

# A Refugee's Right to Citizenship

Carol Michelle Beyda

**Abstract:** This paper discusses the extent of duties that are morally owed to refugees in ethical immigration practices. I begin by explaining the humanitarian account often used to ground obligations to refugees and present this approach's limitations. After rejecting this inadequate method, I draw from Rebecca Buxton's writing on the connection between membership and the claimability of basic rights as well as Felix Bender's work on political standing and public autonomy. The original breakdown of membership between an individual and their state, which gives rise to refugeehood, must be remedied through citizenship. I morally justify the duty to provide refugees with citizenship by discussing Kantian ethics and the nature of basic rights. My argument demonstrates that the moral obligations owed to refugees must be determined through a political approach, addressing their broken-down membership in their country of origin, and the loss of basic rights that come with it.

## Introduction & Thesis

Discourse on ethical responses to migrants naturally considers the need to help refugees, but what is the extent of the moral duties owed to refugees? Surely, their basic rights must be securely restored, but what is the best way to achieve this goal? To answer this question, I will analyze the core factors of refugeehood to determine what is morally owed to refugees in order to securely restore their basic rights.

In this paper, I argue that refugees must be provided with citizenship in order to remedy their loss of membership and basic rights. Membership refers to the political standing necessary in a given state for one to securely exercise their basic rights to live free of threat, fear, and violence. I will begin by laying out the condition of refugeehood in terms of membership and access to basic rights. I will then analyze a common approach philosophers utilize to ground obligations to refugees:

the humanitarian approach. This path establishes the need to tend to refugees simply because they are in need of assistance. I will be criticizing this approach by describing its limitations when assessing obligations to refugees, as it does not recognize the extent of the harm and active violation which they are faced with. Because of these limitations, the humanitarian approach does not motivate obligations or actions which can adequately rectify the core harms of refugeehood. As an alternative to the humanitarian approach, I will discuss the perspectives of Rebecca Buxton and Felix Bender, drawing connections between membership, political standing, and claimability of basic rights. Using these frameworks, I will demonstrate how the core vulnerability of refugees lies in their lack of membership in a political community, which is necessary for them to securely regain their basic rights. I will then discuss the differences between various forms of membership, including permanent residency and temporary protected status, and ultimately provide reasons for citizenship being the most secure and effective way to remedy a refugee's lack of membership and claims for basic rights.

The United Nations 1951 Refugee Convention officially defined refugees to the international community as “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.”<sup>1</sup> This definition has been vastly criticized for its limiting and narrow makeup, but it crucially focuses on the breakdown of the relationship between the refugee and the government of their state.<sup>2</sup> While I will not adopt the entirety of this definition, my argument will rely specifically on the core aspects of refugeehood which the definition introduces—the breakdown in the political relationship between an individual and their state. This paper will understand refugees to be those who experience this relational breakdown and can no longer rely on their state to protect their basic rights. In understanding this central viewpoint, a political approach, which focuses on the relationship between an individual and their state, will be key to determining obligations to refugees.

There are around 25 million refugees today, who on average are likely to maintain refugee status for seventeen years.<sup>3</sup> In other words, these individuals live in a state of temporary permanence, unable to integrate, work, or settle permanently in another country.<sup>4</sup> They are not able to live safely in their home country, and they have not yet received adequate protection from another country.<sup>5</sup> Often times, this means they are hosted in urban refugee camps with desperate conditions, enduring torture, forced labor,

---

1 David Miller, *Strangers in Our Midst: The Political Philosophy of Immigration* (Harvard University Press, 2016), 78, <http://www.jstor.org/stable/j.ctvjf9z4w>.

2 Miller, *Strangers in Our Midst*, 78.

3 Serena Parekh, *No Refuge: Ethics and the Global Refugee Crisis* (Oxford University Press, 2020), 5.

4 Parekh, *No Refuge*, 5.

5 Bradley Hillier-Smith, *The Ethics of State Responses to Refugees* (Routledge, 2024), 135.

and lack of basic conditions of human dignity.<sup>6</sup>

Most of the world's refugees are displaced from Syria, Ukraine, Afghanistan, Venezuela, South Sudan, or Myanmar, and have experienced active government repression, military invasion, arbitrary detention or violence, sexual or gender-based violence, etc.<sup>7</sup> Further, less than 3% of these refugees are able to return home and 78% have been in exile from their home country for over 5 years.<sup>8</sup> These individuals have endured active violations to their basic rights, (to live free of threat, fear, and violence,) and have not yet been able to regain those basic rights to live a safe and secure lifestyle. There are varying approaches to defining refugeehood and determining who should be able to claim refugee status, as well as extensive discourse on the moral duties owed to refugees. I will argue that a political approach rather than a humanitarian approach is most effective in encompassing the vulnerabilities of refugees and for grounding the duties which they are morally owed. Instead of analyzing the general harms placed on refugees in the humanitarian approach, a political approach emphasizes the breakdown between an individual and their state in order to determine what they are owed. Whereas the humanitarian approach may require states to provide a refugee with basic rights, a political approach can go a step further and claim that refugees are owed citizenship in another state, as it recognizes a vital aspect of refugeehood which the humanitarian approach does not. Further, I will argue that citizenship is necessary to remedy one's lost membership in a state and ensure secure access to basic rights on account of their political standing, rather than the discretion of the state.

### **Engaging with Philosophical Literature**

#### *The Humanitarian Approach*

The humanitarian approach is principally grounded by the belief that we are obligated to help those in need.<sup>9</sup> To apply this principle toward refugees is to see them as subjects of humanitarian concern, individuals whose states are no longer able to protect them and therefore must turn to the international community for some form of protection. In this approach, states are obligated to provide rescue of refugees, meaning they must save them from harm. In Betts and Collier's *Refuge: Rethinking Refugee Policy in a Changing World*, they describe how the humanitarian approach to refugees “ground[s] the ethical case for helping refugees in the duty of rescue because it is a moral norm that is widely accepted and it is all that is needed.”<sup>10</sup> In other words, obligations towards others are grounded in the fact that persons are in need of assistance and there are others who can provide it to them (these others have a duty to rescue the persons in harm). In this account,

---

6 Parekh, *No Refuge*, 5.

7 Hillier-Smith, *The Ethics of State Responses to Refugees*, 129.

□ Hillier-Smith, *The Ethics of State Responses to Refugees*, 133.

9 Rebecca Buxton, “The Duty to Naturalise Refugees.” *Critical Review of International Social and Political Philosophy* 26, no. 7 (2023): 1122, <https://doi.org/10.1080/13698230.2021.1880198>.

10 Paul Collier and Alexander Betts, *Refuge: Rethinking Refugee Policy in a Changing World* (Oxford University Press, 2017), 99.

moral duties are based in sympathy, compassion, and generosity—those in need must be helped because of our shared common humanity.<sup>11</sup>

The humanitarian approach is intuitively shown with Peter Singer's famous moral thought experiment, in which a child is drowning in a shallow pond and a stranger who walks by must be morally obligated to jump in and save the child, even if their clothes could get wet. His thought experiment exemplifies the essence of the humanitarian approach, the stranger has a duty to rescue the child from harm simply because they are in a position which allows them to do so.

Singer's thought experiment draws a parallel between the moral obligation that a hypothetical stranger has to save a drowning child to broader moral obligations persons or states have to save others from harm if they are in a position to do so, regardless of proximity. He asserts that "if it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it."<sup>12</sup> Betts and Collier further expand on Singer's theory, stating that our duty of rescue to refugees is to restore their circumstances as near to normalcy as it is practically possible for us to do. Because of an "appeal to our common humanity" and a "raw compassion for human condition," the aim must be to restore refugees' basic rights to live free of fear and violence.<sup>13</sup> They note the special obligations of states to their particular political communities yet contend that general obligations to those outside these political communities are needed as well. They maintain that the boundaries of the moral community go beyond those of political communities.<sup>14</sup>

Though the humanitarian approach is popular among philosophers such as Joseph Carens and Bradley Hillier-Smith, who argue that duties are owed to refugees on account of humanitarianism, I will recognize the approach only as a starting point in grounding duties to refugees. While acknowledging the compassionate and altruistic principles put forth in the humanitarian approach, I identify the ways in which it is insufficient in rectifying refugees' complex and vulnerable conditions. The humanitarian approach may require states to provide refugees with basic rights and remedy their general harm, but it does not address the political breakdown of membership which refugees experience, and which can only be remedied with new citizenship. Unlike the humanitarian approach, my argument will highlight the political breakdown between an individual and their state, which will then elucidate the proper duties owed to refugees to remedy this breakdown.

### Further Understanding Refugeehood

#### *Basic Rights*

Before we can entirely understand the limitations of the humanitarian approach in addressing moral duties towards refugees, we must begin by understanding what exactly basic rights, refugeehood, and membership entail. In Shue's account of basic rights, he breaks down the definition and what these rights require. Fundamentally, for an individual

11 Collier and Betts, *Refuge*, 100.

12 Peter Singer, "Famine, Affluence, and Morality," *Philosophy & Public Affairs* 1, no. 3 (1972): 231, <http://www.jstor.org/stable/2265052>.

13 Collier and Betts, *Refuge*, 100.

14 Collier and Betts, *Refuge*, 100.

to have a basic moral right, they must be "in a position to make demands of others."<sup>15</sup> Further, that right must be able to be demanded without feelings of embarrassment or shame, as there are good reasons for the demands to be granted. For an individual to actually enjoy and exercise their basic rights, they must have secure access to those rights. This secure access requires the guarantee of social institutions to ensure that the right holder can actually exercise their basic rights and enjoy their substance. Shue gives the following example to demonstrate this claim: "[i]f [individuals] do not have guarantees that they can assemble in security, they have not been provided with assembly as a right. They must assemble and merely hope for the best, because a standard threat to assembling security has not been dealt with."<sup>16</sup> Without security from social institutions, especially in cases where individuals can not enjoy the substance of the right on their own, persons are "readily open to coercion and intimidation through threats of [the] deprivation."<sup>17</sup> In this way, refugees do not have basic rights that they can securely access and exercise.

#### *Membership and Claimability of Basic Rights*

Refugees face severe harm from subjection to human rights violations throughout their displacement. The term "human rights" originally refers to the unconditional and intrinsic moral worth of all human beings, simply in virtue of being human.<sup>18</sup> These rights must be respected regardless of political, legal, or societal implications or recognition.<sup>19</sup> Nonetheless, human rights are commonly defined by their political function in global politics today, as states become the primary suppliers of their citizens' human rights. Though human rights originally refer to universal truths, it is more reasonable to understand human rights in their political role, as that is the way they function today. As primary duty-bearers, states have the duty to protect their citizens' human rights as basic rights within their society. When a state initially violates their citizens' rights, they are abandoning their function as primary duty-bearers for "protecting and upholding the human rights of their respective inhabitants."<sup>20</sup> As a result, individuals become refugees and remain in these conditions, unable to receive protection and access to their rights, until they are granted citizenship elsewhere.

In further analyzing the extent and nature of refugees' conditions, we can connect the core harms and vulnerabilities of refugeehood directly to their loss of membership and resultant political standing in their country of origin. An individual loses their membership in a state when they no longer have the ability to securely access their basic rights on account of their equal political standing in that state. According to Rebecca Buxton, the basic condition of refugeehood is the break-down of an individual's membership and

15 Henry Shue. *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy: 40th Anniversary Edition* (Princeton University Press, 2020), <http://doi.org/10.2307/j.ctvqsdnkw>.

16 Shue, *Basic Rights*, 27.

17 Shue, *Basic Rights*, 26.

18 Hillier-Smith, *The Ethics of State Responses to Refugees*, 138.

19 Hillier-Smith, *The Ethics of State Responses to Refugees*, 139.

20 Hillier-Smith, *The Ethics of State Responses to Refugees*, 204.

relationship with their state.<sup>21</sup> Refugees do not gain their status from a singular violation of their rights, but from ongoing instability in the relationship with their state, and in turn their inability to securely access their basic rights. When a state does not recognize and uphold an individual's basic rights, that individual is no longer able to maintain an ongoing and stable relationship with their state. In this way, even if an individual remains a citizen of that state, their membership becomes compromised when their basic rights are not recognized and upheld. Moreover, membership requires a state to recognize an individual's entitlements to rights, it is purely focused on the relationship between state and individual as opposed to feelings of personal affiliation.<sup>22</sup> In this way, membership does not only depend on the possession of formal rights, but instead on the "ability to claim certain rights as a matter of political standing."<sup>23</sup>

Buxton argues that because of the way in which basic rights are distributed by states to their members, individuals must be members of a community to claim their basic rights on a matter of standing as opposed to charity. Without a secure standing within a state in which an individual and their rights are securely recognized, refugees become reliant on "the good will of states to uphold [their basic rights]."<sup>24</sup> Even if states do provide refugees with basic rights, they remain at the discretion of the state, with the possibility of them being taken away at any given moment. In these cases, as well as cases where rights are not provided at all, refugees remain in a position of structural vulnerability; they lack functioning membership within a state where they can claim their basic rights solely on the basis of their standing. In other words, they cannot ensure secure access to their rights, as is the case for recognized citizens. As I will establish later in the paper, this secure standing in which individuals can exercise their rights as a matter of standing can only be achieved through formal citizenship.

For refugees to have their basic rights, they must be in positions where they are able to securely claim those rights: equal, formal, and legal membership, or citizenship. An individual without formal citizenship may be given basic rights and opportunities, but they do not have the security needed to exercise those rights based solely on their standing. Without proper standing and security in society, refugees remain in positions where their ability to exercise their basic rights is ultimately up to the discretion and charity of the state. Namely, basic rights are not substantive if they are not able to be securely accessed by the right-holders. Thus, refugees must be granted citizenship in order to securely claim their basic rights from a state and to have them be both respected and protected. The formal status of citizenship allows for refugees to be recognized as equal members and therefore make relevant claims to the state to protect their rights.

#### *Political Standing and Public Autonomy*

In his writing on refugeehood, Felix Bender emphasizes the role political oppression plays in categorizing the condition of refugees. Similarly to Buxton, he argues that the main harm refugees face is lack of public autonomy and legal-political standing once they are faced

21 Buxton, "The Duty to Naturalise Refugees," 1121.

22 Buxton, "The Duty to Naturalise Refugees," 1128

23 Buxton, "The Duty to Naturalise Refugees," 1128.

24 Buxton, "The Duty to Naturalise Refugees," 1125.

with active threats or violations.<sup>25</sup> Public autonomy can be understood as the counterpart of private autonomy; in other words, both public and private autonomy are what make up an individual's personal autonomy. The two coexist and depend on each other to allow for the freedoms of a moral agent. As private autonomy refers to an individual's ability to choose what to make for dinner alone in one's home, public autonomy refers to an individual's ability to generate claims and defend themselves within the public sphere of their state. This public autonomy is expressed by an individual's legal-political standing, or equivalently, status, which "formally recognizes a person as morally equal by imbuing her with fundamental legal equality and political rights."<sup>26</sup> As the primary duty-bearers of people's rights, states must provide individuals with the equal standing that gives them the ability to access those legal and political rights. For a state to properly fulfill their duty as right-bearers to their people, they must issue legal and political rights on a matter of equal standing rather than by their own discretion, in order for the rights to be securely accessed. Similarly to Buxton's claimability argument, Bender asserts the necessity of standing for effective maintenance of basic rights. In lacking public autonomy and the ability to defend themselves from rights violations, refugees lose the ability to change the conditions which govern their lives. In other words, refugees are deprived of the standing needed within a state to effectively protect themselves against violations to their basic rights and autonomy.

With a nuanced understanding of refugeehood, we can further understand how the humanitarian approach is far too general to establish moral duties towards refugees. The general duty of rescue that this approach puts forward is not able to ground duties to refugees which address their demolished membership. Thus, the duties owed to refugees cannot be grounded and approached simply on the basis of a broad fear of harm, but rather on the breakdown of membership and political standing within their home state, which compromises their public autonomy, and in turn, their ability to securely claim and access their basic rights.

#### *Critique of the Humanitarian Approach*

The generality of the humanitarian approach creates limitations for responding to the severity of refugee conditions. Because the approach is grounded in a general duty to help those who are in need, it fails to distinguish between varying types of harms and the particular case of refugees, in which they are deprived of membership and political standing. Without identifying the specific political breakdown which refugees experience, the emphasis cannot be on remedying their membership and political standing. This specific harm must be recognized in order to properly establish the obligations required to remedy it. Because the humanitarian approach is focused on grounding duties solely based on altruism, generosity, and compassion, it cannot adequately address the political harms refugees face and the duties they are owed.

The humanitarian account introduces a significant challenge in the way we might understand refugeehood: the over-inclusivity of individuals in claiming refugee status.

25 Felix Bender, "Refugees: The Politically Oppressed," *Philosophy & Social Criticism* 47, no. 5 (2021): 624, <https://doi.org/10.1177/0191453720931924>.

26 Bender, "Refugees: The Politically Oppressed," 624.

Over-inclusivity may include cases in which individuals face extremely severe threats and harms yet have the legal or institutional abilities within their state to amend their situations. In these cases, individuals are presented with options to prevent or remedy their harms without fleeing their state and seeking international protection, which therefore implies their stable relationship with their state. When individuals are still able to receive help from their state institutions, their relationships with their states are not fully compromised, and they cannot claim refugee status.

When the “threat of serious harm functions as the central determining factor for claims to refugee status,” other crucial aspects of refugeehood, such as political membership and public autonomy, are not recognized.<sup>27</sup> There is no question of whether or not refugees endure serious harms, yet the distinct facets of their harms, including lack of membership and political standing, are vital for properly assessing duties owed to them. As Bender describes, there is a significant difference between individuals who are harmed yet are able to remain in control of their remedies and those who are harmed with no options other than flight.<sup>28</sup> To further understand this distinction, take individuals who experience environmental disasters in their home state. According to the humanitarian approach, these individuals can be categorized as refugees because of the harm they are faced with. However, individuals in these conditions still stand in a stable relationship with their state and can seek political protection without having to flee. The general harm in this situation is not sufficient for claiming refugee status, “[w]hat matters is the legal-political disenfranchisement of a person that leaves her to her fate with no recourse other than flight.”<sup>29</sup>

Now, we must assess the proper course of action and the moral duties owed to refugees who lack public autonomy, political standing, membership, and in turn, a secure way of claiming their basic rights. With the core of the situation being breakdown of membership, it only makes sense for refugees to be provided with membership in a community that can protect their rights. But does any form of membership become sufficient for refugees? Does it matter whether it takes the form of temporary protected status, permanent residency, visa status, or citizenship? I argue that it absolutely does, and that formal citizenship in a destination country is morally required for refugees to remedy their loss of membership and secure basic rights.

There are a multitude of positions philosophers take when considering which states are morally obligated to provide these necessary duties to refugees. They consider many questions, such as: Which states are obligated to help these refugees? How can we allocate responsibility among states to care for them? While these questions are all immensely valuable to the study and understanding of refugees, I will not be elaborating on them, as this paper is focused on the extent of the duties owed to refugees rather than who exactly is obligated to provide them. In the following section I will support the claim for a refugee’s right to citizenship and demonstrate the limitations present in any other form of membership.

27 Bender, "Refugees: The Politically Oppressed," 621.

28 Bender, "Refugees: The Politically Oppressed," 622.

29 Bender, "Refugees: The Politically Oppressed," 622.

## The Argument for Citizenship

Positions such as temporary protected status or permanent residency might appear to be adequate solutions to remedy conditions of refugeehood, yet upon further analysis this is not the case. This type of status may be adequate for individuals who face harm in their home state, yet do not fall into the category of refugee. Buxton holds that “those who are pushed across a border for a very short amount of time and still maintain a stable relationship with their state” are not eligible for new membership.<sup>30</sup> For example, an individual might be forced to flee their home state because of war. In this case, the relationship between individuals and their state might not necessarily be broken or unstable, and they can sustain their public autonomy and membership when the war is over. For these individuals, temporary protected status or permanent residency would be a sufficient remedy as opposed to those with a more fundamental breakdown in membership and public autonomy.<sup>31</sup>

Nonetheless, most refugees do face the harms of losing membership in their home states, as they are devoid of state recognition of their rights based on their standing. In these cases, options such as temporary protected status may provide individuals with basic rights and opportunities, although they would still be deprived of the secure standing which grounds those rights. In other words, “the claimability of rights in some communit[ies] are still the most secure when one is considered a member in equal standing with her co-members.”<sup>32</sup> Without the formal and legal status of citizenship, this utmost security to access and exercise basic rights cannot be realized.

In the simplest sense, citizenship is a legal status that is a requirement for a modern state to recognize someone as a member of a political community.<sup>33</sup> The legal status of citizenship allows for individuals to have complete membership in that state, with their rights and standing remaining protected. Citizenship serves as a way to divide responsibility for persons’ protected rights.<sup>34</sup> States recognize citizens as individuals whom they are responsible for and must protect under their own laws.<sup>35</sup> Further, citizenship allows for an individual’s formal legal membership within a state, a membership which presents individuals with both standing and rights and enables greater consideration from the state.<sup>36</sup>

It is important to draw the distinction between membership and citizenship here, as the two are not synonymous. Rather, membership is a feature of citizenship which

30 Buxton, “The Duty to Naturalise Refugees,” 1133.

31 Buxton, “The Duty to Naturalise Refugees,” 1133.

32 Buxton, “The Duty to Naturalise refugees,” 1134.

33 Joseph H. Carens, *The Ethics of Immigration* (Oxford University Press, 2013), Chapter 2.

34 Daniel Sharp, “Immigration, Naturalization, and the Purpose of Citizenship,” *Pacific Philosophical Quarterly* 104, no. 2 (2023): 409, <http://doi.org/10.1111/papq.12428>.

35 Sharp, “Immigration, Naturalization, and the Purpose of Citizenship,” 410.

36 Sharp, “Immigration, Naturalization, and the Purpose of Citizenship,” 422.

provides formal recognition and political standing within a state. Though refugees do not automatically and formally lose their citizenship when they become refugees, many refugees are “de facto” stateless, in that their state is not able to ensure protection of their basic rights.<sup>37</sup> In these cases, citizenship remains while membership, referring to the political protection of both standing and rights, is lost. One can have citizenship but still lack membership, yet one cannot have complete membership without citizenship. While it is possible for non-citizens of a state to have their rights respected and even protected, the respect and protection would come from a place of charity and discretion rather than standing in society. In these situations, an individual’s rights might be protected, but that protection is not secure. The political standing that comes with membership is necessary for rights to be protected in a secure way without having them stripped away at the discretion of the state. As Buxton describes, an individual without political standing cannot effectively make claims on the state. That individual “ceases to enjoy the membership which that citizenship is meant to formally recognise.”<sup>38</sup> Persons with permanent residency or temporary protected status may be able to hold the same sets of rights as citizens, whether it is the civil right to free speech, the political right to vote, the social right to healthcare, or more. Yet, even for individuals who are given extensive features of citizens, such as the same set of rights, they do not hold the same equal status. Not only does the status aspect of citizenship allow for legal recognition of basic rights from the state, but it also holds social significance. Daniel Sharp describes the problematic hierarchies that are created when individuals share the same sets of rights but not status.<sup>39</sup> Citizenship holds a social meaning which “shapes people’s self-conception and serves as a source of esteem and identity.”<sup>40</sup> The single status that comes with citizenship is greatly valued by individuals, as they gain a public and elevated form of political agency and standing in a state.<sup>41</sup> In other words, citizenship status is publicly recognized as equal standing both legally and socially. That being the case, the formal status of citizenship is the necessary first step for a refugee to regain political standing and exercise their public autonomy to make effective claims upon the state. Even if a refugee still holds formal citizenship in the country they have fled from, a “functioning citizenship” must be issued to terminate refugee status.<sup>42</sup>

### Moral Justification for Citizenship

#### *Kantian Ethics*

Having established the significance of membership for securely claiming basic rights based on standing, I will now demonstrate further moral justification for providing refugees with citizenship by applying Kantian Ethics. Kant’s moral philosophy is centered around individuals as rational agents with their own autonomy, or the right to self-govern

37 Buxton, “The Duty to Naturalise Refugees,” 1127.

38 Buxton, “The Duty to Naturalise Refugees,” 1129.

39 Sharp, “Immigration, Naturalization, and the Purpose of Citizenship,” 431.

40 Sharp, “Immigration, Naturalization, and the Purpose of Citizenship,” 412.

41 Sharp, “Immigration, Naturalization, and the Purpose of Citizenship,” 431.

42 Buxton, “The Duty to Naturalise Refugees,” 1127.

one’s life.<sup>43</sup> He develops his moral principles in what he calls the formula of humanity, which significantly asserts that individuals must be treated as ends in themselves, rather than used as a means to get to some other end.<sup>44</sup> To treat someone as an end in themselves is to recognize and respect the absolute and unconditional worth each person holds. On the other hand, to use someone merely as a means to some other end is to respect someone only at the discretion of one’s will. With this core principle, Kant discusses the duties that arise in relation to these principles. One who “transgresses the rights of human beings [and] intend[s] to make use of the person of others merely as a means” violates a duty owed to rational agents.<sup>45</sup> Kant describes both perfect and imperfect duties. Perfect duties being specific prohibited actions which cannot be violated, and imperfect duties being general ends to strive towards. When other states aid refugees in any way other than granting them citizenship, they are using them as a means to an end. By providing them with rights and aid only at their own discretion, rather than allowing them the security that comes with citizenship, states are violating aspects of refugees’ autonomy and therefore their own perfect duty. With citizenship as the most secure form of membership needed to claim equal political standing and basic rights, refugees must have the opportunity to reclaim citizenship in a new state and exercise their public autonomy. Kantian Ethics serves as an inviolable moral justification for a refugee’s right to citizenship in order to retrieve the membership and equal standing necessary for public agency.

### Objection & Response

#### *Feasibility & Desirability Objection*

One might object to my argument on account of feasibility and desirability. Some could argue that providing refugees with citizenship is not a realistic approach to rectifying conditions of refugees. Most states are already hesitant to admit refugees without the obligation of providing them citizenship; many have formed techniques of exclusion in the form of visa controls or carrier sanctions to hinder the overflow of refugees seeking admittance.<sup>46</sup> Some states and refugees may not want the temporality of refugeehood to go away. For states, it would be easier for them to simply send refugees back to their home states once it is safe to do so rather than providing them with equal status of citizenship. Similarly, refugees might not want to abandon their hopes of returning to their home countries and integrate into a new state.

However, providing citizenship to refugees does not prevent them from one day remedying their relationship with their home state and returning safely. For example, some states allow dual citizenship, so refugees can securely live as citizens in a new state and still return to their home state as citizens one day. In states which do not allow dual

43 Immanuel Kant, *Groundwork for the Metaphysics of Morals* (Oxford University Press, 1785).

44 Kant, *Groundwork for the Metaphysics of Morals*, 37.

45 Kant, *Groundwork for the Metaphysics of Morals*, 38.

46 Carens, *The Ethics of Immigration*, 209.

citizenship, individuals can decide to revoke their new citizenship if they ever decide to return home and remedy their relationship with their home state. But, while their citizenship in their country of origin is not functioning properly and protecting their basic rights, equal membership and political standing in another state is necessary for refugees to securely access their basic rights.

For states, refugees can be looked at as an investment. Though individuals might need time to assimilate before their contribution becomes productive, they will eventually become active agents able to work more effectively towards their own personal goals as well as possibly contributing to state goals. Once states allow the conditions for refugees to work and take part in the economy, refugees will be able to exercise their potential, absorbing and mastering new skills and resilience.<sup>47</sup> According to the World Economic Forum and the IMF, “additional spending by EU states on asylum seekers and refugees boosted EU GDP by 0.09% in 2016 and by 0.13% in 2017,” and “every one euro invested in refugees assistance yields nearly two euros in economic benefits within five years.”<sup>48</sup> Therefore, providing refugees with citizenship and restoring their political membership and standing should actually incentivize states to issue refugees citizenship. Once given citizenship, new members will be able to integrate more easily and eventually have the opportunity and the public autonomy to give back to their new state, both politically and economically.

### Conclusion

Throughout this paper, I described the harms and vulnerabilities which categorize refugeehood—the loss of membership, political standing, public autonomy, and the ability to claim basic rights. I discussed the general limitations of the humanitarian approach in determining the moral duties owed to refugees, as it inadequately recognizes the roots and results of the harms which refugees are faced with. I argued that citizenship must be given to refugees to rectify their loss of membership and unequal political standing. Because of the lack of security and equal standing, forms of membership such as temporary protected status or permanent residency are not sufficient for refugees living in states of temporary permanence. Secure access to basic rights lies in the legal and political status of citizenship, in which they can be recognized both socially and politically as equal members of society.

### Works Cited

- Bender, Felix. “Refugees: The Politically Oppressed.” *Philosophy & Social Criticism* 47, no. 5 (2021): 615–33. <https://doi.org/10.1177/0191453720931924>.
- Buxton, Rebecca. “The Duty to Naturalise Refugees.” *Critical Review of International Social and Political Philosophy* 26, no. 7 (2023): 1119–139. <https://doi.org/10.1080/13698230.2021.1880198>.
- Carens, Joseph H. *The Ethics of Immigration*. Oxford University Press, 2013.

---

<sup>47</sup> Kelly T. Clements, “Refugees Mean Business. This is Why Investing in Them Pays Off,” *World Economic Forum*, January 20, 2025, <https://www.weforum.org/stories/2025/01/refugees-business-why-investing-in-them-pays-off/>.

<sup>48</sup> Clements, “Refugees Mean Business. This is Why Investing in Them Pays Off.”

Clements, Kelly T. “Refugees Mean Business. This is Why Investing in Them Pays Off,” *World*

*Economic Forum*, January 20, 2025. <https://www.weforum.org/stories/2025/01/refugees-business-why-investing-in-them-pays-off/>.

Collier, Paul and Alexander Betts. *Refuge: Rethinking Refugee Policy in a Changing World*. Oxford University Press, 2017. <http://ebookcentral.proquest.com/lib/northeastern-ebooks/detail.action?docID=505097>.

Hillier-Smith, Bradley. *The Ethics of State Responses to Refugees*. Routledge, 2024.

Kant, Immanuel. *Groundwork for the Metaphysics of Morals*. Oxford University Press, 1785.

Miller, David. *Strangers in our Midst: The Political Philosophy of Immigration*. Harvard University, 2016. Press. <http://www.jstor.org/stable/j.ctvjf9z4w>.

Sharp, Daniel. “Immigration, Naturalization, and the Purpose of Citizenship.” *Pacific Philosophical Quarterly* 104, no. 2 (2023): 408–41. <http://doi.org/10.1111/papq.12428>.

Shue, Henry. *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy: 40th Anniversary Edition*. Princeton University Press, 2020. <http://doi.org/10.2307/j.ctvqsdnkw>.

Singer, Peter. “Famine, Affluence, and Morality.” *Philosophy & Public Affairs* 1, no. 3 (1972): 229–43. <http://www.jstor.org/stable/2265052>.