

Seeking Stateness

Zachary Elkins
Department of Political Science
University of Illinois
zelkins@uiuc.edu

John Sides
Department of Political Science
George Washington University
jsides@gwu.edu

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Many democracies face a problem of “stateness.” The problem arises, as Juan Linz and Alfred Stepan write in introducing this concept, “when there are profound differences about the territorial boundaries of the political community’s state and profound differences as to who has the right of citizenship in that state.”¹ Stateness problems most often affect states with aggrieved minority (and, occasionally, majority) groups, who may have low levels of attachment to the state or even refuse to accept the state as sovereign. Despite, or perhaps because of, important trends toward democratization over the past 30 years, stateness problems present ongoing challenges for many leaders. At times, members of deeply rooted indigenous communities, such as Kurds in Turkey or Chechnyans in Russia or Kosovars in Serbia, appear to long for partial or complete autonomy. In other cases, migrant populations, who, unlike indigenous minorities, have chosen to live under a state’s authority, may nevertheless feel poorly integrated into their host country.

A potentially effective treatment of stateness problems—coercion and repression—is not available to democrats. As it happens, however, democrats are those who need it the most. Indeed, stateness constitutes a necessary, but often unacknowledged, condition for successful democratization. The issue is one of consent. While democracy requires that citizens accept the legitimacy of the elected leaders and rules that put them there, it also requires, more fundamentally, that citizens respect the prerogatives and boundaries of the state that these leaders govern. The latter is a fundamental premise of the voluntary set of participatory acts that define democracy. As Robert Dahl puts it, “the criteria of the democratic process presuppose the rightfulness of the unit itself.”² Thus, the challenges in a state such as Iraq entail more than

¹ Linz, Juan and Alfred Stepan. 1996. *Problems of Democratic Transition and Consolidation*. Baltimore: Johns Hopkins University Press. p. 16.

² Dahl, Robert A. 1989. *Democracy and its Critics*. New Haven, CT: Yale University Press. p. 207.

designing electoral institutions or developing formulas for sharing oil revenue. The broader challenge is to help people see themselves as “Iraqis.”

Understanding stateness therefore entails attention to the attitudes and identities of citizens, in particular, their *attachment* to the state. Citizens’ identities are revealing in many respects. First, even members of minority groups known to be restive often manifest attachment to the state. Vivid examples of unrest and violence appear to belie this idea, but a cadre of separatists may not at all represent the group for whom they presume to speak. Nor do such acts of disobedience necessarily imply a lack of state attachment even among the perpetrators, as garden-variety grabs for power or resources are sometimes cloaked in nationalist rhetoric. Second, attachment to the state does not necessitate the disappearance of other attachments. For any individual citizen, state attachment can coexist with multiple other identities—with a region, an ethnic group, or a religious community. Thus, multiple identities need not be zero-sum. Third, in countries with a high level of state attachment—even within their minority groups—one often observes significant gaps between the attachment of minorities and that of majorities, suggesting a stateness problem that may vary in magnitude with the size of this gap. Finally, attachment to the state, like identity generally, is contingent and pliable. It can therefore change in response to the decisions of state leaders, among other factors. Investigating examples of such change is crucial, as it suggests strategies and policies that leaders can pursue to build stateness.

The Contours of State Attachment

Attachment to the state entails two things: a sense of identification with the state (“I am American”) and a positive affect toward the state (“I am proud to be American”). To illustrate how these two concepts can be operationalized, consider the case of Iraq, whose degree of

stateness, we shall see, is not obvious from news accounts. An important series of five surveys, conducted under the leadership of Mansoor Moaddel, asked Iraqis of each major religious or ethnic group whether they identified “above all” as Iraqi, Muslim, Arab, or Kurd, and, separately, whether they were “proud to be an Iraqi”—thereby measuring identification and affect, respectively.³ One might expect to see little evidence of state attachment in Iraq and with fading attachment over time as sectarian conflict intensified. Indeed, several months before the first survey, Thomas Friedman entitled a 2004 column with this plaintive question: “Are there any Iraqis in Iraq?”⁴ Four years into the conflict, journalist Jeffrey Goldberg has gone so far as to draw the boundaries of new breakout states: the “Shiite Islamic State of Iraq,” “Sunni Republic of Iraq,” and “Kurdistan.”⁵

Figure 1 presents the percentage of Sunni, Shiite, and Kurdish respondents who indicated state attachment, i.e., that they were Iraqi above all and that they were quite or very proud to be Iraqi. The findings could not be any more contrary to conventional wisdom. First, the level of identification—those who say, “Above all, I am Iraqi”—has actually *increased* over time. In December 2004, Friedman’s angst appears justified. Few Sunnis or Shiites, 21% and 28% respectively, identified primarily as Iraqi. The vast majority (76% and 70%, respectively) identified as “Muslim.” Similarly, a bare 9% of Kurds identified principally as Iraqi, with 65% identifying as Kurds. Over time, however, the trend is toward greater attachment. In the July 2007 survey, a majority of Sunnis (57%) and Shiites (71%) identified as Iraqi, while many

³ The survey results are available here: http://www.psc.isr.umich.edu/research/tmp/moaddel_trendsIraqiPoliticalValuesSecularPoliticsNationalIdentity_tables_dec04-jul07.pdf (accessed 19 February 2008). See also Inglehart, Ronald, Mansoor Moaddel, and Mark Tessler. 2007. “Xenophobia and In-group Solidarity in Iraq: A Natural Experiment on the Impact of Insecurity.” In Mansoor Moaddel (ed.), *Values and Perceptions of the Islamic and Middle Eastern Publics*. New York: Palgrave.

⁴ Friedman, Thomas. 2004. “Are There Any Iraqis in Iraq?” *New York Times*. April 8.

⁵ Goldberg, Jeffrey. 2008. “After Iraq.” *The Atlantic*. January/February.

fewer—40% and 27%, respectively—identified as Muslim. The proportion of Kurds who identified as Iraqi doubled during this time, to approximately 20%.

[insert Figure 1 about here]

The second panel of Figure 1 demonstrates a striking level of state pride. Large majorities of both groups say that they are proud to be Iraqi. Among Sunnis and Shiites, this sentiment is nearly unanimous and has wavered little over this three-year period. Moreover, although the majority of Kurds identify primarily as Kurds, the majority are nevertheless proud to be Iraqi. In fact, this majority has increased in size over time, from approximately 70% to 95%. Across groups in Iraq, pride in state is now evidently a consensual attitude.

These findings illustrate the four general characteristics of state attachment that we noted above. State attachment is the norm among all three groups and approaches the levels of those multiethnic states that are, by all appearances, viable. This attachment seems at odds with the quite prominent examples of sectarian conflict reported daily in the media. The distinct possibility is that “rank-and-file” group members do not share the agenda of more vocal group leaders who pursue an extremist or nationalist agenda. This interpretation is not without precedent. One striking example is the Basque region, where in opinion polls a significant majority of citizens identify as both Basque and Spanish, thereby distancing themselves from violent separatists who reject Spanish authority altogether.⁶

Second, attachment with the state is not inherently at odds with loyalties to an ethnic or religious group. This is most evident among Iraqi Kurds, who identify primarily as Kurdish but still express pride as Iraqis. Moreover, even in 2004, when both Sunnis and Shiites were most

⁶ Dekker, Henk, Darina Malová, and Sander Hoogendorn. 2003. “Nationalism and Its Explanations.” *Political Psychology* 24 (2): 345-376; Linz, Juan and Alfred Stepan. 1992. “Political Identities and Electoral Sequences: Spain, the Soviet Union, and Yugoslavia.” *Daedalus* 121 (2): 123-139.

likely to identify as Muslim and not Iraqi, the vast majority within both groups still expressed pride as Iraqis. This is corroboration, if it were needed, that people maintain multiple identities, and their national identity and religious or ethnic identity need not be in constant tension.

Third, despite the general existence of state attachment, there are gaps in the level of attachment among these three groups. This is particularly evident in how Iraqis currently identify themselves, as the proportion of the majority Shiites that identify as Iraqi exceeds that of Sunnis and especially that of Kurds. This gap suggests that perhaps the largest challenge to a united Iraq comes from the Kurds, as anecdotal reports would indicate. Jeffrey Goldberg, for example, writes:

...in Erbil and Sulaymani, the two main cities of the Kurdish region, the Iraqi flag is banned from flying; Arabic is scarcely heard on the streets (and is never spoken by young people, who are happily ignorant of it), and Baghdad is referred to as a foreign capital. In October, when I was last in the region, I called the office of a high official of the *peshmerga*, the Kurdish guerrilla army, but was told that he had “gone to Iraq” for the week.⁷

Finally, identities are variable and can change over time in response to events, elite political strategies, and government policies. The apparent rise of state attachment in Iraq is an instructive, and counterintuitive, example. Here we do not offer an extended explanation, focusing instead on other cases discussed below. One possibility dovetails with our previous point about the differences between the attitudes of rank-and-file group members and group leaders who purport to speak in their name. The sectarian conflicts that are promulgated by certain group leaders and their followers may actually be pushing rank-and-file members of each sect *away* from an exclusive ethnic or religious identity and toward a common identity. As *New Yorker* correspondent George Packer noted in September 2007, after citing these same survey findings, “Civil war and sectarian rule have tarnished the prestige of religious parties and

⁷ Ibid., p. 71.

increased the appeal of a nonsectarian government.”⁸ Regardless of the explanation, these shifts in state attachment suggest that political leaders can affect citizens’ identities and potentially mitigate stateness problems. At the very least, identities are not as entrenched as some might think⁹.

These aspects of state attachment are not unique to Iraq. In a more systematic examination, we examined survey data from 51 countries, comparing the state attachment of majorities to those of members of some 155 minority groups within these states. More precisely, the analysis focused on “minorities-at-risk,” defined as those groups who have suffered from some form of discrimination and have been the focus of political mobilization.¹⁰ These groups are thus perhaps those least likely to display attachment to the state and most likely to favor an alternative locus of authority. However, most of these minority group members did express attachment to the state: 71% said that they were somewhat or very proud to be their state’s titular nationality, and 63% identified either with the state or with both the state and an ethnic or other group of some kind. The coexistence of multiple identities was also evident. About a third of minority group members manifested a “dual identity” with both the state and with another group. Moreover, those with a singular attachment to the state evinced no more pride in their state’s titular nationality than did those with a “dual” identity. Minority group members were thus no less “attached” to the state when they also identified with their group. As in Iraq, there was a gap between minority and majority group members: of the latter, larger numbers expressed pride

⁸ Packer, George. 2007. “Planning for Defeat.” *The New Yorker*. September 17.

⁹ Of course, any discussion of stateness under present conditions of a U.S.-led war is likely to be highly politicized. Suffice it to say that the trends do not speak directly to the merits of American intervention.

¹⁰ Elkins, Zachary, and John Sides. 2007. “Can Institutions Create Unity in Multiethnic Societies?” *American Political Science Review* 101(4): 693-708. For more on defining minorities-at-risk, see Gurr, Ted Robert. 1993. *Minorities at Risk*. Washington DC: United States Institute of Peace Press.

(88%) and identified either with the state or with both the state and a group (82%). Finally, in countries besides Iraq, state attachment appears to shift over time, at times narrowing and at times widening the gap between majorities and minorities. We now turn to several such cases, using these shifts to investigate further the events and decisions that may have produced them.

Strategies for Achieving Stateness

A long and venerable literature in political science offers theory and evidence on how to build cohesion in heterogeneous polities. This literature has emphasized two instruments: the structure of electoral institutions and the division of power between central and peripheral governments. Both instruments are central to theories of consociationalism, which suggest that electoral systems that yield proportional results (e.g., list PR) and arrangements that devolve some power to sub-national governments (e.g., federalism) are effective solutions for managing conflict.¹¹ Other scholars consider different electoral institutions, such as forms of preference voting, superior to proportional representation.¹² Empirically, however, the palliative effects of any of these institutions are far from clear. A range of qualitative and quantitative data suggests no consistent evidence that either proportional electoral institutions or federalism can create state attachment or reduce protest and rebellion activity.¹³ Thus, scholars have much more to learn about the policies and institutions that build stateness.

A closer examination of two cases provides some tentative but important insights about state attachment and why it changes over time. The first compares blacks and whites in pre- and

¹¹ See, e.g., Lijphart, Arend. 1999. *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*. New Haven: Yale University Press.

¹² Horowitz, Donald L. 2002. "Constitutional Design: Proposals versus Processes." In Andrew Reynolds (ed.), *The Architecture of Democracy*. New York: Oxford University Press. pp. 15-36; Reilly, Benjamin. 2001. *Democracy in Divided Societies: Electoral Engineering for Conflict Management*. New York: Cambridge University Press.

¹³ See Elkins and Sides, *ibid*.

post-apartheid South Africa. The second focuses on the Baltic states and compares ethnic Russians to the titular ethnic groups (Latvians, Lithuanians, and Estonians). Each case presents the rare opportunity to track levels of state attachment in both groups before and after important institutional changes.

South Africa

To measure state attachment in South Africa, we draw on World Values Survey data that were collected at four time points: 1982, 1990, 1996, and 2001. In each wave, respondents were asked “How proud are you to be South African: very, somewhat, not very, or not at all proud?” Figure 2 compares the proportion of whites and blacks who expressed attachment to the state by declaring themselves very or somewhat proud. In the apartheid-era survey, there is a substantial gap in the state attachment of blacks and whites. While whites were nearly unanimous in expressing pride as South Africans (98%), barely half of blacks (57%) did so. In the 1990 survey, however, that gap had nearly closed, as 93% of whites and 90% of blacks expressed pride. For the next decade, pride remained at similarly high levels for each group.

These trends give us some confidence that the survey measures capture state attachment. After all, it is hard to imagine a state that more quickly or more radically elevated the citizenship status of its minority population—a transformation that is clearly evident in the data. What is perhaps most fascinating about the South African case is that the shift in state attachment among blacks *preceded* the actual election of Nelson Mandela, on April 26, 1994, and subsequent transfer of power to a government that empowered the black majority. Indeed, the shift occurred even before the multi-party talks that preceded the election. State attachment among black South

Africans did not come about because of particular electoral rules or any tangible fruits of black political power—precisely the kinds of factors that scholars have most frequently examined.

Instead, the results suggest the potential impact of a different set of factors. Preceding the 1990 survey, which was conducted in October and November, President F.W. de Klerk ended apartheid and the ban on black political organizations such as the African National Congress—both in a famous speech on February 2, 1990. On February 11, Nelson Mandela was released from prison, as were other ANC activists during this time. In May and August, there were two summits between the South African government and the ANC that led to formal rules for peaceful negotiation as well as agreements on the release of political prisoners and the return of exiles.

Thus, the shift in state attachment occurred *after* blacks gained legal equality and access to the political process and witnessed the liberation of prominent black leaders, but *before* any actual residence in the halls of state power. These steps suggest that *de jure* and even symbolic steps by political leaders may matter as much as *de facto* power-sharing or equality, since the precise nature of power-sharing was yet to be determined as of 1990, and the transition to a black-led government obviously did not erase broader social and economic inequalities between blacks and whites, which lingered even as black national pride remained high throughout the 1990s.

The Baltics

The Baltics resemble South Africa in that they also experienced a transformative regime change, one that significantly affected ethnic minorities in each country. The relevant cleavage in the Baltics is that between ethnic Latvians, Lithuanians, and Estonians and ethnic Russians,

many of whom settled in these countries during the Soviet era. The dissolution of the Soviet Union raised the question of how the newly elected governments would treat these ethnic Russians. Tracking state attachment over time provides a sense of how government decisions affected Russians in each country. Even more importantly, Latvia, Lithuania, and Estonia took different courses in how much they sought to integrate ethnic Russians, variation that provides analytical leverage to understand how policy choices can affect state attachment.

Figure 3 presents the level of state attachment in each country, with separate trends for those of the titular ethnicity and for ethnic Russians. We rely once again on World Values Survey data, which were conducted in 1990, 1996, and, in Latvia and Estonia, 1999.¹⁴ In Lithuania as of 1990, two frequently observed features of state attachment are present: relatively high levels of pride for each group, but a lower level among the minority Russians. From 1990 to 1996, there is a 20-point decrease for both groups in the percent saying they are “very” or “somewhat” proud to be Lithuanian. This decrease (evident in the other Baltic states as well) may be part of a more general civic malaise that characterized many former Soviet republics in the wake of the Soviet Union’s demise.¹⁵ But most importantly, the gap between Lithuanians and Russians is exactly the same at both points in time.

In Latvia, however, the trends provide some reason to worry about stateness. While Russians have a chronically lower level of “Latvian pride” than do Latvians themselves, this gap increases nearly three-fold—from 13 points to 37 points—between 1990 and 1996. The state attachment of both groups declines, but that of Russians declines more. However, between 1996

¹⁴ There was a 1999 survey in Lithuania, but it did not include questions gauging characteristics, e.g., ethnicity or language, that would allow us to distinguish Lithuanian from Russian respondents.

¹⁵ Howard, Marc. 2002. “The Weakness of Postcommunist Civil Society.” *Journal of Democracy* 13 (1): 157-169.

and 1999, state attachment among both groups rebounds and, moreover, the gap between them narrows to 22 points—a change that is substantively and statistically significant.

In Estonia, a third pattern emerges. As in Lithuania and Latvia, the state attachment of both Russians and the titular group declines after 1990. As in Latvia, the gap between Russians and the titular group also widens between 1990 and 1996—from 11 to 26 points. But unlike in Latvia, the gap does not narrow in 1999 and in fact grows slightly larger (to 30 points).

What explains these three different patterns of findings—whereby the apparent statelessness problem was smaller and constant across time in one Baltic country (Lithuania), grew larger and then smaller in another country (Latvia), and grew larger and then larger still in a third country (Estonia)? The answer probably does not rest with the design of consociational institutions – electoral systems and federalism – as the three states differed little in this regard.¹⁶ More likely, a key factor was the legal status of Russians in each country, and in particular whether they were eligible for citizenship and, if so, the process by which they could become citizens.¹⁷

Lithuania was the first to address the question of Russian citizenship and was the most inclusive, perhaps because its Russian population was the smallest of the three Baltic states (9% of the total population).¹⁸ In November 1989, even before their formal independence in March 1990, Lithuania allowed all permanent residents to become citizens, regardless of ethnicity,

¹⁶ Each of the three states adopted a form of list-PR as their electoral system and developed a roughly similar balance of power between the national government and the sub-national units.

¹⁷ In this account, we draw on two sources: Chinn, Jeff, and Lise A. Truex. 1996. “The Question of Citizenship in the Baltics.” *Journal of Democracy* 7(1): 133-147; and Gelazis, Nina. 2004. “The European Union and the Statelessness Problem in the Baltic States.” *European Journal of Migration and Law* 6: 225-42.

¹⁸ Lithuania’s Russian population was also more likely to speak the titular language and to have inter-married with titular nationals, relative to Russians in Estonia or Latvia. Lithuanian Russians are also more politically participatory and efficacious than Russians in Latvia and Estonia. See Evans, Geoffrey, and Christine S. Lipsmeyer. 2001. “The Democratic Experience in Divided Societies: The Baltic States in Comparative Perspective.” *Journal of Baltic Studies* 32(4): 379-401.

language, religion, etc. By November 3, 1991, the deadline, 90% of all residents had opted to become Lithuanian citizens. As of 1996, 95% of Lithuanians were citizens via birth or naturalization, and could participate fully in political life. Although the procedure for naturalization in Lithuania was not much different than that in the other Baltic states—i.e., residing in the country for 10 years, having a stable income, taking a loyalty oath, renouncing other citizenship, and passing a written and oral examination about the Lithuanian language and constitution—the key difference was that most Russians did not have to naturalize. Lithuania simply accepted Russian migrants from the Soviet era as citizens. This inclusive policy may thus explain why Lithuania did not see a growing gap between the state attachment of Lithuanians and Russians between the 1990 and 1996 waves of the survey.

Of the three, Latvia had the largest non-titular population (approximately 46% as of 1994) and perhaps consequently its citizenship law was initially the most exclusionary. In 1991, Latvia passed a law granting citizenship to those who had citizenship before 1940, but this did not include the vast majority of Russians in Latvia. Thus, in the June 1993 elections, only 64% of the resident population was eligible to participate. Only on July 22, 1994, did Latvia adopt a new citizenship law. The procedure for naturalization included: permanent residence in Latvia for 5 years (starting from May 4, 1990); command of the Latvian language, history, national anthem, and Constitution; proof of income source; and renouncement of other citizenship. There was also a “windows system” for naturalization that set up different dates at which different age groups could begin to naturalize. Those ages 16-20 could begin on January 1, 1996, while those 30 and over would have to wait until January 1, 2003. Not surprisingly, the rate of naturalization was exceedingly low. Although in 1995 the Latvian Parliament did pass a law stating that non-citizens enjoyed the same rights as Latvian citizens, could travel freely, admit spouses and

dependents in Latvia, maintain their native language and culture, and could not be deported except according to law, the general thrust of Latvian policy was to render most Russians essentially “stateless.” This helps explain why the state attachment of Russians declined so precipitously between 1990 and 1996.

What accounts, then, for the increase in Russian attachment after 1996? One thing that affected both Latvia’s and Estonia’s citizenship policy was their desire to join the European Union and the resulting pressure that the EU put on both countries to liberalize. The EU published annual reports from 1998-2002 that criticized each country’s citizenship policy, emphasizing the need for less restrictive naturalization procedures and better language instruction.

Because of European Union pressure, Latvia liberalized its citizenship procedure. In 1998, Latvia abandoned the windows system and opened the naturalization process to all non-citizens. Latvia also granted citizenship to Latvian-born children of non-citizens and simplified some requirements for those over age 65. Latvia eliminated rules that had prohibited non-citizens from certain occupations and that had required knowledge of Latvian to receive unemployment benefits. While this new policy did not immediately increase the number of citizenship applications, it may have signaled enough of a shift toward openness that Russians in Latvia felt more attachment to Latvia as of 1999.

Estonia’s trajectory was different. Like Latvia, it contained a large number of ethnic Russians (about 30% of the total population) and pursued an exclusionary course. While the Estonian Constitution of 1992 gave non-citizens certain social and political rights, this measure was soon followed by a restrictive citizenship policy. The first move was to restore the 1940 citizenship law, which extended citizenship only to those with Estonian citizenship before 1940

and their descendants. Soviet-era migrants could attain citizenship by proving that they supported the independence movement. In June of 1992, when there was a referendum on the new constitution, only a sixth of non-Estonians were actually eligible to vote. This law also greatly restricted participation in the 1993 national election (to about 60% of the electorate).

A subsequent citizenship law passed in 1995 and set out familiar provisions such as permanent residence in Estonia and command of the Estonian language. Non-citizens faced a two-year residence requirement, followed by a one-year wait for application processing. The language requirement entailed demonstrating conversational ability in Estonian, a task that was particularly difficult for adult Russians who were less likely to have had any instruction in Estonian. Between 1995 and 1997, only about 1,000 applicants had managed to gain citizenship. As in Latvia, this exclusionary approach to citizenship may have led to the steeper decline in the state attachment of Russians.¹⁹

What distinguishes Estonia from Latvia is how Estonia approached the prospects of EU accession in the late 1990s. During this time, Estonia did not go as far as Latvia in easing restrictions on naturalization. In 1999, Estonia granted citizenship to children of non-citizens who were born in Latvia, but little else was changed. These more timid reforms also occurred not long before the 1999 survey wave, which helps explain why there is little change in the gap between Estonians and Russians between 1996 and 1999.²⁰

¹⁹ During this time, Russians in Estonia also became more pessimistic about the state of democracy and the representativeness of the government. Furthermore, in a 1995 survey, only a slim majority of Russians (52%) said that they identified more strongly with Estonia than with the Soviet Union. This figure is close to the percentage of Russians who said that they were proud to be Estonian in the 1996 World Values Survey. See Evans, Geoffrey. 1998. "Ethnic Schism and the Consolidation of Post-Communist Democracies." *Communist and Post-Communist Studies*, 31(1): 57-74.

²⁰ Estonia's citizenship policy did become more inclusive in 2000. See Laitin, David. 2005. "Culture Shift in a Postcommunist State." In Zoltan Barany and Robert G. Moser (eds.), *Ethnic Politics After Communism*. Ithaca, NY: Cornell University Press. pp.46-77.

The Importance of Citizenship Rules

The Baltic cases remind us of the psychological power of citizenship laws. Indeed, such laws determine the most fundamental aspect of national identity: whether an individual will be admitted as a bona fide member of the state in question. In the logic of state attachment, this basic question of legal membership would seem to enter at a prior, and arguably more consequential, juncture than would any formula by which votes are aggregated or state power is distributed to subnational units. A central characteristic of states' treatment of both birthright and naturalized citizenship is how much states privilege residence. The classical legal distinction is between *jus soli*, or the right to citizenship (or "nationalship") of those born on the "soil," and *jus sanguinis*, in which an individual's "blood," or at least ethnic or ancestral credentials, constitutes a necessary condition.²¹ With respect to naturalized citizenship, the question is whether a period of residence (of whatever length) is itself enough to ensure an individual's eligibility. For simplicity, we will refer to both birthright and naturalized citizenship as *jus soli* when residency is a sufficient condition.

Since the 19th century, states have been divided in their choice between the two approaches, with Germany (*jus sanguinis*) and France (*jus soli*) serving as the prototypical examples of each. The German-French distinction remains, although each country has moderated its position recently.²² Globally, however, there has been a secular shift towards the

²¹ Some countries distinguish between "citizens" and "nationals," with the former conferring political rights, while the terms are effectively synonymous in others. On the distinction between these two models of citizenship, see, e.g., Brubaker, Rogers. 1992. *Citizenship and Nationhood in France and Germany*. Cambridge, MA: Harvard University Press.

²² The French Nationality Law of 1992 restricts slightly the privileges of those born in France of non-French parentage. Such individuals are required to apply for French citizenship upon reaching adulthood, while citizenship is automatic for natives of French parentage. Meanwhile,

more restrictive German model. Data from national constitutions, most of which specify citizenship criteria, allow us to track this trend.²³ The two panels in Figure 4 plot the proportion of national constitutions that include residency as a sufficient condition for (a) birthright citizenship, and (b) naturalized citizenship. The data indicate that while *jus soli* has been common (but not dominant) since the early 1800's, as of 2006 only 33% and 12% of countries granted birthright and naturalized citizenship to residents, respectively. Most of the decline can be attributed to a change in the composition of states, with those emerging after World War II adopting a *jus sanguinis* approach. While *jus soli* is decidedly in decline, a significant minority of countries maintain this inclusive criterion for the admittance of immigrants – a policy that is relatively sticky given its entrenchment in constitutions. Indeed, this conspicuous division in citizenship rules is all the more striking in an age in which the basic package of political and civil rights has grown remarkably homogeneous across countries, at least among democracies. (One may even have expected *more* global convergence in citizenship policies—rules on which states have seemingly natural incentives to coordinate.)

Does this persisting gulf between states in their treatment of “foreign” residents have consequences for state attachment? Consider one of the indicators of state attachment that we describe above: the degree to which individuals express pride in their country, derived from the 1995 and 1999 World Values Surveys. We analyze the 49 countries for which we have data on both national pride and constitutional rules on citizenship. In those countries whose constitutions provided for *jus soli*, 72% of minorities-at-risk said that they were “very proud” of their nationality, compared to 44% of those in non-*jus soli* states. Similarly, in those countries where

the German Nationality Law of 2000 opened a path to citizenship for certain residents without German lineage.

²³ Zachary Elkins and Tom Ginsburg. 2008. *Comparative Constitutions Project*. <https://netfiles.uiuc.edu/zelkins/constitutions>.

residency is a sufficient condition for naturalized citizenship, 82% of minorities said that they were “very proud,” as opposed to 53% in countries requiring qualifications other than residency. Of course *jus soli* countries could be different in ways other than their citizenship rules; indeed, it happens that majorities were also more patriotic in the *jus soli* states, although the gap is appreciably smaller for majorities than it is for minorities. If we account for majority opinion, thus controlling for factors that might elevate country pride more generally, the *jus soli* effect remains: the percent of minorities that are “very proud” is still, on average, 9 and 14 percentage points higher in the *jus soli* states than in the non-*jus soli* states according to birthright and naturalized citizenship, respectively.²⁴

The pattern in the Baltics, therefore, seems evident in a wider set of countries, including many established democracies. In expanding the analysis to such states, we are explicitly acknowledging that stateness problems are not limited to newly independent or transitional states. In this light, it is instructive to consider United States, whose high degree of stateness deserves investigation. Like those in many multiethnic states, minorities and immigrants in the United States have experienced and continue to experience injustice, prejudice, and economic and political marginalization. Nevertheless, opinion polls consistently find ethnic minorities in the United States to be as attached to the country as are majorities.²⁵ Why? Certainly, the United States, with its rigid two party system and majoritarian election system is far from a consociational utopia. Moreover, its federal system was never designed to devolve power to ethnic minorities. If anything, federalism in the United States worked to exacerbate any social or

²⁴ These figures are estimates from regression analysis in which the percent of minorities responding “very proud” is a function of the percent of majorities responding “very proud” and, in separate equations, dummy variables identifying states that have *jus soli* for birthright citizens and *jus soli* for naturalized citizens.

²⁵ Citrin, Jack, Beth Reingold, and Donald P. Green. 1990. “American Identity and the Politics of Ethnic Change.” *Journal of Politics* 52 (4): 1124–54.

political exclusion of minorities, at least for black Americans. In terms of citizenship criteria, however, the United States is unequivocally assimilationist. The 14th Amendment clearly and, given the difficulty of amending the US Constitution, almost irrevocably commits the United States to *jus soli*. While naturalized citizens face an uphill path to Congressional office (following naturalization, seven and nine year waiting periods to run for the House and Senate, respectively) and the insuperable barrier to the presidency, these are lofty goals for any American and ones that do not seem to trouble most immigrants or other Americans.²⁶ Indeed, little about the American experience is as unifying and inclusive as the country's increasingly atypical *jus soli* approach to birthright and naturalized citizenship. In the ongoing debate over whether and how to integrate undocumented immigrants in the United States, it is useful to remember the uncommon degree of state attachment among the country's minorities and our relatively inclusive citizenship rules.

Conclusion

The recent histories of South Africa and the Baltic states share a common feature: shifts in the state attachment of a prominent minority (or, in South Africa, an oppressed majority) appear related to the shifts in the legal status of these groups. When leaders took steps to end "statelessness" by extending citizenship and equality under the law, members of these groups responded with greater attachment to the state. When leaders pursued policies that rendered these groups effectively second-class citizens or even non-citizens, members of these groups expressed significantly less attachment to the state. Some of these effects are evident when we turn to a wider set of countries with varying sets of citizenship rules.

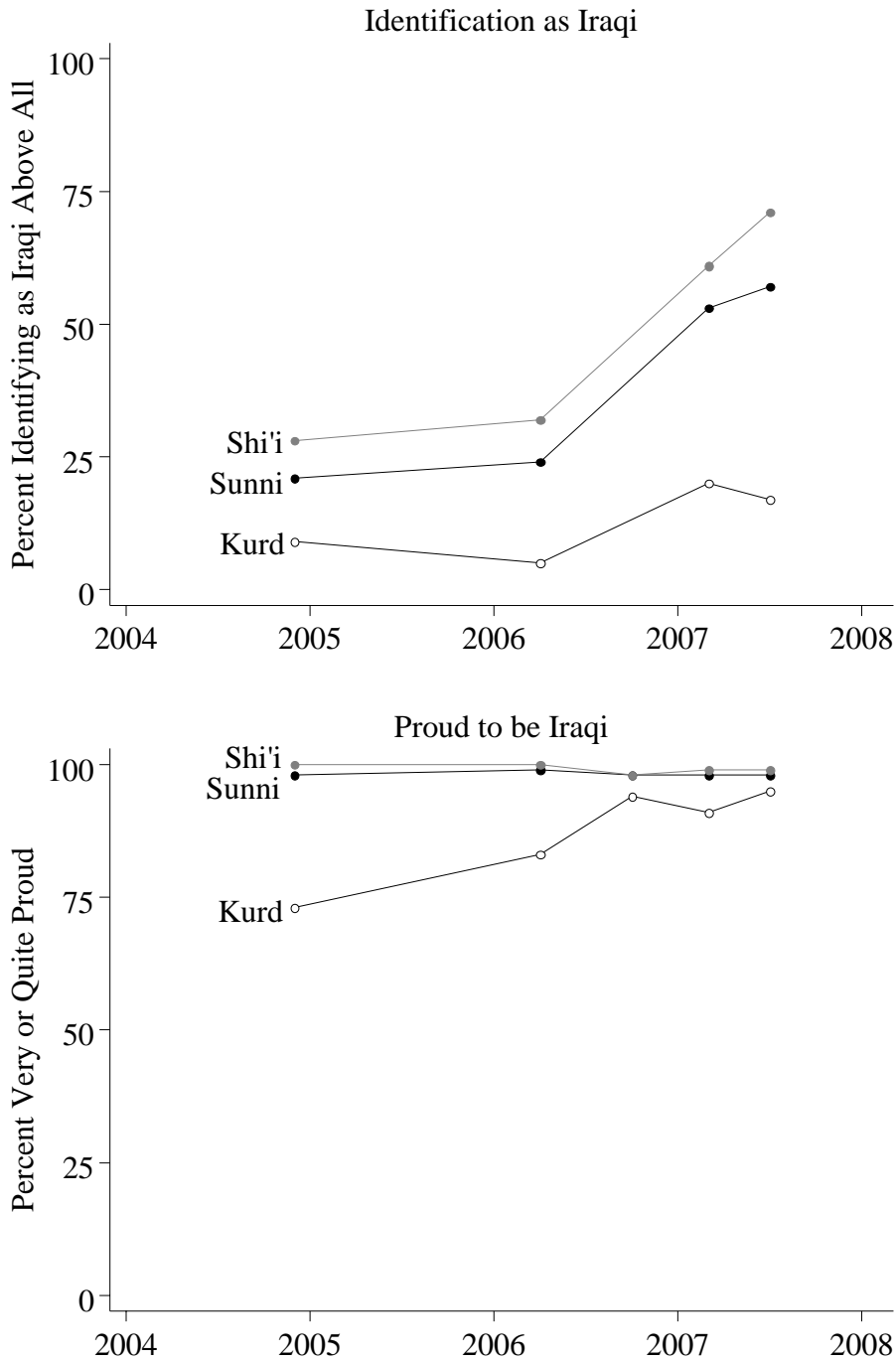
²⁶ But see Sanford Levinson. 2006. *Our Undemocratic Constitution: Where the Constitution Goes Wrong (And How We the People Can Correct It)*. Oxford: Oxford University Press.

If these inclusive citizenship rules do indeed have a unifying effect, it is somewhat distressing that they are an endangered species in national constitutions, their natural habitat. Of course, we recognize that some states have valid reasons to restrict membership, such as their inability to support the increased immigration that might come with inclusive rules. Nevertheless, the persistence of second-class or even stateless individuals within their borders may pose a risk to stability and political and social democracy that outweighs these other concerns. As mass deportation is almost certainly infeasible and arguably inhumane, it seems advisable to admit long-time residents and birth residents as full citizens. Such an approach focuses one's attention on the vague but wholly uplifting phrase of Ernest Renan's, which captures the guiding principal of *jus soli*: "avoir fait de grandes choses ensemble, vouloir en faire encore," or "having done great things together and wishing to do more."²⁷

Of course, we do not mean to suggest that citizenship policies or state attachment itself are enough to produce stable democracy or reconciliation among groups. While state attachment is arguably necessary for a heterogeneous populace to cohere and for democracy to take root and thrive, it is by no means sufficient to accomplish this. For example, in South Africa, much more violence followed the dramatic events of 1990, as did a protracted debate over the shape of the new government. In general, a shared superordinate identity does not obviate further negotiations about the form of government, electoral rules, and the like. Here the specifics of power-sharing may matter, both to ensure the loyalty of previously oppressed groups and the support of prominent group leaders and other elites. Nevertheless, these cases provide some noteworthy clues about first steps that leaders can and probably must take to build unity amid discord.

²⁷ Renan, Ernest. *Qu'est-ce qu'une nation?* (Lecture delivered on March 11, 1882 at the Sorbonne).

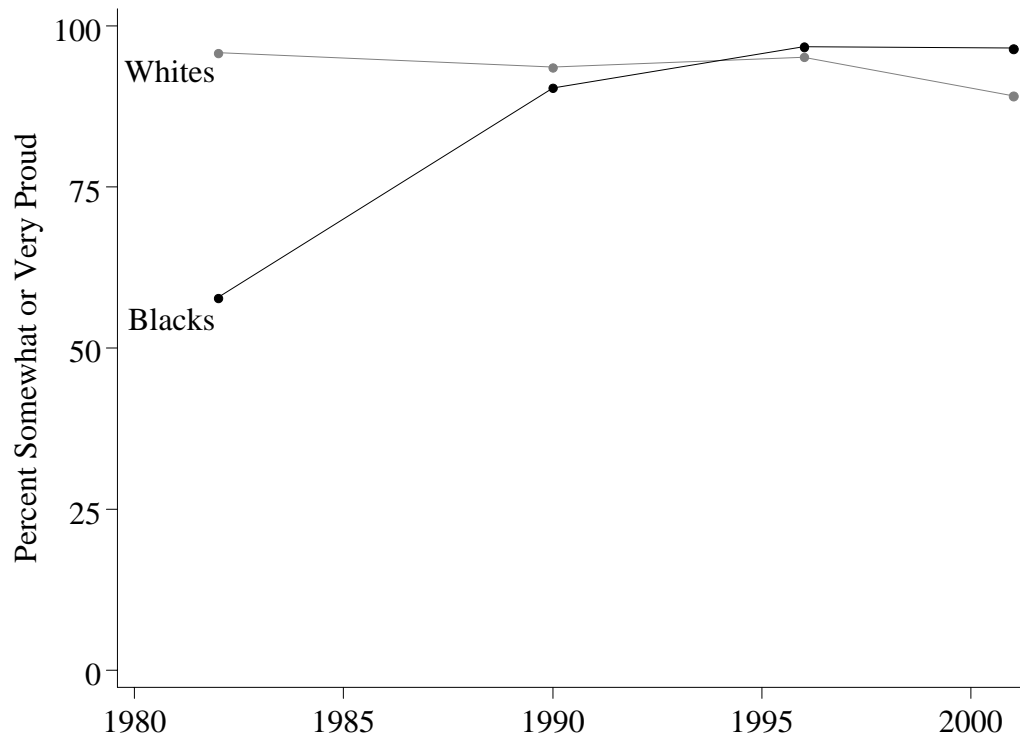
Figure 1. State Attachment in Iraq, 2004-2007



Question wording: (1) “Which of the following best describes you: ‘above all, I am an Iraqi’; ‘above all, I am a Muslim’; ‘above all, I am an Arab’; or ‘above all, I am a Kurd’?”; and (2) “How proud are you to be an Iraqi: very proud, quite proud, not very proud, or not at all proud?”

Source: Iraqi Values Surveys (December 2004, April and October 2006, March and July 2007)

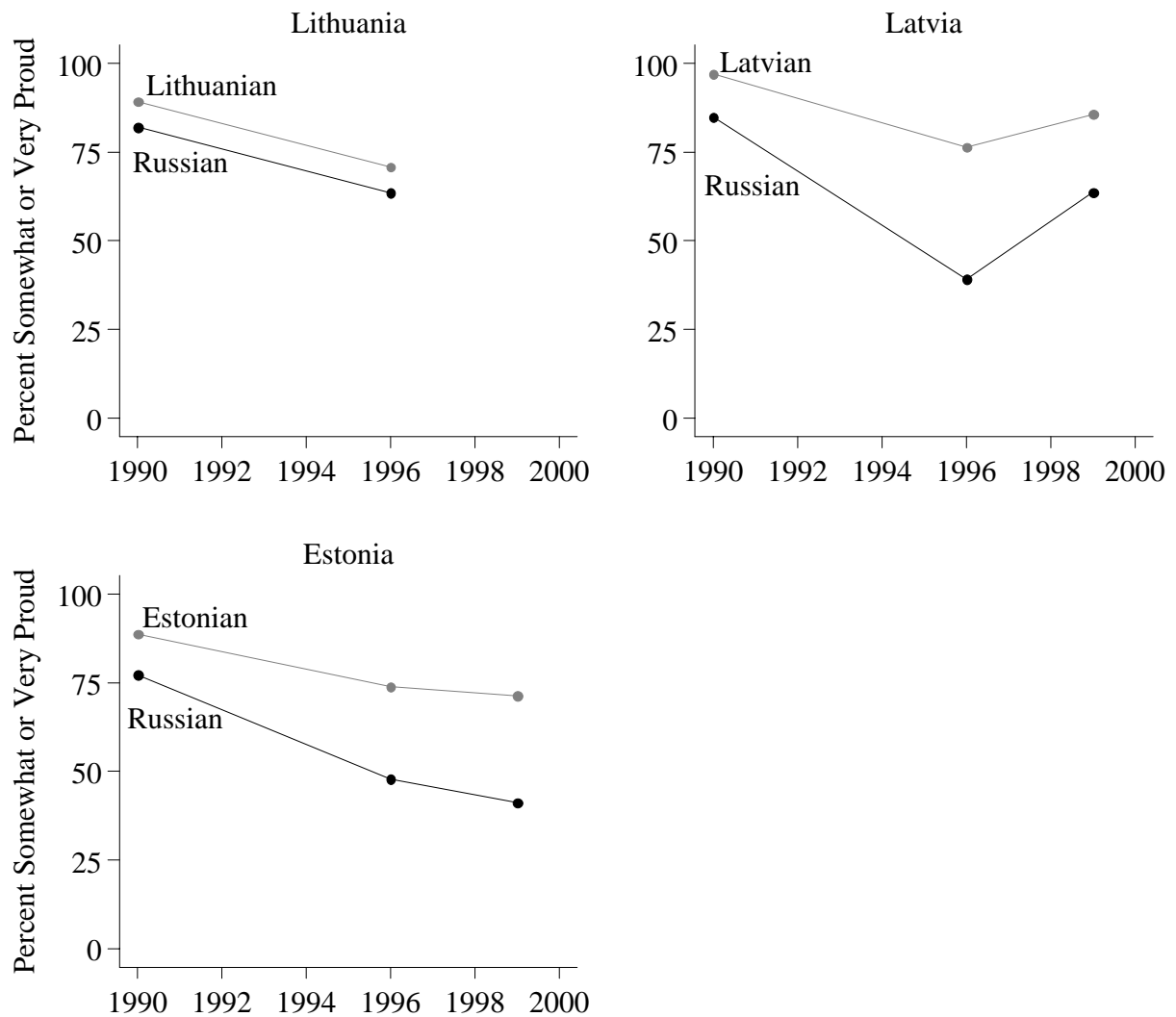
Figure 2. State Attachment in South Africa, 1982-2001



Question wording: “How proud are you to be South African: very proud, somewhat proud, not very proud, or not at all proud?”

Source: World Values Surveys.

Figure 3. State Attachment in the Baltics, 1990-1999

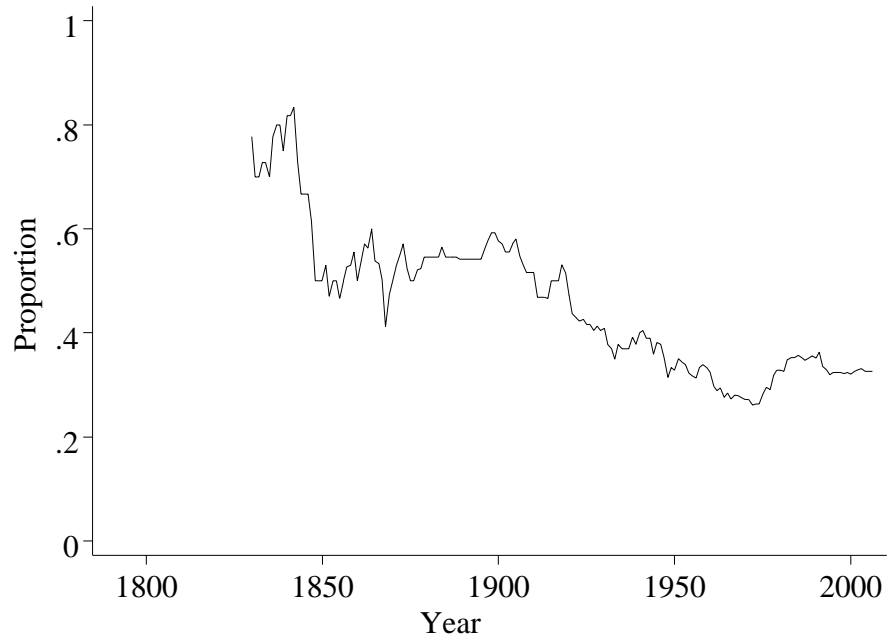


Question wording: “How proud are you to be [Lithuanian, Latvian, Estonian]: very proud, somewhat proud, not very proud, or not at all proud?”

Source: World Values Surveys.

Figure 4. Proportion of National Constitutions with Selected Citizenship and Cultural Rights Provisions

A. Residency Sufficient for Birthright Citizenship



B. Residency Sufficient for Naturalized Citizenship

