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The (Dis)Benefits and (Dis)Advantages of Dual Nationality for Iranian Dual Citizens

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Dual Citizenship as a Privileged Position

Dual citizenship is often perceived as a privilege because it can expand access to two sets of nationality-based benefits and rights and may also lead to increased international mobility. Once considered a moral abomination, dual citizenship has become a common byproduct of globalization.¹ But interest in obtaining a second citizenship is not distributed evenly among individuals and groups of all nationalities and is shaped by the position of individuals/groups in the global citizenship hierarchy. Because of this hierarchy, the second citizenship may operate as ‘compensatory citizenship’ and make up for limitations in dual citizens’ primary resident citizenship.²

Dual citizenship, however, is not always an entirely privileged position. Some of the most privileged individuals capable of mobilizing forms of capital to acquire dual citizenships — whether through kinship, social and business networks, lottery, or outright purchase — find themselves barred from key forms of mobility and other rights and protections afforded to their fellow (non-dual) citizens.³ It is well documented that Iranian citizens living outside of Iran, with or without dual citizenship and especially those with precarious or undocumented status, face heightened scrutiny, surveillance, discrimination, and exclusion, especially in the Global North.⁴ In this essay, I will briefly discuss the case of Nazanin Zaghari-Ratcliffe to review some of the privileges and disadvantages of holding dual nationality for Iranians, focusing on Iranian dual nationals living outside Iran.

Iranian Dual Citizens and the Case of Nazanin Zaghari-Ratcliffe

Nazanin Zaghari-Ratcliffe is an Iranian-British dual citizen imprisoned by the Iranian State between April 2016 and March 2022. She was arrested and imprisoned and eventually charged with spying and propaganda activities against the Iranian government. Zaghari-Ratcliffe’s case attracted global media attention, partly because of the absurdity of charges brought against her and because of her British husband Richard Ratcliffe’s tireless campaign for her freedom. Richard Ratcliffe used different strategies and (social) media using the hashtag #FreeNazanin to internationalize the campaign for Nazanin Zaghari-Ratcliffe’s freedom. As the campaign’s repeated attempts to secure her release by the UK government failed, in 2019, Nazanin and Richard Ratcliffe began a series of hunger strikes protesting her unjust imprisonment.⁵ Zaghari-Ratcliffe was eventually freed soon after the British

1 Peter J. Spiro, “Multiple citizenship,” in *The Oxford handbook of citizenship studies*, eds. Ayelet Shachar, Rainer Bauböck, Irene Bloemraad, Maarten Vink (Oxford University Press, 2017), pp. 621 - 643.

2 Yossi Harpaz, “Compensatory citizenship: dual nationality as a strategy of global upward mobility,” *Journal of Ethnic and Migration Studies*, vol. 45, no. 6 (2018): pp. 897 - 916.

3 Amy Malek, “Paradoxes of dual nationality: geopolitical constraints on multiple citizenship in the Iranian diaspora,” *The Middle East Journal*, vol. 73, no. 4 (2019): pp. 531 - 534.

4 Malek, “Paradoxes of dual nationality”.

5 Anne Baring, “The great challenge of our time: Awakening to a new story,” *Feminist Theology*, vol. 28, no. 1 (2019): pp. 35 - 51.



government paid a historic debt of payment of £393.8 million to Iran, which is widely believed to be the ‘real’ reason why Zaghari-Ratcliffe was arrested.⁶

Zaghari-Ratcliffe was not the first to undergo such an ordeal. The Iranian State has been known to charge dual nationals with crimes based on far-fetched accusations in order to use them as bargaining chips in international political affairs.⁷ As Ferstman and Sharpe explain, the Iranian State’s hostage-taking practice has evolved since the 1979 Revolution; back then, the hostages were taken to consolidate internal powers, but more recently, the detainees’ foreign citizenship is used to gain leverage in disputes or negotiations and to discourage Iranians from engaging with ‘the West.’ Ferstman and Sharpe further argue that, in addition, the practice is now carried out under cover of law, cloaked in accusations of espionage or threats to national security, then subjects them to spurious criminal charges. While the legitimacy afforded by these legal processes is superficial, statements by the detainees’ (other) country of nationality only add fuel to the Iranian narrative of ‘Western interference’ in its domestic affairs.⁸ In addition, trials are held in secret and largely violate due process, such as denying accused persons’ access to legal counsel of their choice or sometimes any lawyer at all.⁹

Dual nationality is precisely what makes individuals such as Nazanin Zaghari-Ratcliffe bargaining chips in the Iranian State’s geopolitical calculations.¹⁰ Iran’s policies reveal continued suspicion of the allegiances and loyalties of dual nationals and concomitant security fears of espionage, terrorism, and treason.¹¹ The Iranian State’s approach to its nationals, under the new articulation of nationalism established after the 1979 Revolution, is defined in direct opposition to ‘the West’¹² and thus considers dual Iranian-‘Western’ nationality the ultimate form of betrayal, as far as dual nationalities are concerned.

One may wonder why dual nationality is still desired by Iranians if it carries such serious risks. The answer to this question is not straightforward, as individuals may desire second citizenship for an array of reasons that can be political, social, economic, or a combination of these. Dual nationality is also of interest to those whose initial nationality affords them less mobility¹³ and is of less concern to

⁶ To read more on the historic debt, see for, e.g., Bel Trew, Andrew Woodcock, and Alastair Jamieson, “Nazanin Zaghari-Ratcliffe arrives home from Iran after six years of wrongful detention,” *Independent*, March 17, 2022, <https://bit.ly/3f47wKF>; Patrick Wintour, “Why an old £400m debt to Iran stands in way of Nazanin Zaghari-Ratcliffe’s release,” *The Guardian*, November 11, 2021, <https://bit.ly/3xz4TGW>.

⁷ Marielle Debos, “Academics in jail: Fariba Adelkhah and Roland Marchal and their struggle for freedom in Iran,” *La Revue des droits de l’homme. Revue du Centre de recherches et d’études sur les droits fondamentaux*, no. 17 (2020), <https://bit.ly/3qM9ZMb>.

⁸ Carla Ferstman and Marina Sharpe, “Iran’s Arbitrary Detention of Foreign and Dual Nationals as Hostage-taking and Crimes Against Humanity,” *Journal of International Criminal Justice*, vol. 20, no. 2 (2022): pp. 403–435.

⁹ *Ibid.*

¹⁰ Debos, “Academics in jail: Fariba Adelkhah and Roland Marchal and their struggle for freedom in Iran.”

¹¹ Malek, “Paradoxes of dual nationality”.

¹² Ladan Rahbari, Chia Longman, and Gily Coene, “The female body as the bearer of national identity in Iran: A critical discourse analysis of the representation of women’s bodies in official online outlets,” *Gender, Place & Culture*, vol. 26, no. 10 (2019): pp. 1417 - 1437.

¹³ Harpaz, “Compensatory citizenship”.

those with ‘privileged’ passports who are already part of the kinetic elite.¹⁴ For Iranians, specifically after 1979, an added passport from the countries in the Global North can be seen as a huge ‘upgrade’ in mobility, as acquiring foreign visas remains a great challenge when traveling outside their country for work, study, leisure, family visits, etc. To illustrate, the Passport Index¹⁵ ranks Iran 89 out of 97 in terms of mobility.¹⁶ More specifically, this means that Iranians require visas to enter 147 countries and have one of the ten worst mobility ratings in the world.¹⁷ Therefore, to become dual nationals for Iranians often means better mobility using a second passport.

However, as citizens of countries like Afghanistan, Syria, Iran, Yemen, and Sudan, among many others, are deprived of the right to free movement, a dual citizenship status does not always give them equal access to compensatory rights and may actually lead to insecurity.¹⁸ For instance, on 27 January 2017, the US president started a series of executive orders restricting travel from Muslim-majority countries (Iran, Libya, Somalia, Sudan, Syria, and Yemen).¹⁹ These orders, dubbed the ‘Muslim Ban’ or ‘Travel Ban’ in the United States, impacted dual nationals of the six named countries in a way that rendered their second ‘privileged’ nationality void,²⁰ while their birth nationality was seen as problematic and used to limit their mobility. The courts eventually halted the implementation of these orders in the US, but a series of new executive orders implementing similar measures followed. Eventually, in September 2017, the US administration released a presidential proclamation to enhance vetting processes and issued travel restrictions for citizens from Chad, Iran, Libya, North Korea, Somalia, Syria, Yemen, and Venezuela.²¹ As a result, currently, Iranian dual nationals cannot solely rely on their second non-Iranian passports to travel to the US.

As the case of Nazanin Zaghari-Ratcliffe reveals, discrimination is not limited to the Global North contexts. Dual nationals have also faced intensified border and visa inspections, accusations of criminality, interrogations, imprisonment, and exclusion from full participation by the governments of their birth countries, in this case, Iran.²² Social attitudes toward dual nationals are also tainted with nationalist discourses that paint them as disloyal.²³ To further complicate matters, Iranian citizenship law makes it virtually impossible to renounce Iranian nationality when gaining a new one.

14 Jana Costas, “Problematizing mobility: A metaphor of stickiness, non-places and the kinetic elite,” *Organization Studies*, vol. 34, no. 10 (2013): pp. 1467 - 1485.

15 “Global Passport Power Rank 2022,” *Passport Index*, Accessed 8 August 2022, <https://bit.ly/3f4c2bG>.

16 Mobility levels are not associated with one country and are instead shared by multiple countries.

17 To provide a comparison, according to the same website, Qatar is ranked 45, with visa requirement for 90 countries and Belgium is ranked 3, with visa requirement for 26 countries.

18 Malek, “Paradoxes of dual nationality”.

19 Corina Todoran and Claudette Peterson, “Should they stay or should they go? How the 2017 US travel ban affects international doctoral students,” *Journal of Studies in International Education*, vol. 24, no. 4 (2019): pp. 440 - 455.

20 Spiro, “Multiple citizenship”.

21 Todoran and Peterson, “Should they stay or should they go?”.

22 Malek, “Paradoxes of dual nationality”.

23 Ladan Rahbari, “Beyond ‘Defecting’ and ‘Swapping’ Nationality: Emigrant Women Athletes and the Iranian Gendered Bio-Politics,” In *Routledge Handbook of Sport in the Middle East*, eds. D. Reiche and P. M. Brannagan (New York: Routledge, 2022), pp. 354 - 363.

Furthermore, the Iranian government's *jus sanguinis* law extends nationality to some children of Iranian nationals by automatically considering anyone born to an Iranian father as an Iranian citizen, regardless of documentation or application.²⁴ Not being able to forfeit one's Iranian nationality means that governments associated with the second or third nationality cannot intervene as long as their citizens are on Iranian soil²⁵ because Iran refuses to recognize Iranian dual nationals as anything but Iranian.²⁶ Reserving the ability to prosecute and control the movements of these individuals should they return to Iran helps explain the Iranian State's position on citizenship,²⁷ a position that enables the arrest and imprisonment of dual nationals such as Nazanin Zaghari-Ratcliffe.

Conclusion

Nazanin Zaghari-Ratcliffe's release from the Iranian State's prison and return to the UK received extensive media attention both internationally and in the UK. While there were many positive reactions to her release, Zaghari-Ratcliffe was also subject to (online) abuse for criticizing the UK government for its delay in paying the historic debt to Iran to secure her freedom.²⁸ On social media, Zaghari-Ratcliffe was blamed for her predicament, and some British users criticized her visit to Iran because of the supposedly obvious risks of traveling to Iran. She was also called ungrateful for not showing 'enough gratitude' to the country that saved her from prison.²⁹ The public reaction was littered with sexist and misogynistic comments.

Calling racialized migrants ungrateful is a long-standing phenomenon, as migrants/refugees are expected to feel and express eternal gratitude to the host countries.³⁰ Additionally, nationalist accounts of citizenship expect 'allegiance' to the destination country, expecting that migrants cut ties with their birth countries and 'integrate' into their new homes. But even when such forms of allegiance are demonstrated through linguistic, social, and economic 'integration,' racialized populations and migrants remain subject to suspicion due to their race or sometimes the intersection of racialization with gender, religion,³¹ and other forms of perceived alterity. This demonstrates the

24 Malek, "Paradoxes of dual nationality"; Spiro, "Multiple citizenship".

25 Malek, "Paradoxes of dual nationality".

26 This lack of recognition for their citizens' other nationalities is not only the case for Iran and is practiced in other countries.

27 Malek, "Paradoxes of dual nationality".

28 See for, e.g., Joe Goggins, "Nazanin Zaghari-Ratcliffe criticises government at post-release news conference," *Rolling Stone*, March 21, 2022, <https://bit.ly/3qP4NqN>.

29 Aubrey Allegretti, "No 10 condemns abuse levelled at 'ungrateful' Zaghari-Ratcliffe," *The Guardian*, March 22, 2022, <https://bit.ly/3DBT06X>.

30 Maleeha Iqbal, Laila Omar, and Neda Maghbouleh, "The fragile obligation: gratitude, discontent, and dissent with Syrian refugees in Canada," *Mashriq & Mahjar: Journal of Middle East and North African Migration Studies*, vol. 8, no. 2: pp. 1 - 30.

31 Ladan Rahbari, "Iranian Migrant Women's Shared Experiences in Belgium: Where Gender, Colour and Religion Intersect," In *The borders of integration: Empowered bodies and social Cohesion* (New Castle: Cambridge Scholars, 2018), pp. 203 - 218.

limits of applying the notion of ‘integration’ without considering the racial and gendered dynamics involved in the construction of (non)belonging.³²

The Iranian State detains and prosecutes dual nationals and uses them as pawns to score points in its international political affairs. Moreover, Iranian dual nationals can face racism, othering, and legal hurdles precisely because of their dual nationality.³³ In the case of Iran, the State has detained tens of dual nationals, including academics, journalists, and private citizens,³⁴ without providing substantial evidence or grounds for their arrest or following any legal due process, thereby epitomizing how dual nationality can lead to risks and discrimination, instead of more privileged access to mobility and rights.

³² Anna C. Korteweg, “The failures of ‘immigrant integration’: The gendered racialized production of non-belonging,” *Migration Studies*, vol. 5, no. 3 (2017): pp. 428 - 444.

³³ See for, e.g., Thalia Kruger and Jinske Verhellen, “Dual Nationality = Double Trouble?,” *Journal of Private International Law*, vol. 7, no. 3 (2011): pp. 601-626; “Diva Stasiulis and Darryl Ross, Security, flexible sovereignty, and the perils of multiple citizenship,” in *Securitizations of Citizenship*, ed. Peter Nyers (London: Routledge, 2009).

³⁴ Eileen Denza, “Nationality and Diplomatic Protection,” *Netherlands International Law Review*, vol. 65, no. 3 (2018): pp. 463-480; Malek, “Paradoxes of dual nationality”.