



Migrant Citizenship: Natural Rights, Law and Exclusion

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Executive Summary

The source of citizenship is disputed in Western political thought. Natural-law traditions present some rights as prior to government, while positive law treats citizenship as a status created and recognised by the state.

For migrants, the difference is decisive. A person may possess universal human dignity yet still lack residence, political membership or protection against removal. This report traces that tension from early natural-law theology to modern denaturalisation powers, religious exclusion, weighted voting and speculative questions about rights beyond Earth.

Core conclusion: human dignity may be universal, but enforceable citizenship remains dependent on legal recognition, institutional protection and political membership.

1. Natural Law and the Early Universalist Tradition

1.1 Francisco de Vitoria and the Law of Nations

Francisco de Vitoria, writing in the sixteenth-century Salamanca tradition, argued that humanity shared a common moral order grounded in natural law. He developed an early account of the law of nations in response to Spanish expansion into the Americas.

- Foreigners could travel and communicate where they caused no injury.
- Peaceful visitors should not be expelled without cause.
- Trade and religious communication were treated as aspects of a wider human community.
- These rights were presented as arising from reason and the common origin of humanity.

Vitoria's theory was universalist in language but deeply ambiguous in practice. The same doctrine could be used to defend indigenous rights or to justify colonial intervention when indigenous peoples resisted Spanish entry.

A universal right can become an instrument of domination when the stronger party defines what counts as peaceful exchange, reason or civilisation.

1.2 The Limits of Theological Universalism

Natural-law arguments offered a moral basis for protecting strangers, but they did not create modern citizenship. They supported duties of hospitality and communication rather than an unconditional right to settle, vote or govern.

- Moral equality did not automatically produce equal political membership.
- The right to visit was often stronger than the right to remain.
- Universalism was frequently applied through European standards of religion and reason.

For first-generation migrants, this distinction remains important: a state may owe humane treatment to every person while still controlling admission and naturalisation.

2. Kant and Cosmopolitan Hospitality

Immanuel Kant secularised the idea of shared humanity in Perpetual Peace. His cosmopolitan right was based on the fact that human beings share the finite surface of the Earth.

- A stranger should not be treated with hostility merely for arriving.
- The right of visit protects peaceful contact and communication.
- A permanent right of residence requires agreement or lawful permission.
- Hospitality is therefore limited and juridical, not an unlimited duty of settlement.

Kant's distinction between a right of visit and a right of residence remains visible in modern asylum, border and immigration law. It protects a minimum status for the stranger without eliminating state control over membership.

3. Hannah Arendt and the Right to Have Rights

The mass statelessness of the twentieth century exposed the weakness of rights that exist only in theory. Hannah Arendt argued that people who lost political membership also lost the institutional setting in which rights could be claimed.

- Human rights were proclaimed as universal but enforced through states.
- Stateless people often lacked access to courts, work, movement and political voice.
- Citizenship became the practical 'right to have rights'.
- The refugee camp demonstrated the gap between moral humanity and legal protection.

Arendt's argument does not deny universal dignity. It shows that dignity without membership can be politically ineffective.

4. Religion as a Boundary of Citizenship

4.1 The Moriscos and the Failure of Forced Assimilation

The Moriscos were descendants of Muslims compelled to convert to Christianity in Spain. By the early seventeenth century they were formally Christian subjects, yet were still treated as permanently suspect.

- Their religious sincerity was questioned.
- Arabic language, dress, food and bathing customs were treated as evidence of non-integration.
- They were portrayed as a security threat and possible fifth column.
- Ideas of *limpieza de sangre* converted religious ancestry into a hereditary social stigma.

Between 1609 and 1614, roughly 300,000 Moriscos were expelled. The case shows that formal conversion and legal subjecthood did not protect a group once cultural difference was interpreted as permanent disloyalty.

4.2 The Syllabus of Errors and Religious Exclusivity

In 1864, the Catholic Syllabus of Errors condemned several propositions associated with religious pluralism and liberal constitutionalism.

- It rejected the idea that Catholicism should cease to hold a privileged public position.
- It criticised legal tolerance of non-Catholic public worship in Catholic states.
- It reflected a model in which political order and religious truth were closely connected.

This was not the only Christian position, but it demonstrates that equal citizenship across faiths was historically contested rather than inevitable.

4.3 Vatican II and the Modern Turn

The Second Vatican Council marked a major change. *Nostra Aetate* recognised truth and holiness in other religions and called for a new relationship with Jews, Muslims and other faith communities.

- Religious difference was no longer treated as automatic civic disloyalty.
- Christian democratic politics increasingly framed itself around broad ethical values rather than confessional exclusion.
- The shift helped align religious thought with post-war human-rights norms.

Even so, modern cultural-integration requirements can sometimes reproduce older religious boundaries in secular language.

5. The Construction of Unequal Citizenship

5.1 The Term 'Second-Class Citizen'

The phrase 'second-class citizen' became prominent in the United States during the 1940s, especially in criticism of the contradiction between military service abroad and racial segregation at home.

- The person is formally a citizen.
- The citizen performs duties such as taxation or military service.
- Rights and opportunities remain systematically inferior.
- The term is descriptive and political rather than a formal legal category.

Its logic is older than the phrase. Roman citizenship without suffrage, colonial subjecthood and religious hierarchy all created graded membership.

5.2 The Prussian Three-Class Franchise

From 1849 to 1918, Prussia divided voters into three tax classes. Each class selected an equal number of electors even though the third class contained the overwhelming majority of voters.

- The wealthiest taxpayers formed the first class.
- Middle taxpayers formed the second class.

- Most ordinary voters formed the third class.
- By 1913, a first-class vote could carry many times the weight of a third-class vote.

The system openly linked political worth to economic contribution.

5.3 Belgian Plural Voting

Belgium introduced universal male suffrage in 1893 but gave additional votes to some men on the basis of property, family status, education or savings.

- Every qualifying man received one vote.
- Property or household status could add another vote.
- Higher education or capital could add further voting power.

Plural voting preserved elite control while formally conceding mass participation.

5.4 British University Constituencies

Until the mid-twentieth century, some university graduates could vote both in their residential constituency and in a university constituency.

The arrangement reflected the belief that educated elites deserved additional political representation. It was abolished as equal suffrage became the dominant norm.

6. Religious Institutions and Voting Equality

Religious governance also shows competing models of equality.

- Papal conclaves use one vote per cardinal, with a supermajority requirement.
 - Presbyterian systems developed representative forms of church government.
 - Some historical congregations linked standing or influence to financial contribution or pew ownership.
- These examples show that religious institutions can support both equal deliberation and status-based participation.

7. Modern Denaturalisation and Conditional Citizenship

7.1 Denmark and the Requirement of Connection

Denmark has used citizenship rules that require some citizens born and resident abroad to demonstrate a sufficient connection before a specified age or risk losing nationality, subject to safeguards against statelessness.

Danish courts have also considered deprivation of citizenship in serious national-security cases involving dual nationals.

- The state treats citizenship as connected to residence, loyalty and social attachment.
- Dual nationality makes deprivation legally easier because statelessness can be avoided.
- The result is unequal security between sole nationals and dual nationals.

Such cases are usually framed around security rather than ordinary cultural difference, but they reinforce the idea that citizenship can be conditional for some people.

7.2 United States Denaturalisation

United States law has long permitted denaturalisation where citizenship was obtained through fraud or material misrepresentation.

- Early twentieth-century enforcement sometimes targeted political radicals.
- Racial eligibility rules historically excluded Asian migrants from naturalisation.
- Modern programmes have used archival and biometric records to identify alleged fraud.

Fraud-based denaturalisation can be legitimate, but broad or politically selective enforcement can create insecurity among naturalised citizens.

7.3 The Wider European Trend

Several European states expanded citizenship-deprivation powers in response to terrorism and national-security concerns.

- The powers often apply most readily to dual nationals.
- The legal threshold varies by country.
- The expansion risks creating two levels of citizenship security.

The central concern is whether citizenship is a permanent status of equality or a revocable reward for good conduct.

8. Comparative Framework

Country or period	Target group	Mechanism	Underlying logic
Spain, 1609-1614	Moriscos	Collective expulsion and property loss	Religious and cultural exclusion
Prussia, 1849-1918	Lower taxpayers	Tax-weighted electoral power	Economic contribution determines political weight
Belgium, 1893-1919	Ordinary male voters	Plural voting	Education, property and family status justify extra

			votes
United States, early 20th century	Radicals and racially excluded migrants	Denaturalisation and eligibility rules	Ideological and racial fitness
Denmark, modern period	Some dual nationals and citizens abroad	Loss or deprivation of nationality	Connection, loyalty and security

9. The Legal and Moral Limits of Exclusion

- Human rights should protect every person regardless of citizenship.
- Political membership can lawfully require residence, good character and allegiance.
- Citizenship deprivation should be narrow, evidence-based and independently reviewed.
- No person should be rendered stateless arbitrarily.
- Naturalised and birth citizens should not be treated as fundamentally different political classes.
- Cultural difference must not be treated as proof of disloyalty.
- Criminal conduct should normally be addressed through criminal law rather than civic banishment.

A democratic state has legitimate security interests, but those interests should not convert citizenship into a permanently probationary status for migrants.

10. From Earthly Strangers to Cosmic Others

The source report extends the argument beyond Earth. If rights arise from universal reason, divine creation or conscious personhood, would they apply to extraterrestrial intelligence?

- Jewish and Christian thinkers have considered the possibility that creation is not limited to Earth.
- Some theologians argue that rational extraterrestrial beings would possess moral status.
- C.S. Lewis speculated that different worlds might have different relationships to fall and redemption.
- Modern Catholic discussion has generally treated extraterrestrial life as compatible with belief in God.

The question is not merely theological. It tests whether human rights are truly universal or only protections for members of a familiar species and civilisation.

10.1 The Omega Point and the Risk of Cosmic Hierarchy

Teilhard de Chardin's noosphere and Omega Point described consciousness as moving toward higher unity. Later technological interpretations imagined intelligence expanding through the cosmos.

Such visions can inspire cooperation, but they also contain a danger: a civilisation that sees itself as the chosen vehicle of cosmic progress may justify domination of other forms of life.

The history of colonial universalism warns that a claimed mission to civilise, save or advance the universe can become a reason to deny the rights of others.

11. Principles for Secure and Equal Citizenship

- Treat human dignity as universal and citizenship as a legal status that must be administered fairly.
- Provide a realistic path from long-term lawful residence to secure membership.
- Ensure naturalised citizens enjoy security broadly comparable to citizens by birth.
- Restrict deprivation to exceptional circumstances with full due process.
- Do not equate religion, culture or dual nationality with disloyalty.
- Reject tax-weighted, property-weighted or education-weighted voting.
- Use criminal law against wrongdoing rather than collective civic exclusion.

- Prepare future space law around moral status and rights, not human ownership alone.

FIXNZ principle: a democratic state may control admission, but once it grants citizenship it should not create a permanently conditional class of citizens.

Conclusion

Western political thought has often described rights as natural, universal or divinely grounded. Yet citizenship has always depended on law, institutions and state recognition.

History shows repeated gaps between universal language and exclusionary practice: religious hierarchy, forced assimilation, weighted voting, racial eligibility and modern denaturalisation.

The democratic challenge is to preserve the legitimate authority of states without allowing membership to become a tool of inherited hierarchy, collective punishment or permanent insecurity.

References and Source Notes

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2. Immanuel Kant, Perpetual Peace and scholarship on cosmopolitan hospitality.
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4. Giorgio Agamben and scholarship on bare life and political membership.
5. Historical research on the Moriscos and their expulsion from Spain.
6. Pope Pius IX, Syllabus of Errors.
7. Second Vatican Council, Nostra Aetate.
8. Research on the Prussian three-class franchise and Belgian plural voting.
9. Historical material on British university constituencies.
10. Comparative citizenship law concerning denaturalisation, dual nationality and statelessness.
11. Theological and philosophical literature concerning extraterrestrial life, the noosphere and the Omega Point.
12. The Chinese-language source edition from which this English publication was translated and editorially reconstructed.

Editorial Note

This English edition preserves the source report's natural-law, theological, historical, electoral and citizenship-law analysis. Potentially inflammatory claims have been clarified through institutional language rather than removed. Historical religious and ethnic classifications are described for analysis only. No identifiable living person is accused of misconduct. Time-sensitive nationality law must be checked against current primary sources before republication.