. 200
the existing community. Loyalty, in the communitarian understanding, is also endangered by dual citizens attached to two or more states, and this attachment in turn “dissipates patriotism”. Finally, from the communitarian perspective dual citizenship, and the dual membership it allows for, can “…lead to psychological problems for individuals because they cannot develop a consistent personal identity.” Thus, from a communitarian standpoint dual citizenship is seen as weakening the inter-community ties and, as a result, undermining democracy, and argued to be something unfavorable for the well-being of the society. The emphasis on the dangers dual citizenship poses to the community is encapsulated by the ‘protective communitarian’ perspective.

However, this is where the paradox of the communitarian approach to democracy and the dual citizenship debate comes into focus, as most states implementing dual citizenship policy specifically reference the necessity to maintain community ties with co-nationals abroad as the motivational factor behind dual citizenship policy. Blatter states that, “Although in principle communitarian thinking provides strong arguments against dual citizenship (dual citizenship causes problems of loyalty, identity, and solidarity), most initiatives towards the formal acceptance of dual citizenship in migrant sending countries and in countries with kin minorities in neighboring countries are based on a communitarian understanding of citizenship.” The solution to this dilemma is to be found when interpreting the communitarian approach from the ‘developmental’ perspective. Within the ‘developmental communitarianism’ perspective, dual citizenship is seen as a means of enhancing solidarity between the state and emigrants and dual citizenship is accepted in policy, “…in order to strengthen the cultural bonds and to facilitate socio-economic transactions of emigrants between the two countries.” This results in states tolerating ‘external citizenship’ upon the ethnic understanding of national bonds with enduring affiliations, and communitarian thinking serves as the foundation for legitimizing dual citizenship policies.

In concluding, Blatter (2008: 21) states that the communitarian approach to democracy offers the strongest arguments in opposition to dual citizenship. However, the reality of the globalized world, and the results of the cited empirical studies have shown that integration and social cohesion concerns communitarians express are short lived, and are a matter of generational shifts. The desire to maintain links with the mobile global citizenry has culminated in many governments coming to the conclusion that, “Partial loyalty and solidarity often seem to be preferable than no loyalty.”

**Latvian Approach to Dual Citizenship and Communitarian Democracy**

In light of the earlier discussion of the dual nature of transformation experienced by Latvia, on the one hand the wish to rebuild and solidify the nation-state, and on the other hand to modernize and join the globalized world, the current approach to dual citizenship is very much founded upon, and shaped by, communitarian thinking. The ‘developmental communitarianism’ approach has been invoked in order to grant dual citizenship to the external kin population and maintain a formal tie with the expatriates and the recent emigrants abroad and to reassert their ties to the homeland. As already stated, the Citizenship Law of Latvia details the purpose of the law as a means to, “…recognize dual citizenship in

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102 Blatter, J. (2008)., p. 17  
104 Blatter, J. (2008)., p. 20  
105 Ibid, p. 21  
compliance with the political objectives and interests of the State of Latvian and to retain the aggregate of the citizens of Latvia under increased mobility conditions.”

In a sense, the Latvian amendments to dual citizenship are more about citizenship restitution, within the ethnic conception of national membership, than about moving toward a civic conception of citizenship. This distinction between simply granting dual citizenship, and restitution of citizenship to exiles and emigrants is a key factor in the normative justification of dual citizenship in the Latvian case. As Stavila notes, “It is one thing to ask whether it is morally justified and politically desirable to offer citizenship to people who have renounced it in the past or to their descendants who don’t even know the language and have few ideas about their parents’ culture. But it is another thing to question the legitimacy of offering citizenship to persons who were stripped of citizenship against their will or for reasons beyond their control and their descendants….”

The granting of dual citizenship with the limited list of countries is also heavily influenced by the Europeanization process, on the one hand, and communitarian thinking on the other. The Latvian membership in EU and EFTA embodies the Latvian success in rejoining Europe, where NATO represents the common shared security area. An argument was made that member countries of these organizations should qualify for dual citizenship with Latvia because they, “...shared democratic, ethical, moral, and economic values.” Australia, Brazil, and New Zealand were included in the dual membership list as the traditional diaspora centres abroad that had welcomed Latvian refugees, and because they could be classified as Western democracies. Thus, the Latvian policy allows for dual membership only with countries that are believed to be Western democracies that will have minimal impact on the existing morals, values, and traditional culture of Latvia.

To illustrate the comparison between the previous citizenship regulation of Latvia, and the amendments of 2013 formally allowing for limited dual citizenship, as a means of strengthens democracy according to the communitarian perspective in Latvia, the table below is presented.

**Latvian Citizenship Legislation and Communitarian Democracy**

<table>
<thead>
<tr>
<th>Citizenship Legislation Pre-2013</th>
<th>Citizenship Legislation Post-2013</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Cohesion:</strong></td>
<td><strong>Cohesion:</strong></td>
</tr>
<tr>
<td>- Very small percentage of dual citizens endangering solidarity.</td>
<td>↓ Increase likelihood of endangering solidarity because dual citizens have ‘exit’ option.</td>
</tr>
<tr>
<td>- Dual citizenship granted only to exiles, low risk of transforming the traditional culture.</td>
<td>↓ Increase likelihood of transforming the traditional culture.</td>
</tr>
</tbody>
</table>

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107 LR Pilsonības likums (2013).


- Dual citizenship as a result of restitution of citizenship, low risk of endangering loyalty.
- Very small percentage of dual citizens and low risk for personality disorders.

↓ Increase risk to loyalty and patriotism.
↓ Increase likelihood of personal identity problems due to multiple memberships.

<table>
<thead>
<tr>
<th>Group Identification:</th>
<th>Group Identification:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Restitute membership to some ethnic members.</td>
<td>↑ Increase total group membership.</td>
</tr>
<tr>
<td></td>
<td>↑ Solidify community and cultural ties with those abroad.</td>
</tr>
<tr>
<td></td>
<td>↑ Admit to group only from countries with similar ‘culture’.</td>
</tr>
</tbody>
</table>

As such, the analysis of the Latvian Citizenship Law amendments allowing for dual citizenship, in comparison to the previous regulation, suggests that progress can be noted in recognizing and including within the community all interested historic exiles and recent migrants abroad with an ethnic link to Latvia. The formulation of the policy specifically outlines as its goal the maintenance of a formal link with the mobile co-nationals. From the ‘developmental communitarianism’ perspective the inclusion of these individuals enhances the potential for national community solidarity, even across state borders, and can be interpreted as strengthening democracy. However, by allowing for multiple memberships Latvia also has put itself at risk of the many dangers the communitarians view as associated with dual citizenship. Dual citizenship from the communitarian perspective risks endangering solidarity, transforming the traditional culture, endangering loyalty, and increasing the likelihood of personal identity problems. However, the risks, in the Latvian approach, are minimized by granting dual citizenship only to ethnic Latvians, and allowing for dual citizenship only with Western democracies. These limitations are set in place in order to grant membership rights only to nationals of the selected countries believed to have the same mentality, traditions, values and way of life, with minimal disruption potential to the communitarian vision of a national community.

MULTICULTURAL DEMOCRACY

Multiculturalism, as a theory of democracy, envisions a society as a kaleidoscope of various groups, each with their own identity, and none with the inherent right to take precedence over any other. Multiculturalism moves away from the need to achieve an agreement on a common ‘societal culture’ and encourages the celebration of ethnic and cultural distinctiveness. Focus on a particular ‘societal culture’ becomes unacceptable as, “…a multicultural society may not have a single culture for all the groups and no one culture may take precedence over the others.”¹¹¹ Thus, the multicultural approach emphasizes the need for, “…various norms not just derived from one culture, to properly evaluate claims and apply principles of justice.”¹¹² Kymlicka states that within a multicultural state, “…the larger

society must express a commitment to its immigrant citizens, and adapt its institutions to accommodate their identities and practices. Just as immigrant citizens are expected to make a new home in the receiving country, so the receiving country must make them feel at home.”

These signs of welcome also include group-specific measures, or ‘polyethnic rights’, that are intended to promote the expression of ethnic groups cultural particularities, without hindering their achievements in the structural institutions of the host society. The underlying assumption is that the process of simply bringing people into pre-existing forms of organization, “…fails to consider that active participation by those who have previously been excluded from such endeavors may entail a transformation of those very forms.”

A multicultural democracy, thus, refers to a government model that endorses and mediates the relationship between different cultural communities within one civic state framework, equally empowering each distinct community and allowing for the maintenance of cultural ties with the ‘home’ country. Spiro (2010) states that, “Dual citizenship allows for the actuation of the home state tie within established borders, to better reflect organic social memberships; it makes it possible to redraw the boundaries of human community while living with imperfect territorial ones.”

Blatter (2008) has argued that within the discussion of dual citizenship, the multi-cultural perspective could be used as a potential tool in strengthening the self-determination of migrants and national minorities. For one, “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.” By using dual citizenship as a means of implementing multiculturalism, the state welcomes culturally distinct members, and also privileges these members through measures which could be conceived of as affirmative action in order to, “…compensate for their specific disadvantages and dangers.”

The privilege of these dual citizens, within the multicultural conception, is that they may vote in multiple polities, make use of the exit rights if they are to encounter xenophobia and, “…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.”

Thus, Blatter concludes that, “…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.” However, Blatter is quick to note that this conclusion builds upon a common misconception of who are the candidates for dual nationality. In order to implement dual citizenship as a means of ‘affirmative action’, the candidates for dual nationality are assumed to be disadvantaged, poor migrants from third world countries. However, dual citizens are oftentimes highly skilled, mobile individuals,
partners, or children of such individuals. Thus, there is no justifiable reason to privilege these individuals within the multicultural conception of democracy as, “There is no need to grant dual citizenship for mobile individuals (and culturally integrated children or spouses) who do not face any discrimination.”

Further, concern also arises when considering the case of minorities with an external kin-state as candidates for dual citizenship. Blatter states that the granting of dual citizenship for minorities with an external kin-state, in order to mobilize the external government to intervene on their behalf is likely to be, “…perceived as a threat to the territorial integrity of the nation state in which these minorities live.” He, therefore, concludes that dual citizenship in these instances, “…is not a proper means to defend the interests and identities of national minorities from a multicultural perspective”.

Latvian Approach to Dual Citizenship and Multicultural Democracy

From the multicultural perspective of democracy the limited approach to dual citizenship Latvia has chosen to implement could be justified as a means of strengthening democracy. The multicultural approach supports the privileging to some individuals, as opposed to everyone, if the privilege is seen as a tool for overcoming dangers or disadvantages the group faces and facilitates their inclusion. This would qualify as a type of affirmative action that promotes integration. However, the Latvian approach to dual citizenship is not intended to privilege the disadvantaged migrants or minorities, or to assist in their integration. Quite to the contrary, the limited approach to dual citizenship is geared toward granting dual citizenship to ethnic Latvians, and the select list of Western democratic country citizens whose face no apparent danger of discrimination or require affirmative action.

In the Latvian case, the policy is by no means founded upon the multicultural perspective of democracy, but rather the reasons justifying the exclusions of Russian speakers are to be found within the normative theory of multicultural democracy in relation to dual citizenship. The previous discussion of the changes in the ethnic composition of Latvia, the transition and reaffirmation of national identity, the fears of Russian speaker loyalty, and the escalation of Russian influence, become applicable. The uncertain transnational relationship between Latvia and Russia invokes fears that the Russian speakers, through political participation dual citizenship would grant, might invoke the external kin-state to intervene on their behalf and, “…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.” The difficult transition from a fragment of the Soviet empire to a full-fledged democratic power has already been significantly hampered by Russian speaker integration. Amplified external kin-state involvement would most certainly be perceived as a threat to the territorial integrity of the Latvian state, as a result, these fears are used to justify the exclusion of Russian speakers from the privilege of dual citizenship in an effort to prevent any involvement from their kin-state in Latvian internal affairs.

123 Ibid, p. 23
124 Ibid, p. 23
125 Ibid, p. 24
126 Ibid, p. 22.
Latvian Citizenship Legislation and Multicultural Democracy

<table>
<thead>
<tr>
<th>Citizenship Legislation Pre-2013</th>
<th>Citizenship Legislation Post-2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recognition:</td>
<td>Recognition:</td>
</tr>
<tr>
<td>- A small group of individuals of Latvian ethnic background are recognized as dual citizens.</td>
<td>↑ Certain third country residents of Latvia may maintain their cultural identity through dual citizenship.</td>
</tr>
<tr>
<td>- No mention of third country residents of Latvia or the non-citizens who could benefit from recognition of dual citizenship for integration.</td>
<td>↑ Latvian exiles may develop unrestricted multiple identities through dual citizenship.</td>
</tr>
<tr>
<td></td>
<td>↑ Latvian emigrants may develop multiple identities with a restricted number of countries.</td>
</tr>
<tr>
<td></td>
<td>↔ Vast majority of third country nationals residing in Latvia still excluded from dual citizenship privilege.</td>
</tr>
<tr>
<td></td>
<td>↔ The non-citizens, who could most benefit from the integrative capacity of dual citizenship, still excluded.</td>
</tr>
</tbody>
</table>

The table above illustrates the comparison between the previous citizenship policy, and the current 2013 version of the Latvian Citizenship Law, in relation to strengthening the democracy in Latvia in accordance with the multicultural perspective. In a sense, the current dual citizenship amendments do allow certain groups of individuals, with third country memberships, to develop and maintain multiple identities. However, the amendments are far from fulfilling the normative requirements of multiculturalism of equally empowering each distinct community within the civic state framework. There is rather an emphasis on maintaining a particular ‘societal culture’, based on the shared democratic, ethical, moral, and economic values, which is acknowledged to be acceptable, and thus, granted the privilege of dual citizenship. The exclusion of particular groups, on the other hand, is specifically founded upon the tense ‘triadic nexus’ relationship between Latvia, Russia, and Russian speakers in Latvia, and the fears of how multiculturalism might empower the external kin-state involvement.

DELIBERATIVE DEMOCRACY

Where liberal democracy assumes that individual preference is fixed, the deliberative democracy approach is grounded in the deliberation process to reach a well-informed decision and, “...relies upon a person’s capacity to be swayed by rational arguments and to lay aside particular interests and opinions in deference to overall fairness and the common interest of the collectivity.”\(^{127}\) Thus, according to Bohman, deliberative democracy can be defined as, “...any one of a family of views according to which the public deliberation of free and equal

citizens is the core of legitimate political decision making and self-government.” The fundamental goal of this conception of democracy is to legitimate polities by including, and increasing the communication and information exchange between, all those affected by the political decisions so that the final reached resolution can withstand public scrutiny. In other words, the decision has to be one that ‘everyone could accept’ or at least ‘not reasonably reject’. In order for such a decision to be made, the deliberation process plays a key role in transforming the private preferences of individuals into a clear and justified public preference. As such, deliberative democracy places great emphasis on the procedures required for reaching public consensus. Cohen states that the, “…outcomes are democratically legitimate if and only if they could be the object of a free and reasoned agreement among equals.” Thus, the public deliberation process requires a high level of participation and involves the pooling of information, uncovering of sectional interests, and the reaching of an impartial, mutually satisfactory decision. The pooling of information and knowledge from all parties involved, by including all potential voices, ensures that every aspects of the problem is considered, and increases the likelihood for grasping the complexity of the issue.

The public deliberation process also serves to, “…replace the language of interest by the language of reason….” Those presenting a preference have to be prepared to justify and argument their case. The reaching of the final decision requires impartialist reasoning, and has to be based solely on arguments, in accordance with Rawls idea of a ‘veil of ignorance’ or Benhabib’s ‘reasoning from the point of view of other’s’, where the final course of action is considered the best possible option for everyone involved in the decision making process. As such, according to Habermas the deliberative paradigm is most concerned with the democratic process itself, “…which is supposed to generate legitimacy through a procedure of opinion and will formation….”

In his evaluation of the impact dual citizenship can have on the deliberative conception of democracy, Blatter reaches the conclusion 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.” He reaches this conclusion based on the deduction that it is not only the quality and equality of arguments that matter in a deliberative democracy, as formal membership is also of significance because of the, “…necessary connectedness between deliberative forums and formal constitutionalized polities in which all members decide on the basis of the majority rule.” In his opinion, dual citizenship can aid in improving the quality of the deliberation process by enlarging the audience of connected individuals of the state, including within the audience the voice of the ‘other’, and, thus, “…strengthening the ‘laundering effect’ of public deliberations.” This is meant to ensure that the reached outcome is more balanced and ‘other- regarding’.

129 Ibid, p. 402
134 Habermas, J. (2006). p. 413
135 Blatter, J. (2008)., p. 26
136 Ibid, p. 25
137 Blatter, J. (2008)., p. 25
Additionally, the inclusion and participation of dual citizens in the deliberation process on issues of transnational nature is advantageous, as these individuals are likely to contribute specialized knowledge gained from their personal international experience.

However, according to Blatter (2008) there are also potential drawbacks associated with including dual citizens in the deliberative process. By including dual citizens in general issued of deliberation, the risk is incurred that they may be inadequately prepared and unable to fully argument their position in a worthwhile fashion because they lack the time to be fully informed of the affairs of the two or more polities of which they are members. As a result, in these kinds of situations it would be, “…likely that the quality of public discourse is lowered.” Another drawback of dual citizenship for deliberative democracy is that dual citizens have the ‘exit’ option to leave the polity at any time they choose. Thus, their participation might be, “…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.” As a result, no clear cut answer exists as to the benefits or drawbacks of dual citizenship for deliberative democracy, as both advantages and disadvantages can be easily identified.

Latvian Approach to Dual Citizenship and Deliberative Democracy

The Latvian approach to dual citizenship, from the start, violates the assumptions of deliberative democracy by granting dual citizenship only to a select group of individuals from specific countries. In this approach, what has to be considered is the powerful statement made by Held in stating that, “When dominant groups or political elites try to legitimize their power by defining the idea of a good citizen in terms of their own particular cultural and historical qualities, and the proper form of political justification as that which adheres to the rules of discourse they have established, there is a clear risk that others will be marginalized and silences.” Thus, from the deliberative understanding, the Latvian approach is unable to put aside particular interests in favor of overall fairness and inclusion. As the goal of deliberative democracy is to legitimate policy through negotiations, with the aim of arriving at a decision that can be accepted by all, the exclusion of the largest group of third country nationals residing in Latvia can be interpreted as significantly weakening democracy. Their exclusion from membership facilitates the omission of their voices and arguments from the deliberation process. Further, the recent amendments to the Citizenship Law of Latvia offer no resolution to the non-citizens issue, and fail to put forward any sort of plan on how their voices can be incorporated into deliberations. This significantly hampers the likelihood that Latvian decision making complies with the impartiality requirements of deliberative democracy where the, “Political decisions that meet the standards of impartiality are those that would be defensible in relations to all significantly affected groups and parties if they had participated as equal partners in public debate.”

However, in comparison with the previous legislation, the 2013 amendments to the Citizenship Law of Latvia do warrant the enlargement of the total audience involved in the deliberation process. As a result, democracy, from the deliberative perspective, is strengthened in that the range of opinions is broadened to include dual citizens who are former exiles of Latvia, recent emigrants from Latvia, and third country nationals residing in

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138 Ibid, p. 26
139 Ibid, p. 26
140 Held, D. (2006), pp. 245-246
141 Ibid, p. 239
Latvia from the preselected list of countries. Thus, a greater prism of opinions and resources becomes available in pooling information and knowledge, especially in relation to transnational issues of which dual citizens with an international background will have a sounder understanding. The ‘laundering effect’, or the process of dispersing unreasonable arguments, is also reinforced as more varied backgrounds and opinions become engaged in the deliberation process.

There are several aspects of the current dual citizenship legislation, in comparison to the previous legislation, that can be argued to potentially weaken democracy in Latvia from the deliberative democracy perspective. One of the problems, already highlighted by Blatter (2008), is that dual citizens may lack the adequate time to be thoroughly informed about the issues of their multiple polities of membership, thus, hampering their ability to participate adequately. Dual citizens residing abroad are also unable to be physically present, and this, once again, references Bauböck’s quote that their absence from the polity, “…disconnects them (even if sometimes only temporarily) from the ongoing process in which citizens living together collectively determine their future.”142 The physical absence, as a result, can lead to oversight of some important arguments of the public discussion. All this can, potentially, lower the quality of public discourse in Latvia.

Further, dual citizenship is regarded as weakening democracy, from the deliberative democracy perspective, in that it violates the principle of equality. “The model requires that citizens enjoy formal and substantial equality. Deliberative democracy rests on a view of political justification, that is, that it proceeds through free deliberation among equal citizens.”143 Dual citizens of Latvia are privileged in that they have additional political rights of participation in one, or more, polities. Additionally, dual citizens can employ the ‘exit’ option, and the decisions they make, arguments they back, and the resulting consequences are less binding to them, then they are to mono-citizens. The deliberation process suffers as a result. An overview of the comparison between the previous Latvian citizenship legislation, and the new Citizenship Law formally allowing for limited dual citizenship, in relation to the normative understanding of deliberative democracy and its impact on the strength of democracy, is presented in the table below.

### Latvian Citizenship Legislation and Deliberative Democracy

<table>
<thead>
<tr>
<th>Citizenship Legislation Pre-2013</th>
<th>Citizenship Legislation Post-2013</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Participation:</strong></td>
<td><strong>Participation:</strong></td>
</tr>
<tr>
<td>- Participation rights in the decision making process reserved only for citizens, and small percentage of dual citizens.</td>
<td>↑ Enlarge the audience of deliberations by including dual citizens, thus strengthening ‘laundering effect’.</td>
</tr>
<tr>
<td>- Non-citizens and third country national residents of Latvia have no participation rights.</td>
<td>↑ Include additional voices and points of view in the deliberation process.</td>
</tr>
<tr>
<td></td>
<td>↑ Increase likelihood of knowledgeable contributions on transnational issues.</td>
</tr>
<tr>
<td></td>
<td>↓ Increase likelihood of individuals being</td>
</tr>
</tbody>
</table>

142 Bauböck, R. (2007)., p. 2417
inadequately prepared to participate in the deliberation processes on everyday issues. Potentially lower the quality of public discourse.

↓ Specific voices of the ‘other’, who are the largest group of third country nationals residing in Latvia, omitted.

↔ Continued exclusion of non-citizens. Their voice not included and their concerns not taken into account.

<table>
<thead>
<tr>
<th>Equality:</th>
<th>Equality:</th>
</tr>
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<tbody>
<tr>
<td>- Small percentage of dual citizens privileged in terms of political and ‘exit’ rights in comparison to mono-citizens.</td>
<td>↓ Larger share of dual citizens privileged in terms of political rights.</td>
</tr>
<tr>
<td></td>
<td>↓ Larger share of dual citizens can escape consequences of decisions through ‘exit’ option.</td>
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</table>

COSMOPOLITAN/TRANSNATIONAL DEMOCRACY

Applicable to the discussion of democracy within the cosmopolitan and transnational conception, is the distinction between the various arenas of citizenship. Blatter and Schlenker distinguish between three arenas, the supranational, the national/domestic, and the transnational, however, they note that oftentimes the boundaries between these arenas are hard to delineate.\(^\text{144}\) Within the supranational arena, “…states have delegated competences to an international organization (eg. WTO or ICC) or an organ (e.g. the European Commission) so that the organization is becoming an actor on its own and does not only serve as a platform for deliberation and negotiation among nation states.”\(^\text{145}\) Within this conception, individuals are granted rights and recognition and a means of participation. Within its most radical conception, supranational democracy is envisioned as cosmopolitan, with individuals as members of the international global community with its own cosmopolitan laws.

Cosmopolitanism is closely tied to the literature on globalization and migration, and the transformation of the nation-states autonomous hold over its citizens and residents. It is seen as a direct remedy to the future problems of democracy, as envisioned by Dahl when he states that, “A country’s economic life, physical environment, national security, and survival are highly, and probably increasingly, dependent on actors and actions that are outside the country’s boundaries and not directly subject to its government. Thus the members of the demos cannot employ their national government, and much less their local governments, to exercise direct control over external actors whose decisions bear critically on their lives.”\(^\text{146}\) Cosmopolitanism recognizes these short-comings of the nation state, and the impact of global economic forces, and rejects the communitarian arguments that justice can properly be

\(^{144}\) Blatter, J. and Schlenker, A. (2012)., p. 11
\(^{145}\) Ibid, p. 11
\(^{146}\) Dahl, R.A. (1989)., p 319
applied only within reasonably cohesive social groups. Thus, cosmopolitanism has generally referred to the lack of a need to belong to a specific nation-state and embraced world citizenship, tolerance, and worldwide community of human beings and a global culture. According to Held, within a cosmopolitan conception of democracy, individuals would be members of a ‘cosmo-political’ governance and as a result would, “…enjoy multiple citizenships – political memberships in the diverse political communities which significantly affected them.”

In contrast to supra-national belonging to no one particular nation-state, the phenomenon of transnationalism involves multiple inclusions, or belonging to several territories or communities simultaneously. As defined, “Transnationalism is the process by which immigrants, through their daily activities, forge and sustain multi-stranded social, economic, and political relations that link together their societies of origin and settlement, and through which they create transnational social fields across borders.” Transnationalism emphasized the enduring relationship between migrants and their ‘home’ or ‘sending’ countries and as a result, their interconnectedness. Blatter and Schlenker state that the transnational relationship, “…is characterized by strong horizontal flows of influence between nation states” As claimed by Guarnizo, Portes, and Haller, an increasing number of states are implementing measures to facilitate the maintenance of loyalty and encourage remittances, investments, and political contributions from the migrant population through the transnational conception of democracy.

Dual citizenship, within the transnational conception of democracy, is seen as formally facilitating the, “…triangular relations between individuals and two or more independent states in which these individuals are simultaneously assigned membership status and membership-based rights or obligations.” For Blatter, this serves one of the main justifications for dual citizenship from the transnational conception of democracy, especially when migration is envisioned as migration from the periphery, disadvantaged states to the core, economically successful states. “The de facto existence of asymmetric dependencies of specific state/polities form other more powerful states/polities could be seen as 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 interest but are de facto determined by external forces.” As such, it is the likelihood, within a transnational arena, that the decision of one state will influence the state and community of another, that warrants dual citizenship, as dual citizens can simultaneously participate in shaping these resolutions and counterweighing decisions. Dual citizenship is understood to strengthen the emigrants ability to influence the decision making of the state of residence and, “…to support its marginalized country of decent.” Thus, “…the inclusion of immigrants from the peripheral states into the demos of core states leads to more inclusive and just representation of all individuals and...

148 Yuval-Davis, N. (2006)., p. 4
151 Blatter, J. and Schlenker, A. (2012), p. 11
153 Bauböck, R. (2007)., p. 2395
154 Blatter, J. (2008)., p. 9
155 Ibid, p. 28
their interests which are affected by the formal and informal regulations within transnational empires.”

Blatter, in justifying dual citizenship within the transnational conception of democracy, is constructing his arguments on the traditional core-periphery dependency and the resulting migration. Concluding that, “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.” Dual citizenship, within the transnational conception, is justified because it is assumed to illustrate the impact of national decisions on the transnational arena through the resulting population flows. Thus, the migrants whose migration is a result of the, “…asymmetric influence from the core states to the periphery should be included in the decision-making process of the core states.”

In the later article, Blatter (2011) does not evaluate dual citizenship from the Cosmopolitan/Transnational conception of democracy. Rather, he illustrates how dual citizenship brings the transnational dimension into the already discussed democratic conceptions, in effect, altering and advancing the conceptual approaches. Accordingly, as a result of dual citizenship the liberal theory of democracy is amended by the introduction of the ‘exit/entry’ option made available to dual citizens. Blatter states that, “…dual citizenship makes it possible that mobile people use ‘exit/entry’ in addition to ‘voice/vote’ in order to signal their political preferences not only within a nation state but also beyond.” The transnational dimension, thus, becomes permanently embedded in the liberal conception of democracy.

For the republican conception of democracy, the dangers transnationalism poses to political self-determination can be counterweighed by permitting citizens with multiple nationalities to combat the influence of the globalized economy by participating in supra-national arenas beyond the nation state. The core of the communitarian approach to democracy is forever altered by the acceptance of dual citizenship in that the national community identity becomes partially shaped by the inclusion of emigrants and expatriates. Blatter (2008/2011) calls this “developmental communitarianism” as, “…it focuses on the possibilities of dual citizenship for enhancing the solidarity with the national community.” The multicultural conception of democracy already inherently entails a transnational element. However, the acceptance of dual citizenship serves as a further gesture of recognition and welcome, acknowledging the importance of transnational ties. Finally, the transnational dimension alters deliberative democracy by including dual citizens in the process of aggregating preference and national interest, thus, the transnational facet is invoked by dual citizens representing the interests of multiple states. In effect, “…national communities are not mutually exclusive anymore but overlap, and those citizens, who are members of two or more national communities, might play a major role in democratizing a world in which most political decisions have consequences beyond the confines of a single nation state.”

**Latvian Approach to Dual Citizenship and Cosmopolitan/Transnational Democracy**

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156 Blatter, J. (2008)., p. 28
157 Ibid, p. 34
158 Ibid, p. 29
159 Blatter, J. (2011)., p. 786
160 Ibid, pp. 787-788
161 Blatter, J. (2008)., p. 20
162 Blatter, J. (2011)., p. 791
The Latvian approach to dual citizenship, outlined by the 2013 Citizenship Law amendments, does not reference the cosmopolitan conception of democracy. The Citizenship Law of Latvia, and its amendments, reproduce the traditional understanding of the nation-states autonomous connection to its citizens and the ensuing rights and obligations. From the cosmopolitan perspective, the exclusion of the largest group of third country nationals and non-citizens would be deemed unacceptable, as membership and the privilege of influencing decision making is understood to be a right that has to be enjoyed by all affected, unrestricted by difficult historical relationships or delineated by national borders. The acceptance of dual citizenship, can however, be interpreted as an acknowledgement of the transnational influence in the modern world. However, as stated in the purpose section of the law, dual citizenship is to be recognized in order, “…to retain the aggregate of the citizens of Latvia under increased mobility conditions.”\(^{163}\) Thus, the ensuing transnational relationship is significantly hampered, and mostly envisioned as a tool in maintaining the loyalty and bond with the Latvian emigrants abroad.

The Latvian approach to dual citizenship also incorporates the supranational dimension by recognizing the right to dual citizenship of third country nationals of the international membership organization countries of EU, EFTA, and NATO, of which Latvia is also a member. Thus, in these instances, from the transnational perspective there is no real opportunity for the additional representation of Latvian interests, as Latvia is already a participant in the negotiations and deliberations of these membership organizations.

However, the restrictions on dual citizenship in Latvia were specifically implemented in order to limit the potential transnational relationship, and the resulting influence, of the largest group of third country residents with their external homeland of Russia. In contrast to multiculturalism, where the sending country has the potential to support its emigrants, “…citizenship within a transnational perspective strengthens the opportunities for emigrants to support its marginalized country of descent.”\(^{164}\) As unclear as the core and periphery relationship is between Latvia and Russia, dual citizenship for the group connected to Russia was denied, as “Dual citizenship is thought to enhance political clout of homeland interests in the country of naturalization.”\(^{165}\) Thus, in order to curtail any formal basis for the transnational relationship, and the ensuing sway, dual citizenship was limited to the countries of international membership organizations of which Latvia is also a member, and select Western democracies.

### Latvian Citizenship Legislation and Cosmopolitan/Transnational Democracy

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<thead>
<tr>
<th>Citizenship Legislation Pre-2013</th>
<th>Citizenship Legislation Post-2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Candidates for Dual Citizenship:</td>
<td>Candidates for Dual Citizenship:</td>
</tr>
<tr>
<td>- A small group of individuals of ethnic Latvian background are allowed to maintain multiple nationalities. Can influence the national decision making on behalf of Latvian interests.</td>
<td>↑ Certain third country residents of Latvia qualify for dual citizenship. Members of the same membership organizations with very little need to represent interests of homeland.</td>
</tr>
<tr>
<td></td>
<td>↑ Latvian exiles and their descendants qualify for unrestricted dual citizenship. Can</td>
</tr>
</tbody>
</table>

\(^{163}\) LR Pilsonības likums (2013).

\(^{164}\) Blatter, J.(2008)., p. 28

\(^{165}\) Spiro, P.J. (2007)., p. 192
- No mention of third country residents of Latvia or the non-citizens who have migrated to Latvia. Unable to represent the interest of the homeland.

| No mention of third country residents of Latvia or the non-citizens who have migrated to Latvia. Unable to represent the interest of the homeland. |
| Influence the national decision making on behalf of Latvian interests. |

↑ Latvian emigrants qualify for dual citizenship with restricted number of countries. Can influence the national decision making on behalf of Latvian interests.

↔ Vast majority of third country nationals residing in Latvia still excluded from dual citizenship and ability to influence decisions and represent the interests of the homeland.

↔ The non-citizens still excluded and unable to represent the interest of the homeland.

In order to answer the central question of this article of how the cosmopolitan / transnational conception of democracy perceives the 2013 amendments to the Citizenship Law of Latvia, in comparison to the previous regulations, in relation to the strength of democracy, the table above reflects the findings. In a sense, by expanding the group eligible for dual citizenship to include the countries of the European Union, European Free Trade Association, and North Atlantic Treaty Organization, and the Commonwealth of Australia, Federative Republic of Brazil, and New Zealand, Latvia is limiting the formal influence of the transnational relationship only to the common membership countries and established Western democracies. On the other hand, by allowing Latvian exiles unrestricted dual citizenship, these dual citizens can represent the Latvian interests at the national level in a variety of states. Further, in maintaining the link with emigrants, Latvia can influence the decision making in the more developed core states whose policies and standard of living has propelled the outmigration from Latvia. As a result, democracy is slight strengthened from the transnational perspective as Latvia has enabled agents, in the form dual citizens, to represent the interests of the Latvian state abroad. However, the intentional exclusion of third country nationals from peripheral states, residing in Latvia, represents a significant limitation to the enactment of full transnational democracy.

CONCLUSION

The aim of this article was three-fold. First, to present an overview of the various normative theories of democracy and outline the central concepts of each theoretical position. Then, provide a summary of the relationship between the various normative conceptions of democracy and dual citizenship, as developed by Dr. Blatter. Finally, by adopting the approach of Dr. Blatter, to evaluate Latvia’s legislation in regards to dual citizenship in order to establish if the current version of the Citizenship Law, allowing for limited dual citizenship, in comparison to the previous regulation, contributes to strengthening democracy in Latvia.

In general, dual citizenship poses a problem for states in that it violates the principle of ‘one person, one vote’ and creates opportunities for dual voting, allowing some to participate more than once and, thus, making it incompatible with one of the fundamental norms of liberal
democracy: equality. However, the other fundamental norm of liberal democracy requires congruence between those who rule, and those who are ruled. Within this aspect, dual citizenship affords a voice to those who wish to take part in the shaping of decision making within communities that, for them, hold meaning. The limited approach to dual citizenship, in the Latvian case, does represent an attempt to partially overcome the incongruence’s that have resulted from historic events and globalization. A greater proportion of Latvian ‘stakeholders’ abroad, in comparison to the previous legislation, can now participate in the decision making process as dual citizens. Third country residents of Latvia, with nationalities accepted by the dual citizenship amendments, also now qualify for dual citizenship and the political rights it entails. The 2013 dual citizenship amendments, thus, facilitate greater inclusion and congruency and, as a result, strengthen democracy in Latvia. Consequently, a hindrance to democracy, according to the liberal perspective, is posed by the inequality the expansion of dual citizenship perpetuates amongst the mono citizens and dual citizens in Latvia. Problematic is the exclusion of the largest group of third country nationals residing in Latvia and the non-citizens. According to the liberal conception of democracy this generates a significant democracy deficit.

From the republican perspective, the benefits of having more people participate in the legitimatization of state policies, outweighs the problem posed by the potential of multiple inclusions (dual voting). However, because within the republican understanding of democracy political action is assigned utmost significance, dual citizenship can be viewed as contributing to the situation where dual citizens enjoy the benefits of citizenship, but shirk their civic duties or fail to participate all together, thus, undermining the legitimacy of the polity. In the Latvian case, the limited approach to dual citizenship strengthens democracy by granting more extensive participation rights to a greater number of individuals. Democracy is also strengthened by enabling dual citizens to act as a counterweights to globalization and the influence of transnational economic actors through their enabled decision making power across national borders. In the Latvian case, the republican conception of democracy views as potential deterrents of democracy the inequality dual citizenship propagates between dual citizens and mono citizens, and expresses fear that dual citizens may not be adequately informed or participate, thus, diminishing the legitimacy of the polity. The 2013 Citizenship law amendments make no concessions for the largest group of third country nationals and the non-citizens, maintaining the existing status quo and excluding them from political participation.

From the multicultural perspective, the granting of dual citizenship to minorities is seen as a welcoming gesture to those wishing to integrate within the political community of the country of residence, while also maintaining links to their community of origin. Dual nationality is also understood to afford minorities a defense mechanism against injustice and intolerance, by granting them the ability to lobby their external homeland for support, or as a last remedy to use the ‘exit’ option to leave the polity. In the Latvian case, the policy is by no means founded upon the multicultural perspective of democracy, but rather the reasons justifying the exclusions of the largest group of third country nationals are to be found within the normative theory of multicultural democracy in relation to dual citizenship, as a means of limiting external kin-state involvement. However, in comparison to the previous citizenship legislation, the 2013 amendments can be construed as strengthening democracy according to the multicultural perspective in that certain third country residents of Latvia may maintain their cultural identity, Latvian emigrants may develop multiple identities with a restricted number of countries, and Latvian exiles may develop an unrestricted number of multiple identities.
The deliberative democracy approach justifies dual citizenship because dual citizenship enlarges the potential number of partakers and the audience of a deliberation. The inclusion of previously excluded individuals, allows the deliberation process to consider the needs of previously excluded outsiders. In the Latvian case, democracy is strengthened by the 2013 Citizenship Law amendments because, as a result of the amendments, the range of participants and opinions is broadened to include dual citizens who are former exiles of Latvia, recent emigrants from Latvia, and third country nationals residing in Latvia from the preselected list of countries. The ‘laundering effect’ of the deliberations is enhanced as more varied backgrounds can become involved in the deliberation process. The weakness the deliberative democracy perspective finds with the Latvian approach to dual citizenship is associated with the possibility that dual citizens may not be adequately prepared or capable of participating, and this could potentially lower the quality of deliberations in Latvia. The violation of the principle of equality is, once again, a concern. Most worrisome, for the deliberative democracy approach, is the exclusion of a specific voice, the largest group of third country nationals residing in Latvia and non-citizens. According to the perspective, this has a negative impact on the democratic capacity of deliberations in Latvia.

From the transnational perspective, there is no escaping the globalizing effects on the world, and dual citizenship allows for greater participation of individuals who are impacted by the political decisions of interconnected states. In the Latvian approach, democracy is strengthened by enabling Latvian dual citizens to participate, and represent the Latvian state interests, in the decision making processes abroad. The exclusion of third country nationals from the directly adjacent states, however, significantly hampers the full potential of transnational democracy.

The communitarian conception of democracy, according to Blatter is the, “…only perspective which clearly favors a negative stance towards dual citizenship….” The communitarian perspective rejects dual citizenship because, “…acceptance of plural citizenship is likely to lower the intensity of the citizen-state affiliation and, in turn, the intensity of bonds among citizens.” When looking at the Latvian case, and the 2013 Citizenship Law amendments, the communitarian line of thinking in the drafting of the amendments is evident in how the amendments particularly promote the accessibility of dual citizenship for ethnic Latvians. An attempt is also made to minimize the impact dual citizenship can have on Latvian culture and values, by limiting dual citizenship only to specific selected countries. However, even in this conception, the amendments pose a valid threat to democracy from the communitarian perspective. Democracy is likely to be weakened by the transformation of the traditional culture due to transnational exposure, and by the problems dual citizenship is likely to create for identity and loyalty.

In conclusion, what has to be remembered is that, “The acceptance or toleration 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 twentieth century.” In the Latvian case, the current version is a patch-work of various ideological commitments and the traditional ethn-national understanding of nationhood, with an emphasis on citizenship restitution to ethnic Latvians rooted in ‘developmental communitarianism’. However, it is still a significant achievement in light of the dual transformation, form a Soviet state to a full-fledged member of supranational organizations,
Latvia has experienced in the short period of time. The analysis of the 2013 Citizenship Law and the dual citizenship amendments within this article suggests that, according to most perspectives of democracy, the limited approach to citizenship is serving to strengthen democracy in Latvia, even if only to a limited extent.