
IMMIGRATION, NATURALIZATION, AND THE PURPOSE OF CITIZENSHIP

BY

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Abstract: It is widely believed that immigrants, after some time, acquire a claim to naturalize and become citizens of their new state. What explains this claim? Although existing answers (may) succeed in justifying some of immigrants' rights claims, they cannot justify the claim that immigrants are owed the opportunity to *naturalize* because these theories lack a sufficiently rich account of the purpose of citizenship. To fill this gap, I offer a novel egalitarian account of citizenship. Citizenship, on this account, partially protects immigrants against social hierarchy by realizing social equality in a publicly accessible manner. This explains claims to naturalize.

1. Introduction

I begin with a familiar claim, and a puzzle.

The familiar claim is that immigrants, after settling for a substantial period of time in their adopted state, acquire a claim to naturalize and become full citizens of that state. This claim is prevalent in public discourse, with its emphasis on a 'pathway to citizenship' for the undocumented, and in legal practice, which in many states respects (imperfectly) the claims of settled immigrants to membership. Moreover, philosophers as diverse as Michael Walzer (1983), Christopher Heath Wellman (Wellman and Cole, 2011), David Miller (2016, pp. 120–121), Joseph Carens (2013), and Kieran Oberman (2017) agree that immigrants ought not to be permanently denied citizenship.

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Here's the puzzle: What is citizenship *for*? Clearly, citizenship serves the important function of assigning persons whose rights require protection to states who are responsible for protecting them (Owen, 2020). Citizenship is a way of dividing responsibility. Moreover, the rights that come with citizenship each have an important function. Civil liberties protect core freedoms, social welfare entitlements set a floor and provide a measure of security, and political rights protect people's interest in shaping the institutions that govern them. But none of this explains why citizenship takes the form of a *status* – a form of official standing, defined by law – which bundles together certain core rights and confers them equally on all who possess the status. A state might protect these rights individually without providing anyone the status of 'citizen'. So, what's the point of citizenship as a legal status? Is this status a mere historical artifact with no deep normative function?¹ Or can citizenship be understood in a way that renders its point clear and its purpose vindicable?

In this paper, I argue the claim and the puzzle are connected: One can't defend the claim that immigrants are owed citizenship without first explaining the point of having a status like citizenship. Without a fuller conception of the point of citizenship, arguments for the naturalization of immigrants remain incomplete. I then offer an account of the egalitarian functions of citizenship – namely, that citizenship status protects those who have a claim to live together against status hierarchy and helps realize a valuable kind of public equality – and explain how this account justifies the claims of immigrants to naturalize.

I begin by highlighting some features of contemporary citizenship (Section 2). I then consider several explanations of why immigrants acquire claims to naturalize (Section 3). In each case, I argue that even if the account can explain why immigrants have a claim to one or more of the rights associated with citizenship, it can't explain why they have a claim to full citizenship status. I then offer a diagnosis of the source of the problem (Section 4), which paves the way for my egalitarian solution. After considering the deficiencies of previous egalitarian accounts (Section 5), I offer a novel egalitarian account of the function of citizenship (Section 6) and explain how it completes the case for naturalization (Section 7). I conclude by considering whether citizenship creates pernicious global inequalities, which stand in necessary tension with its egalitarian function (Section 8).

¹For historical discussions of citizenship, see Brubaker (2009) and Cooper (2018).

2. *What is citizenship?*

I begin by drawing attention to several important features of contemporary citizenship. I neither aim to capture all uses of ‘citizenship’² – my concern is with citizenship as a legal status – nor to offer a definition of citizenship. Rather, my aim is to highlight some features of citizenship as a legal status that are salient for debates about naturalization.

Citizenship status as a legal category denotes a formal relation of legal membership within a state (Joppke, 2010). To be a citizen is to be recognized as a member of a state under the state’s nationality laws: A person for whom that state must take responsibility. However, being conferred membership does not yet amount to being conferred citizenship. Citizenship isn’t *just* membership; it’s a particular *kind* of membership. Suppose a state designated a person a ‘citizen’ but failed to provide them with the rights and entitlements associated with that status.³ It forbade them from voting in its elections and accessing its welfare system, for example. Such a person would still be a ‘citizen’ in one sense, but not in another, fuller sense. Although citizenship is a formal status of membership, not just *any* designation of membership amounts to genuine citizenship. Citizenship, as an ideal, thus designates a particular *kind* of membership. To be a citizen is to be a bearer of certain rights and entitlements (and, to anticipate, to be a full citizen requires being provided the *same* rights as the other citizens of one’s state). A form of membership only counts as *citizenship* in this fuller sense if it comes with certain rights, privileges, and entitlements. The rights that make up citizenship and the status itself are thus intimately connected: A status without rights wouldn’t, in one sense, be citizenship at all.

Which rights come with citizenship? A standard answer is that citizenship comes with certain core social, political, and civil rights.⁴ Civil rights include things like rights to freedom of speech, movement, and association. Political rights include rights to vote and stand for election. Social rights include social welfare entitlements such as health care and unemployment insurance. To this list, residency rights and rights of return should be added. To be a full citizen in a contemporary liberal democracy is to have a status as a bearer of these kinds of rights and entitlements.

Yet, citizenship regimes vary widely from state to state (Vink, 2017). Americans have different rights than Canadians. In non-liberal states, some

²For a discussion, see Smith (2002).

³This possibility, for many, is, tragically, a reality.

⁴Marshall (1950, pp. 1–85). My discussion focuses on the rights typically provided to citizens, rather than the ‘rights of citizenship’ in the narrow sense – (e.g.) a right to a passport, to return, and to consular protection. This is because the naturalization debate hinges, in addition to these rights of citizenship in the narrow sense, on the importance of rights such as residence, voting rights, social welfare entitlements, and social membership.

of these rights, such as political rights, aren't provided at all. Chinese citizens can't vote. Even in liberal democracies, different states provide their citizens with different bundles of rights from each of the above categories. Some of this variability is the result of injustice: States routinely provide citizens fewer rights than they are owed. Yet, there's *legitimate* room for variability in the rights that states provide to their citizens. The contours of civic rights or basic liberties can be specified in different ways; political systems may permissibly be designed to incorporate different participatory procedures; welfare entitlements may be provided to different degrees within some range. There's no one single bundle of rights that states must provide to citizens as a matter of justice. It is therefore a mistake to equate citizenship with any particular bundle of rights.⁵

Moreover, even if being a (full) citizen requires being provided of determinate set of core rights, being provided those rights would not thereby *make* one a citizen. Just as merely being bestowed a bare form of membership is not tantamount to citizenship, being bestowed the rights associated with citizenship does not thereby make one a citizen. At the limit, one might be provided with all the (token) rights that citizens of state X have but yet lack citizenship in state X. One is only a citizen if one has the *legal status* of citizen. I'll argue below that having this status matters normatively in a way that is not reducible to the rights it confers. The point here, however, is descriptive.

This raises a question about the connection between a given package of rights and citizenship: How are rights and status connected? The relation between citizenship and any particular bundle is largely conventionally defined: States pick out a particular package of rights as the one that they provide to their citizens.⁶ To be a full citizen of some state is to be provided with a certain package of core rights and entitlements by that state – namely, the package that state provides its citizens. To be provided 'less' than this full package is to be, in an important sense, a less than full citizen. This conception of citizenship contains an idealizing element. States don't always provide each of their citizens with the same package of core rights.⁷ But it's this

⁵Philosophical discussions about naturalization usually assume that the state in question is broadly liberal and that its citizens are provided a generous package of rights that is roughly adequate. I'll assume this too, unless otherwise specified. But my argument for naturalization applies to liberal as much as non-liberal states. At least, it applies on the assumption that the demands of social equality also apply to non-liberal states.

⁶States are also constrained by justice in the rights they provide their citizens; actual states often provide citizens less than they are, in fact, owed. In addition to honoring people's independent entitlement, I argue later that a citizenship regime is deficient when it fails to provide all citizens a bundle of rights that expresses the equal status of their citizens in a suitable manner, where doing this is a function of both social meaning of certain rights and of providing citizens with the rights are objectively necessary to protect citizens against social hierarchy.

⁷Some special rights – such as those held by public officials and justified by their positions or special protections for minorities – pose no threat to equal citizenship or social equality. This is why I focus on 'core' rights. The distinction between core and non-core rights is not a sharp one. I discuss the importance of this distinction further in Section 4.

notion of citizenship as coupled to a determinate set of core rights – rights that are provided to all citizens equally – that’s at stake in the naturalization debate.

Finally, citizenship is more than just a legal status. It isn’t just some obscure legal status that has little practical bearing like the status of ‘viscount’ in contemporary Britain. Citizenship is a legal category that has a *social meaning*.⁸ People typically prize and value their citizenship. It shapes people’s self-conception and serves as a source of esteem and identity.⁹ It’s a category that people treat as significant to their lives as political agents. Even for those who attach no special import to citizenship – the rootless cosmopolitans among us – it is common knowledge that citizenship is widely prized and valued in these ways. Citizenship is thus a legal category, with a social life. Citizenship’s social meaning has been largely neglected by existing theories and will be central to my normative argument.

I’ve suggested that citizenship is a legal status that bestows a particular form of social membership by bundling together certain variably specifiable core rights and providing those rights equally to all who possess the status. This legal status has a social meaning in most societies. In exploring arguments for naturalization, I’ll be considering why immigrants have a claim to acquire the legal status of ‘citizen’ so understood. This suggests two desiderata on an account of naturalization for immigrants. First, the account must explain why immigrants and citizens should be given *the same core rights*. Second, the account must explain why these rights should be provided to them *by awarding them the status of ‘citizen’*.¹⁰

3. *Justifying naturalization*

Having offered an account of what citizenship is, let’s return to the familiar claim that immigrants acquire, over time, a claim to naturalize. Let’s specify the claim more carefully.

Under what circumstances must immigrants be granted citizenship in their new state of residence? The question has no single, unified answer. Different groups of immigrants plausibly have different claims on citizenship, given the differences in their interests and circumstances. ‘Dreamers’ in the United States and stateless persons may have claims to citizenship that visiting students or recently arrived immigrants lack. I’ll focus my discussion

⁸On the social meaning of citizenship, see Shklar (1991). Shklar emphasizes the variability of the historical meaning of citizenship. Here, I emphasize that, in most contemporary societies, citizenship has a positive social meaning, even if its precise meaning varies somewhat across states.

⁹Compare Joppke (2007) and Tilly (1995).

¹⁰The second desiderata, as noted in Section 4, can be split in two. One can ask why immigrants are owed citizenship *given that some are awarded it*. Alternatively, one can ask why citizenship should be awarded to anyone in the first place. I answer to both questions in Section 6.

solely on those immigrants who have been settled in a particular state's territory for a substantial period of time – those who have been present for at least ten years.¹¹ I'll call members of this group *settled immigrants*, though I'll use 'immigrants' for ease of exposition except where contrasting settled immigrants with some other group. Within this category, I'll set aside refugees¹² and stateless persons, who have special claims to naturalize,¹³ and confine my discussion to those who already possess effective citizenship elsewhere.

I focus on this group both because settled immigrants represent the 'paradigm' case of immigration – immigrants who come to stay – and because it is uncontroversial that settled immigrants have claims to naturalize. That is, political philosophers typically endorse the following proposition:

No Permanent Alienage: settled immigrants are owed (at least a fair opportunity to acquire) citizenship in their new state of residence.¹⁴

The qualification 'at least a fair opportunity to acquire' reflects that it is controversial whether citizenship for members of this group should be voluntary or mandatory¹⁵ and whether states may impose any conditions on immigrants' access to citizenship.¹⁶ The debate about these issues belies a deeper consensus that settled immigrants are owed at least a path to citizenship. They must at least have the option to naturalize; they cannot be permanently barred from citizenship.

Yet, there's no consensus about what explains No Permanent Alienage. Accordingly, this section considers four prominent accounts of the right to naturalize. I argue that each cannot capture an important feature of immigrants' claims to naturalize and therefore cannot on its own adequately justify No Permanent Alienage.¹⁷

3.1. AGENCY AND AUTONOMY

According to a first argument, immigrants are owed citizenship in order to give sufficient security to their located agency. Immigrants, over time, form

¹¹This is merely a minimal way of setting the bar. My argument likely also applies to some persons who have only been settled for somewhat shorter periods.

¹²I also set aside those who qualify as refugees on expanded definitions Shacknove (1985).

¹³For discussions of this issue, see Owen (2020) and Buxton (2021).

¹⁴I borrow the label from Oberman (2017).

¹⁵Jensen and Nielsen (2019) provide a helpful overview of this issue.

¹⁶I discuss this issue in Sharp (2022b).

¹⁷My argument in this section is largely synthetic and draws heavily on the work of other scholars. For similar discussions, see Seglow (2009, p. 793) and Song (2016). My discussion overlaps significantly with Hosein (2019, ch. 6). Although Hosein offers related criticisms of many of the same theories, I consider these theories as accounts of immigrants' claims to naturalization, whereas Hosein's considers them accounts as 'general theories of immigrant rights.' Because the latter category is broader than the former, the issues Hosein foregrounds differ from those highlighted in my discussion.

connections to the places in which they live. They make plans and initiate projects, which depend on their continued ability to inhabit those places. These are expressions of their autonomous agency. Honoring immigrants' agency requires respecting their *located life plans*.¹⁸ But this can only be done if immigrants' ability to reside in their new state's territory is rendered sufficiently secure. That requires that immigrants be awarded citizenship. For, even if immigrants are not deported, their status *as deportable* undermines their ability to stably plan their future.¹⁹

This argument captures an important interest that immigrants have in continued territorial presence. Yet, it does not justify naturalization. The argument grounds a right to permanent residency. Although citizenship comes with a right of residency, permanent residency is distinct from citizenship. One can be provided the latter without being provided the former. So, the argument does not explain why immigrants are owed citizenship. It grounds a claim to one of citizenship's constituent rights but not to citizenship itself.

One might object that permanent residents face forms of uncertainty that impugn their autonomy. Their rights are insecure because sometimes permanent residents are often more subject to deportation than citizens. Immigrants' statuses *are* often insufficiently secure. But this only shows that immigrants are owed *robust* permanent residency: a status that renders them securely non-deportable.²⁰ There is no principled reason why providing immigrants such a status requires providing them citizenship.²¹ Indeed, many states already provide something like this status for (some) immigrants. Consider EU citizens residing in Germany. Their residency rights are relatively secure. Perhaps they could be made more secure, but it is easy to imagine this occurring without awarding them citizenship. To be sure, citizenship status is perhaps typically the best way, under current social conditions, to realize robust permanent residency. This is a powerful reason to naturalize immigrants in practice. Yet, the *agency account* neither explains why immigrants are owed the full set of rights citizens are provided nor why they are entitled to the status of citizen. It is thus at best a partial theory of the right to naturalization.

¹⁸See Stilz (2019, pp. 33–58) on the notion of a located life plan.

¹⁹Hosein (2014) and Lenard (2018) defend views of this kind.

²⁰One might further question that citizenship renders residency rights more secure than permanent residency because the former links together the fates of a wider set of people than the latter. Thus, if states revoke residency rights from some citizens, it is more likely that other citizens will perceive this as a threat to *their* rights. This mechanism, however, often functions imperfectly, as when states brand certain groups of citizens as outsiders. This is illustrated by the recent mass denaturalization of Muslims in India.

²¹Citizenship status is *also* sometimes insufficiently secure, given the expanding practice of denaturalization and the fact that states sometimes deport their own citizens. On the former, see Lenard (2018); on the latter, see Stevens (2010).

3.2. CONTRIBUTION AND FAIR PLAY

Here's a second proposal. Immigrants contribute to the societies in which they live. They work in important occupations. They pay taxes. They abide by the state's laws. They perform care work and participate in social life. Indeed, they contribute in just the same ways that citizens do. Yet, fairness dictates that those who participate in social cooperation should share in its benefits. Citizenship is, surely, a benefit. So, immigrants have a claim to naturalize.

The *contribution account* resonates with convictions about reciprocity. Yet, it has some striking limitations. For one, it is difficult to define what counts as a relevant 'contribution' – or what counts as having made sufficient contributions – in a way that avoids results that seem counterintuitive. Demanding standards would leave many immigrants out – allowing only for those who make exceptional contributions to qualify.²² Weaker understandings of what counts as a contribution overgeneralize. In a globalized world, contributions don't stop at borders. Those at the beginning of supply chains make as much of an economic contribution as those at their end.²³

The account has also perverse implications. If immigrants can acquire citizenship by contributing to social cooperation, states may avoid the requirement to naturalize immigrants by hindering them from contributing. Immigrants denied the opportunity to contribute would, then, on this theory, lack a claim to citizenship. States do sometimes hinder immigrants in these ways: hindering them from working or participating in social life. Yet, intuitively, states who do these things wrong immigrants *twice over*: first, when they stop them from contributing; second, when they deny them citizenship.²⁴

The key problem, however, is that immigrants' contributions don't ground claims to *naturalize*. Contributions to society can be acknowledged in different ways. States might provide immigrants special benefits – additional rights and privileges that differ from the rights citizens are provided. They might compensate them financially. They might confer upon them special honors. These are all ways of acknowledging immigrants' contributions and acknowledging immigrants' contributions in these ways is compatible with the underlying ideal of fairness as reciprocity, which undergirds the contribution view.²⁵ The underlying ideal here is one of an equal distribution of benefits and burdens among

²²For a defense of the contribution view, see Sullivan (2019). Notably, Sullivan does not argue that all settled immigrants are entitled to citizenship; he argues that states should implement programs, which would allow them to *earn* citizenship by making *special* contributions.

²³Song (2016) argues that a contribution must be over some threshold to ground a claim of the relevant kind. However, any such threshold seems likely to be arbitrary and to overgeneralize.

²⁴Weltman (2021, pp. 274–275) makes a similar point.

²⁵Especially insofar as this notion of fairness is construed as a purely distributive ideal.

contributors: Contributors are owed a fair share for their contribution. But this ideal does not restrict the ‘currency’ in which this fair return should be given. What must be shown, then, is why citizenship is not only *an* appropriate way to acknowledge immigrants’ contributions,²⁶ but why citizenship is *the only* appropriate way to do so. The contribution view may ground claims to a fair return, but it does not ground a claim to citizenship as such.²⁷

3.3. SUBJECTION AND COERCION

Perhaps it is not what immigrants do for their adopted countries, but what those countries do *to immigrants* that justifies their claims to naturalize. Democratic theorists often allege that those who are subjected to coercive political rule ought to have a say in the institutions that govern them, given the way these institutions affect their autonomy.²⁸ Yet, settled immigrants are no less subject to that state’s power and authority. So, settled immigrants are owed a say. They should be given citizenship, and with it, the franchise.

Subjection views are subject to worries about scope. On the one hand, immigration laws are themselves coercive.²⁹ There are also many non-immigrant residents and tourists who, while present, are subject to the state’s laws. So, if one interprets such views straightforwardly, they imply an argument for naturalization that is overinclusive.³⁰ On the other hand, subjection views are potentially under-inclusive. It seems to be compatible with stripping citizenship from expatriates.³¹ The state could, moreover, simply avoid a duty to naturalize immigrants by simply ceasing to apply its laws to them.³² Much ink has been spilled on these problems. Even supposing they are surmountable, subjection views still cannot explain why immigrants have a claim to naturalize. This is because subjection views are

²⁶This view faces a further problem. If, as I believe, contribution is not the sole basis on which immigrants are owed citizenship, but rather immigrants also have, on independent grounds, claims to citizenship, then providing immigrants’ citizenship does not count as an appropriate way to acknowledge immigrants’ contributions. You can’t appropriately acknowledge a contribution by giving someone something they are already independently owed.

²⁷Compare Akhtar (2017, pp. 428–429). To resolve the problem, one might seek to define the notion of contribution in a way that connects it tightly to citizenship. However, I doubt there’s some contribution that immigrants usually make for which the *only* appropriate compensation is citizenship.

²⁸For a discussion of the scope of subjection theories, see Goodin (2016).

²⁹As Abizadeh (2008) famously argues.

³⁰To resolve this problem, defenders of subjection views have adopted different strategies. Some deny – implausibly, in my view – that immigration laws are coercive. See, for example, Miller (2010). Others admit that they are, but claim – more plausibly, in my view – that one must distinguish different kinds of subjection or coercion. See, for example, Blake (2001, p. 280n30). I doubt either approach succeeds in drawing the line in a way that does not generalize significantly beyond state borders, as certain forms of prevention also substantially impact autonomy.

³¹See López-Guerra (2005) for a discussion of a similar issue.

³²Compare Weltman (2021, pp. 274–275).

primarily concerned with rights to political participation.³³ Yet, it's possible to grant immigrants voting rights without granting them citizenship.³⁴ Some states already do this for local elections. So, the subjection view only grounds something weaker than citizenship.

Perhaps this is too quick. The broader idea is that the state's power must be *justifiable* to those who are subject to it. Justifying state power arguably requires more than just the right to vote.³⁵ This expanded notion of justifiability is, however, usually left obscure. So, its connection to citizenship is unclear. Some argue that the underlying ideal of justifiability is that of respect for autonomy. Yet, it's not clear why providing a status like citizenship is necessary to respect subjects' autonomy. That was the argument of Section 3.1. Others argue that the state's power is only justifiable if the state discharges certain *egalitarian distributive duties* that states have to their subjects.³⁶ However, the state could fulfill its egalitarian distributive duties towards immigrants without thereby making them citizens. One could compensate immigrants financially or provide them other extra benefits. What needs to be explained is why subjection to the state can *only* be justified by the provision of citizenship. There's no clear reason why egalitarian distributive benefits can only be offered in the currency of citizenship rights and citizenship status. This is a corollary of the argument of Section 3.2.

The most plausible version of the general argument under consideration might seek to show, for each of the relevant rights of citizenship, how it is connected in some way to some aspect of the autonomy that the state's subject 'gives up' by being subjected to the state.³⁷ Yet, to anticipate, any connection between these rights and autonomy will be *general*. Such an argument would show (e.g.) that welfare benefits of some general kind are helpful for autonomy or that voting rights of some kind are so conducive. It won't fix the exact content of these rights. Despite its appeal, this view cannot explain why immigrants and citizens must be provided the *same* rights as citizens, or, more carefully, why each of the general rights of citizenship (social, residency, political, etc.) must be specified in precisely the

³³Patti Lenard (unpublished manuscript) argues that 'life-shaping' subjection grounds rights to *citizenship* because only citizenship is properly protective against such subjection. Her view seems to be based on the value of robust rights protection. But, I believe, suitable protection can in principle be provided by alternative statuses.

³⁴Compare Seglow (2009, p. 793) and Song (2016).

³⁵See Blake (2001) for an elaboration in terms of egalitarian distributive justice.

³⁶Blake (2001, p. 283 *et passim*).

³⁷A similar view is suggested by Cox and Hosein (unpublished). Their theory strikes me as a plausible account of the basis of many of the individual rights immigrants are owed. However, they acknowledge that their autonomy-based theory needs to be supplemented by egalitarian considerations: that (e.g.) explaining the wrongness of certain forms of treatment migrants face, one needs to appeal to concern about 'preventing group subordination' and preventing 'the relegation of particular social groups to an inferior position in society' (pp. 35–36). Below, I defend the claim that appeal to egalitarian concern is necessary to explain claims to naturalization and so my argument can be read as generalizing Cox and Hosein's point about the need to supplement concern for autonomy with concern for equality.

manner for citizens and immigrants, given that citizens of different states may *permissibly* be provided with different specifications of their rights, which respect their autonomy *equally well*. One might suggest, in the case of voting rights, that there's some threshold of subjection one crosses such that ought to have an *equal say* to any other member in the making of the rules. Note, however, that this rationale will have to be based on some richer, non-distributive egalitarian ideal and cannot, in any case, explain why the *status of citizenship itself* is something that matters, because the status itself does play an autonomy-protecting function independent of the rights attached to it and their robustness.³⁸

3.4. MEMBERSHIP AND AFFILIATION

A final argument concerns membership and affiliation. Immigrants, in settling in a new society, typically form various attachments and social connections to members of that society. They 'become involved in a network of relationships that multiply and deepen over time' and 'acquire interests and identities that are tied up with other members of society' (Carens, 2013, p. 168).³⁹ As time passes, immigrants become members of their new societies in a *de facto* social sense. *De facto* social membership grounds a claim to citizenship. So, the membership view asserts that immigrants have 'a strong moral claim to have [their] membership officially recognized by the state by its granting of citizenship' (Carens, 2013, p. 50).

Defenders of the membership view are often vague about how they understand the idea of social membership. Carens emphasizes that time and presence are mere 'proxies' for membership. But what are they proxies *for*? One answer is that they are proxies for social connections. However, this answer raises problems concerning the view's scope. On the one hand, those who are not territorially present may also have such connections. Think of the family members of citizens. They should, on this view, also have claims to immediate citizenship.⁴⁰ On the other hand, some immigrants may not form (or may unjustly be prevented from forming) such relationships and connections. Yet, recluses and those socially excluded may still have claims to citizenship. In reply, Carens simply reiterates that territorial presence suffices for *de facto* membership.⁴¹ But, in so doing, he tacitly shifts from a claim about what ultimately grounds membership – attachments and connections – to a claim about their proxies.

³⁸Such a version of the subjection theory would therefore be committed to the kind of reductionism I criticize in Section 4. My full reasons for rejecting this kind of reductionism stem from my positive account of citizenship's egalitarian value. Subjection theorists have yet to attempt to explain the significance of citizenship conceived as a status with social meaning.

³⁹See also Rubio-Marín (2000, pp. 20–41 *et passim*).

⁴⁰For discussions of family migration, see Ferracioli (2016) and Lister (2010).

⁴¹Carens (2013, p. 168). Carens adds that we have instrumental reasons not to look beyond the proxies. But this defense hardly places claims to naturalization on a secure moral footing.

These problems are familiar. Yet, there are two deeper problems that the membership view faces. The first concerns why recognition of *de facto* social membership matters. Social ties, located plans, and identity-shaping seem to do the real work in motivating Carens' theory. But what matters here is that individuals can continue to pursue these ties, continue these plans, and maintain a connection to the state. Yet, they can do this without being citizens and without having their membership recognized by the state. They can do so if they are given (robust) permanent resident status.⁴²

Second, there are different ways of recognizing membership. Arguably, being recognized as a permanent resident *is* one way of being recognized as a member of society, especially when it is accompanied by strict protections against deportation. Alternatively, 'second-class' citizenship is a way of recognizing one's membership. Suppose immigrants were offered citizenship-lite: a formal status of membership but with significantly attenuated rights. This would be an acknowledgment of their *de facto* social membership. Still, it would not be an adequate response to settled immigrants' claims.

Defenders of the membership view might protest that what matters is not *any* form of recognition as a member but *genuine* recognition as a *full* member and that requires citizenship. Perhaps. Nevertheless, the idea of *de facto* social membership and its recognition can't themselves explain the deficiency involved in opting for a weaker form of membership recognition. To explain what's normatively deficient about second-class citizenship, one must appeal to something besides *de facto* membership and its recognition. What does the real work in justifying naturalization is thus, at best, left implicit in membership views. These theories may adequately explain *who is a member*; but they don't explain *why members are owed citizenship*,⁴³ because citizenship is not the only form of membership.

4. Diagnosing the problem

Each of the above accounts faced a justificatory gap: They cannot adequately explain why the value or interest to which they appeal can justify a claim to naturalization. As a result, each theory justifies providing immigrants at best one (or more) of citizenship's constitutive features rather than the conferral of citizenship status itself. In this section, I diagnose the source of this problem and consider how one might respond to it.

⁴²Indeed, it is unclear what work the notion of *de facto* social membership does in justifying claims to citizenship on Carens' view as it is the independent significance of these claims and attachments that seem to really matter.

⁴³Carens might agree. His arguments, after all, appeal to certain 'democratic principles'. Perhaps such principles, not social membership, do the real work in his argument, but Carens leaves the nature of these principles undertheorized.

What explains why these theories face a justificatory gap? One source of the problem is that citizenship bundles together various rights and entitlements into a single package. These rights can be disaggregated from one another *and* disaggregated from citizenship status: Each right can be provided independently to immigrants and independently of citizenship status. Conversely, a status expressing or signifying membership can be provided independently of the rights and entitlements that normally accompany it. The fact that it is possible to disaggregate the rights of citizenship from one another and the rights of citizenship from the status of citizenship is one source of the problem. The above theories each (implicitly or explicitly) focus on one or more of the rights associated with citizenship. Even where they succeed in justifying one or more of those rights, they nevertheless fail to justify a claim to citizenship status in all its aspects.

A deeper issue is that the above theories lack an account of why these various aspects of citizenship should be bundled together into a single status. They lack an account of the rationale for having a status like citizenship in the first place. Absent such an account, however, they cannot explain why immigrants have a right to naturalize, for there's no reason immigrants, *or, indeed, anyone else*, are entitled to such a status. What's needed is an account of the *normative function of citizenship* that explains why various rights should be bundled together in this distinctive way. No theory that focuses independently on the individual interests in the different components of citizenship taken separately can answer that question.

A natural response to this problem is to adopt a pluralist theory of claims to naturalization.⁴⁴ Such a theory might (e.g.) conjoin the theories discussed in the previous section. It might proceed in the following way: Considerations of agency explain residency rights, subjection explains voting rights, contribution explains welfare rights; social membership explains the need for a membership status. Such theories seem to capture immigrants' claims to naturalize without endorsing any unified account of the value of citizenship. This pluralist theory, of course, would inherit the problems with each of the above theories. But the deeper issue is that even this pluralist theory cannot adequately ground a claim to naturalize.

First, even if the pluralist theory can justify providing immigrants some rights from each of the various bundles associated with citizenship, it is compatible with considerable inequalities in rights between citizens and immigrants. Recall that even if states must give their citizens rights from each of the categories normally associated with citizenship (civil, social, political,

⁴⁴Hosein (2019, pp. 155–158) and Song (2016) consider such pluralist views. Hosein remains agnostic about pluralism; Song endorses it. Both develop pluralism as part of a more general discussion of immigrant rights, where citizenship is not their exclusive focus. Pluralism seems plausible as a general approach to migrant rights, as individual rights indeed plausibly have different bases and can be claimed on different grounds. My claim in this section is that pluralism is not adequate to fully explain claims to naturalization in particular – a claim Song rejects and Hosein does not make.

etc.), they have considerable latitude about which rights states must provide their citizens and how these rights should be specified. Within some range, states may afford their citizens more or fewer avenues for political participation; they may provide more or less generous social welfare benefits. Yet, on the pluralist view, the variance permitted between states is also permitted *within* them: A state may provide immigrants with fewer rights to (e.g.) political participation and less extensive social welfare protections than it provides citizens. But such an arrangement seems problematic. Even if it's fine for different states to provide their citizens different packages of rights, it is not similarly permissible for a *single* state to provide different sets of its members or citizens with similarly differentiated sets of entitlements. The pluralist theory thus permits a problematic kind of social inequality.

One might reply that such inequality in rights is permissible. After all, immigrants and citizens are in somewhat different situations. My full reason for rejecting this reply will become clearer later on. However, note at this stage that the problem of inequality doesn't just arise for citizens and immigrants. It would also arise in a society in which there were no immigrants at all. Such a state would, for all the pluralist theory has said, have latitude to give some of its citizens more extensive rights than others. Indeed, the structure of the normative considerations that undergird the pluralist theory may *require* the state to do so. Some citizens might contribute more than others; some might have, given their particular projects, weightier autonomy interests in political participation than others. Thus, even within a society without immigrants, the pluralist cannot avoid the problem of rights inequality.⁴⁵

One might respond that some variance in rights among citizens is permissible. Even if (e.g.) a state recognizes a right to health care, justice typically permits significant variance between which insurance scheme a state provides. Regardless of one's stance on the permissibility of this particular kind of variance, it seems difficult to deny that variance in rights is *sometimes* permissible. In reply, defenders of equal citizenship status should draw a distinction between core rights – those a scheme of citizenship should provide equally to all – and secondary rights – where variance is permitted. Later, I suggest that core rights are those that either (a) are objectively necessary to protect individuals against social hierarchy or (b) have a sufficiently important social meaning, such that their denial could reasonably be taken to express the view that some have higher social status than others. But what's important at this stage is not how one draws the distinction, but that such a distinction can be drawn. Indeed, a defense of citizenship status *requires* drawing such a distinction, if one is to admit the possibility of rights

⁴⁵A full assessment of the merits of the pluralist position would require evaluating the full package of rights and the individual arguments that ground each. This task is beyond the scope of this paper. As I explain below, I believe we have reason to reject pluralism *even if* it can fully account for the content of citizens' rights.

differentiation. Thus, a just citizenship regime should bundle together *core rights* and provide *them* equally to all; this argument doesn't entail that *any* rights the state provides *must* be provided equally to all.

A second, related problem is that the pluralist theory lacks an account of the normative function of citizenship. It does not explain why it is important to have a status like citizenship that bundles together these various core rights and provides them equally to all who share in the status. The pluralist theory is committed to reductionism about citizenship: the view that citizenship's value is exhausted by the value of its constituent rights and entitlements taken independently of one another. One has no interest in citizenship status over and above the particular rights that make it up. Yet, a reductionist theory of this kind is compatible with doing away with the status of citizenship altogether. The state might abolish citizenship and instead provide each person with the (differential) rights that they are owed directly. If the pluralist view is compatible with doing away with the institution of citizenship, then it can't explain immigrants claim to naturalize. This is because *no one*, on the pluralist theory, has such a claim, strictly speaking. Citizenship is just an imprecise mechanism for ensuring that each is provided with the rights they are independently due.

One might embrace this consequence. If one endorses reductionism, the institution of citizenship in fact makes little normative sense. I regard this form of pluralism as the main alternative to my own position and, indeed, I think that one *must* endorse this implication if one rejects my view. Whether one regards this as a significant cost ultimately depends on whether one endorses the positive defense of citizenship status I offer later. I suspect that many, like myself, will want to hang on to the thought that citizenship status has some positive normative function: That is, that there's ample normative reason to have a status like citizenship. If we want to hold onto this thought, and so to hold on to the accompanying thought that immigrants really have a claim to *naturalize*, we need to develop a non-reductive account of the point and purpose of citizenship status. Such an account would attach some value to citizenship over and above the value of the sum of the individual rights that typically come with the status 'citizen' and explain why it makes normative sense to bundle these rights and entitlements into a single status provided equally to all who possess it. But what could explain citizenship's value in this way? The only possible explanation is, I submit, an egalitarian one. This emerges from the nature of the problem: Because there is no one package of rights that citizens must in principle be provided, one's claim to citizenship status must in part be *comparative* in nature.

But what sort of equality explains the point of citizenship? I answer this question in Section 6. Before doing so, a clarification and a digression are in order. The clarification is that, in asserting that one must appeal to equality to justify naturalization, one might object that my view demands that equality carry more weight than it can bear. However, my claim is neither

that equality does *all* the work in explaining the value of citizenship nor that it on its own justifies immigrants' claims to naturalize; rather, my claim is that citizenship's egalitarian function is an important part of what makes citizenship valuable and that recognizing this helps *complete* the argument for naturalization.

To explain, contrast the position I'll defend with the pluralist view. The pluralist view simply adds up the different, independent claims to rights that immigrants have. In contrast, I take a two-stage approach to naturalization. As I noted in Section 3, the normative significance of attachment and autonomy discussed above suffice to ground rights of residency. My approach takes this for granted and asks, given this fact, what explains why immigrants who have a claim to live in a particular state are owed citizenship in that place.⁴⁶ The answer turns on the claim that immigrants and citizens must live together and equal citizenship enables them to relate *as equals*. This account, I show below, avoids the problems I identified with pluralist-reductionism and is compatible with thinking that some of citizenship's component rights can be independently justified (though it does not depend on them once a justification of residency is in place). My theory thus does not ask equality to bear all the normative weight; the case for naturalization is not equality all the way down.

Now the digression. I'm not the first to propose the idea that equality grounds claims to naturalization. So, in the next section, I consider other egalitarian justifications of naturalization. I argue the story each tells about the justification of naturalization is incomplete.

5. *Oppression and equal treatment*

In this section, I consider three prominent egalitarian arguments and discuss their limitations. First, Michael Walzer and Kit Wellman offer egalitarian accounts of naturalization. Walzer argues that 'political justice is a bar to permanent alienage' (Walzer, 1983, p. 59). Walzer's discussion invokes a range of political values, but he is especially concerned about the social relationships that the denial of equal political status creates. Wellman (in Wellman and Cole, 2011, pp. 133–142) reconstructs Walzer's argument in terms of relational equality. He argues that a position of permanent noncitizen status leads to oppressive social relationships.

These theories have considerable force. However, countering oppression can't be the whole story in justifying naturalization. For one, although many immigrants are particularly vulnerable to oppression, some are not. Walzer (1983, p. 60) acknowledges this. He admits that his

⁴⁶On the importance of residency, see Oberman (2017).

argument does not apply to privileged long-term residents. For them, he concludes, a form of ‘extraterritorial’ protection – that is, citizenship in their state of origin – suffices. More importantly, preventing immigrant oppression need not require naturalization. Immigrants are vulnerable to oppression due to distinctive deficits in specific rights. Their lack of residency rights and labor protections make them exploitable (De Genova, 2018). Their lack of voting rights means their interests are systematically neglected. Resolving these problems need not require naturalization. It requires permanent residency, voting rights and labor protections. Immigrants could be given these rights without being given citizenship.

Similar remarks hold for Owen Fiss’ (1998) anti-subordination account of immigrant rights. Fiss argues that laws barring immigrants from accessing employment, education, and social welfare systems impose forms of ‘social disablement’ on immigrants. This threatens to create a ‘near caste-structure’ in which certain immigrant populations become ‘socially and economically disadvantaged groups’ that are ‘forced to live at the margin of society,’ and seen ‘as inferior’. He therefore thinks the importance of preventing group subordination justifies immigrants’ claims to rights.

I concur with Fiss that protections against social hierarchy are part of what justifies naturalizing immigrants. Yet, Fiss does not take his own account to justify *naturalizing* immigrants. He only argues that worries about anti-subordination guards against barring immigrants from certain *social rights*. He explicitly defends denying immigrants voting rights. His view is thus the partial inverse of Walzer’s. The deeper underlying difference between Fiss’ position and my own stems from the fact (1) that we understand the idea of social equality differently – I defend a broader account of what counts as a problematic social hierarchy than Fiss does,⁴⁷ (2) that Fiss’ view neglects the importance of citizenship’s social meaning, whereas my own account makes this notion central, and (3) that Fiss only partially grasps the positive importance of public equal treatment.⁴⁸

Finally, Kieran Oberman (2017) justifies naturalization by appeal to equal treatment. Oberman holds that ‘natives and foreigners should not be treated differently unless there is a relevant moral difference that can justify differential treatment.’ To treat immigrants and citizens differently would be to violate a principle of ‘formal equality’, which requires that

⁴⁷Although Fiss appeals to anti-caste intuitions, his focus of the immigrant as a ‘pariah’ suggests that he is often most concerned about social stigma. Compare Hosein’s (2019, p. 159) interpretation of Fiss. I believe this unduly restricts the focus of egalitarian concern.

⁴⁸Fiss (1998) argues further that ‘We ought not to subjugate immigrants, not because we owe them anything, but to preserve our society as a community of equals’. Here, Fiss misunderstands equality’s value. Social equality is something we owe immigrants, not merely a perfectionist ideal.

'like cases should be treated alike'.⁴⁹ But, Oberman contends, there is no morally relevant difference that can justify differential treatment in this case. This is because the primary relevant factor in the case of native-born citizens is that they are settled in the state. This is true of settled immigrants too. So, equal treatment explains settled immigrants' claims to naturalize.

Yet, Oberman's account faces three significant obstacles. First, the wrong of unequal treatment is a generic wrong: It goes for the whole gamut of ways that states treat people unequally. For all that has been said, the wrong in naturalizing some but not others is no different than the wrong when one neighborhood gets more funding for its parks department than another. Yet, intuitively, there seems to be something especially wrong with denying citizenship. The norm of equal treatment can't itself explain this. To explain it, one must draw attention to some particular way in which denying citizenship constitutes a *uniquely* problematic form of unequal treatment.⁵⁰

Second, equal treatment figures only as a baseline: The state may not treat its subjects unequally *unless there is a justifying difference*. Yet, Section 3 makes clear, there are plenty of potential justifying differences to go around. Some might contribute more than others; some might have projects that stand to be more greatly impacted by the state, and so on. Because inequalities in treatment based on such differences can be justified, those treated unequally on their bases have no complaint. Oberman may be right that differences may not map neatly on to the difference between citizens and immigrants. Nonetheless, the equal treatment theory permits substantial inequalities in the rights that states provide their subjects.

Finally, equal treatment provides no positive defense of the institution of citizenship. Equal treatment requires that immigrants be given citizenship *if* natural-born citizens are. Immigrants' complaint can therefore be answered by simply abolishing citizenship status altogether. Indeed, this is arguably what state *should* do, on Oberman's view, because it's the best to avoid treating people unequally. What's needed to avoid this implication, then, is a *positive* defense the importance of the institution of citizenship, which explains what's especially wrong with denying it to some but not others

⁴⁹Oberman (2017) argues that we need to assume a right to immigrate in order to justify naturalization. His argument here turns on the claim that immigrants could, and perhaps sometimes do, consent to the terms of admission, which could, and perhaps sometimes do, involve permanent alienage. I ignore this part of Oberman's position in reconstructing his argument for now for two reasons. First, many migrants don't validly consent to permanent alienage. Second, even if this do, equality constrains what states may permissibly ask immigrants to consent to. Unlike Oberman, I think one can explain this claim without assuming a right to immigrate. For a discussion of some related issues, see Lovett and Sharp (2022).

⁵⁰This is particularly troubling because Oberman does not explain the basis of the requirement of equal treatment. For discussion of this issue, see Scanlon (2018, pp. 11–24) and Kolodny (2019, pp. 3360–3366).

and which articulates the normative point of having a status like citizenship in the first place.

6. *Social equality and the function of citizenship*

I'll now develop an egalitarian theory of naturalization, which can meet the challenges identified above.⁵¹ My argument is that equal citizenship status can help ensure the conditions under which people can relate publicly as equals and prevent the formation of a kind of social hierarchy between citizens and noncitizens. My argument has two parts both of which highlight to the importance of citizenship's social meaning. First, I argue that the denial of citizenship to some, given its provision to others, threatens to create a pernicious kind of social hierarchy. Second, I show that equal citizenship is required by the principle of *public* equal treatment.⁵² Together, these claims suggest a conception of the egalitarian functions of citizenship, which goes beyond its instrumental functions and does not reduce citizenship to the rights conferred with it. After developing this account, I show in the next section how it furnishes a fuller account of immigrants' claims to naturalize (Section 7).

1. The status hierarchy argument

According to the status hierarchy argument, the denial of citizenship creates a status hierarchy between noncitizen residents and citizens; that is, a kind of stratified distinction in social status between citizens and noncitizens – the former in some sense superior, the latter in some sense inferior – that structures their social interactions across a range of contexts. Many egalitarians think such status inequalities are intrinsically bad.⁵³ If the denial of citizenship to immigrants creates such a hierarchy, this would explain the wrong of *differential* naturalization: what's distinctively problematic about *this* form of unequal treatment. I make this argument in two steps. I first offer an *abstract* characterization of social status hierarchy and show that the citizen/noncitizen distinction meets this characterization. I then offer a *substantive* account of social status hierarchy and show that citizenship involves these features.

⁵¹My justification focuses on the 'internal' function of citizenship within a state rather than the 'external' functions of citizenship within a world of states. I consider how to reconcile these two aspects of citizenship in the conclusion.

⁵²As I develop these arguments, they are both appeal by the same ideal of relational equality. But one might in principle endorse the publicity argument without endorsing the social hierarchy argument, and vice versa. The two arguments, though complementary, can thus be assessed independently of one another.

⁵³For defenses of relational egalitarian views along these lines, see Viehoff (2019), Kolodny (2014), Miller (1997), Fourie (2012), and Scanlon (2018, ch. 3).

A social status hierarchy is a systematic ordering of social relations within a society, in which some occupy ranked, rigid social positions that pervasively shape their dealing with one another. Several features of this formal definition are worth highlighting. First, a social status hierarchy is an ordering that structures relations between members of the society *in general*, rather than only in some localized context. Typically, this ordering is achieved by entrenched social practices or codified categories, which categorize people into status groups. Second, these relations involve *differential statuses*: ranked social positions, such as lord and serf, in which some are higher and others lower. Not all forms of differentiation amount to *status* differentiation. Rather, what's distinctive about social status distinctions is that categorization plays an ineliminable role: the fact that person P belongs or, is seen as belonging to, some status group plays an ineliminable role in how others within the society interact with them. Typically, it is *in virtue of* their status (rather than in virtue of any property on which the status is conferred or based) that P is socially seen as meriting a particular kind of favorable (or less favorable) treatment.⁵⁴ Third, *status hierarchy* goes beyond mere *status difference*. Status hierarchies involve ossified social positions, in which some *systematically* receive more favorable treatment or greater social advantages than others. Such status hierarchies are problematic because they involve a kind of pervasive social stratification incompatible with the moral equality of those who live under them.

The relationship between citizens and noncitizens fits this formal characterization of social status hierarchy.⁵⁵ Citizenship is a kind of social position – a ‘rank’ in an ordering – which structures social relationships within society as a whole. Citizenship is a status that comes with a range of advantages – differences in rights, powers, and privileges that noncitizens lack. The interests of citizens are routinely taken into account by the state in a way those of noncitizen immigrants are not. Citizenship thus serves as a trait on the basis of which rights and entitlements are allocated.

The sense in which citizenship is a kind of social status goes beyond the differences in the rights that are allocated on the basis of it. Citizenship, I suggested earlier, has a *social meaning*. It is a badge of esteem or respect and a mark of belonging, which is bestowed on some and not others. This

⁵⁴Compare Viehoff (2019, p. 15).

⁵⁵My argument thus parallels Shklar's (1991). Shklar argues that, in the United States, citizenship is a kind of social standing. She argues that this is a feature of American citizenship, which emerges out of its peculiar history to which racialized chattel slavery is essential. I believe that something like Shklar's claim that citizenship is constitutive of social standing generalizes, though the exact nature of the standing that citizenship confers may, as Shklar emphasizes, vary between states. Notably, Shklar (1991) has strikingly little to say about citizenship in context of immigration (p. 14) and does not offer a robust characterization of the notion of standing on which her argument relies (p. 2).

affects how one is treated: Citizens are targets of certain positive attitudes in ways that noncitizens are not. They are more likely to be seen as valued members of the community who can press claims on their compatriots. Their judgments are more likely to ‘count’ in political discourse than noncitizens’.⁵⁶ These modes of differential treatment go well beyond the basis on which citizenship status is bestowed. Finally, this hierarchy between citizens and noncitizens permeates society as a whole. It governs at the most fundamental level the social relations that exist within a society. Citizenship structures the social relationships in society as a whole and, when there is no real option to naturalize, this stratification is rigid.⁵⁷ So, the citizen–noncitizen relation fits the formal description of social status hierarchy.

My argument here isn’t just that citizenship is a formal legal status; it’s that citizenship is a *social status* and that its provision to some but not others creates a problematic status between citizens and noncitizens. So, to show this conclusively, we need an account of what *constitutes* social status. Niko Kolodny offers one plausible account. According to Kolodny, social hierarchies are constituted by unmitigated disparities in power, *de facto* authority, and consideration.⁵⁸ One has greater power to the extent that one has the greater capacity, whether through physical force or some other form of social influence, to compel others to do what one wants them to do. One has greater *de facto* authority than someone else to the extent that one’s commands and directives are more likely to be obeyed and complied with. Finally, one receives greater consideration than others to the extent that one in general receives more of the kind of social responses that social superiors characteristically attract – deference, respect, esteem, attention to one’s interests. Disparities in power, *de facto* authority, and consideration create such a hierarchy unless they are tempered or mitigated by certain contextual factors, such as being localized, temporary, or easily avoidable.

Each of these factors is tightly linked to citizenship. Start with the component rights of citizenship. Citizenship typically comes with voting rights. The right to vote gives citizens a share of control over the power of the state. When noncitizens are denied this right, they are subject to citizens’ greater power. This also amounts to a discrepancy in *de facto* authority because

⁵⁶One might worry that it’s not *citizenship itself* to which these attitudes are ultimately responsive, but rather some *further traits*, such as perceived racial, ethnic, or national identity, which citizenship is socially seen to track. I doubt this is *always* the case: Perceptions of citizenship seem to operate somewhat independently of these further categories, even though it is clearly often entangled with them. Even when citizenship does serve solely as a proxy for these further traits, citizenship itself may still play a role in creating social hierarchy, in virtue of being widely seen as correlated with these further properties. The correlation between citizenship and other social traits provides a reason for the state to promulgate an understanding of citizenship that is *not* associated with such traits.

⁵⁷Compare Bosniak (2017).

⁵⁸Here, I draw on Kolodny’s view because it is among the most well-developed accounts in the literature. However, I think nothing hangs on endorsing Kolodny’s particular account: Any reasonable account of status hierarchy will have the same result.

the state's laws are its citizens' commands.⁵⁹ Now consider residency rights. Citizens are exempt from deportation; noncitizens are less exempt. Or consider welfare benefits and social entitlements. Citizens usually receive a greater share of these than noncitizens. But bestowing such advantages on someone is surely a way of showing them greater consideration. So, the state is more disposed to bestow greater consideration on citizens than noncitizens. These 'core' citizenship rights are intimately related to the constituents of status inequalities. This suffices to show why providing citizens and immigrants equal rights is important.

However, this argument also explains why providing citizens and immigrants the status 'citizen' is important, even if there were *no substantive difference* in rights between citizens and noncitizens. Even in a state that provided noncitizens and citizens with equal rights, differential citizenship might still create a status hierarchy, given citizenship's social meaning.⁶⁰ Citizens not only receive greater consideration from the state; they receive it from other members of their society. In their political deliberations, citizens deliberate about *each other's* interests: often, under that description. They're disposed to favor their fellow citizens in systematic ways. Citizenship serves as a salient social category on the basis of which we alter our treatment of one another. Because citizenship is so viewed, noncitizens are likely to be given lesser consideration by their fellows than citizens, even where the state treats them equivalent in all but citizenship status. It is this aspect of citizenship that has gone largely unnoticed by existent egalitarian defenses of naturalization.

Perhaps you're unconvinced by this last claim. You might then accept that citizenship status only matters when it's accompanied by a difference in rights. Because citizenship status *does*, in the actual world, involve such differences, my argument goes through under current conditions. But consider an analogy. A common complaint against reserving the status of 'legally married' for heterosexual couples is that it creates a kind of second-class status between heterosexual and non-heterosexual couples. A common retort is that the state might provide non-heterosexual couples with a different status like that of a civil union, which comes with the same rights.⁶¹ This is usually seen as an inadequate compromise because marriage has a social meaning

⁵⁹Lovett (n.d.), 'Egalitarian Anarchism' (unpublished manuscript), makes a similar argument.

⁶⁰To be sure, arrangements like the one envisioned might transform that social meaning, and so make it less the case that citizenship counts as a salient social category. Whether and how providing more generous rights to noncitizens would transform citizenship is, however, an open question: Even in states that are already quite generous to their noncitizens, there remains a salient social difference between the two groups.

⁶¹It's true that offering an alternative to marital status that provides equivalent (or close to equivalent) rights has often been understood as a gesture *towards* equality, as with the institution of the *Pacte Civil de Solidarité* (PACS) in France in 1999. But there's a difference between moving towards equality and realizing it. This is one reason why it mattered that France opened marriage to same-sex couples in 2013.

that civil unions lack. Given citizenship's social meaning, something similar would occur if states were to provide immigrants with equivalent rights but deny them citizenship status. The parallel is even more striking when immigrants have *no* pathway to citizenship whatsoever: They are then permanently barred on grounds of an immutable fact about their birth from access to the status 'citizen'.

My argument that differential citizenship creates status hierarchy even when it is uncoupled from unequal rights depends on certain contingent social facts. It depends on the fact that citizenship is a valued property and that it figures in the deliberations of both states and citizens. Not just any legal status distinction threatens status hierarchy. To be a baron once marked one as a person who occupied a particular position in a hierarchy. That some still hold this title perhaps now poses little threat to equality, given that the social meaning once associated with this status has largely vanished. Perhaps citizenship as a status could one day go the way of barony. It could cease to be salient. There'd then be less reason to worry about bestowing citizenship status in such a world – although there'd still be reason to worry about the unequal rights, entitlements, and advantages conferred by the status. But in our world, citizenship *is* so valued.

My argument thus far explains what's wrong with *differential* naturalization. But this might still be resolved by abolishing citizenship status altogether and instead providing each with the rights to which they are independently entitled. This would not obviously create a social status inequality – at least, if these rights and entitlements were provided either equally or sufficiently tracked people's independent entitlements. But it would seem to involve a considerable loss. Explaining why abolishing citizenship is not the best way to address the inequalities created by differential citizenship, therefore, requires an account of the positive function of citizenship.

2. The publicity argument

Citizenship is a legal status that bundles together certain recognized rights and entitlements into a single package and provides all who share in the status that same package. What's the point of having such a status? My answer turns on the claim that citizenship constitutes a *public*, *elevated*, and *equal* form of standing. Citizenship is public in that it is a legally and socially recognized form of standing, which is clear and easy to grasp.⁶² Citizenship status has positive connotations. Citizens have an 'elevated' standing: a positive social 'rank'.⁶³ Finally, citizenship bestows this rank on all who have it

⁶²Citizenship is not public in the sense that one always knows whether each person is or is not a citizen. This sort of publicity isn't required my argument to succeed. What's required for my argument is, primarily, that the state's equal treatment is clear and epistemically accessible to the person so treated.

⁶³As illustrated by the use of 'Citoyen(enne)' as a title in postrevolutionary France. On the idea of social rank, see Waldron (2012).

equally. When the practice is working well, there are no ‘higher’ and ‘lower’ citizens. The status of citizenship is then a publicly recognized relationship, in which all who share in the status are proclaimed to stand to one another on equal footing.

Such a positive and elevated form of public status enables a valuable kind of social equality. It does so by constituting a kind of *public equal treatment*. Realizing social equality requires not only avoiding stratified social hierarchies; it also requires that we are treated equally by the state.⁶⁴ Yet, equal treatment has a distinctively *public* dimension: It matters not only *that* we are treated as equals but also that we *can see* that we are so treated.⁶⁵ Christiano makes this point compellingly via an example. Imagine you’re a debtor and I’m a creditor. When it comes time for me to pay you what I owe, I truthfully insist I’ve already paid. I secretly put the cash in your wallet early. But there’s no record of this and no way for you to verify it. This sort of repayment is defective in a way that my directly placing the money in your hand is not. Justice, Christiano concludes, must not only be done; it must be *seen to be done*. For relational egalitarians, justice requires not only that we be treated as equals but also that we can *see* that we are so treated. Relational equality thus has a public dimension. It not only matters in itself that we be *recognized* appropriately as equals; in addition, equal *but insufficiently public* treatment can impair our social relations with one another. If you have a lingering suspicion that you are systematically treated worse in your society, that can impair your relationships with your compatriots, *even where* that suspicion is unfounded.

However, given our epistemic limitations, it can be difficult to know whether we are treated equally. We are biased in our own favor, subject to regard harms to ourselves as particularly grave, lack access to complete information, and often have false moral views about what we are owed. Given these limitations, it is difficult to determine whether we are in fact treated as equals by the state. This is especially the case if all we have to go on is some heterogeneous bundle of rights. To illustrate, consider two alternatives to the practice of equal citizenship. In scenario one, the state provides its subjects with distinct bundles of rights. Each bundle is intricately tailored to each person’s independent claims such that, even where there’s a difference in rights, that difference is justified. In scenario two, each person is given exactly the same bundle of rights, but this is not generally known. It is unaccompanied by any public status that formally couples these rights together.

⁶⁴The notion of public equal treatment on which the publicity argument rests is distinct from mere equal treatment on which Oberman’s argument is based in that the former requires elevated *positive* treatment that expresses appropriate respect for the state’s subject *and* that this equal treatment be clearly epistemically accessible. This, I show below, allows my view to avoid the problem of inequality in rights and explain why we need a status like citizenship in the first place.

⁶⁵Christiano (2004, 2008) develops this as an argument for the authority of democracy. I don’t think Christiano’s argument for democracy succeeds, but I think his notion of public equal treatment can be repurposed to defend equal citizenship.

In both scenarios, there is a kind of equal treatment, but that treatment is not publicly accessible. In scenario one, one must look at one's (differential) packages of rights and entitlements and form some judgment about whether these are compatible with one's independent claims. This is difficult to do and one's assessment is liable to be mistaken. In scenario two, to determine if one is being treated equally, one must check to see, right for right, if we have been provided the same package. This requires substantial cognitive labor and information that is not easily available. In both cases, there is equal treatment, but not *public* equal treatment. When one is unable to see that one is treated equally, this can impair one's relationships to others and to the state. If it appears that others are given more than oneself, this can impair one's ability to maintain a positive social relation with them; it creates a sense of inferiority and disrespect.⁶⁶

So, we need social arrangements in which our equality is publicly recognized. That's what citizenship is for. Citizenship is a public elevated equal status. It is easy to grasp – one can easily know whether one has it – and comes with a clear and uniform package of benefits. Because well-functioning citizenship is constituted in such a way as to involve equal rights and standing, and this is generally common knowledge, citizenship makes plain each person's public equal status. Having a practice of conferring citizenship status thus provides a public, tangible expression of the state's commitment to treating us as equals. This is why a status like citizenship can serve a valuable egalitarian function. The publicity argument, then, does not depend on asserting that the *independent* claims of immigrants to the constituent rights of citizenship, including rights of residency, is *of the same strength* as the claims citizens have (though it does not require denying this either). Rather, the argument provides a way to move from differentiated claims to constituent rights to their equal provision via a public status like citizenship. The point is that, if we treat immigrants and citizens differently with respect to these rights, we risk creating an objectionable kind of social hierarchy between immigrants and citizens, *even if their interests differ and so warrant, when considered apart from the demands of equality, differential treatment*.

The requirement of public equal treatment can seem paradoxical if one assumes that (a) for each person, there's some independent bundle of rights to which *they* are, on a range of grounds, individually entitled and (b) these bundles will *in fact* differ from one another. The public equal treatment

⁶⁶I am tempted to ground the public equal treatment requirement in the importance of avoiding social status hierarchies. This view is suggested by Christiano (2008). The publicity argument and the argument of the previous section are thus, in my view, closely connected. One might, alternatively, ground the requirement on the normative importance of promoting ideally egalitarian social relations. See Scheffler (2015) for a defense of this view. Christiano provides several further rationales for publicity requirements, which I do not find entirely convincing. However, I leave the ultimate foundation of the requirement of public equal treatment open.

requirement may thus seem to rest on denying people's independent and differential entitlements. Yet, the argument rests on no such denial. Rather, it provides an *exclusionary reason*, grounded in the value of equality, for the state *not* to undertake a more careful consideration of people's independent entitlements for certain purposes. So, the publicity argument implies there's reason for the state to provide all a uniform bundle of core rights citizenship *even where* people's independent entitlements differ.⁶⁷

Importantly, the publicity requirement not only demands that all formally possess the status of citizens, but that they are *in fact* treated as equal citizens. For a formal status can only play its role in making equal respect public and visible if citizens are in fact treated as equals. So, the argument points to more demanding requirements on the state than merely the conferral of formal status. But conferral of that status is nevertheless necessary for public equal treatment. Indeed, public equal treatment might fail to realize equality in three ways, which bring out the variety of demands my argument makes on states and citizens:

- (1) If the state makes members of some group citizens, but fails in other respects to demonstrate equal concern for them – by, say, providing only inadequately for their rights or providing them *de facto* with fewer benefits, citizenship may fail to have its egalitarian effect. By doing these things, the state sends a message that the citizenship of the members of the group in question is not genuine. This creates a form of *de facto* second-class standing. Equal citizenship can thus only fully have its egalitarian effect when it is accompanied by a robust and genuine commitment to equality.
- (2) Formally equal citizenship may fail to counter unequal status if immigrants, even after naturalization, are not seen as 'real citizens'. If they are instead treated as an inferior and racialized class of 'foreigners,' the state's public proclamation has been ineffective. The values that undergird the importance of equal citizenship thus make demands on our attitudes and ordinary relationships with one another. They require not only that the state promulgate equality but also that its message be *heard*.
- (3) The state might provide *everyone* with an inadequate package of core rights, which is insufficient to confirm their *elevated* public status. Indeed, my egalitarian argument offers a principled argument about which rights a citizenship regime should bundle together and provide equally to all. It should bundle together at least (a) those rights that are among the most socially significant rights in contemporary

⁶⁷My argument is thus analogous to Carter's (2011) contention that respect for persons requires that we, in certain circumstances, *not* evaluate the varying differences in their underlying capacities, which ground the basic moral equality.

societies, given their social meaning,⁶⁸ and (b) those rights that are objectively necessary to protect people against social hierarchy. If the state fails to provide all citizens with (a) or (b), the state's citizenship will fail to confer a sufficiently elevated equal status on all citizens. My view thus has the resources to explain why certain citizenship regimes fail to adequately fulfill the publicity requirement, although it allows for some variability in which exact rights states provide citizens in different contexts.

Moreover, note that my argument *in principle* leaves open whether some other sort of status *could* play the relevant role. The association of citizenship with a public, equal, and positive status is contingent. A status that realizes public equal treatment needn't be *called* 'citizenship.' But, given the way citizenship is currently valued, it is implausible that any other status could currently play this role, *as long as* the status of 'citizen' remains in place. Providing immigrants some other status would not count as an expression of public equal treatment.

Finally, note that public equal treatment via citizenship can help realize different egalitarian aims. First, it can make plain *to each of the state's subjects* that they are social equals. It thus constitutes an important form of recognition. Second, it helps carve out a public form of standing can counter other forms of social status inequalities that exist in society. In a society without a publicly recognized form of equal and positive social status, one has no guarantee that one stands as an equal to others in *any* recognized social relationship. Yet, citizenship brings into existence a kind of equal status that members of the relevant society share. This ensures that, whatever other social relationships people have with one another, there's at least *one* kind of recognized equal standing that they share with each other. Having such a form of equal standing creates a kind of public equal standing to which everyone can appeal when asserting their claims vis-à-vis one another.⁶⁹ Finally, when we stand in a relation of equal citizenship with one another, this can help realize a distinctive mode of social relationship – civic friendship. Such egalitarian relationship, some philosophers argue, is intrinsically valuable.⁷⁰ Equal citizenship facilitates such relationships ideal. Because political relations are impersonal, it is therefore useful to pick out a class of people, our fellow citizens, with whom we have special concern with a title, citizen, that conveys a kind of respect. This creates a basis for shared deliberation as well as a framework in which doing so can express appropriate concern.

⁶⁸Shklar (1991) makes a similar point about the right to vote and the right to earn in American society.

⁶⁹This is similar to Marshall's (1950) idea; Kolodny (unpublished) provides a contemporary defense.

⁷⁰See Scheffler (2015) for defenses of this view.

I've defended an egalitarian theory of the point and purpose of citizenship. This theory has two parts: Conferring citizenship on some but not all creates a status hierarchy and conferring equal citizenship affirms the equal status of all members in a publicly accessible manner. In the next section, I illustrate how my account explains why immigrants ought not to be confined to permanent alienage.

7. *Naturalization revisited*

My theory of naturalization has a two-stage structure. First, it identifies a claim to permanent residency that people have: Immigrants come to develop a claim to live in the place they've made their home. This can, I believe, be grounded in their autonomy interests or social attachments, although nothing depends for my current purposes on how one grounds this claim. This is the first stage of the argument. So far, the argument is compatible with providing immigrants merely a weaker or disaggregated package of rights. The second stage of the argument closes the gap by appeal to equality. To provide the native-born citizenship, but deny it to immigrants, would be for the state to engage in a pernicious form of unequal treatment, which threatens to create a status hierarchy between citizens and immigrants. This shows that the state has reason to provide citizenship to immigrants *if* the state provides citizenship to non-immigrants. But the state has also weighty independent reason to institute a status like citizenship. Such a status is required to ensure public equal treatment. So, settled immigrants, like the non-immigrants with whom they share a society, are owed naturalization on grounds of equality.

Why should settled immigrants *in particular* be naturalized? Why not naturalize *everyone*, including temporary visitors and nonresident noncitizens? Nothing in my argument is incompatible with a more generous naturalization policy. There may be instrumental reasons to favor or disfavor such a policy.⁷¹ Without taking a stance here, let me explain why settled immigrants seem to have a distinctive claim to citizenship, which short-term residents and nonresidents don't obviously share.

⁷¹A common worry about such policies is that they will devalue citizenship. It is often unclear what this worry amounts to. One might, however, recast this objection in terms of citizenship's social meaning as follows: Overly generous naturalization policies might undermine citizenship's position as an *elevated* social status. Because part of citizenship's value is derived from its social meaning as an elevated positive social status, it would be problematic if certain naturalization policies undermined its social meaning in this way. However, on the one hand, this effect would not be all bad: If citizenship lost its elevated social meaning, this would make it less likely that differences in citizenship status themselves constitute a kind of social hierarchy inequality between citizens and noncitizens. On the other hand, generous naturalization policies can alter citizenship's egalitarian social meaning in positive ways by delinking citizenship from race and nationality. Practically speaking, worries about devaluing citizenship thus seem vastly overstated.

To take up residency in a place involves living together with others in a concrete social space – in a given state’s jurisdiction. Social relations within this space pose a special threat to social status equality in a way that, in general, relations outside this space don’t.⁷² Societies come with their own idiosyncratic norms and laws. Those who live within them are *vulnerable* to social status inequality in a way that those who do not live within them are not. The threat of a *particular* kind of social status hierarchy looms for those who share a society in a way that it does not for those who do not.

Those who merely temporarily occupy this social space – say, tourists or short-term visitors – can typically avoid status inequality by leaving the space in which the inequality is operative without incurring substantial costs. Those in the society may still hold unfavorable attitudes towards them. But they can, at least in the ideal case, easily and without significant cost avoid being subject to those attitudes and engaged in social relations with those who hold them by simply returning home. This doesn’t make those social attitudes just, but it helps allay the threat of a social hierarchy between them and others.⁷³

These things are not true of settled immigrants. They have special attachments and agency interests to their place of residence. This gives immigrants a strong interest in continuing to live in a particular place – their *home*. Given these interests, the costs of exit for them are especially high. Emigrating would require that they uproot their lives. So, settled immigrants cannot avoid social hierarchy without incurring substantial costs. Thus, settled immigrants are subject to a kind of harm – the harm of unequal status – that *nonresident* foreigners aren’t, and unlike temporary visitors, they cannot avoid this harm without incurring substantial costs. Settled immigrants thus have a special claim to naturalization: Naturalization is required to ensure that they relate to those with whom they live as equals.

Thus, while settled immigrants have special claims to naturalize given (a) their fundamental interests in residency in a concrete social space where the threat of persistent social inequality looms, and (b) the costs of avoiding hierarchy by exit, temporary visitors and some temporary migrants can in principle avoid social inequality by leaving the state’s territory without incurring high costs. At least, *insofar as this is the case*, these immigrants’ claim to citizenship is diminished. For immigrants for whom this is the case, a disaggregated provision of rights and entitlements might suffice, at least initially, given the costs associated with instant citizenship provision for all who enter the state’s territory. Those who *do* have a claim to stay longer are not so much *noncitizens* as *not yet citizens*: This status

⁷²Such relations may still generate inequalities in power. These might be troubling for independent reasons, as I argue in Sharp (2022a).

⁷³I argue for this claim about the importance of exit options in Sharp (forthcoming).

should be open to them upon establishing residency. My account leaves open what's required to establish residency and how long a reasonable waiting period could be and is compatible with the claim that specific groups of recent arrivals, such as refugees, might have special claims to citizenship.

Note that the account offered is compatible with accepting any of the accounts of immigrant rights that I discussed in Section 3. Indeed, my account is *easier* to defend if one or more of these other accounts provide adequate support for some of the constituent rights associated with citizenship: This means there's less work for equality to do. But the remaining work isn't redundant: As I've argued, these alternative accounts can't on their own fully justify naturalization.

8. Conclusion: Equality inside and out

I've argued that existing theories of naturalization are incomplete. This is because these theories lack an account of the normative function of citizenship. After providing such an account, which draws on the ideal of social equality and its connection to the social meaning of citizenship, I developed a two-stage theory of claims to naturalization, which supplements existing theories of immigrant rights with a distinctive egalitarian account of the function of citizenship. The result, I hope, is a fuller picture of the claims of settled immigrants to naturalize. I'll now conclude by addressing a final puzzle.

I've argued that citizenship can counter social inequality. But citizenship also *creates* inequalities. It helps preserve global material inequalities.⁷⁴ It also creates a division between citizens and noncitizens: The former are elevated; the latter are not. These divisions emerge both between and within societies. I've suggested that these inequalities, when they occur among settled members of the same society, are unjust. But why not think the same of inequalities that occur between people who live in different societies? Can my egalitarian defense of citizenship be consistently maintained in a globalized world?

Must I admit that the price of status equality for those who share in citizenship in a given state is status hierarchy between them and others? I think not – or, more carefully, not necessary. One reason was given in the previous section: Many social hierarchies are often local – constituted by the peculiar

⁷⁴Two points are worth making in reply to this first claim: (1) We have egalitarian reasons to allow greater global mobility and so affording those who are most disadvantaged with the opportunity to take up residence elsewhere and eventually become citizens; (2) insofar as we worry about global inequality, what is worrying is inequality of a different *sort*; the threat of tension between different ways of valuing equality may present a practical dilemma but does not entail an incoherence in the account. On the former claim, see Sharp (2022a).

norms that exist in a particular society. Status hierarchies presuppose genuine social relations: relationships in which one is bound by the same norms in one's ongoing relationship. The mere fact that outsiders are not yet citizens does not create a status hierarchy.⁷⁵ Consider the division citizenship creates between those who are citizens and those who are not but live elsewhere. Although there's certainly such a division between citizens and noncitizens, this does not necessarily amount to a *hierarchy* of a pernicious kind.

Moreover, at the international level, the relevant relationship between people is not just between citizens and noncitizens; it is between citizens of *different states*. Being a citizen of *another* state does not suffice as a protection of social inequality *when one is outside of that state's bounds and resides in another states*. This is because social hierarchies are local and the social meaning of citizenship is contextual. But having *a* citizenship may suffice to create an appropriate form of standing within the global community.

One might retort that because of the differential value attached to different citizenships in international society, there's a sort of globalized hierarchy of status between those who possess 'desirable' nationalities and those who possess 'undesirable' ones. Insofar as this is true, it may indeed constitute a problematic form of *global social hierarchy* within international society. I think this may, indeed, be true.⁷⁶ However, I think one might, in principle, resolve this problem without abandoning the institution of differential citizenship altogether. First, one might remedy the background inequalities that make some citizenships seem more 'desirable' than others. Second, one might conjoin my view with a more open borders position. This would make the global hierarchy between persons less fixed by giving each person a clear path to change their citizenship. Finally, one might institute a *complimentary* status of global citizenship. This might, *if* it accrued the appropriate social meaning, mitigate the inequalities created by national citizenship differences. My defense of the egalitarian function of citizenship can thus be reconciled with the truth in egalitarian critiques of citizenship, even if doing so may require some major global transformations.

Thus, one can *in principle* render differential citizenship compatible with equality of status without either abolishing citizenship or requiring that everyone be a citizen of every state. These latter proposals are not only not required by equality; they would also likely undermine the most basic function of citizenship – assigning people whose rights need protection to states who must protect them – and come with significant costs to the kinds of rights and entitlements states could provide their citizens. Moreover, they'd leave people without a form of equal public standing in their societies. My defense

⁷⁵Compare Miller (2005, pp. 73–79). Note that this claim is compatible with there being *other* distinctively egalitarian ways in which the denial of the ability to become a citizen may wrong outsiders. For example, it may wrong them expressively if one bars members of a certain group from ever becoming citizens, as the United States did in the Chinese Exclusion Acts.

⁷⁶Akhtar (2022) explores this idea.

of citizenship thus shows why egalitarians should be wary of throwing out the ‘baby’ of citizenship conceived as a public, equal status with the ‘bathwater’ of current citizenship regimes’ unsavory role in maintaining unjust global inequality.⁷⁷

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