Citizenship categories and their legacies in the Dutch post-colonial politics

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CHAPTER

21 Citizenship Categories and Their Legacies in Dutch Postcolonial Politics

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Abstract

Citizenship arrangements in the Dutch empire were purposefully unequal and these inequalities were not resolved after the formal end of the empire and its imperial citizenship arrangements. Politicians and policymakers discussed various options for how to emancipate colonial subjects according to European norms of political participation, but without granting them full citizenship. This chapter contains an overview of why politicians in the past opted for this course of action, which will help to explain the current friction between the Dutch government and citizens with ties to former colonies. Research on (post)colonial citizenship is an interdisciplinary effort, requiring scholars to rethink the boundaries of the categories they work with, such as 'citizenship', 'nationality', 'sovereignty', and 'law'. Broadening one's understanding of what citizenship has meant in relation to the former Dutch colonies enables scholars not just to uncover formal inequalities, but also to explain why they came into being, how they operated, and what their legacies are.

Keywords: colonialism, citizenship, racism, naturalization, Suriname, Dutch Caribbean, Dutch East Indies

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Imperial Citizenship in the Netherlands

Today the Dutch government struggles to deal with the multifaceted legacy of the empire it once ruled.[1] Citizenship arrangements in the empire (see an overview in Table 21.1) were purposefully unequal and these inequalities have not been resolved since the formal end of the empire and its imperial citizenship arrangements (Jones, 2014, pp. 65–84; Schields, 2023, pp. 1–19). Inhabitants from former colonies have presented claims to the same rights granted by Dutch law to citizens living in the Netherlands (Essed & Hoving, 2014). Dutch pensioners of Surinamese origin receive a 2% reduction on their pensions for each year they lived in Suriname prior to the country's independence in 1975. It took 70 years before South Moluccan veterans and their descendants began to receive compensation for the decades that the Dutch government had refused to grant them citizenship after their evacuation to the Netherlands from the
p. 352 Indonesian archipelago in 1951. A recent study showed that Dutch citizens with a Surinamese or Dutch ↳

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Caribbean background were overrepresented among the group of citizens persecuted on the basis of false accusations of fraud by the tax office (Belastingdienst/Toeslagen, n.d.).

Table 21.1 Overview of citizenship arrangements in the Dutch empire and current Kingdom of the Netherlands

Event	Dutch Caribbean	Dutch East Indies
Constitution (1815)		
Born Dutch nationals were those born on Dutch territory or in the colonies to parents residing on that soil.	Applied to any free(born) person residing in this part of the empire.	Applied to any free(born) person residing in this part of the empire.
Civil Code (1838)		
Dutch nationals were those born within the Kingdom or in its colonies to parents residing on that soil. Enslaved people excluded from this status.	Applied to any free(born) person residing in this part of the empire.	Applied to any free(born) person residing in this part of the empire.
Nationality Code (1850)		
Dutch nationals with political and civil rights were those born to parents residing within the European part of the Kingdom.	Excluded any free(born) person residing in this part of the empire from Dutch nationality and political citizenship (*staatsburgerschap*), unless born to parents with Dutch nationality.	Excluded any free(born) person residing in this part of the empire from Dutch nationality and political citizenship (*staatsburgerschap*), unless born to parents with Dutch nationality. Separate legal categories developed for (1) Europeans and (2) indigenous (inlanders) and those equal to them (called Foreign Orientals, *Vreemde Oosterlingen*).
Abolition of Slavery (1860 and 1863)	Former enslaved persons were considered stateless residents. Civil Code (1869) granted rights to children born within the bounds of legal marriage and registered by the mother.	Former enslaved persons obtained the same status as indigenous people and those equal to them.
Unification of private and political citizenship (1892)		
Dutch nationals with civil rights are those who possessed citizenship based on the Civil Code (1838) or through descent, apart from indigenous people.	Apart from immigrant workers and children born out of wedlock, all inhabitants obtained full Dutch citizenship.	Apart from the indigenous population (inlanders) and those equal to them, all inhabitants of the East Indies obtained full Dutch citizenship.
Japannerwet (1899)		Japanese subjects included in the legal category of Europeans.
Return dual citizenship (1910 and 1927) based on residency and nationality.	1927: immigrant workers became Dutch subjects, non-Dutch nationals.	1910: indigenous people (inlanders) and those equal to them became Dutch subjects, non-Dutch nationals.
Dutch subject, non-Dutch national abolished (1951)	Full Dutch citizenship granted to the population of the West Indies.	Population of New Guinea granted Indonesian citizenship, with the option of Dutch citizenship.

Rijkswet Nederlanderschap (1985)	The Kingdom Act on Dutch Citizenship ensures that residents of the Antilles and the Netherlands hold common Dutch citizenship.

Source: authors.

These contemporary issues are the result of the Dutch government's decision not to grant the same citizenship status to subjects in the metropole as in the colonies. Politicians and policymakers discussed various options for how to emancipate colonial subjects according to European norms of political participation, but without granting them full citizenship. Why politicians in the past opted for this course of action will help to explain the current friction between the Dutch government and citizens with ties to former colonies. This chapter consists of three sections. This first section outlines the geography and administration of the Dutch empire, while the second discusses the historical development of citizenship arrangements. The third section provides a state of the art of scholarship on Dutch imperial citizenship arrangements. The chapter concludes with an agenda for future research.

The geographical composition of the Dutch empire changed significantly between the start of relations with the overseas world, initiated by the trading companies in the seventeenth century, and the decolonization process that began after the Second World War. Outposts such as the New Netherlands in North America and Brazil were early yet short-lived endeavours, whereas Dutch activity in Asia, West Africa, and the Cape proved a continuum until the Napoleonic Wars. At the Congress of Vienna (1814–1815), the United Kingdom of the Netherlands was established as an imperial state with territories and trading posts in the Atlantic (Suriname, Curacao, Aruba, Bonaire, St Martin, St Eusatius, and Saba), in Asia (present-day Indonesia, Deshima), and on the Gold Coast. Former colonies South Africa, Guyana, and Ceylon remained under British control, as did the remaining posts in India and Malacca after the Anglo-Dutch Treaty of 1824. Colonial rule had become a royal prerogative, meaning the monarch could rule over the colonies without parliamentary interference.

In two crucial ways, the Dutch state differed from other contemporary empires. Thanks to the Cultivation System in the Dutch East Indies, the Dutch state received a direct income from overseas, and different from
p. 354 most, it did not turn any overseas ↳ territory into a settlers' colony (Bosma, 2010, pp. 142–145; Jong, 1989). The royal prerogative in colonial rule meant that the Colonial Office in The Hague was one of the government's most prestigious departments (Kuitenbrouwer, 1991, p. 42). From The Hague, the minister dealt with all of the colonies, the Dutch East Indies taking up the lion's share of the office's capacity. In the Dutch domains in Asia, all power was concentrated in the hands of the governor-general (Fasseur, 1992b, 21–23). He cooperated with the Council of the Indies (*Raad van Indië*), consisting of five experienced Indies civil servants. The general secretariat (*Algemene Secretarie*) was in charge of everything related to the day-to-day government of the Indies, and its leaders and secretaries assisted the governor-general. Several central directorates arranged the collection of revenues, public works, and Internal Administration, Education, and Justice. Territories under direct Dutch rule, such as Java, were divided into *gewesten*, where the 'resident' was the highest government official as the representative of the governor-general. One or more assistant-residents and *kontroleur* assisted the resident in his extensive political, financial, and administrative tasks as well as legislative and judicial duties. In 1865 the Indies civil service (*binnenlands bestuur*) counted as few as 175 European officials for Java's population of at least 12 to 13 million. A much larger group recruited from the local aristocracy was in charge of controlling the population in their official capacity as regents. Every regent supervised several district heads, called *wedonos*. In practice, a dual

administration had emerged, since every district was controlled by a European assistant-resident and *kontroleur* as well as a local regent and *wedonos* (Van den Doel, 1994, pp. 63–80).

The Antilles and Suriname were ruled by separate governors after returning to Dutch authority in 1816. When that proved too costly by 1828, one governor-general based in Paramaribo (Suriname) took over control, assisted by the High Council of West-Indian Possessions and representatives on the Dutch Caribbean islands. Municipal councils in Curaçao, St Eustasius, and Saba had citizen representatives among their members. Although one of Suriname's High Council's commissioners dealt with matters regarding the indigenous and enslaved population, citizens were no longer represented in that council. This changed in 1833, when the Colonial Council (*Koloniale Raad*) replaced the High Council with six local elite members. In 1845, the Colonial Office in the Netherlands took direct control over Aruba, Bonaire, Curaçao, Bonaire, St Eustasius, Saba, and St Martin, and installed one governor on Curaçao with deputies on the other islands. The constitutional revision of 1848 divided executive, judicial, and legislative power. Executive power rested with the governor, who was advised by the Board of Directors (*Raad van Bestuur*), of which the attorney-general was also a member. Five members of the Council of Directors held seats on the legislative Colonial Council, besides eight representatives of the local elite. In Suriname, a legislative body known as the Colonial States (*Koloniale Staten*) was introduced alongside the Council of Directors in 1865. Suriname's governor appointed four members, while local census elections filled the remaining seats (Hoefte, 2014; Nimako & Willemsen, 2011).

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Organization and Development over Time

All constitutional reformers had to deal with the reality that the Dutch empire was not a state in itself. Therefore, they had to define the relationship between the Dutch metropolitan state and the inhabitants of its colonies. To complicate matters even more, the colonies in the Atlantic and Asia varied significantly in terms of population. The first modern Dutch Constitution (1798) postponed the decision on the rights of the colonial population. 'I am convinced that the principle of equality would be harmful to our Overseas Possessions' was how Dutch lawyer and patriot Wiselius summarized the dilemma left unresolved by his peers in the Batavian Revolution (Schutte, 1974, p. 145). Discussions on the Civil Code in the early 1820s again raised in parliament the question of imperial inhabitants' nationality. The government succeeded in removing objections to considering imperial inhabitants as Dutch nationals, as enslaved people were to be excluded from this right. 'They are the possession of their master: *non sunt personae sed res*', which translated into codifying the status of enslaved people as commodity rather than person (Heijs, 1995, p. 34). The resulting Civil Code of 1838 considered all people born free to parents residing in the Netherlands or its overseas territories as Dutch nationals.

Codifying Racial Differences

The overhaul of the Dutch Constitution in 1848 could have been the major turning point for the overseas inhabitants of the Dutch empire. Johan R. Thorbecke's liberal constitutional revision is usually credited as laying the foundation for the contemporary Dutch state (Kennedy, 2017, p. 307). The king was placed under ministerial responsibility, and freedom of association and the press were enshrined, which clearly signals a liberal turn of the Kingdom. Yet, less attention is paid to the fact that the liberal principles ingrained into this constitution did not apply to any of the colonies. The constitutional committee disagreed with Thorbecke about assigning the States-General full responsibility over colonial rule. Due to the large difference of opinion between himself and the committee's majority, Thorbecke asked a fellow committee member to draft the article dealing with the colonies (Aerts, 2018, pp. 369–70). Much to Thorbecke's dismay, the revised constitution merely stipulated that general regulations of colonial rule should be issued by law—rather than by royal decree—and that colonial budgets needed parliament's seal of approval annually (Thorbecke, 1848, pp. 20–36). During discussions on the constitutional revision of 1848, members of parliament (MPs) asked whether the indigenous population in the colonies should be considered Dutch nationals. The government replied that this was still the case based on the 1838 Civil Code (Heijs, 1995, pp. 34–35).[2]

p. 356 However, opposition from imperial officials resulted in a split between civil and political citizenship (*staatsburgerschap*) in 1850. The former indeed applied to all freeborn people in the empire, but the latter was exclusively based on racial criteria. Political citizenship, or membership of the 'Dutch nation', implied being eligible to vote and run for public office. As leader of his first cabinet, Thorbecke believed that this right could 'be granted more righteously to the Germans and English than to the indigenous population of Java and the Moluccas'.[3] Therefore, the 1850 Nationality Code excluded any free(born) person residing in either the East or West Indies from Dutch nationality and political citizenship, unless born to parents with Dutch nationality. Historian Daniel Gorman opined for the British empire that 'the impossibility of ever creating a commonly acceptable definition of imperial citizenship proved a stabilizing, rather than debilitating factor, as the lack of a concrete notion of imperial citizenship allowed an environment of multiple jurisdictions and ideological ambiguity to develop' (Gorman, 2006, p. 147). Similarly, ambiguity allowed the Dutch colonial government some leeway. The absence of one form of imperial citizenship allowed the government to develop categories suited to the population of a particular colony.

In each of the Dutch colonies, precolonial and racial conceptions of citizenship and land ownership could thus be integrated into the imperial era to accommodate local customs and hierarchies (Schulte Nordholt, 2011). Dutch law, for example, was never applied systematically to the indigenous people who made up 95% of the population in the Dutch East Indies. Instead, separate legal codes were introduced for Europeans (1848 and 1849), the indigenous population, and those equal to them, called 'Foreign Orientals', referring to the majority of ethnic Chinese in this category (1854).[4] According to Davidson and Henley (2007), these legal codes reinforced the system of racial castes because within the category of native, 'different ethnic groups and communities were supposed to be governed according to their own diverse laws and customs' (Davidson & Henley, 2007, pp. 824–825). In 1860, slavery was abolished and former slaves fell within the category of native. After the abolition of slavery in the Dutch Atlantic colonies in 1863, racial boundaries prevented the former slaves from participating in politics. Under the government of Thorbecke, a new civil code was introduced in the Atlantic colonies in 1869. This codified the exclusion of slave descendants in a pernicious way, as only children born within the bounds of legal marriage and registered by the mother were granted personal civil rights (Adhin, 1975, pp. 77–88). As a result, one third of the slave descendants in the Atlantic colonies were not recognized as Dutch nationals.

The exclusion was even more striking in the domain of political citizenship. When in 1866 the Colonial States of Suriname were founded, these consisted of both elected and appointed members, but there was no representation of the emancipated slaves or immigrated indentured labourers (Westra, 1919, pp. 208–215).

Looking at the representation reveals an interesting picture. About 20% of Europeans (whether born in
p. 357 Europe ↳ or not) were electors. Among the *inboorlingen* (here meaning descendants of enslaved people, not indigenous), only 0.78% were electors (Westra, 1919). By contrast, in the metropole, the (male) group of voters grew from 10% of the population in 1848 to 49% in 1900 (Parlement.com, n.d.). So, in the colonies inclusion into the polity was severely limited based on descent, specifically European ancestry.

Modern Empire

In 1892, the Dutch government reversed the split between civil and political citizenship. It submitted a bill to parliament that considered every person a full Dutch citizen based on the conditions of the 1838 Civil Code, including those who had been excluded from political citizenship based on the 1850 Nationality Law. During the discussion in parliament, however, MPs complained about the implications for the colonies: all persons born in the East and West Indies and labour immigrants from other parts of Asia would become Dutch nationals. Liberal MP Levysohn Norman asked the government to 'exclude indigenous people [inlanders] and those equal to them in the colonies and possessions overseas' (Karapetian, 2020, pp. 372–373). The government accepted this exclusion, but since the Dutch Caribbean domains had never known the legal category of 'indigenous people' (inlanders), the exclusion applied only to the East Indies. As a result, all inhabitants of Suriname and Curaçao who already had civil citizenship became full Dutch citizens and could pass on this status to their descendants if they were born in wedlock and registered by their mother. This criterion of civil citizenship rendered the large group of labour immigrants stateless (Heijs, 1995, p. 72). In the East Indies, the unification law excluded those considered indigenous people (inlanders) and their equals from full Dutch citizenship (Heijs, 1995; Schreuder, 1894, pp. 271–280; Vink & De Groot, 2010, p. 415). In short, by unifying Dutch citizenship the government codified the exclusion of indigenous people in the East Indies and immigrant workers in the West Indies on racial-cultural grounds.

At the turn of the century and in line with Great Britain's 'White Man's Burden' and France's *mission civilisatrice*, the Netherlands developed an Ethical Policy, regarding indigenous peoples 'as subjects to be protected and "elevated" or developed' (Locher-Scholten, 2012, p. 42). But rather than giving all subjects of the overseas territories Dutch citizenship, as in the French empire, the Netherlands opted to maintain a hierarchy of citizens and subjects. In 1909 the question of Foreign Orientals' legal status became urgent when the new Chinese Republic demanded Chinese workers should have the same status as Europeans in the Dutch East Indies (Japanese had obtained this status in 1899). The Dutch government resisted, with a report stating that 'by elevating all Chinese to the position of subject, we commit a grave injustice towards the class of the indigenous elite, who could justly claim that we rank them below the lowest Chinese coolie' (Tjiook-Liem, 2009; Van der Jagt, 2022, pp. 214–215). The solution was found in introducing a new separate category for the East Indies, turning indigenous people and Foreign Orientals who were excluded from full
p. 358 citizenship into 'Dutch subjects, ↳ non-Dutch nationals'. Minister of Colonial Affairs De Waal Malefijt defended this category as follows: 'A Dutchman is different from an *Indiër*, although the latter is absolutely nothing less. They are both Dutch subjects, but I believe the word Dutchman would need to be assigned a wrong meaning, for one could consider it the best name for the population of Netherlands-Indies.'[5]

Significantly, the introduction of this category coincided with the end of a brutal counter-guerrilla campaign to bring the outer regions of the archipelago under tighter indirect control. Growing nationalist self-assurance among the Dutch elite in the metropole left indigenous princes with little space for autonomy (Locher-Scholten, 2012, pp. 38–39). Dutch subjects, non-Dutch nationals remained excluded from holding certain public offices (Heijs, 1991, pp. 24–25). Therefore, the introduction of representative government in the East Indies was not meant to give any of the colonized people a taste of self-government. In 1916, Governor General Alexander Idenburg designed the statutes of the People's Council (*Volksraad*) based on his experience with the Colonial States as governor of Suriname. As a result, the People's Council too had limited advisory power and membership was strictly reserved to representatives of the European

and indigenous elite. Idenburg believed the lower-class population should learn how to participate in politics at a local level before there could be anything akin to a parliament in the East Indies (Van der Jagt, 2022, pp. 281–283).

Meanwhile, in the Dutch Caribbean, a substantial proportion of indentured labourers from Hong Kong (1873–1916) and Java (1890–1930) did not return after their contracts in Suriname expired (Hoefte, 1998, pp. 62–68). At the unveiling of a statue honouring an immigration agent, it was declared that they 'no longer wish to be considered aliens, we wish to be what we consider ourselves to be, citizens of Suriname' (Fokken, 2018, pp. 308, 317). In 1927 the Dutch parliament accepted a bill to extend territorial subjecthood to stateless people in the Dutch Caribbean. Politicians believed granting Dutch subjecthood would help keep the immigrants and their descendants in Suriname, which could still use the extra labourers. Out of 58,000 creoles, the government had counted almost 18,000 stateless—excluding the 'Boschnegers en Indianen'—and an additional 32,500 British Indians and 22,000 Javanese as eligible for the status of Dutch subject, non-Dutch national (Oudschans Dentz, 1927/1928, p. 134). This status remained in place until 1951.

Decolonization

The post-war decolonization caused the Dutch government to adopt rules regarding citizenship aimed at preventing immigration to the Netherlands from former colonies. In 1951, all subjects in the remaining colonies after Indonesian independence became Dutch nationals. Although inhabitants of New Guinea (until
p. 359 1962) and the Chinese ↳ were granted Indonesian citizenship, they could opt for Dutch nationality (Heijs, 1995, p. 122). The arrival in the Netherlands of thousands of military officers from the Moluccas probably prompted the Dutch government to regard Indonesian citizens as 'aliens' in order to stop large-scale immigration from the former colony (Heijs, 1995, p. 124). Naturalization for mixed-race children born out of wedlock and former Dutch subjects, non-Dutch nationals also rarely happened in the years immediately following independence 'out of fear of enlarging the army of repatriates'.[6] In the 1960s, regulations relaxed and Indonesians became the largest group of naturalized citizens in the Netherlands. This relaxation was probably due to the government's realization that most people who had opted for Dutch citizenship—so-called '*spijtoptanten*'—stayed in the Netherlands (Heijs, 1995, p. 132).

Since 1954 the Netherlands, Suriname, and the Dutch Antilles had been bound by a new and more egalitarian royal statute. It declared citizenship to be a Kingdom affair, meaning that none of the countries could single-handedly determine rules with regard to granting or revoking Dutch citizenship. Suriname in particular had urged easy access to Dutch citizenship with the aim of attracting immigrant workers (Heijs, 1995, p. 145). Yet, in the second half of the 1960s, immigration of Dutch citizens from Suriname to the Netherlands started to increase significantly. In these circumstances the plea for independence by the prime minister of Suriname, Henck Arron, fell on fertile ground in metropolitan governing circles. The immediate effect, however, of Suriname's pending independence (1975) was a surge in Surinamese Dutch citizens choosing to relocate to the Netherlands (over 100,000) (Heijs, 1991). Fears of a repetition of the Netherlands trying to limit (future) claims to Dutch citizenship as far as possible proved justified.

Whereas in 1949 the Dutch government could use the legalized racial and societal criteria to deny many Dutch subjects, non-Dutch nationals full citizenship after Indonesian independence, this had not been possible in Suriname since the unification of Dutch nationality in 1892. Nevertheless, using criteria such as country of birth and residence helped to distinguish between 'Surinaamse Nederlanders', 'Surinamers', and 'Europese Nederlanders', on the one hand, and 'Nederlanders', on the other. All Dutch nationals born in Suriname on the day of independence and residing there became members of the newly independent nation state, effectively losing their status as Dutch citizens. Children of parents born in the Netherlands or the Antilles could opt to retain this status. Immigrants from Java occupied a similar no-man's-land as the Chinese immigrants in Indonesia: given their 'alien' origin, the Dutch government regarded them as

members of neither the Surinamese nor the Dutch nation. But rather than giving in to pleas to grant the Javanese immigrants and their descendants the option to decide for themselves, they too were made Surinamese citizens in order to prevent immigration to the Netherlands (Heijs, 1995, p. 149). Despite
p. 360 restrictive rules regarding ↳ access to Dutch citizenship after Surinamese independence, between 1975 and 1990 over 50,000 Surinamers obtained Dutch nationality (Heijs, 1991).

Postcolonial Citizenship

Since 1985, Dutch nationality in all parts of the Kingdom of the Netherlands (the Antilles and the Netherlands) has been based on the Kingdom Act on Dutch Citizenship (*Rijkswet op het Nederlanderschap*). In 1986, Aruba became a separate country within the Kingdom, a status Curaçao and St Maarten obtained in 2010. Each country determines its own rules regarding how to obtain citizenship. Although the Kingdom Act on Dutch Citizenship ensures that residents of all four countries in the Kingdom hold common Dutch citizenship, citizens in Aruba, Curacao, and St Maarten are not represented in the representative parliamentary body when Kingdom legislation is made (Karapetian, 2020, p. 348). The countries are represented in the monthly Kingdom Council of Ministers (*Rijksministerraad*), but are heavily outnumbered by the Dutch ministers in this meeting.

This lack of representation came to the fore in 2012, when MP for the People's Party for Freedom and Democracy (VVD) André Bosman submitted a bill outlining special conditions for Dutch nationals from the islands to take up residency in the Netherlands. Bosman believed the principle of helping the other countries within the Kingdom 'to be a bit of a colonial mindset' (Trouw, 2019). Apart from the VVD, the orthodox Christian Reformed Political Party, and the populist radical right-wing Freedom Party, however, a majority voted against the bill in 2016.[7] The statement in the debate by Madeleine van Toorenburg, MP for the Christian-Democratic Appeal, clearly illustrates how Dutch politicians prefer to separate the procedural or legal discussion of citizenship from issues such as the racism ingrained in (proposed) legislation applying to former colonies. She objected to the practice of drafting legislation in the Netherlands, which applied to Dutch nationals from Aruba, Curaçao, and St Maarten, without their consent.

> Yes of course, pushing through a Kingdom Act would be bringing out the big guns. You should not do that [make a law to restrict residency for people from the Caribbean islands] on the basis of 'prove yourself in the Netherlands', but on the basis of … criminal records. We can do a lot more! On the issue of race we will speak later. But for the moment we are saying: you originate from the islands; prove your diligence here, because otherwise we will kick you out. That is what this bill does.[8]

This quotation is illustrative of the struggle contemporary Dutch politicians have in dealing with Dutch
p. 361 nationals from former colonies. Yet, what might look like a politician ↳ from a centre party emulating the xenophobic law-and-order rhetoric of the right is actually the result of a long line of political decisions creating a hierarchy of citizenship between various parts of the Kingdom of the Netherlands.

Themes in Existing Research

Imperial citizenship has long been a topic of interest to historians, legal scholars, and political scientists working within a national context (Fasseur, 1992a; Heijs, 1995; Jessurun d'Oliveira, 2023; Oudschans Dentz, 1927/1928, pp. 131–136; Tjiook-Liem, 2009). This is logical because the arrangements regarding citizenship outlined in the previous section entail formal claims, rights, and duties of citizens in a nation state. But ever since sociologist Laurence Pawley explored the notion of 'cultural citizenship' in 2008, the field of study has been significantly expanded (Pawley, 2008, pp. 594–608). Since then, scholars have regarded citizenship also as a process of recognition, participation, and identity within non-national communities. Cultural historians acknowledged the extent to which the empire permeated Dutch elite culture in the age of modern imperialism (Aerts, 1997; Bossenbroek, 1996). In part to understand the Ethical Policy's impact, Berteke Waaldijk coined the term 'guardian citizenship' (*bevoogdend burgerschap*) to describe active Dutchmen in the East Indies shaping their own citizenship through supporting a population *without* civil rights (Grever & Waaldijk, 2004). Together with Susan Legêne, Waaldijk concluded that the East Indies contributed to a sense of cultural citizenship binding Dutch citizens in the metropole together, but not so in the East Indies itself or across the empire at large (Legêne & Waaldijk, 2009, pp. 210–211).

Political historians have focused less on the Dutch colonies as such, but rather have dealt with them in relation to politicians or institutions. Thorbecke's political and intellectual biographies, for example, outline how he abhorred the autocratic rule of the colonies (Aerts, 2018; Drentje, 2004). Thorbecke wanted the colonists to be protected from the overbearing force of the colonial state and specifically the guiding of this state from the metropole. For this reason, Thorbecke argued that parliament should be involved in a lawful government of the overseas possessions. This was a blow primarily against the prerogative of the king in colonial policy, but also against a lack of legal foundations for colonial government. What happened in 1848 regarding the colonies in the Dutch polity was important. Parliament was indeed given a say in colonial affairs—albeit only in how to spend colonial profits—and the minister had to report to parliament annually. However, the relationship between the metropole and the citizens of the overseas territories still challenged the basic assumption that citizens have the right to choose their representatives in the representative assembly of a constitutional entity.

In legal scholarship, citizenship is as much a core component in constitutional theory as it is contested. In *Black Rights/White Wrongs*, philosopher Charles Mills has asked scholars to confront the racialized foundations of liberalism (Mills, 2017). This is a previously unheard-of suggestion in the Netherlands, a
p. 362 nation that categorically denies ↳ the relevance of racial thinking to its intellectual history. Scholars such as Guno Jones have effectively questioned this blind spot in scholarly studies and societal practice (Jones, 2007). Historian Bart Verheijen argued that the juridification—rather than racialization—of the idea of political citizenship by Thorbecke in the 1840s and 1850s led to the exclusion of the indigenous colonial population on the basis of descent (*ius sanguinis*) in the Dutch East Indies (Verheijen, 2021). Social and economic historians Bart Luttikhuis, Remco Raben, and Ulbe Bosma have also pointed to factors such as class, origin, religion, and education contributing to the legal categorization in the Dutch East Indies (Bosma & Raben, 2008; Luttikhuis, 2013). Looking at the relationship between the constitution of Thorbecke and the colonial world through the comments made by Mills, however, it could be said that Thorbecke fits neatly into the category of racial liberalism. Or at least, his liberalism did not extend to all those who found themselves under Dutch government: although their protection of legal rights improved drastically after abolition, their participation in the polity remained severely limited for another 60 years.

The variety of legal codes and norms in colonial settings inspired Lauren Benton to design the lens of legal pluralism in order to study how the use of law built, sustained, and undermined imperial power (Benton, 2010; Benton & Ross, 2013). In Suriname, the Governing Council contributed to the process of colonial state formation by combining political and legal roles. Furthermore, its criminal court already treated

testimonies from the enslaved according to procedure before the metropole decided to transform the legal system for that purpose (Canfijn & Fatah-Black, 2022; Fatah-Black, 2017). Jan Jansen has argued that influxes of refugees in colonies should also be taken into account as motivation for colonizers to redefine who belonged to which part of the empire (Jansen, 2022). Moving away from the focus on written legal codes but staying inside the colonial courts, Sanne Ravensbergen has argued that displaying the colonial hierarchy by way of cloth in Javanese mixed courtrooms was more important than a monolithic reflection of state law for mediating conflicts (Ravensbergen, 2022).

The legacies of imperial citizenship in the postcolonial era have attracted their own field of scholarship. The non-sovereign political arrangements of the six islands of the Dutch Caribbean pose a challenge to political scientists, as they tend to make binary distinctions between sovereign states and subnational units (Veenendaal & Oostindie, 2018; see Oostindie & Veenendaal, *this volume*). Political scientist Wouter Veenendaal, however, collaborated with other scholars to study island identities, separatist movements, and attitudes towards the non-sovereign status (Bishop et al., 2022; Roitman & Veenendaal, 2022). Postcolonial migration also contributed to the changing shapes of Dutch government policy regarding migration and civic integration, as shown by political scientist Saskia Bonjour and migration historian Ulbe Bosma (Bonjour, 2009, 2020; Bosma, 2012). Recently, Chelsea Schields has charted how the upsurge in postcolonial migration led to Dutch state investment in social scientific research in the 1970s, 'which emerged to track Caribbean Dutch citizens in the welfare state' (Schields, 2023). Historian Esther Captain has stressed the struggle experienced by former colonized people and their descendants to find and claim
p. 363 their position within ↳ a decolonized polity (Captain, 2014, pp. 53–69; 2016, pp. 59–73). Interdisciplinary researcher Guno Jones argued that the survival of the plural legal categories designed for colonial subjects determined Dutch politicians' view with respect to the national belonging of the Eurasian, Surinamese, Moluccan, and Antillean Netherlanders (Jones, 2007).

Legal scholar Gohar Karapetian has called attention to the current democratic deficit suffered by Dutch citizens in Aruba, Curaçao, and St Maarten who, unlike their counterparts in the Netherlands, have no say in who represents them in parliament when Kingdom legislation is discussed (Karapetian, 2020). Simultaneously, the overseas parts of the Kingdom are experiencing severe environmental challenges whereas the Netherlands has contributed more to climate change. Human rights scholar Daphina Misiedjan has called the current Kingdom regulations the foundation for this 'climate injustice' (Misiedjan, 2023). International climate change agreements do not apply to the overseas parts of the Kingdom, leaving room for unsustainable activities to continue while undermining their entitlement to international funding to support the energy transition or compensate for loss and damage after a natural disaster.

This brief overview of research shows that studying (post)colonial citizenship is an interdisciplinary effort, requiring scholars to rethink the boundaries of the categories they work with, such as 'citizenship', 'nationality', 'sovereignty', and 'law'. Broadening one's understanding of what citizenship has meant in relation to the former Dutch colonies enables scholars not just to uncover formal inequalities, but also to explain why they came into being, how they operated, and what their legacies are.

Future Research: Acknowledging the Imperial Roots of Dutch Citizenship

The previous sections on the history of Dutch imperial citizenship and the interdisciplinary fields of scholarship it has attracted show how important this topic is for understanding Dutch politics. Future studies should take into account that the granting and development of citizenship was not a one-sided affair between the metropole and colonies. By regarding citizenship as something already formed in the Netherlands and then imposed on its colonies, we would 'underestimate the extent to which aspects of citizenship owe their origins to colonial rule', as Jack Harrington argued in his provocative essay on the uses of imperial citizenship in the French and British empires (Harrington, 2020, p. 4).

Four lines for future research stand out. First of all, scholars could focus on the imperial influence on Dutch notions of citizenship in the metropole and investigate how excluding colonial subjects on racial grounds has formed the basis for enduring restrictions on access to the Dutch political community. In answering this
p. 364 question, scholars should use a dynamic concept of citizenship. Secondly, debates on freedom ↳ of the press and nationalist movements could be studied as activities in claiming civil rights, rather than as legislation, as shown by Upik Djalins in the case of Indonesian citizenship (Djalins, 2015). Doing so would shed light on the subject of alternative means that people used to exercise civil rights while being formally excluded from them. Thirdly, further research on how the Dutch empire treated citizens from other empires, and vice versa, would contribute to deepening our understanding of the Dutch politics of citizenship. And finally, examining how citizenship arrangements for various parts of the Dutch empire influenced each other would help to overcome the artificial boundary created by studies focusing on either Asia or the Atlantic. Pursuing these questions will help explain both how inequalities operated, and how, why, and in what way inequalities currently persist.

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Notes

1 The Kingdom of the Netherlands consists of the Netherlands, Aruba, Curacao, and St Maarten. The islands Bonaire, St Eustasius, and Saba have a 'status apart' within the Netherlands. Former colonies discussed in this chapter include the Dutch East Indies (1603–1949), New Guinea (until 1962), and Suriname (1667–1975).

2 *Handelingen Tweede Kamer* (HTK) 1847–1848, *Bijlagen* XLIX, nr. 26–27, 475, and 569.

3 HTK 1849–1850, 10 July 1850, p. 14.

4 *Staatsblad* 129, 2 September 1854.

5 HTK 1909–1910, 22 December 1909, p. 1272.

6 Cited by Heijs (1995, p. 128). Between 1956 and 1964, about 7,000 out of 12,500 requests for access to the Netherlands were granted, admitting 25,000 persons. The majority were '*spijtoptanten*' or '*maatschappelijke Nederlanders*' (as explained in Heijs, 1995).

7 HTK 2016–2017, 4 October 2016. https://zoek.officielebekendmakingen.nl/h-tk-20162017-7-15.pdf

8 HTK 2016–2017, 27 October 2016. https://zoek.officielebekendmakingen.nl/h-tk-20162017-5-4.html