

Citizens and Compatriots

The Politics of Citizenship Policy in Russia

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When Russian forces went into South Ossetia last year, Russia cited the protection of its citizens as one justification for its actions. That more than half of South Ossetia's 70,000 residents have taken Russian citizenship is often mentioned. Less well known is the fact that South Ossetians (as well as residents of other breakaway regions who have obtained Russian citizenship) have usually been granted passports only for foreign travel, not internal passports that would allow them to settle in Russia. Citizenship policy is a cornerstone of state- and nation-building everywhere, but it can also be an instrument of foreign policy, including military action abroad, and it has the potential to affect domestic economies and societies.

Analysis of the politics behind Russian citizenship policy since 1991 reveals that the goals of the policy have been fluid and, at times, contradictory. Particularly revealing is the persistent tension between ideological and practical objectives. The understanding of the nation, which continues to prevail in Russia, mandates an inclusive citizenship policy for former Soviet citizens (Russian-speaking Slavs in particular), while economic and security concerns tend to mandate a more restrictive citizenship policy. Russian elites continue to negotiate these different objectives and, lately, seem to have come to the conclusion that keeping legal categories and definitions vague may be the best solution. This gives Russian policymakers room to maneuver and to pursue expedient citizenship policy without having to change the law.

Russia's First Citizenship Policy: Ideology and Realpolitik Go Hand-in-Hand

Like every new state, post-Soviet Russia had to answer a fundamental question: who collectively constitutes the nation that gives legitimacy to the state? This question is

formally answered by citizenship laws that define what can be called the “official” nation of a given state: the group of people who are included in the initial body of citizens, plus those who are able to acquire citizenship under simplified procedures (i.e., without having to fulfill standard naturalization requirements).

The origins of Russian citizenship policy date back to the last years of the Soviet Union, when the citizenship issue, closely tied to the symbolic issue of sovereignty, emerged as a battleground between the Soviet leadership and republican authorities. In an effort to gain more sovereignty for Russia, republican president Boris Yeltsin supported the adoption of a Russian citizenship law. This law was adopted in November 1991 and entered into force in February 1992. The law automatically recognized as Russian citizens those who permanently resided on Russian territory at the time the law entered into force. Importantly, however, Soviet citizens who lived in other republics could also register to become Russian citizens within three years of the law’s promulgation; the registration deadline was subsequently extended until the end of 2000.

A definition of the official Russian nation that embraced all Soviet citizens was consistent with both practical concerns and the dominant national idea. A major concern of the time was the situation of Russians and Russian-speakers in the Soviet Union’s other republics. Fears of their massive migration to Russia were high when the 1991 citizenship law was discussed. Making Russians and Russian-speakers outside Russia eligible for Russian citizenship could be expected to make them more secure and, thus, less likely to migrate. At the same time, the policy also reflected the dominant national idea that the true Russian nation transcends the borders of the Russian Federation and includes most, if not all, former Soviet citizens.

2002 Citizenship Law: Realpolitik Conflicts with and Trumps Ideology

The policy of allowing all former Soviet citizens to become Russian citizens abruptly ended shortly after President Vladimir Putin took office in 2000. Within a year, the presidential administration submitted to the State Duma a new edition of the citizenship law, which was adopted after much heated debate and which entered into force in July 2002.

The 2002 citizenship law dramatically redefined the official Russian nation. It allowed only those former Soviet citizens who were born on the “territory of the Russian Federation,” plus those who were legally stateless, to acquire Russian citizenship under simplified procedures. Other former Soviet citizens now had to satisfy a battery of requirements: evidence of a legal source of income, acquisition of a permanent residency permit, legal proof that prior citizenship was relinquished, and competency in Russian.

Such dramatic changes to Russia’s citizenship policy were precipitated by the conclusion of the “centrist” political elite at the time that the 1991 citizenship law was too costly for the state. It gave access to Russian citizenship, and thus to the Russian state and its resources, to millions of people. In the State Duma, supporters of the law argued that “whole villages of Tajiks” and “criminals, scoundrels, and other bums”

were moving to Russia, jeopardizing the country's security and economy. The law's authors and supporters reasoned that the new definition of the official nation would facilitate the task of state management. However, it cut against the grain of the dominant national identity.

The new citizenship law was decried by Russian political actors across the spectrum, and opposition to the law was couched in the language of national identity. The law was criticized for equating most former Soviet citizens with "far abroad" foreigners. While in the first post-Soviet decade ideological and practical concerns could be addressed by the same citizenship policy measures, by the early 2000s, these concerns came into conflict with one another and pushed citizenship policy in different directions. That the 2002 law was amended less than a year after its implementation demonstrates the difficulty in sustaining a policy that goes against the dominant national identity. At the same time, later changes to the citizenship law reveal a more complex picture than one in which national identity simply trumps practical concerns after a brief setback. Russian citizenship policy is becoming more nuanced as political elites try to make the citizenship law serve both practical and ideological goals.

Recent Years: Negotiating Ideological and Practical Concerns

In October 2003, the State Duma unanimously approved a series of changes to the 2002 law. These amendments did not extend citizenship as broadly as did the 1991 law, but they extended the official Russian nation to include more categories of former Soviet citizens. These categories included former Soviet citizens who arrived in Russia before July 2002 and received a permanent or temporary residency registration (*propiska*) stamp in their passports; World War II veterans who had Soviet citizenship and now lived in Russia; former Soviet citizens who served in the Russian armed forces for three years or more; and former Soviet citizens who received higher education in Russia after July 2002. In October 2008, an additional set of amendments to the 2002 law simplified access to Russian citizenship for participants in the "compatriots" resettlement program (see below), launched in 2007.

These amendments to the 2002 law addressed identity-based considerations, but they also pursued practical objectives. By granting simplified access to Russian citizenship for former military personnel and individuals with higher education, the 2003 amendments sought to limit the negative impact of brain drain and demographic decline. The amendments simplifying citizenship for those participating in the compatriots' resettlement program aimed to reinvigorate the program, which had not brought nearly as many people back to Russia as its designers had hoped. When the program was launched, it was estimated that 100,000 "compatriots" would move to Russia in 2007 and a total of 300,000 by 2012. By late 2008, however, the program had only relocated 5,862 families to Russia.

Lessons Learned and Looking to the Future

Nearly two decades of Russian citizenship policymaking teaches important lessons. First, it shows how citizenship policy is driven both by national identity considerations (the predominant image of the nation and the boundaries of the imagined "us") and

also practical economic and security concerns. There is much debate over whether ideological or other factors drive citizenship rules. It may be more productive, though, to refocus the debate on how the two factors interact with each other and the conditions in which one or the other is likely to be more decisive.

The history of Russian citizenship laws clearly shows how ideological and practical concerns can, at times, push citizenship policy in the same direction, and, at other times, they can conflict with each other and push citizenship policy in different directions. When this happens, the outcome is not predetermined. In Russia, *realpolitik* decidedly trumped identity concerns in 2002, only to be pushed back by identity-inspired opposition a year later.

The post-2002 changes to Russian citizenship also demonstrate that legal ambiguity may be an intentional policy that allows elites to negotiate potential conflicts between ideological and practical concerns and, more generally, pursue policies deemed expedient in the short term without having to change the letter of the law. For instance, most recent changes to Russian citizenship legislation made “compatriots” a target group for simplified citizenship acquisition, but the definition of a compatriot has remained vague. A 1999 law defined compatriots as those who were born in one state and who share common language, religion, cultural heritage, customs, and traditions. This is sufficiently vague to support both an interpretation that all former Soviet citizens and their descendents are compatriots and one that dictates that only those former Soviet citizens whom Russia finds desirable (those who are culturally Russian or those who have desirable professional skills) are welcome. Russian officials seem to prefer to maintain this ambiguity, arguing that “compatriots” is not a legal term but a matter of “spiritual self-identification.”

Legislation that would explicitly target ethnic Russians or all Russian-speaking Slavs has proven difficult to adopt in Russia. However, the vague definition of compatriots allows authorities to tailor citizenship policy as needed, as in the case of South Ossetia. If such legislative vagueness becomes a trend, it will make it easier for Russia to pursue various domestic and foreign policy objectives by means of citizenship policy.

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