

# Countries of our own

Dual citizenship would make the next generation of Indians abroad feel more securely connected to India, without demanding that they make an impossible repudiation of their other self-understandings



SANJAY REDDY

THE MOVEMENT OF people across the world in the last 50 years has been one of the great dramas of world history, and India has been central to it. The number of international migrants has more than tripled since 1970. Their share of the world population has increased to four per cent. India has the largest national diaspora in the world, with more than 3.5 crore people — nearly one in 40 Indians — living abroad. Indians form a sizeable proportion of the almost 300 million living outside their countries of birth. India is, by a wide margin, the largest recipient of migrant remittances, receiving almost \$130 billion annually. These inflows, which have rapidly grown, dwarf the \$42 billion contribution of inward foreign investment and have been vital for covering India's chronic trade and current account deficits and building up foreign exchange reserves. They are now predominantly from advanced economies rather than from the Gulf.

The unprecedented movement of people, enabled by push and pull factors including demographic and income differences between countries and greater ease of transportation and communication, is creating new economic, cultural, and political links. The minister of external affairs has recognised that for the young, especially, the world is increasingly India's workplace. Making it possible for Indians to find work abroad is now an explicit aim of foreign policy, and Indians abroad are seen as assets. But are they treated that way?

The 25th anniversary of the Report of the High-Level Committee on the Indian Diaspora is fast approaching. The committee stated that "it is of the opinion that dual citizenship has become a rallying point for the Indian Diaspora's solidarity with Mother India and that dual citizenship is an idea whose time has come". It argued painstakingly that there was nothing in the Constitution or legislation that obstructed dual citizenship. The Committee surveyed trends in favour of dual citizenship in other countries (since strengthened) and found many reasons in support and no persuasive arguments against it, finding that security concerns could be dealt with through other means. Its recommendation led to the new Overseas Citizenship of India in 2005. But the situation of the Indian diaspora has reached an inflection point, calling for a reappraisal of whether this step was adequate.

The global climate of migration is changing. Borders are closing. The rights of non-citizens in some developed countries are being newly threatened, heightening the impetus to take up citizenship where possible. Security of person and property as well as freedom to travel can be greatly enhanced by possessing another citizenship. These considerations are understandably seen by many Indian migrants abroad as more than indulgences and have led to growing numbers renouncing Indian citizenship. Most do not wish to but feel compelled, often finding the decision wrenching, as the committee recognised.

Although welcomed by many Indians abroad, the OCI has failed to meet their hopes and expectations. The government states that the OCI, despite its name, is not a form of dual citizenship, and Indians abroad have also not



C R Sasikumar

seen it as such. The OCI does not permit voting, holding public office or purchasing agricultural land. It is also being increasingly treated by the government as a privilege rather than a right, which can be withdrawn for saying or doing the wrong thing. OCI holders have recently also been equated with foreign nationals for many purposes, including the conduct of certain professions. Unsurprisingly, the OCI is experienced as distinctly second class. Emotional and practical security would be provided by genuine dual citizenship, understood as a secure and wide bundle of rights — not only as a specific set of privileges that may be selectively and even arbitrarily withdrawn. What would this entail?

First, the default presumption must be changed from the current demand that Indians give up citizenship in order to become foreign citizens to a presumption that Indians retain citizenship upon taking a foreign passport. In adopting this stance, India would join a large number of other countries. Currently, OCI holders who wish to restore their citizenship have to go through a complex procedure, which would no longer be necessary since they would not lose it to begin with.

Second, the issue of political rights is more complicated but not insurmountable. Voting can remain confined to those who return to the country for it (as already required for Indian citizens abroad) or else conducted abroad through specific mechanisms, as some other countries do. Similarly, high offices and sensitive civil service positions can be restricted to those without another citizenship or conflicting loyalties (such as serving in specific roles in another country's government), while opening ordinary public offices — local government — to dual citizens. Many countries that have accepted dual citizenship have made such distinctions. This approach will allow dual citizens to contribute energy and expertise readily. India has fast-tracked citizenship for individuals whom it has drawn into public service, but such extraordinary measures should not be needed. This approach would be superior in symbolism and outcome to blanket exclusion.

Dual citizens should have all the ordinary rights of citizens except where there is a specific reason that can be given substantive justification and procedural content. Wherever there is an exclusion from particular rights, there must be clear reasoning as to why the second citizenship gives rise to a concern that cannot be otherwise addressed.

Security preoccupations are a distraction. The High-Level Committee noted that the early debate on India's citizenship law was shaped by the aim of distinguishing citizens of newly independent India from those of Pakistan. The long shadow of this concern must be overcome. Dual citizenship need not be accepted with every country. Where it is accepted, concerns about security risks may be addressed by limiting citizenship to those with more recent generational links to India and through individual scrutiny where appropriate. Such an approach, which would assess individuals based on their actions and according to publicised principles, rather than presuming that they constitute a threat, is most appropriate in a democracy. Countries that accept dual citizenship usually insist that their laws apply to all citizens equally, including those who have other citizenships. This is a simple solution.

Very large numbers of Indians who live abroad and qualify to become citizens of other countries choose not to do so because of their strong emotional ties. But this loyalty is strained by the resulting practical difficulties encountered in the conduct of their lives abroad, and should not be taken for granted. Extending genuine dual citizenship to Indians overseas will strengthen symbolic, psychological and practical bonds, enhancing the willing commitment of energy, knowledge and capital to India by Indians overseas.

But the case for true dual citizenship is not just instrumental. Dual citizenship would also help better reflect the growing complexity of identities as well as of the practical aspects of life that are globally interconnected. It would thus make the next generation of Indians abroad feel more deeply and securely connected to India, without demanding that they make an impossible repudiation of their other self-understandings. The OCI, despite its name, is based on the idea that one must choose. An approach that makes choice unnecessary will dissolve the dilemma experienced by Indians abroad, provide them with a sense of belonging and cement their commitment. This will have long-term benefits for the country.

Due to demography and economics, the world is sure to have ever more of India in it. But for India to make the most of this, India must allow a bit more of the world in, too.

The writer is professor of Economics at The New School for Social Research

