



# Reflections on the Social Construction of Citizenship

## *Reflexiones sobre la construcción social de la ciudadanía*

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### Abstract

It is not uncommon to find liberal cosmopolitan theorists who equate the concepts of citizenship, gender (or sex), and race. What is surprising, however, is that this is often done without a deep analysis of the concepts involved. This attitude contrasts, at least, with that of critical feminism, which engages in complex and profound discussions to understand what gender and race are, as well as their similarities. Here, I will attempt a systematic exploration of this conceptual equation, drawing on contributions from critical feminism and social ontology. My aim is to clarify issues related to citizenship that may help us engage more productively with certain debates in the field of justice theory.

Keywords: citizenship, gender, race, social construction, privilege.

### Resumen

No resulta extraño encontrar cosmopolitas liberales que establecen una equiparación entre los conceptos de ciudadanía, género (o sexo) y raza. Sorprende, sin embargo, que esto se realice sin un análisis profundo de los conceptos implicados. Esta actitud contrasta al menos con la del feminismo crítico, para el que comprender qué es el género y la raza y sus paralelismos genera complejas y profundas discusiones. Aquí intentaré una exploración sistemática de esta equiparación, prestando atención a aportaciones realizadas desde el feminismo crítico y la ontología social. Mi objetivo será aclarar cuestiones relacionadas con la ciudadanía que tal vez nos sirvan para encarar más productivamente algunas discusiones que encontramos en el terreno de la teoría de la justicia.

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Palabras clave: ciudadanía, género, raza, construcción social, privilegio.

## INTRODUCTION

It is not uncommon to find liberal cosmopolitan theorists who, in defending the proposal of “open borders” or some global distributive principle, equate the concepts of citizenship, gender (or sex), and race (Carens, 1987: 256; 2013: 233; Pogge, 1989: 247; Tan, 2004: 159-160; Velasco, 2016). The suggestion, following a Rawlsian mode of reasoning, is that when reflecting on a just order, these circumstances should be concealed behind a veil of ignorance. What is surprising, however, is that this equation is made without any analysis of the concepts involved. It seems to be assumed that they pose no problems, that their meanings and theoretical purposes are uncontroversial.

This attitude contrasts, at least, with that of critical feminism,<sup>2</sup> for which understanding what gender and race are, as well as their similarities, generates complex and profound discussions (Haslanger, 2012: 221-222). Moreover, the way liberal cosmopolitan theorists approach these concepts appears to have little in common with feminist thought. For the latter, gender is not merely an arbitrary factor to be ignored in the project of constructing an ideal theory of justice; rather, it is a conceptual tool explicitly created to make visible certain social phenomena that deserve particular consideration in the struggle against injustice.

The underlying idea, shared by all these philosophical perspectives, is that citizenship, gender, and race refer to circumstances that are particularly significant in shaping social groups in our contemporary world. Furthermore, some of these groups find themselves in positions of vulnerability to exploitation, domination, or subordination. However, it seems necessary to undertake at least a more systematic exploration of the similarities and differences among these concepts, which are crucial both for understanding contemporary societies and for critically addressing injustices.

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<sup>2</sup> Critical feminism refers to a tradition of thought characterized by the integration of the concerns and contributions of critical theory into feminist philosophy. Its aim is thus to analyze social structures and how gender, along with other categories such as race and class, interact to produce mechanisms of oppression. Haslanger, whose definition of gender and race serves as the starting point for this discussion, explicitly situates herself within this tradition. See her account of this project in *Resisting Reality* (Haslanger, 2012: 22-30, 226-227). Notable figures within this tradition also include, for instance, Nancy Fraser and Iris Marion Young.

To this end, the present article will examine contributions from the field of social ontology to the understanding of gender and race and will explore whether these models can be applied to the notion of citizenship. Studying our concepts from the analytical perspective of social ontology provides “clarity and directionality, thereby facilitating action that is appropriate to context” (Lawson, 2015: 5). Therefore, our objective here is not merely to assess the validity of the equation between citizenship, gender, and race but also to clarify aspects related to the social construction of citizenship and, perhaps, to engage more productively with certain debates in the field of justice theory.

Accordingly, this article will be divided into three sections. The first will present Haslanger’s models of gender and race, which will serve as a starting point for our analysis. As will be shown, Haslanger offers a definition of gender (or sex) that includes two conditions and a conclusion. To examine whether the structure of this definition is applicable to the concept of citizenship, the following two sections will address each of these conditions separately. As we shall see, significant differences emerge that cast doubt on the adequacy of conceptualizing citizenship according to these conditions, thereby providing grounds to question the equation between citizenship, gender, and race. The structure of both sections will follow the same pattern: first, the concepts involved in the respective condition of Haslanger’s definition will be analyzed, along with the differences that arise when applying them to the case of citizenship; second, a specific problem resulting from disregarding these differences will be identified and discussed. Section two will therefore examine the first condition of Haslanger’s definition. Here, we will delve into the notions of natural and social kinds, and, for the sake of clarity, into the concepts of causal construction and constitutive construction, which will serve as the basis for addressing the problem of nationalism. Finally, Section three will focus on the second condition of the definition. This discussion will centre on the concept of privilege, introducing the notions of constitutive social construction and contextual social construction, and reflecting on how ignoring such distinctions obscures the dynamics of adverse incorporation.

## 1. A FIRST APPROACH TO THE MODELS OF GENDER AND RACE

Since citizenship appears to be, above all, a legal status, the simplest ontological explanation of the fact that “John is a citizen of the United Kingdom” would be based on the relevant UK legislation on the acquisition of citizenship

and certain legal acts that, at some point, certified that John met the established requirements and was granted such status. In this sense, one could follow Epstein's suggestion that, to ontologically elucidate any social fact, one must address the questions of grounding and anchoring (Epstein, 2016). The first refers to the basis that makes the fact hold. In the case of citizenship, this would generally align with the legislation and legal acts mentioned above. The second concerns what makes those particular conditions, and not others, determine John's status as a UK citizen. This would involve not only specific actions and votes taken by Parliament but also broader mechanisms that extend across the functioning of the British state, including the attitudes and ideological and psychological tendencies of parliamentarians, principles of legitimacy and state sovereignty, judicial interpretations, international law, and more.

It is important to note that although citizenship is highly formalized within legal systems, it also involves informal conditions (such as virtues or models of ideal citizens, informal norms, ideological conceptions, etc.). What initially seemed to lead us to a *simple explanation* now reveals itself as a project of overwhelming complexity. Epstein himself acknowledges that, for certain institutional facts, it is impossible to explicitly identify all their conditions, making their full ontological explanation unattainable (2016: 156). Citizenship may well be one such fact. However, studying the grounding and anchoring conditions of any social fact, even if not exhaustively, can contribute to social critique by clarifying the mechanisms through which these facts arise and by exposing false beliefs about their conditions.

Nevertheless, it would be more valuable here to develop a model of citizenship, gender, and race that serves more unequivocally in the fight against injustice. For this reason, my objective will be to adopt the perspective of critical theory, a stance that "begins with the assumption that current conditions are unacceptably unjust and a commitment to understand and remedy that injustice" (Haslanger, 2012: 22). From this point of view, the task is not to ask what ideal justice consists of or how to arrive at abstract and general principles, but rather to develop concepts that, when properly adapted to reality, also serve a practical purpose: reframing issues in a way that makes injustices visible. My goal is to formulate definitions of citizenship, gender, and race that allow us to better understand how these phenomena operate within a structural context that produces oppression, domination, and exploitation of certain social groups.

The strategy I will follow is to build on Haslanger's analyses of gender and race, which are grounded in both a strong commitment to critical social theory

and a solid foundation in social ontology. The explicit goal of this philosopher is “to develop accounts of gender and race that will be effective tools in the fight against injustice” (2012: 226), aiming to identify and explain the persistent inequalities among females, males, and racialized subjects, as well as the relevant similarities and differences among members of these groups and the intersecting effects of their oppression. As will be seen, the structure of Haslanger’s account of gender is equivalent to that of race. Since we pursue similar objectives here regarding citizenship, we will explore whether the same analytical framework can be applied to the relationships between citizens and non-citizens.

Thus, in asking “what is gender?” and “what is race?”, Haslanger sets out to analytically reformulate the slogan “gender is the social meaning of sex” or “race is the social meaning of the geographically marked body.” In contrast to certain categories (female/male), which could be defined in terms of intrinsic physical features (such as sex or other bodily traits), gender (woman/man) refers to a set of social relations that constitute some social classes as subordinate and others as privileged. A distinctive aspect of gender and race is that intrinsic physical features are systematically and misleadingly linked to certain social positions, as if the natural traits that define females were a justification for their occupation of the social position of women.

Thus, Haslanger offers the following definition of *woman*:

S functions as a woman in context C iff<sub>df</sub>

(i) S is observed or imagined in C to have certain bodily features presumed to be evidence of a female’s biological role in reproduction;

(ii) That S has these features marks S within the background ideology of C as someone who ought to occupy certain kinds of social position that are in fact subordinate (and so motivates and justifies S’s occupying such a position); and

(iii) The fact that S satisfies (i) and (ii) plays a role in S’s systematic subordination in C, that is, along some dimension, S’s social position in C is oppressive, and S’s satisfying (i) and (ii) plays a role in that dimension of subordination. (Haslanger, 2012: 235)

To obtain the definition of *man*, one would simply need to replace in (i) “female” with “male,” in (ii) “subordinate” with “privileged,” and in (iii) “subordination” with “privilege” and “oppressive” with “privileged.” In other words, woman and man are structurally equivalent but opposed. They are dialectically

connected, and the subordination of one group is the condition for the privilege of the other.

This same structure is applicable to the case of *racialized person* by replacing (i) “a female’s biological role in reproduction” with “ancestral links to a certain geographical region” and so on (Haslanger, 2012: 235-238). The question here, therefore, is whether this conceptual structure can be applied to citizenship. As previously explained, the following sections will address the two initial conditions presented in this definition. If difficulties arise in applying them to the case of citizenship, the equation of the concepts of gender, sex, and citizenship becomes problematic.

## 2. ON NATURAL KINDS AND SOCIAL KINDS

Here, we will focus on condition (i) of the previous definition. The aspect to be analyzed is the reference to “certain bodily features.” A fundamental critical function of the concept of gender or race is to expose attributions based on human nature. The presupposition that certain things are the way they are due to their nature has historically served to justify the status quo and hinder social change. In the case of gender, for instance, the sexual differences of bodies are taken as a physical marker to distinguish two groups based on biological traits (natural kinds), but “what is of concern, to put it simply, is that societies, on the whole, privilege individuals with male bodies” (Haslanger, 2012: 229).

The problem is not so much that we classify existing entities based on their observable characteristics. Rather it is that, once groups are distinguished in this way, social relations between them are structured such that individuals marked by female bodies are placed in subordinate positions, while those marked by male bodies occupy privileged positions. These socially defined positions correspond to the social kinds designated as “woman” and “man.”

Distinguishing gender in this way serves at least two critical functions. First, it helps to dismantle the traditionally assumed correlation between a natural kind (female) and a social kind (woman), that is, to challenge the justification that an individual must occupy the social position of “woman” simply because they possess a female body. These two categories are of entirely different kinds and are constituted in fundamentally heterogeneous ways. The category “woman” is socially constructed and refers to a set of social relations that have no natural or direct connection to the anatomical traits that define female

bodies. What links these categories are, rather, the dominant interests within a heteropatriarchal society.

Second, the notion of gender serves to expose as socially constructed certain traits that are mistakenly attributed to the nature of women. Being socially positioned in certain roles entails adhering to or being judged according to specific norms, adopting particular practices, having access to certain resources, and so on. As a result, individuals in such positions tend to exhibit common characteristics. This, in turn, leads to the tendency to assume that these characteristics stem from the inherent nature of individuals. The category of gender, therefore, serves to highlight socially constructed differences that remain insufficiently recognized as such.<sup>3</sup>

## 2.1. The Social Construction of Citizenship

At this point, the notion of citizenship does not appear to have a critical function similar to that of gender or race. The critical role of these latter concepts lies in exposing the tendency to perceive as natural what is, in fact, socially constructed. At the core of these notions is a problematic relationship between what is considered natural and what is considered social. This concern, however, seems largely unrelated to the notion of citizenship, which could instead be regarded as a purely social kind. According to the prevailing understanding of citizenship, it refers to a specific type of relationship between the individual and the state, in which the former is recognized as a full member of the latter (Marshall, 1992).<sup>4</sup> Citizenship does not appear to be constituted by any relationship that warrants critique in terms of presumed natural traits but rather by the way individuals relate to political institutions. As these institutions have evolved historically, so too has the nature of citizenship.

It is necessary to clarify here how a social reality can be constructed. Following Haslanger, something is a social construction in a *generic sense* “just in

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<sup>3</sup> The aim of this paper is to analyze how the concepts involved in Haslanger’s definition are applicable to citizenship. Consequently, a detailed examination of the debates surrounding gender and race falls beyond the scope of this article. For readers interested in a broader discussion of these two concepts, the applicability of the proposed definition to them, and their relation to structural oppression, see Haslanger (2012: 35-157, 183-338).

<sup>4</sup> From a broader perspective, the citizen is a full member of a self-governing political community, which allows for different forms of citizenship beyond that of the state. This aligns with the idea defended here: the form that citizenship takes will always depend on the political structure in which it is embedded. Since, historically, the most significant form of citizenship has been that which develops within the framework of the state, my focus here will be on this particular form.

case it is an intended or unintended product of a social practice” (2012: 86). Let us recall that:

Social practices are patterns of learned behavior that enable us (in the primary instances) to coordinate as members of a group in creating, distributing, managing, maintaining, and eliminating a resource (or multiple resources), due to mutual responsiveness to each other’s behavior and the resource(s) in question, as interpreted through shared meanings/cultural schemas. (Haslanger, 2018: 245)

To coordinate as members of a group and achieve our objectives, we must create certain tools or categories. Citizenship can be understood as a category devised for such purposes within the sociopolitical framework established by the modern state and the way it manages resources and sets norms. Like all human constructs, this category would have emerged as the historical product of explicit intentional decisions but also as a result of non-political processes to which states have had to adapt. Likewise, this tool will take one form or another depending on the specific sociopolitical context. However, if we accept that the institutional form known as the “modern state”—whether more or less democratic, more or less liberal, or more or less capitalist—exhibits certain fundamental common characteristics, then it is possible to identify some constitutive features of citizenship in general. These would refer to the social and political functions that an individual, positioned in the role of citizen, performs or is expected to perform within the state.

For all these reasons, according to Haslanger, two other fundamental forms of social constitution can be distinguished. On the one hand, there is *causal construction*, which occurs when “social factors play a causal role in bringing it into existence or, to some substantial extent, in its being the way it is.” On the other hand, there is *constitutive construction*, which takes place when “in defining it we must make reference to social factors” (2012: 87). Citizenship is socially constructed in a causal sense because, as mentioned, it is the historical product of social factors. Additionally, it is socially constructed in a constitutive sense because it refers to the set of relationships that define individuals’ position as full members of their states.

Citizenship, like gender, as a *constitutive* social construction, is an extrinsic property of individuals that depends on the social relations they establish. Changes in the ways we organize politically could lead to the disappearance of citizens, just as “a change in social relations could have the result that there are no men and women, even if there continue to be males and females” (Haslanger,

2012: 41). Citizenship constitutes a social role defined by a set of norms, capacities, characteristics, attitudes, virtues, and other elements that serve as standards for assessing what is considered a good full member of the state. This role also includes access to certain resources or participation in their creation, distribution, and preservation. Rules<sup>5</sup> and resources are the components of any social structure, which exist in a relationship of interdependence and mutual adjustment (Sewell, 1992). Any sociopolitical structure establishes a wide variety of roles, which tend to fit together in a mutually reinforcing manner. In our case, structural relationships relevant to the functioning of the modern state and contributing to the definition of citizenship include, for instance, the adjustments established between citizens and their representatives, between citizens and state officials, or among citizens themselves. However, due to their complex processes of development and the multiple contexts and structural functions with which they may be connected, roles can become internally contradictory or conflictual.

As previously indicated in relation to Epstein's ontological framework, it is exceedingly difficult, if not impossible, to precisely define the social relations and their constituent components that constitutively construct citizenship, or gender, or race. This difficulty arises not only because these relations vary across cultures, historical periods, and different state structures but also because they encompass both formal, clearly institutionalized elements and informal practices, norms, ideologies, virtues, and ideals that are difficult to systematize and not always fully coherent. Furthermore, these relations are part of broader systems in which multiple social distinctions, such as class, gender, and race, are interrelated and mutually reinforcing. As Sewell (1992: 16-19) observed, the transportability of schemas and the polysemy of resources, the fact that they can be applied in diverse situations, implies that social distinctions, roles, and mechanisms are intricately interconnected. At the same time, this interconnection also suggests that structural change through human agency remains possible.

At this point, one similarity and one difference can be highlighted between the social construction of citizenship, gender, and race. From the perspective of a critical theory of injustice—one that does not aim to articulate ideal models

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5 Here, I follow Giddens' (1979) terminology. Other philosophers prefer to use the term "schemas" (Sewell, 1992) or "social meanings" (Haslanger, 2018). All of them agree that this concept encompasses a wide range of notions: "not only the array of binary oppositions that make up a given society's fundamental tools of thought, but also the various conventions, recipes, scenarios, principles of action, and habits of speech and gesture built up with these fundamental tools" (Sewell, 1992: 7-8).

through hypothetical procedures but rather to analyze the social reality of injustice—the relational approach developed thus far addresses in a similar way the issues that citizenship, gender, and race raise in relation to injustices. In all these cases, the problem lies in the definition of social roles—highly real and far from arbitrary—according to specific rules and access to certain resources. The task here seems to be making visible the rules that render certain groups vulnerable to exploitation, domination, or subordination. It is also necessary to examine the resources available to them, how these resources have been generated, who has access to them and how, as well as how they reinforce particular norms, among other factors. This theoretical stance contrasts sharply with that of liberal cosmopolitan theorists, who imagine original positions, veils of ignorance, and the arbitrariness of gender, race, and citizenship.

On the other hand, unlike gender or race, citizenship is not typically considered to refer to individuals' intrinsic or objective traits. As previously noted, a central aim of gender conceptualization is to critique the common tendency in heteropatriarchal thought to treat as intrinsic something that is, in fact, social (extrinsic). This tendency does not seem to be as prevalent in the case of citizenship, where there is currently little controversy regarding its relational nature. In Haslanger's terms, when it comes to gender, we encounter the notion of Woman's Nature, which is *strongly pragmatically constructed*, that is, an illusion projected onto the world to justify gender relations, for which "there are no available facts corresponding to the intended content that my attributions could be tracking, so instead, we might conclude, they must be functioning *wholly* as a means to a social goal" (2012: 91). Generally, in the case of citizenship, there is no assumption of a strongly pragmatically constructed category connected to it that serves to justify the relations that constitute it. As discussed earlier, citizenship refers to a complex role that must be assumed for the proper functioning of a self-governing political community. However, at least since the eighteenth century, certain ideologies have tended to associate this notion with that of the nation. This is where the problem of nationalism arises.

## 2.2. The Problem of Nationalism

In the past decade, we have witnessed an intensification of nationalist policies, including xenophobic and populist tendencies (Clarke, 2022: 412-413). These political projects have forcefully revived the idea of the nation, reestablishing its connection to citizenship. Protecting the nation, its purity, its

sovereignty, its resources, comes with a defensive stance, marked by growing anxiety over the arrival of migrants and the control of borders.

The idea of grounding citizenship in the nation is not new. It has been present in European political thought since the revolutions of the late 18th century. One of its earliest formulations can be found in early 19th-century Germany in the concept of Volk, “the idea of a people clustered together by a natural common ‘essence’” (Heater, 2004: 91). However, according to Habermas (1998: 107-114), the formation of states and the formation of nations do not progress in parallel and refer to very different phenomena that are only contingently connected. In the state, citizenship is a status defined by the rights that enable full participation in its political and social institutions. In the nation, by contrast, its members are understood to share some common essence and belong to a community of origin that is geographically and culturally integrated.

At the time of the state’s emergence, when it lacked the strength to establish democratic citizenship at an abstract level of integration, it became necessary to unite citizens around the nation to reinforce mutual solidarity. While the connection between these two notions facilitated the development of solidarity among citizens, it also has the potential, as seen in contemporary nationalist discourses and both past and present instances of ethnic cleansing, to generate dangerous ambivalences and consequences.

In this context, it seems appropriate to compare feminist critiques of the connection between a Woman’s Nature and gender roles with critiques of the connection between the nation and citizenship. In the aforementioned terminology, the Nation would also be *strongly pragmatically constructed*. It is an imagined community (Anderson, 2006), an illusion projected onto the world to justify the grouping of people for purely socio-political purposes. Just as with the notion of a Woman’s Nature, imagined nations do not correspond to natural facts that substantiate the intended content of our attributions. The facts typically invoked to justify this integration are not naturally constructed but socially constructed. To give content to the idea of a Woman’s Nature, one often finds, for instance, claims regarding a more emotional, intuitive way of being, attitudes that are socially inculcated and that respond more to the way women are educated and the normative expectations projected onto them than to any supposed natural impulses. Similarly, to give content to the idea of a nation, we imagine a common language, a shared history, and even similar ways of acting or interpreting reality. However, the fact that many or most members of a nation share these traits is the result of systematically implemented state policies in the management of their populations.

Given the enormous justificatory power that science holds in our contemporary societies, it is not surprising to find new versions of ethnonationalism seeking to ground nations in the most recent research: in a new molecular realm, in our DNA (McGonigle, 2021). The rhetorical power of the phrase “it is in our DNA” in popular discourse is striking. As McGonigle argues, we find ourselves in a context where “natural biological populations become political populations” (2021: 15), and scientific research contributes to the creation of identities supposedly grounded in a natural essence. The proliferation of biobanks, many of which are managed by state institutions, could “foster a new regime of biopolitics at the level of individuals’ genes, with potential for governments to catalog the ‘biological citizen’ at the molecular level” (McGonigle, 2021: 30). And yet, despite all this, there is broad scientific consensus that no such thing as an “ethnic gene” exists (McGonigle, 2021: 152). The idea of genomic citizenship is driven not so much by the misuse of science as by an ideology of belonging. How, then, can we explain the contradiction between the nonexistence of an ethnic gene and the proliferation of such discourse?

McGonigle draws on the four “modes of identification” distinguished by Descola: animism, totemism, naturalism, and analogism (Descola, 2013: 112). Naturalism has been the dominant ontological model in modern societies, based on the criterion that existence is determined by evident physicality, the natural properties of entities. However, the discourse of genetic citizenship is better understood through an analogist ontology, in which a collectivity is first presupposed and then linked to a heterogeneous reality situated at another level. Therefore:

The imagination of genomic citizenship is not a mediation of scientific facts; it is the dissemination of an identity that is the structuring frame within which the genetics research is made possible and conducted [...]. Even when identity cannot be verified in the natural sciences, the imagination that has propelled the effort succeeds. For this reason, one cannot adequately critique ethnic genetics without inadvertently critiquing the psychic foundations of the imagination of an ethnos. (McGonigle, 2021: 154-155)

Ethnic genetics is closely linked to nationalist ideology; therefore, the discourse of genomic citizenship cannot be refuted solely through scientific discourse: “hence, the nation can neither be proved nor disproved by genetics” (McGonigle, 2021: 155). The idea of the nation is, therefore, even in those cases that attempt to ground it in modern science, a projection imposed upon an entirely different reality. In both this case and that of the political organization of the state and citizenship, we are dealing with a notion, the nation, that is

strongly pragmatically constructed, aimed at justifying the grouping of people for purely sociopolitical purposes, and that does not correspond to natural facts capable of substantiating the intended content of our attributions.

For all these reasons, the conclusion of this section is that condition (i) of the definition does not easily apply to the notion of citizenship. Citizenship refers to a role that must be performed for the functioning of our self-governing political organizations and requires no reference, in its definition, to “certain bodily features.” In fact, introducing such references leads us directly to the problem of nationalism and its harmful consequences in the form of racism and xenophobia. In this sense, condition (i) may indeed be more suitable for defining the concept of nation, but not that of citizenship. The historical problem lies in the assimilation of both concepts.

### 3. IS PRIVILEGE CONSTITUTIVE OF CITIZENSHIP?

We now turn to element (ii) of the definition of gender and race provided at the outset. Element (ii) included a condition in the *constitutive social construction* of women and racialized subjects: it is *constitutive* of both notions that they are positioned in a subordinate social status relative to men or non-racialized subjects, who, in turn, occupy a corresponding privileged position. This relationship is dialectical in the sense that the subordination of one group is constitutively dependent on the privilege of the other, and vice versa. This has two implications. First, changes in the position of one group will necessarily entail changes in the other. Second, if at any point one of the groups ceased to occupy either a subordinate or privileged position relative to the other, the groups themselves would cease to exist: there would no longer be women or men, nor would there be racialized or non-racialized subjects.

Can these characteristics be applied to citizenship? On the one hand, this does not seem appropriate given the central role that equality has historically played in the conceptualization of citizenship. According to Marshall, in contrast to the class inequality inherent in the capitalist system, the realization of a fundamental form of human equality linked to full membership in the community constitutes the defining feature of citizenship (Marshall, 1992). Equality, along with participation and belonging, forms the “core essence” of citizenship (Velasco, 2016: 57).

On the other hand, the category of *citizen* does not appear to be constituted in the same way as *woman* or *racialized subject*, through dialectical opposition to

another social group. One might argue that the *non-citizen* occupies this position, but this is not the case. First, everyone is simultaneously a citizen (of the state that recognizes them as such) and a non-citizen (of all other states). Second, if we understand the relevant relationship as one between two groups of individuals residing within the same state—those who have the “privilege” of being citizens and those who do not, such as irregular migrants—we still do not find a constitutively dialectical relationship. It is entirely conceivable to imagine a world in which all residents of a state are citizens, where sedentarism is assumed, and societies are closed. In such a scenario, we would merely be faced with the ideal of methodological nationalism (Sager, 2018: 20-22).

However, judging by how citizenship functions in our sociopolitical world, it seems that we are overlooking something important. We encounter contexts of profound inequality in both the various residency statuses of individuals within our communities and in the unequal access to rights and resources among citizens of different countries. As Marshall warned, the equality associated with citizenship is not only compatible with class inequality but also, through its interaction with other institutions, confers a seal of legitimacy upon various forms of social stratification (Marshall, 1992: 38-39).

### 3.1. The Constitutive Construction and the Contextual Construction of Citizenship

Perhaps the distinction between *constitutive social construction* and *contextual social construction* can shed some light on these issues. First, “some norms are such that satisfying them entails one’s participation in a particular social role; these norms are constitutively grounded in a social role” (Haslanger, 2012: 52). In this sense, adopting Marshall’s perspective, one could argue that the set of civil, political, and social rights and obligations recognized by the state for its citizens constitutes the constitutive content of the notion of citizenship.

Three clarifications are necessary at this point. First, the specific content of such rights is not predetermined and may vary both historically and across different states. However, in any case, they will constitute the set of norms and access to resources that enable the exercise of the role of a full member within the institutional mechanism that comprises the state. Citizenship is a component designed to fit the function it is meant to perform within this mechanism. Changes in how citizenship is constituted, that is, changes in the rights and obligations that define it, as well as in the resources available to it, will entail

changes in the organization of the state itself. However, such changes have limits. For instance, since classical Athens, it has been widely held that a fundamental feature of citizenship is the equal right to participate in the collective self-government of the state. In the absence of the social arrangements that ensure this capacity, there would be no citizens, only subjects.

Second, there may be constitutively grounded elements that are nevertheless separable from the role (Haslanger, 2012: 52). Many of the rights that constitute the role of a citizen also form part of other roles, such as those of permanent or temporary residents, and even non-residents, who still retain recognition of many civil rights. This “disaggregation” of citizenship has been analyzed, for instance, by Benhabib (2004: 144-163). What defines the citizen, however, is the aggregation of all these elements to shape the role of an equal member of the *demos*, the collective holder of sovereignty.

The final clarification concerns the relationship between roles constituted in this manner. As previously mentioned, these roles, as structural positions, are systematically related in ways that tend to make them fit together. However, this does not necessarily mean that we must assume the existence of another role, such as the non-citizen or the permanent resident, to which the citizen is dialectically connected in the sense explained earlier. Benhabib’s notion of disaggregation suggests that it is not a constitutive necessity of citizenship that the rights or access to resources that define it must come at the expense of a symmetrical denial of these same elements to the role of, for instance, the permanent resident. The construction of the citizen’s role is not such that it must be reciprocally shaped by the role of the permanent resident. Rather, both are categories of individuals classified by their greater or lesser proximity to the ideal of full membership in the self-governing political community. That is, these roles do not appear to share a *constitutive* relationship in defining their normative content.

The role of the citizen does maintain a constitutive relationship, for example, with the role of the political representative, insofar as the form of political participation designed for the citizen corresponds to the existence and functions of their representative. Paradoxically, the citizen also maintains a constitutive relationship with other citizens, as their equality within a state is a relationship among citizens in which none “can legally bind or oblige another to anything, without at the same time submitting himself to the law which ensures that he can, in his turn, be bound and obliged in like manner by this other” (Kant, 1903: 120).

Secondly, “a norm or an ideal is contextually grounded in a social role just in case, given specified background conditions, satisfying that norm is or would be sufficient for functioning in that role” (Haslanger, 2012: 53-54). Haslanger illustrates this with the example of the role of an investigative journalist. To fulfil this role excellently, a person “should ‘relentlessly’ pursue and publicize information of concern to the general public”. However, in a dictatorship, an individual who meets this standard would instead function in the role of a criminal or a member of the resistance. The context can thus cause the same norms and ideals to define different roles, such that “it is only by considering how norms and ideals are realized in *context* that we can effectively determine their consequences, and their value, for our thoroughly situated lives” (id.: 54).

The consequence we can draw from the distinction between constitutive and contextual construction is that if a role is constitutively constructed by certain norms and resources, following social objectives and serving institutional mechanisms that are problematic in themselves, we have reasons to reject both the role and the entire social mechanism that sustains it. On the other hand, it may be the case that the role is designed to respond to acceptable social objectives within institutional mechanisms that are valuable for individuals and is constituted by appropriate and unproblematic norms and resources for those objectives, yet it produces undesirable effects due to other contextual elements with which it interacts. In this case, the appropriate course of action is not to reject the constitutive elements of that role or the system that sustains it but rather to transform the background conditions that, in that context, give rise to such effects.

It seems undeniable that, within the context of contemporary globalized capitalism and the colonial history of the present, the institution of citizenship contributes to the perpetuation of vast inequalities among the inhabitants of our planet, both in terms of the rights they can effectively exercise and the resources available to them. In this regard, the evaluation of citizenship will depend on the stance one takes concerning the two perspectives outlined in the previous paragraph.

Some, such as liberal cosmopolitan theorists, anarchists, and others, tend to assign little value to the state, viewing it either as a structure of oppression or as an accidental evil on the path toward the cosmopolitan unification of humanity. Whether they reject the state itself or consider such global inequality to be constitutive of the state system, citizenship would be objectionable due to the very way it is constitutively constructed.

In contrast, the evaluation shifts if one attributes some value to the state, at least as the best available form of political organization, capable of effectively structuring societies under its jurisdiction and realizing various socially esteemed values, such as security, freedom, and equality. From this perspective, it would seem more coherent to positively assess the constitutive construction of citizenship, as a mechanism within the modern democratic state system aimed at realizing the ideal of full, equal, and sovereign membership. If this role and the content that constitutes it are valuable, then its function in maintaining global inequality would be better attributed to contextual factors. The issue would not be citizenship itself, but rather the need to transform globalized capitalism, sexist and racist social relations, and other structural injustices.

Ignoring the distinctions between *constitutive social construction* and *contextual social construction* can obscure the dynamics through which exclusion and oppression operate within our current global capitalism. In the following section, we will focus on the problem of obscuring the relations of adverse incorporation that may arise when our analysis is guided by an inadequate conception of exclusion and the boundaries of citizenship.

### 3.2. Citizenship and Privilege

Liberal cosmopolitan theorists typically approach the issue of the “privilege” established by citizenship from a dual perspective (Carens, 2013; Higgins, 2008; Tan, 2004; Velasco, 2016; Kymlicka, 2001). On the one hand, they envision a world sharply divided by state borders, which serve to monopolize and concentrate resources. Citizenship in a given state is seen as an arbitrary birthright that ought to be compensated for, either by requiring wealthy states to pay a global tax to poorer ones or by opening borders.

On the other hand, when adopting an internal perspective within states, they identify privileged individuals who hold citizenship status and others who are unjustly excluded from it. The solution to the plight of these individuals, such as resident foreigners, lies in their full integration into the political community through the acquisition of citizenship.

Both perspectives presuppose a clear demarcation between *the excluded* and *the included*. The proposed remedy to this injustice is the removal of obstacles preventing migrants or disadvantaged individuals from becoming citizens of the state of their choosing. However, there are reasons to question the adequacy of this framework. What follows offers a brief outline of an alternative approach to these issues.

There is an extensive body of literature on the complex structural transformations driven by contemporary globalization. This scholarship not only challenges the image of a world composed of self-sufficient states, a hallmark of methodological nationalism (Sager, 2016), but also critiques the “naïve post-world ‘borderless’ world” envisioned by cosmopolitans and globalization apologists (Johnson et al., 2011: 61). The widening, deepening, and acceleration of interconnections associated with globalization have led to the emergence of new forms of organization, resulting in novel assemblages of economic and social power and in complex and fluid territorial configurations in which the centrality of the nation-state can no longer be taken for granted (Sassen, 2015; Yuval-Davis et al., 2019: 9-18). It is therefore necessary to reconsider the

adequacy of the traditional conception of borders, as “one of the key characteristics of current globalizing processes lies in the continuous reshaping of different geographical scales, which can no longer be taken for granted in their stability” (Mezzadra and Neilson, 2013: 63).

As striking as the spectacle and symbolic weight of walled borders may be, proliferating as echoes of the rising nationalism of our time (Brown, 2010), recent border studies emphasize the need to shift the conceptualization of borders “from seeing them as operating on the margins of the state and society to considering them major constitutive features of contemporary social, economic, and political dynamics” (Yuval-Davis et al., 2019: 161). Rather than being confined to the peripheries, states now implement policies of “everyday bordering” whereby “any place has become a borderland; and borderlands can no longer be determined exclusively in relation to specific territories and states” (id., 17).

There is no doubt that one of the driving forces behind the current form of globalization has been neoliberal ideology, guided by the logic of maximum capital concentration (Harvey, 2007). Not only the market but also politics and the identities of social agents are expected to be governed by the principles of competition and entrepreneurship. In this context, the state has emerged as a fundamental actor, a necessary collaborator in creating the flexibility demanded by globalization (Sassen, 2007; Mezzadra and Neilson, 2013). On the one hand, “in this neoliberal restructuring of capitalism, the role of the state is no longer that of the basic unit for the accumulation of capital, trade, and investment” (Yuval-Davis et al., 2019: 12). On the other hand, bordering processes function as vital regulatory mechanisms for shaping the multiple and flexible subjects that constitute the labor force of globalized capitalism (Mezzadra and Neilson, 2013: 87-93).

This transformation of capitalist dynamics has been enabled by increased mobility, the diversification of individuals’ legal statuses to maximize their productive potential and flexibility, and the fragmentation of states into zones with special regulations designed to enhance their economic potential by linking them to supranational networks (Sassen, 2017; Ong, 2006). These shifts generate a geography characterized by multiple spatialities and temporalities, disrupting the previously presumed unity of the nation-state and any singular, simple sense of place (Harvey, 2009).

For all these reasons, the narrative presented by liberal cosmopolitan theorists offers an overly simplistic account of borders, one that remains framed within the terms of methodological nationalism (Sager, 2018; Yuval-Davis et al., 2019: 18-24). In contrast to this discourse—which envisions a collective of the excluded (whether due to rigid borderlines, the monopolization of opportunities and resources by certain nations, or the denial of membership status) to whom justice primarily owes inclusion—, elsewhere, I have argued that the concept of adverse incorporation may provide a more adequate lens for addressing the structural complexities of our globalizing world (Blanco Brotons, 2021). From the perspective of the so-called “excluded,” the very notion of exclusion “has little meaning: they are still very much included” (Bracking, 2003: 7). *Irregular* migrants, often cited as a paradigmatic example of exclusion, are, in fact, essential to meeting the demand for flexible labor in global capitalism. The legal production of illegality, which is often assumed to be one of the most extreme forms of *exclusion*, actually functions as an active process of inclusion designed to subordinate their labor (De Genova, 2015: 5).

Other social categories, such as those related to racism and sexism, also play a role in this process. Just like the mechanisms that produce the illegality of migrants, “racism is meant to keep people inside the work system, not eject them from it, so sexism intends the same” (Balibar & Wallerstein, 1991: 34). Thus, we conclude by highlighting yet another similarity between citizenship, gender, and race, though now from a completely different analytical framework than that of liberal cosmopolitan theorists.

It is undoubtedly a constitutive necessity of the democratic state to define the *demos*, the body of citizens upon whom sovereign self-determination rests (Benhabib, 2004: 1-3). Given the requirements for the development of a meaningful democratic politics, it appears to be a legitimate sociopolitical concern to establish criteria for membership in this collective, criteria that not everyone can fulfil. It is not correct to assume that addressing the injustices faced by migrants necessarily requires their *citizenization*, as such a perspective overlooks the reality of migrants, possibly the majority, who do not seek full adhesion (Mezzadra, 2005: 117).

Such criteria, however, are highly controversial and reflect “the political, economic, social, cultural, and security interests linked in various ways to the states’ and supra-states’ governance” (Yuval-Davis et al., 2019: 6). Some of these criteria have been shaped by the fallacy of nationalism analyzed above, while others respond more directly to the economic interests of neoliberal capitalism, in which sexism and racism are not incidental. In our world, citizenship and

other legal statuses, as well as the multiple bordering processes, are merely components of a complex global system. To address the intricate injustices generated by these mechanisms, it is essential to consider specific contexts while simultaneously maintaining an awareness of global complexity, avoiding simplistic narratives, generalized normative shortcuts, and magic solutions that purport to resolve, once and for all, *the basic* injustice faced by heterogeneous groups.

The conclusion of this third section, therefore, is that condition (ii) of the definition from which we began is likewise not easily applicable to the concept of citizenship. This condition established subordination (in the case of women or racialized individuals) or privilege (in the case of men and non-racialized individuals) as a *constitutive* feature of gender or race. Such a *constitutive* relation of subordination/privilege is not found in the case of citizenship. We do, however, find a *contextual social construction* of citizenship within contemporary global capitalism, according to which citizenship has undoubtedly become a significant factor of subordination and privilege, with far-reaching consequences for contemporary mechanisms of exploitation and domination. Thus, while subordination in the present world occurs in relation to citizenship as well as to gender and race, in the former case it is due to contextual factors, whereas in the latter it is due to both contextual and constitutive factors. For this reason, while it may be possible to envision and struggle for a world in which citizenship no longer functions as a source of subordination, the same cannot be said for gender or race.

## CONCLUSION

This article has critically examined the liberal cosmopolitan tendency to equate citizenship with gender and race under the assumption that all three are morally arbitrary features that should be disregarded when theorizing about justice. By engaging in a detailed analysis through the lens of social ontology, particularly via Haslanger's conceptual model of gender and race, the article has demonstrated that such an equation is both analytically inadequate and politically problematic. While all three concepts are socially constructed and play significant roles in shaping structural inequalities, their modes of construction and the types of injustices they sustain differ in essential ways.

The first conclusion relates to condition (i) in Haslanger's definition of gender and race, which emphasizes the misattribution of natural traits to justify

social roles, a dynamic central to the critique of gender and race. Citizenship, however, does not rely on bodily features or presumed biological essences. Instead, it is grounded in legal and political structures, and its social construction lacks the same justificatory link to supposed natural differences. Attempts to assimilate citizenship to the nation, especially through nationalist or ethnonationalist ideologies, do attempt to forge such a link. But these efforts are ideologically grounded and serve to obscure the political nature of citizenship in favor of imagined natural affinities. Therefore, condition (i) of Haslanger's model does not easily apply to the notion of citizenship.

The second conclusion concerns condition (ii), which posits a constitutive relation of subordination or privilege in the very definition of gender and race. These concepts necessarily imply a dialectical relationship: the subordination of one group is intrinsically tied to the privilege of another. Citizenship, by contrast, does not exhibit this same structure. Although inequalities certainly exist between citizens and non-citizens, these are not constitutive of the concept itself but are rather contextual products of its application within a broader sociopolitical and economic framework—global capitalism and its regimes of labor, migration, and border control. Thus, while citizenship may function as a mechanism of subordination in our global capitalist context, and as an important tool, among others, for adverse incorporation, such outcomes are not constitutive of its conceptual core. Accordingly, condition (ii) is not met in the case of citizenship either. Unlike gender and race, which are constitutively tied to hierarchies, citizenship retains the potential, under the right conditions, to function as a site for meaningful democratic politics not necessarily tied to subordination and privilege.

Consequently, the general conclusion we can draw from the above analyses is that the liberal cosmopolitan strategy of treating citizenship, gender, and race as functionally equivalent for the purposes of theorizing justice is deeply flawed. Such an approach fails to appreciate the specific ontological and normative features of each concept, leading to oversimplified analyses that obscure rather than illuminate the dynamics of injustice. A more nuanced and context-sensitive analysis is needed, one that acknowledges both the constructed nature of social categories and the particular ways in which they generate and sustain unequal power relations. Only then can we effectively theorize and fight against injustices embedded in our contemporary world.

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