

---

## UNIT 15 COMPARATIVE PERSPECTIVES ON CITIZENSHIP PRACTISES

---

### Structure

- 15.1 Objectives
- 15.2 Introduction
- 15.3 Meaning and Concept of Diaspora and Citizenship
- 15.4 Diasporic Citizenship: Comparative perspectives
- 15.5 Programmes and policies for the Indian diaspora
- 15.6 Let's Us Sum Up
- 15.7 Key Words
- 15.8 References and Select Readings
- 15.9 Check Your Progress- Possible Answers

---

### 15.1 OBJECTIVES

---

After studying this unit, you will be able to:

- Understand the meaning and concept of diaspora and citizenship.
- Comprehend the distinct nature of diasporic belonging.
- Understand the nature of the homeland's engagement with its diaspora.
- Familiarise with various programmes and policies for Indian diaspora
- Know about the schemes available to the Indian diaspora.

---

### 15.2 INTRODUCTION

---

In many parts of the world, ideas, characteristics, and forms of citizenship, defined as legal membership in a state, are changing. Despite these changes, much of the debate over state membership is dominated by a monolithic and homogeneous understanding of what citizenship entails. Hammar (1990) coined the term “denizenship” to describe the citizenship-like status of long-term residents, as did several other authors who focused on quasi-citizenship (Groenendijk, 2006; Smith, 2017). Overseas Citizenship of India (OCI) is the most basic type of diaspora membership policy. In 2003, legislation on OCI was enacted to avoid providing full dual citizenship with an innovative status that retains the citizenship label. The scheme went into effect in 2006, and by the end of 2017, nearly 3.2 million people of Indian origin had obtained OCI.

Diaspora has come to occupy a salient position in the economy and are now regarded as assets. This idea has replaced the earlier perception where diasporic communities were seen to have divided loyalties and could not be trusted. Much may be attributed to globalisation for such a shift in the conception of citizenship. This new feature of citizenship has come to be known by multiple names, like, ‘transnational’, ‘post-national’, ‘extraterritorial’ citizenship. The new entities

that have emerged, not confined within the fixed bounded locale of the state, are the category of “diaspora” or “emigrants.” The literature on diaspora has moved from capturing their negative history towards understanding their contributions in the development processes of the homeland and host state and the resultant identity formation for the diaspora.

---

### 15.3 MEANING AND CONCEPT OF DIASPORA AND CITIZENSHIP

---

Emigrants have come to hold a significant position for the homeland states in a globalised world. There exist strong economic incentives for the emigration states to strengthen relations with their overseas population. Vertovec (1997) has defined the term diaspora as “any population that is reterritorialized or transnational, that is, which has originated in a land other than the one where it currently resides, and whose social, economic and political networks cross the borders of the nation-state.” As you have read in previous Units, the earlier notion of diaspora was descriptive of the Jewish, Greek and Armenian dispersion but now it encompasses a whole range of terms like immigrants, expatriates, refugees, guest workers. The term diaspora had a negative meaning in the historical sense given the catastrophic experience of the Jews. So the term diaspora’s literal meaning of ‘dispersion’ or ‘to spread’ implied further dissolution to various parts.

William Safran has identified six features of diaspora that includes displacement of members from homeland to peripheral places, memory of homeland, sense of alienation in host country, belief that ancestral homeland is true homeland, and feeling collectively bound towards maintaining the security of homeland; and, consciousness and solidarity which makes them belong to the homeland.

The description of the diaspora by Khachig Toloyan as “exemplary actors of the transnational moment” gains salience particularly in the era of globalisation where transnational networks have been dynamic in “shaping cultural practises, the formation of identity” and reconstructing state strategies towards the diaspora (Ong 1999; Toloyan 1991; Kapur 2010). Aihwa Ong, in the context of overseas Chinese, discusses their pivotal role in constructing a new “flexible capitalism” in the Asia Pacific region. She argues that, “Chinese economic and social networks introduced Southeast Asian subjects as key players in the Asia Pacific region and in the cultural work of producing alternate visions of Asian modernity” (Ong 1999). These new found ways of accumulating capital have also promoted a flexible approach toward citizenship. Along with profit making, the Chinese entrepreneurs are also acquiring a range of symbolic capital which would help them in economic negotiation and cultural acceptance in different geographical spaces.

Anjali Sahay explores cases of migration patterns throughout the world (and in particular India) and how the notion of emigration earlier perceived as a loss has been turned into gain in the era of globalisation. While the concept of “return” featured as a major trait of the diaspora in definitions of Safran and Cohen, in the modern terminology, the ‘diaspora option’ takes on a new meaning wherein “return” becomes redundant.

Popularly termed as “brain circulation,” it differs from return in the sense that

it does not aim at the physical repatriation of the nationals living and working abroad. Its purpose has been the remote mobilisation of the diaspora's resources and their association to the country of origin's programs (for e.g., China, Colombia, India, and some African countries). Thus scientists and engineers have extended the benefits of their educational qualifications irrespective of their physical location. Usually done through a formal, institutionally organised network, the "Scientific Diasporas" and "Immigrant Entrepreneur Networks" have helped to capture both benefits and know-how of the emigrants overseas.

The contributions made by the diaspora from time to time have come to be acknowledged by the sending states who now perceive the diasporic communities as assets. This has led to the reconstitution of citizenship by the emigration states. The transformed notion of citizenship in the emigration context takes the form of transnational citizenship or extra-territorial citizenship.

For a long time home states did not encourage granting dual citizenship to the diaspora as this would lead to divided loyalties. Regarding post-national membership, its foremost proponent Yasemin Soysal, argues that membership rights are "recast as human rights, and governments, organisations, and individuals recurrently appeal to this high order principle. The post-national scholars like Soysal put forth such normative claims regarding human rights being the new norm of the globalised world. She substantiates her point by using empirical instances to argue that, "human rights discourse is widely evoked in national policy language and government rhetoric pertaining to the rights of International migrants."

---

## **15.4 DIASPORIC CITIZENSHIP: COMPARATIVE PERSPECTIVES**

---

The shift from emphasising the one nationality rule to recognizing the status of dual nationality became part of a larger change whereby citizenship came to be radically transformed. With the end of the cold war, the risks with regard to interstate ties also began to reduce, which was followed by the human rights era and a globalised world order. Individual rights irrespective of single or multiple nationality acquired salience as a result of which dual nationality became an acceptable feature.

With the end of the cold war era and dawn of a new age, where risks surrounding inter-state conflicts continued to diminish and interstate cooperation grew, the status of dual nationality was not only tolerated but also encouraged by the states. In such a setting, citizenship moves on to a different trajectory from becoming more flexible. Kim Barry terms this reconfigured notion of extraterritorial citizenship as "external citizenship" by way of which emigrant states acknowledge ties with their temporary and permanent emigrants (Barry 2006). She analyses citizenship in the context of emigrants through a two-way model that involves "external citizenship as a status" and "external citizenship as practice." Citizenship as status would involve the state relating to its emigrant population through economic, social, legal and political incorporation. Citizenship as practice would imply the relationship the emigrants would like to keep with their homeland.

Mexico constitutes an important case where emigrants, earlier regarded as traitors (who had disconnected with the motherland), now came to be acknowledged as national heroes and assets. Several factors were responsible for such a transformation. There were three factors that worked in favour of the Mexican immigrant population in the US. Firstly, the passage of “Proposition 187” in California, whereby the individuals whose presence was unlawful (which overwhelmingly included the Mexican migrant population) were denied basic access to public services. This led the Mexican government to reconsider its policy towards the emigrants, as the legislation was likely to impose severe hardships on the Mexican nationals living in California. Secondly, the North American Free Trade Agreement, in force since 1994, which included Canada, Mexico and the US, was the strongest mechanism that could give a lift to the already weakened economy of Mexico. Dual nationality therefore became an instrument to invite Mexican Americans’ investments in the economy. Finally, the US government enacted the Immigration Reform and Control Act in 1986, which was a legalization initiative to stabilize the status of the illegal migrants. The temporary residents could apply for permanent residence and after five years of permanent residence status, they were eligible for naturalisation.

In 1996, the Mexican Parliament approved a constitutional amendment allowing Mexicans naturalising abroad to retain their Mexican nationality. Dual nationality, apart from retention of Mexican nationality, also offered certain other benefits like owning property anywhere in Mexico, legal status to live and work there at par with any other citizen. At the same time the dual nationals were excluded from exercising voting rights and holding political office. Continuing with the trend of strengthening the state-emigrant ties, in 2005, a law permitting Mexican nationals abroad to vote using absentee ballots was passed.

David Cook-Martin describes an interesting scenario where citizens opt for dual or second nationality as a means of value addition to their socio-economic status. This is facilitated by the citizenship laws of both the state of origin and residence. In this case, Argentina, being the immigration state, experienced a major flow of migrants from Spain and Italy after the First World War. Argentina perceived this as an opportunity for its nation building program, and through the jus soli rule of citizenship, pursued a policy of automatic naturalisation. Spain and Italy, through the jus sanguinis rule, maintained links with their emigrant population and their children abroad. Given the declining economic and political fortunes in Argentina, the motivation in the mind of the applicants to seek a second nationality were strategic rather than effective. The value of citizenship increases when its meaning gets transformed from just providing membership in a political community, to adding values in terms of status and opportunities. This is clearly evident in the case of the Argentines who go great lengths to seek ancestral nationality.

Over the years, the sending states have acknowledged the benefits of dual citizenship. Examining the impact of dual citizenship on the economies of the Economic Community of West African States (ECOWAS), Mounir Siaplay has argued that, the states that recognize dual citizenship have healthy economies as compared to the states that do not have any diaspora policy. He substantiates this point by arguing that countries which recognize dual citizenship manage to “increase foreign direct investment, gross capital formation, and household consumption by USD 63.9 million, USD 578 million, and USD 2.27 billion

respectively” (Siaplay 2014).

The long standing demand of the Indian diaspora for dual citizenship was met in the form of “Overseas Citizenship of India”, which was a golden middle path that worked as a compromise solution in place of dual citizenship. The first step towards establishing connection with the diaspora (Persons of Indian Origin in particular) began with the formulation of the “Scheme for Issuance of Person of Indian Origin Card” or the PIO Card. According to section 2(b) of the notification issued by the Government of India, a Person of Indian Origin meant a “foreign citizen (not being a citizen of Pakistan, Bangladesh and other countries as the Central Government may specify from time to time).” The benefits to a PIO card holder included, getting visa free travel to India, with the card’s validity being 20 years, non-requirement for registration with Foreigner’s Registration Officer if the stay in India did not exceed 180 days, and enjoying parity with the NRIs with regard to facilities in the economic, financial and educational fields except for acquisition of agricultural/plantation properties. This scheme was later replaced by the Overseas Citizenship of India card or OCI card.

### Check Your Progress 1

- Note: a) Write your answer in about 50 words.  
b) Check your answer with possible answers given at the end of the unit

1. Define the term Citizenship.

.....  
.....  
.....  
.....

2. What are the major citizenship practises adopted by the diaspora?

.....  
.....  
.....  
.....

---

## 15.5 PROGRAMMES AND POLICIES FOR THE DIASPORA

---

This section will look at the diaspora engagement policy of the Government of India. The engagement occurs at three levels, namely capacity and institution building, extending rights to the diaspora and extraction of obligation.

### 15.5.1 Capacity building initiatives

In India, symbolic gestures are expressed during the annual diaspora meet called the “Pravasi Bharatiya Divas.” Since 2003, India has been celebrating the Pravasi Bharatiya Divas as an occasion to mark the contribution of the overseas Indian community in the development of India. The Prime Minister Manmohan Singh in his address at the Fifth Pravasi Bharatiya Divas (PBD)



in 2007, mentioned that the diaspora was an integral part of the global Indian family. He said, 'From Fiji in the East to Los Angeles in the West, from Cape Town in the South to Toronto in the North, the people of Indian origin are the world's most globalised community.' The trend of holding conventions like the Mini or Regional PBD in the overseas states from time to time can be seen as continuance of the government's attempts to engage and interact with its diaspora and ensure their connection with their ancestral homeland. To add to the fervour of symbolism and warm gestures, the Pravasi Bharatiya Samman award contributes to such imaginings. Since 2003, the Government of India on the occasion of PBD confers these awards to "honour renowned overseas Indians in recognition of their achievements; their contribution in strengthening India's relations with other countries, promoting the honour and prestige of India and fostering the interests of overseas Indians" (Annual Report 2006, MOIA).

Initiatives like the "Know India Programme" (KIP) and "Study India Programme" (SIP) aim at familiarising the youth with the culture, development and history of the nation. It encourages the diaspora youth in the age group of 18-26 years to visit the country and know about it. The participants in the KIP are chosen in accordance with the nominations received from the Indian missions abroad. The objective of the programme is to make the diaspora youth aware of the constitutional and political practises in the country of origin, the industrial development, cinema and media. It also includes visits to villages and industries in order to get a better understanding. Interaction with women's organisations, visits to places of historical and cultural importance, participation in cultural events and programmes, and meetings organised with high dignitaries of the state like the President of India, Chief Election Commissioner are some of the broader contents in the KIP.

The Study India Programme (SIP) works on similar lines, where the diaspora youth in the age group of 18-26 years undergo a short term course in an Indian university in order to familiarise themselves with the cultural heritage, history, socio economic and political development of India. The first SIP was held in Symbiosis University, Pune, Maharashtra in September-October 2012. Another programme called "Tracing the Roots" was started by the government in 2008 where those PIOs who wished to trace their roots in India could apply in a prescribed format through the Indian mission in their country of residence.

### **15.5.2 Institutional Building Measures**

The Ministry of Overseas Indian Affairs (MOIA) functions as an umbrella institution to facilitate the above mentioned motives. The MOIA aspires to be a one stop shop for the needs of the overseas Indians. Established initially as the "Ministry of Non-Resident Indians" in May 2004, it was renamed Ministry of Overseas Indian Affairs in September 2004. The Emigration division of the Ministry of Labour and Employment was attached to the new ministry in December 2004, and presently functions as the Emigration Services Division which has within it the Protectorate General of Emigrants (PGE). The earlier NRI division under the Ministry of External Affairs was shifted into this new ministry and came to be known as the Diaspora Division of the MOIA.

As the above mentioned structural framework of the Ministry suggests, there

exists a clear division in the form of “Diaspora Services” and “Emigration Management”, where the former pertains to the PIOs and the high skilled NRI community, and the latter caters to the needs of the NRIs under the semi-skilled and unskilled category. Other structural arrangements made by the Ministry include the establishment of several strategic think tanks to cater to the varied requirements of the diaspora. The Prime Minister’s Global Advisory Council (PMGAC) serves as a high level body to bring on a platform the best overseas minds. For the purpose of economic engagement, business and investment, the Overseas Indian Facilitation Centre (OIFC) has been established to serve as a not for profit trust. The India Development Foundation (IDF) is a not for profit trust that serves as a single window to facilitate diaspora philanthropy. The Global Indian Network of Knowledge (Global INK) is a platform for facilitating knowledge transfer with the objective of leveraging the skills, experiences and expertise of the global Indians. The India Centre for Migration (ICM) serves as a strategic think tank on matters related to overseas employment markets for Indians and overseas Indian workers.

### 15.5.3 Extension of Rights and other welfare measures

This section will explore the rights and benefits extended to the Indian diaspora. Political inclusion of the overseas nationals, granting dual citizenship or dual citizenship like status (except political rights) to such emigrants with foreign citizenship go a long way in “transnationalising citizenship by extending thin membership to the diaspora.

Indian state through its diaspora policy attempts at this transnationalization of citizenship by, on the one hand extending limited overseas citizenship rights to its PIOs (thus practising extension of thin membership) and on the other hand, extending welfare and protectionist measures for its overseas worker community (thus practising extension of thin sovereignty). The practice of “thin sovereignty” is also evident in the state’s attempt at partial political incorporation of its non-resident nationals overseas. It is partial in the sense that despite the legislative presence of such political rights, its practice is limited as the legal procedure demands the physical presence of the non- resident voter in his/her registered constituency.

#### 1. Political Incorporation of NRIs: Voting Rights to the Indian nationals residing overseas

The Representation of People’s Amendment Act, 2010 was passed conferring voting rights to Indian passport holders residing overseas. A notification dated 3rd February 2011 was issued allowing the “overseas elector’s names to be included in the roll pertaining to the locality in which their place of residence in India as mentioned in their passport is located.” In view of the said amendment, the Registration of Electors (Amendment) Rules, 2011 would also come into force and it was set to include clause ‘cc’ after Rule 2(1)(c) in order to include the ‘overseas elector’ as a citizen of India who is not less than 18 years of age on the qualifying date.

The above amendment and its subsequent provisions makes evident the fact that, through such political inclusion of non-resident Indians, the state attempts to transnationalise governmentality by way of bringing its expatriate population under the purview of ‘thin sovereignty.’ Some states

like Mexico, Columbia and Peru allow expatriates to use absentee ballots to cast their votes from abroad thus exercising a thicker and fuller political incorporation.

## 2. Welfare provisions

**Mahatma Gandhi Pravasi Suraksha Yojana:** the MGPSY is a pension and life insurance fund scheme that was introduced for the overseas Indian workers having ECR passports. The scheme was launched on a pilot basis in Kerala in May 2012 and established enrolment centres in Kerala in July 2012. This scheme encourages and enables such overseas Indian workers and provides government contribution to save for their return and resettlement, save for old age and obtain a life insurance cover against natural death during the period of coverage. This scheme was launched by the name of Pension and Life Insurance Fund in January 2012. The government of India, under this scheme, provides for a co-contribution benefit of Rs. 1000 per year for a period of five years to all the overseas Indian workers.

### 15.5.4 Extraction of Obligations: Encouraging Remittances

External remittances have become a significant source of financial flows for developing countries. According to a World Bank estimate, the total volume of financial remittances to the developing states rose from 57.5 billion USD in 1995 to 240 billion USD in 2007 (Kapur 2010). The increased movement of semi-skilled and unskilled workers to the Gulf states has occurred in the light of the Gulf oil boom of the 1970's. A steady increase from 15.8 billion USD in 2001-02 to 70 billion USD in 2012 has been noted. A significant amount of the total remittances come from the contribution of the unskilled and the semi-skilled workers. One of the most crucial factors responsible for the surge of remittances has been the way the diaspora has begun to perceive the Indian economy post 1991 liberalisation policy. With increased incentives and tax exemptions coupled with liberalised foreign exchange controls during the decades following the liberalisation policy, the diaspora has continued to repose faith in the Indian economy even during the turbulent phases.

The second way of demanding obligations from the diaspora is by floating attractive investment incentives. The “Resurgent India Bonds”, also called “diaspora bonds” can be termed as one such initiative taken by the Indian state towards economic incorporation of its wealthy emigrant population. A term coined by Anupam Chander, ‘Diaspora bonds’ are “debt instruments offered by sovereign governments to raise capital principally or exclusively from their diasporas” (Chander 2001). The reason that homeland states find the diasporas attractive to raise capital is that, even a lower rate of return on the capital than offered in the general market is acceptable to them, and they are willing to supply capital at reasonable rates even when the country's economy is in bad shape (Chander 2001). The first time that India turned to its expatriate community was in 1991 by offering the “India Development Bonds” during the balance of payments crisis. It helped in raising 2 billion USD in 1992 and 1993. Again in 1998, during the economic crisis following the international sanctions imposed on India after it had conducted the Pokhran nuclear tests, it once again turned to its diaspora “sons and daughters.” The Resurgent India Bonds (RIB's) launched in 1998 had the following features:



- a) India asserted that these instruments offered by its State Bank were certificates of deposit and not debt securities.
- b) The instruments specified that the suits under them could be brought only under Indian law and courts.
- c) They were available only to the diaspora

Check Your Progress 2

- Note:
- a) Write your answer in about 50 words.
  - b) Check your answer with possible answers given at the end of the unit

3. List the benefits of dual citizenship.

.....  
.....  
.....  
.....

4. Name the important initiatives taken by the Government of India to engage with its diaspora.

.....  
.....  
.....  
.....

5. Resurgent India Bonds was an initiative of the Government of India to incorporate its diaspora. Explain .

.....  
.....  
.....  
.....

---

## 15.6 LET US SUM UP

---

In this unit, we discussed the meaning and concept of diaspora and transnational citizenship and have also underscored the importance of extending benefits to the diaspora. We have also understood the major citizenship practises adopted around the world where many countries offer dual citizenship and multiple range of benefits to its diaspora. Subsequently, we also discussed the major initiatives and policies adopted by the Government of India as part of its diaspora engagement policy. These initiatives have over a period of time resulted in high quality engagement between the homeland and the diaspora.

---

## 15.7 KEY WORDS

---

Brain Circulation - it differs from return in the sense that it does not aim at the physical repatriation of the nationals living and working abroad. Its purpose has been the remote mobilisation of the diaspora's resources and their association to the country of origin's programs (for e.g., China, Colombia, India, and some

African countries).

External Citizenship as a Status - citizenship as status would involve the state relating to its emigrant population through economic, social, legal and political incorporation.

Citizenship as practice - would imply the relationship the emigrants would like to keep with their homeland.

Pravasi Bharatiya Divas - Since 2003, India has been celebrating the Pravasi Bharatiya Divas as an occasion to mark the contribution of the overseas Indian community in the development of India.

Mahatma Gandhi Pravasi Suraksha Yojana - the MGPSY is a pension and life insurance fund scheme that was introduced for the overseas Indian workers having ECR passports. The scheme was launched on a pilot basis in Kerala in May 2012 and established enrolment centres in Kerala in July 2012. This scheme encourages and enables such overseas Indian workers and provides government contribution to save for their return and resettlement, save for old age and obtain a life insurance cover against natural death during the period of coverage.

---

## 15.8 REFERENCES AND SELECT READINGS

---

Chander, Anupam (2001). "Diaspora Bonds", in *New York University Law Review*, Vol. 76, 2001

Vora, Neha (2013). *Impossible Citizens Dubai's Indian Diaspora*, Durham, 2013. . Barry, Kim (2006). "Home and Away: The Construction of Citizenship in an Emigration Context," *New York University Law Review*, Vol. 81, 2006.

Alan Gamlen, Alan (2006). "Diaspora Engagement Policies: What are they, and what kinds of States use them?" Centre on Migration, Policy and Society Working Paper No. 32, University of Oxford, 2006.

Anjali Sahay *Indian Diaspora in the United States Brain Drain or Gain?*, Lanham, 2009,

Devesh Kapur *Diaspora Development and Democracy The Domestic Impact of International Migration from India*, New Jersey, 2010.

K.C.Zachariah and S. Irudaya Rajan, "Kerala's Gulf Connection, 1998-2011 Economic and Social Impact of Migration," New Delhi, 2012,

Shubha Singh, *Overseas Indians The Global Family*, New Delhi, 2005.

Stanley Renshon, "Citizens in America: An Issue of Vast Proportions and Broad Significance," Centre for Immigration Studies, July 2000.

Lester B. Orfield, "The Legal Effects of Dual Nationality", in *The George Washington Law Review*, Vol. 17, 1949

Peter J. Spiro, "Dual citizenship as human right" in *International Journal of Constitutional Law*, 2010,

---

## 15.9 CHECK YOUR PROGRESS - POSSIBLE ANSWERS

---

### Check Your Progress 1

Citizenship is the [status](#) of a person recognized under the [law](#) of a [country](#) of belonging to thereof. In [international law](#) it is membership to a [sovereign state](#)

Argentina, being the immigration state, experienced a major flow of migrants from Spain and Italy after the First World War. Argentina perceived this as an opportunity for its nation building program, and through the *jus soli* rule of citizenship, pursued a policy of automatic naturalization. Spain and Italy, through the *jus sanguinis* rule, maintained links with their emigrant population and their children abroad.

### Check Your Progress 2

3. Dual citizens enjoy certain benefits, such as the ability to live and work freely in two countries, own property in both countries, and travel between the countries with relative ease.
4. India's Diaspora engagement schemes and policies are
  - a. National Pension Scheme for NRIs
  - b. Online Services for Voters
  - c. Overseas Citizenship of India Scheme

