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ARTICLE

Citizenship as a Tool of Inclusion and Exclusion: A Constructivist Perspective 3

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Abstract

This article examines citizenship through a constructivist lens, arguing that it is not merely a legal status or a set of rights but a dynamic and contested social construct shaped by power, identity, and exclusionary practices. By analysing the constructed boundaries of inclusion and exclusion, the article explores how states determine who belongs and who does not—often reinforcing social hierarchies, nationalism, and statelessness. Through the illustrative case of the Rohingya in Myanmar, it shows how citizenship becomes a tool for marginalization and control. The article also critically evaluates emerging challenges in the 21st century, such as dual citizenship, climate displacement, and post-national forms of belonging, emphasizing the need to rethink citizenship beyond static legal frameworks.

Keywords: citizenship, constructivism, inclusion, exclusion, Rohingya, Myanmar, Rakhine state

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Introduction

Citizenship, long regarded as the cornerstone of modern political belonging and a marker of legal recognition, is often assumed to be a stable and neutral legal status conferred by the state. However, this assumption obscures its deeply political, historically contingent, and socially constructed nature. This article critically interrogates citizenship not as a fixed juridico-legal category but as a dynamic and contested social construct. Drawing on constructivist approaches in political theory and international relations, I argue that citizenship operates simultaneously as a mechanism of inclusion and exclusion—facilitating rights, recognition, and belonging for some, while systematically denying the same to others. It is through its boundary-making capacities—drawing lines around who belongs and who does not—that citizenship becomes a powerful tool of governance, identity formation, and social stratification.

The constructivist perspective challenges essentialist understandings of citizenship as a naturally occurring or universally applicable status. Instead it foregrounds the ways in which citizenship is discursively, legally, and institutionally produced. Constructivist scholars have emphasized that political communities do not merely emerge from shared histories or ethno-national identities; they are imagined and reimagined through language, institutional practices, and collective narratives (Anderson, 1983; Brubaker, 1992). Citizenship, from this viewpoint, is a site of continuous negotiation and contestation, shaped by evolving sociopolitical norms, geopolitical interests, and ideational forces. It is embedded within regimes of power that define the contours of inclusion and exclusion, producing subjects who are rendered either legible or invisible in the eyes of the state. While constructivist perspectives are indeed well established in both political science and sociology, claims to stability and neutrality in citizenship are still prevalent in classical and legal-formalist accounts. For example, Marshall and Bottomore (1992) conceptualized citizenship as a linear expansion of rights, often presuming its neutrality as a status, while legal positivist approaches (e.g., Bosniak, 2006) have treated citizenship primarily as a juridical category. My emphasis on constructivism here is not to suggest its absence in the field but to highlight how its insights remain underutilized in dominant legal and state-centric analyses.

This approach also recognizes that the construction of citizenship is never neutral. It involves normative decisions about who is deemed worthy of membership and whose presence constitutes a threat. These decisions are often racialized, gendered, and classed. As Isin (2002) argues, citizenship is as much about acts of citizenship—wherein marginalized actors claim rights or resist exclusion—as it is about formal membership. The 'citizen' is not merely born into the state but is constantly being made and unmade through legal, cultural, and political processes, thus the inclusion of some necessarily implies the exclusion of others—a logic starkly visible in contemporary practices of statelessness, revocation of citizenship, and differential access to rights based on migration status.

Importantly, the stakes of how citizenship is constructed and enacted are high. Citizenship determines access to a range of rights and entitlements, from voting to healthcare, from education to mobility. It is also central to processes of identity recognition and belonging, shaping how individuals understand their place within the nation state and how they are perceived by others. In multicultural democracies, for instance, citizenship policies often function as a gatekeeping mechanism to regulate diversity, selectively integrating some while marginalizing others (Bloemraad, 2006; Kymlicka, 1995). Similarly, in authoritarian or exclusionary regimes, citizenship laws can be used to strip dissenters of legal protections or to disenfranchise minorities, thereby consolidating majoritarian rule (Macklin, 2014; Shachar, 2009).

The contemporary global landscape further illustrates how citizenship is being instrumentalized as a policy tool. The proliferation of dual citizenship regimes, investor citizenship schemes, and selective naturalization policies demonstrates how citizenship has become entangled with global capitalism and strategic governance. At the same time, the tightening of citizenship eligibility, the criminalization of undocumented migration, and the rise of nationalist-populist regimes underscore the resurgence of exclusionary politics of belonging

(Harpaz & Mateos, 2019; Joppke, 2010). These trends call for a deeper, critical analysis of citizenship that accounts for its constructed and performative dimensions.

This article engages with this analytical imperative by situating citizenship within a constructivist framework. It seeks to unpack the mechanisms—discursive, institutional, and legal—through which citizenship is produced and reproduced. Special attention will be paid to the ways in which citizenship acts as a technology of power that governs populations by regulating access to rights, resources, and identity claims. It will examine how states use citizenship laws both to create insiders and expel outsiders, how international norms shape national citizenship practices, and how non-citizens resist or reconfigure these constructions through everyday practices and legal mobilization.

The article aims to foreground the paradox of citizenship: that while it promises equality and inclusion, it often operates as a vehicle of inequality and exclusion. This article contributes to the growing literature that seeks to decentre normative, state-centric accounts of citizenship and to expose the contingent, contested, and power-laden processes that underpin its formation.

Theoretical Foundations

What Is Constructivism?

Constructivism, broadly speaking, refers to a family of theoretical approaches in the social sciences that emphasize the socially constructed nature of reality. In political science and international relations (IR), constructivism emerged in the late 20th century as a response to the dominant rationalist paradigms of realism and liberalism, which tended to view state behaviour as primarily driven by material interests and fixed preferences. Constructivist scholars such as Wendt (1992, 1999), Finnemore (1996), and Checkel (1998) argued instead that political actors and their interests are not given *a priori* but are shaped through social interaction, norms, and shared understandings.

At its core, constructivism posits that many fundamental aspects of international and domestic political life—including sovereignty, statehood, identity, and citizenship—are not ontologically fixed but are constituted through language, social practices, and institutional norms (Adler, 1997). Wendt's oft-cited assertion that 'anarchy is what states make of it' (1992) epitomizes this view: the international system is not determined solely by structural constraints but is continually reshaped through intersubjective meanings and practices. This ontological position opens a powerful space for interrogating categories like citizenship, not as static or universal legal statuses but as historically contingent constructs embedded in particular discursive, legal, and normative orders.

As Bloemraad (2017) argues, citizenship should not be understood solely as a legal status or a bundle of rights but as a powerful practice of claims-making through which individuals and groups negotiate belonging, recognition, and equality. This perspective resonates strongly with the constructivist approach advanced in this article. By emphasizing how actors mobilize citizenship discursively and performatively, Bloemraad highlights the ways in which marginalized populations can assert agency even in contexts of exclusion. Such an understanding complements my argument that citizenship functions simultaneously as inclusion and exclusion: it is constructed not only through state-driven legal and symbolic boundaries but also through the everyday practices of those who seek to expand its scope. Claims-making thus illuminates how citizenship remains a dynamic and contested institution, shaped both from above by state power and from below by societal struggles for recognition.

From this perspective, norms—shared expectations about appropriate behaviour—are key mechanisms through which social reality is constituted. As Finnemore and Sikkink (1998) argue, norms do not simply

constrain behaviour; they help to constitute actors' identities and interests. Citizenship, then, is not merely a technical-legal designation bestowed by the state; it is a normative framework that encodes values about belonging, participation, and hierarchy. It is through socialization into these norms, and through the institutionalization of particular legal and symbolic boundaries, that individuals come to be recognized—or denied recognition—as citizens.

Constructivist scholars are particularly attentive to the role of discourse and performativity in producing political realities. As Roxanne Doty (1996) and Jennifer Milliken (1999) have shown, political categories are not merely reflected in language but are constituted through it. Discourses of nationalism, sovereignty, and civilization, for example, help to delineate who is imagined as part of the political community and who is constructed as alien or dangerous. In this way, constructivism foregrounds the symbolic and representational dimensions of politics, emphasizing how power operates not only through coercion or law but also through meaning–making.

Constructivist Approaches to Citizenship

The application of constructivist theory to the study of citizenship reveals its utility in exposing the contingent, contested, and performative nature of political membership. Traditionally, citizenship has been conceptualized in legal-formalist terms—as a status conferred by the state upon individuals who meet certain legal criteria (Bosniak, 2006; Marshall & Bottomore, 1992). Alternatively, some approaches have treated citizenship instrumentally, focusing on the benefits and entitlements it confers. While these perspectives capture important dimensions of citizenship, they tend to treat it as a fixed, state-centric, and binary category. I acknowledge that scholars such as Bloemraad (2017) and Isin (2009) have already demonstrated the socially contingent and performative character of citizenship. This article builds on such work while contextualizing constructivism specifically as a lens for examining contemporary exclusionary and inclusionary practices.

Constructivist approaches challenge these assumptions by viewing citizenship as a historically produced and socially embedded practice that reflects and reproduces power relations. Rather than treating citizenship as a neutral legal status, constructivists analyse how it emerges from—and in turn shapes—narratives of nationhood, cultural homogeneity, and political legitimacy. Citizenship is thus understood as a construct that delineates insiders from outsiders, distinguishing between deserving and undeserving subjects as well as loyal and suspect populations (Brubaker, 1992; Shachar, 2009).

A key contribution of constructivism to citizenship studies is the attention it pays to symbolic boundaries—the cultural and moral lines that distinguish members from non-members of a political community (Lamont & Molnár, 2002). These boundaries are often grounded in historical narratives, myths of origin, and discourses of shared values or ethnic descent. For instance, the citizenship regimes of many European states have historically privileged ethnic or blood-based criteria (*jus sanguinis*), reflecting narratives of cultural continuity and ethno-national identity (Kochenov, 2009). Conversely, settler societies like the United States or Canada have embraced civic or territorial logics (*jus soli*), but these too are embedded in exclusionary practices tied to colonialism, racial hierarchy, and assimilationist state projects (Mawani, 2018; Thobani, 2007).

The performative and dynamic nature of citizenship has also been a central concern of constructivist scholars. Isin's (2009) notion shifts attention from formal legal status to the practices through which individuals claim rights, contest exclusion, and enact belonging. This approach decentres the state and instead focuses on how citizenship is co-constituted from below, often through acts of resistance, migration, protest, or legal mobilization. Isin's work, along with that of Nyers (2004), foregrounds the agency of non-citizens and marginalized actors in redefining the meanings and practices of citizenship. These scholars challenge the conventional view that citizenship is something granted by states and suggest instead that it is something that is performed, negotiated, and claimed.

Another important dimension constructivist approaches bring to citizenship is temporal and spatial contingency. Citizenship is not a stable or universal institution; it evolves over time and varies across contexts. For example, in postcolonial states, citizenship has often been shaped by struggles over indigeneity, national identity, and the legacies of colonial rule (Mamdani, 1996; Sharma, 2020). In authoritarian regimes, citizenship is sometimes used as a tool of political control, whereby dissenters or ethnic minorities can be stripped of their legal membership to suppress opposition or enforce homogeneity (Macklin, 2014). These examples show how citizenship, far from being a universal or neutral good, can serve as a potent instrument of statecraft and identity politics.

Constructivist approaches also draw attention to the global and transnational dimensions of citizenship. In an era of increased human mobility, dual citizenship, and statelessness, the rigid boundaries of national membership are increasingly contested. Harpaz (2019), for example, shows how elites in countries like Israel, Mexico, and Serbia strategically acquire additional citizenships for purposes of mobility, security, or economic advantage—a phenomenon he calls 'strategic citizenship'. Conversely, millions of refugees and undocumented migrants live without citizenship or under precarious legal regimes, illustrating the uneven distribution of political rights and protections in the global system (Gibney, 2011; Nash, 2009). This unevenness is even more pronounced in post-colonial and Global South contexts where legacies of colonial citizenship regimes continue to shape access to rights and belonging. Scholars such as Chowdhory (2018), emphasizes how post-colonial states operationalize citizenship as a political tool to include or exclude ethno-religious minorities and displaced communities, often with little recourse to transnational legal protections. Constructivism, with its focus on norms, discourses, and institutional change, is particularly well suited to analyse these developments and their implications for global justice.

Constructivist approaches reconceptualize citizenship as a historically produced, socially embedded, and performatively enacted category. They illuminate how citizenship is constituted through discourses of nationhood, institutions of law and governance, and practices of exclusion and resistance. By foregrounding the normative and symbolic dimensions of citizenship, constructivist scholars expose its role not merely as a legal status but as a technology of power that shapes who counts as a political subject and on what terms.

This theoretical lens is particularly valuable in the contemporary era, where citizenship is increasingly weaponized—revoked for security reasons, denied to minority populations, or commodified through investment schemes. Constructivist approaches enable scholars to unpack the socio-political logics behind these practices and to critically engage with the ethical, legal, and existential stakes involved in belonging and exclusion. As I argue, only by understanding the socially constructed nature of citizenship can we begin to imagine more inclusive and democratic alternatives.

Goodman and Wright (2015) argue that while mandatory civic integration policies are often justified in functionalist terms, as tools to promote civic skills, language proficiency, and social participation of immigrants, they more often function symbolically and as gatekeeping devices rather than producing significant long-term integration gains. From a constructivist vantage, this suggests that citizenship regimes are not neutral facilitators of inclusion but active discursive and bureaucratic instruments that shape who is allowed inside and who remains at the margins. This aligns with the argument that citizenship boundaries are socially constructed, and that inclusionary rhetoric can mask exclusionary practices.

However, if civic integration requirements have little measurable effect on social or political integration of immigrants, this raises questions about the assumed agency of migrants in claims-making. It forces us to interrogate whether claims to citizenship or belonging can succeed in contexts structured by powerful bureaucratic practices and symbolic barriers. In this way, Goodman and colleagues underscore the power asymmetries inherent in citizenship as a social technology (Borevi et al., 2017; Goodman & Wright, 2015).

Turning to the work of Bilodeau, Simonsen, and Bonikowski, their analyses of civic conceptions of citizenship highlight the exclusionary potentials embedded in citizenship as symbolic and normative identity. Simonsen (2017), for instance, shows how citizenship policies do more than simply confer rights; they send 'policy signals' that affect immigrants' perceptions of belonging. Yet her analysis indicates that strict civic requirements may not necessarily strengthen immigrants' sense of belonging; they may instead signal boundaries, reinforcing exclusion for those who do not meet formal criteria or who perceive themselves as not fully accepted. This emphasis on symbolic exclusion complements a constructivist focus on how citizenship is performed and contested, and illustrates how citizenship can produce layered forms of disavowal even as it purports to formalize inclusion (Bilodeau, 2008; Bonikowski, 2017).

On selective inclusion and second-generation immigrants, the work of Antonsich, Warikoo, Simonsen, and Midtbøen is particularly germane. Antonsich (2012) demonstrates that citizenship regimes often privilege first-generation migrants or those who meet particular cultural or civic criteria, while second-generation immigrants, especially those from minority or migrant backgrounds, may face continued boundary work. Warikoo (2016) similarly highlights how racialized second-generation groups encounter persistent exclusion despite formal citizenship or cultural assimilation, suggesting that legal membership alone does not erase symbolic or structural marginalization. Midtbøen's (2019) empirical contributions further substantiate this, showing that second-generation immigrants in European countries may internalize boundary-making discourses, affecting feelings of belonging and citizenship even when formal status is secured. These analyses reinforce the constructivist thesis that citizenship is not a static or once-and-for-all legal position but an ongoing site of contestation, where formal and informal, legal and symbolic processes interact.

The work of these scholars show how civic integration policies and civic conceptions of citizenship can reproduce exclusion, even when framed as inclusionary or integrative efforts, and how selective inclusion, particularly for second–generation immigrants, reveals the limits of formal membership in overcoming societal boundaries.

Citizenship as Inclusion: Frameworks, Practices, and Limits

Citizenship is conventionally celebrated as a vehicle for political inclusion, offering individuals a formal relationship with the state that confers rights, responsibilities, and recognition. In liberal democracies, citizenship is assumed to ensure equality before the law, access to public services, political participation, and social membership. However, while citizenship frameworks can—and often do—enable legal and sociopolitical inclusion, the processes through which they operate are far from neutral or egalitarian. Citizenship as inclusion is shaped by layered institutional arrangements, contested narratives of belonging, and differential practices that often reproduce hierarchies within the citizenry itself. Ong (2006) shows how neoliberal states selectively grant or deny citizenship rights depending on labour utility, creating 'zones of exception' that reinforce structural inequality.

Citizenship and Access to Rights

At its most fundamental level, citizenship provides the legal architecture for inclusion in a political community. It functions as a gateway to a host of rights: civil (e.g., freedom of expression and legal equality), political (e.g., voting and standing for office), and social (e.g., education, healthcare, and welfare). Marshall and Bottomore's (1992) influential schema of citizenship emphasized this progressive extension of rights across civil, political, and social domains, framing citizenship as a lynchpin of social integration and equity in the post-war welfare state. However, even in this classical framework, the promise of equal citizenship has been more aspirational than actual. Scholars have pointed to the ways in which access to citizenship rights is mediated by race, class, gender, and legal status (Bloemraad, 2006; Isin & Wood, 1999). For instance, naturalized citizens in many countries face legal or informal restrictions on their political participation, such as eligibility for certain offices or suspicion of dual loyalties. In the United States, the intersection of immigration enforcement and welfare policy has produced a stratified rights regime that limits the social inclusion of lawful permanent residents and mixed-status families (Motomura, 2014).

Moreover, citizenship often conditions access to state protection and human rights. Stateless persons and undocumented migrants may lack access to basic services and legal remedies, not due to their actions but because of their non-citizen status. This reinforces Arendt's (1951) argument that the 'right to have rights' depends on membership in a political community capable of enforcing them. Citizenship, in this sense, becomes a prerequisite for inclusion rather than an outcome of it—an exclusionary filter through which human rights are distributed.

In addition, welfare and migration regimes frequently adopt a 'tiered' approach to rights, granting different entitlements to different classes of citizens and residents. For example, neoliberal citizenship regimes often link inclusion to economic productivity, offering more secure status and benefits to highly skilled migrants while relegating low–skilled workers to temporary or precarious legal statuses (Anderson, 2013; Shachar, 2009). These practices reveal that even within the framework of formal legal membership, the experience of citizenship is uneven and hierarchical.

Narratives of Belonging

Beyond legal rights, citizenship entails symbolic and affective dimensions—what Anderson (1983) famously termed 'imagined communities'. Inclusion into these communities is often governed by dominant narratives that define who belongs and on what terms. These narratives are not static; they are shaped and disseminated through state institutions such as education systems, public ceremonies, and national media. They reproduce normative models of the ideal citizen—often racialized, gendered, and classed—and delimit the boundaries of the political community.

Civic nationalism, for instance, is frequently deployed as an inclusionary narrative that emphasizes shared values, commitment to constitutional principles, and allegiance to the state. In countries like Canada and the United States, multicultural civic narratives have facilitated the incorporation of diverse groups under a common political identity (Kymlicka, 1995). Citizenship tests, oaths of allegiance, and integration programmes reflect attempts to codify and perform this narrative.

However, such narratives often obscure deeper exclusions. While civic nationalism purports to be universal and inclusive, it frequently requires assimilation into dominant cultural norms and penalizes expressions of difference that challenge national unity. In France, for instance, the republican model of citizenship has historically marginalized religious and ethnic minorities by enforcing a rigid secularism that delegitimizes non-normative forms of belonging (Scott, 2007). Similarly, in post-colonial states, national identity narratives often marginalize ethnic or linguistic minorities whose histories do not align with dominant state-building projects (Mamdani, 1996). Belonging, however, is not limited to statist narratives. While states attempt to

codify national belonging through legal and symbolic instruments, non-statist forms of belonging—rooted in kinship, religious affiliation, ethnicity, transnational solidarities, and everyday practices—often provide marginalized communities with alternative sources of identity and recognition. These forms of non-statist belonging are crucial for stateless or precarious populations like the Rohingya (Ullah, 2016), who draw on shared histories, community memory, and religious networks to sustain social cohesion and moral claims to space and legitimacy even when formally excluded by the state (Chowdhory, 2018; Mavroudi, 2007). Thus belonging is negotiated at multiple scales—legal, affective, spatial, and symbolic—and citizenship must be examined not only as a statist category but also through the vernacular and affective practices of those on the margins.

The role of media in constructing inclusionary citizenship norms is also significant. National media often celebrate stories of 'model minorities' or 'successful immigrants', reinforcing notions of deservingness and contributing to the moral economy of citizenship (Nyers, 2004). These narratives can serve both to humanize and to discipline, those who conform to the ideal of the productive, law-abiding citizen are valorized, while others—particularly refugees, welfare recipients, or political dissidents—are constructed as problematic or undeserving (Tyler, 2013).

It is important to distinguish between state-centred approaches, which conceptualize citizenship as an instrument of state sovereignty and governance, and citizen-centred perspectives, which emphasize lived experiences, claims-making, and everyday acts of belonging. The latter foreground the agency of individuals and groups in shaping and contesting the meaning of citizenship, aligning closely with constructivist insights (Isin, 2009; Nyers, 2004).

Selective Inclusion and Conditional Belonging

While citizenship can be inclusionary, its practices are often selective, conditional, and stratified. Legal membership does not guarantee full social membership, rather it marks the beginning of a negotiated and often contested process of belonging. States routinely distinguish between different categories of citizens, creating hierarchies based on nativity, length of residence, ethnicity, or moral behaviour.

One common form of stratification is the distinction between native-born and naturalized citizens. In many jurisdictions, naturalized citizens face residual discrimination or limitations, including waiting periods for certain rights, additional scrutiny during security clearances, or vulnerability to denaturalization (Macklin, 2014). These legal asymmetries reflect deeper anxieties about loyalty, integration, and the boundaries of the national community.

Diaspora policies offer another example of selective inclusion. Some states extend citizenship or quasicitizenship rights to ethnically or culturally affiliated populations living abroad, while denying similar inclusion to resident non-citizens. For example, Hungary, India, and Israel have all established legal frameworks to incorporate diasporic populations into the national body politic through preferential naturalization or voting rights—often as part of broader nation-building strategies (Ragazzi, 2017; Waterbury, 2010). This form of 'external inclusion' contrasts sharply with the internal exclusion faced by long-settled minorities or stateless groups.

Even within refugee and asylum systems, the promise of inclusion is conditional and uneven. Legal recognition as a refugee does not automatically translate into full social or political inclusion. Many resettled refugees face barriers to employment, housing, language acquisition, and civic participation. Moreover, the precarity of legal status—such as temporary protection or subsidiary status—often inhibits integration, reinforcing marginality despite formal inclusion (Hyndman & Giles, 2011).

Importantly, the conditional nature of belonging is not only legal or institutional—it is also affective and relational. Belonging requires recognition not just from the state, but also from fellow citizens. Experiences of racism, Islamophobia, and xenophobia often signal to marginalized groups that their inclusion is partial or performative (Yuval-Davis, 2011). Thus the limits of inclusion are not only marked by legal barriers but also by societal attitudes, cultural representations, and everyday interactions. Intersectional perspectives further complicate these dynamics: race, gender, and class intersect to produce differentiated experiences of exclusion. For instance, Muslim women in India's Shaheen Bagh protests embodied both religious and gendered marginalization while simultaneously contesting exclusion through performative acts of citizenship (Kadiwal, 2021). Intersectionality thus helps reveal how multiple axes of identity shape access to citizenship.

Citizenship is frequently presented as a gateway to inclusion, yet this inclusion is mediated by frameworks that stratify rights, reproduce dominant narratives of belonging, and impose conditions on full membership. While citizenship can enable access to political participation and social protection, it can also reproduce inequality, both within and beyond formal legal categories. A constructivist approach to citizenship helps illuminate these tensions by exposing the historical, discursive, and institutional mechanisms through which inclusion is constructed and contested. The next section will explore how these same mechanisms also function to produce exclusion, highlighting the duality and paradox at the heart of modern citizenship regimes.

Citizenship as Exclusion: Legal, Symbolic, and Spatial Dimensions

While citizenship is often celebrated as the highest expression of political inclusion, it simultaneously functions as a potent mechanism of exclusion. The same legal and symbolic frameworks that confer rights and recognition to some also operate to deny, marginalize, and expel others. This duality is embedded in the architecture of modern nation states, which use citizenship not only to define membership but also to draw boundaries around access to rights, protection, and belonging. A constructivist perspective enables us to examine how exclusion is produced through discursive, legal, and spatial processes that reflect and reinforce broader systems of power, identity, and governance.

This section explores three interlinked dimensions of exclusion—legal, symbolic, and spatial—demonstrating how citizenship operates not merely through inclusionary practices but also through acts of denial, erasure, and bordering.

Legal Exclusion and Statelessness

The most direct and brutal form of exclusion is legal: the denial, deprivation, or revocation of citizenship status. Statelessness—the condition of not being recognized as a citizen by any state—is one of the most extreme outcomes of this legal exclusion, leaving individuals without the rights and protections associated with formal membership. Stateless persons are often denied access to education, healthcare, property ownership, legal employment, and political participation. Without documentation or nationality, their legal invisibility renders them exceptionally vulnerable to exploitation and abuse.

The plight of the Rohingya in Myanmar is among the most well-documented contemporary cases of state-engineered statelessness. Despite generations of residence in Rakhine State, the Rohingya have been excluded from Myanmar's citizenship laws since the 1982 Citizenship Act, which effectively redefined national belonging in ethno-Buddhist terms (Cheesman, 2017). This legal exclusion has been accompanied by violent displacement, institutionalized discrimination, and genocidal practices, demonstrating how the legal category of citizenship can be weaponized for ethno-nationalist ends. Similar patterns of institutionalized statelessness can be found across South Asia, where exclusionary citizenship regimes create 'liminal legalities' (Banerjee et al., 2018), pushing minority communities into zones of legal and political precarity. Recent scholarship by Ullah

et al. (2020) further illuminates the Rohingya crisis by analysing its historical, political, and media dimensions, including the vulnerabilities of refugee children. Their work underscores the urgency of comprehensive and compassionate interventions, reinforcing the claim that exclusionary citizenship regimes perpetuate multilayered harms.

Similarly, in the Dominican Republic, a 2013 Constitutional Tribunal ruling retroactively stripped citizenship from tens of thousands of Dominicans of Haitian descent, rendering them stateless (Amnesty International, 2015). The ruling did not merely reflect bureaucratic negligence but was part of a larger project of racialized nation-building, revealing how legal frameworks can be manipulated to redefine the boundaries of belonging.

Such practices of exclusion reflect what Arendt's (1951) idea that rights are only meaningful when guaranteed by a political community. When individuals are denied membership in such a community, they become legally non-persons, even if physically present within a territory. This condition is sustained by what Graeber (2012) and others have termed bureaucratic violence: the use of administrative processes—birth registration, residency permits, identity documentation—to deny recognition and erase people from the body politic systematically. Far from being impersonal or technocratic, such bureaucracies are deeply political instruments of control and exclusion.

Symbolic Exclusion and Racialized Belonging

Beyond legal exclusion, citizenship also operates on a symbolic level to construct hierarchies of belonging. Symbolic exclusion refers to the ways in which individuals or groups are nominally included in the legal category of citizenship but are denied full recognition as legitimate members of the national community. This exclusion is often racialized, gendered, and religiously coded, operating through cultural narratives, public discourse, and institutional practices.

Muslim minorities in India, particularly after the passage of the 2019 Citizenship Amendment Act (CAA), exemplify this dynamic. While the Act fast-tracks citizenship for non-Muslim refugees from neighbouring countries, it conspicuously excludes Muslims, signalling a shift toward an ethnoreligious conception of Indian citizenship (Ranjan & Mittal, 2023). When paired with the National Register of Citizens (NRC), the state's actions risk rendering Muslim citizens 'foreigners' within their own country—a condition of precarity and surveillance that undermines the equalizing promise of citizenship.

In the United States, African Americans have historically embodied the contradiction between formal citizenship and substantive belonging. Despite constitutional guarantees, Black Americans have been subjected to systemic disenfranchisement, racial terror, and economic marginalization. Du Bois's (1903) concept of 'double consciousness' captures this alienation—being both inside and outside the polity, formally included but perpetually excluded from full personhood. Khosravi (2008) demonstrates how undocumented individuals navigate a fragmented citizenship regime through embodied acts of resistance, exposing the violence of everyday bordering.

Legal scholars such as Shachar (2009) have called such individuals 'citizens by name', whose nominal status masks profound exclusion from the normative boundaries of the nation. These are citizens who possess passports but lack the cultural, racial, or political legitimacy accorded to the 'ideal citizen'. Symbolic exclusion thus reifies a moral hierarchy of membership, where whiteness, nativeness, or heteronormativity becomes the standard of full belonging.

Media and educational institutions further normalize symbolic exclusion by scripting national narratives that erase the histories and contributions of marginalized groups. In many countries, textbooks present sanitized or ethnocentric versions of history, and public ceremonies valorise majoritarian identities while ignoring

others. These cultural tools function as discursive boundaries, defining who 'we' are and implicitly who 'they' are—even when 'they' are legal citizens.

Spatial Exclusion and Bordering

Citizenship is also deeply spatial, enacted through practices of bordering that delineate not only national boundaries but also internal zones of inclusion and exclusion. While international borders have long served to demarcate who may enter or exit a sovereign space, contemporary bordering practices have expanded beyond physical frontiers to include biometric surveillance, detention regimes, and internal zoning mechanisms that regulate mobility, settlement, and visibility.

One of the most visible forms of spatial exclusion is the deportation regime, which enables states to remove non-citizens—or even denaturalized citizens—under the banner of national security or migration control. As De Genova and Peutz (2010) have argued, deportability itself becomes a mechanism of control, producing a climate of fear that disciplines behaviour even among those who are not immediately at risk. The architecture of deportation—detention centres, legal limbo, immigration courts—is a spatial manifestation of exclusion that inscribes hierarchies of citizenship onto bodies and territories.

Beyond the borderlands, spatial exclusion is also evident in the geography of cities. Gated communities, refugee camps, and informal settlements are spatial technologies that segregate populations based on race, class, and legal status. These spaces function as 'internal borders' (Mountz, 2010), separating citizens from non-citizens, or desirable from undesirable populations. For instance, urban refugees in cities like Nairobi, Amman, or Kuala Lumpur often live in spatially marginalized zones with limited access to public services, not due to lack of citizenship alone but because of layered forms of exclusion tied to race, class, and migratory status (Feldman, 2019).

Even within advanced democracies, spatial exclusion manifests in patterns of racialized policing, school zoning, and uneven infrastructure development. In the United States, predominantly Black or immigrant neighbourhoods often face environmental degradation, over-policing, and underinvestment. These spatial practices underscore what Mbembe (2003) calls 'necropolitics'—the state's power to decide who may live and in what conditions.

Spatial exclusion also operates symbolically, through the creation of 'invisible' populations who are excluded not by formal decree but through neglect. Stateless populations, irregular migrants, and informal workers may reside in the physical territory of the state but remain invisible in statistical records, planning documents, and political discourse. Their presence is erased not through violence but through structural silence, a form of spatial marginalization that denies their role in the social and economic fabric of the nation (Agier, 2011).

Citizenship is not only a vehicle of inclusion but also a powerful apparatus of exclusion, functioning through legal categories, symbolic hierarchies, and spatial arrangements. A constructivist lens reveals how exclusion is not an incidental failure of liberal inclusion but a constitutive feature of modern citizenship regimes. Through bureaucratic violence, racialized belonging, and the spatial organization of inclusion and exclusion, states continuously remake the boundaries of who counts as a member—and under what conditions.

Understanding these exclusionary dimensions is essential for any project of citizenship reform or democratic deepening. It compels us to look beyond formal legal status and consider the lived realities of those who are marginalized, stateless, or symbolically excluded. As the next section of this article will explore, resistance to exclusion is also embedded within these very processes, offering spaces for alternative imaginaries of citizenship and belonging.

Constructing and Contesting Citizenship from Below

Citizenship is often portrayed as a top-down legal status conferred by the state upon individuals deemed eligible by law, yet such an understanding obscures the everyday, performative, and contested ways in which people enact, claim, and negotiate citizenship from below. For marginalized populations—migrants, refugees, stateless people, ethnic minorities—formal legal recognition may be elusive or denied altogether. Still, through collective action, legal mobilization, public protest, and digital activism, these groups often reshape the contours of citizenship, redefining who belongs, how membership is performed, and what rights can be claimed.

This section explores the agency of non-citizens and marginalized groups in constructing and contesting citizenship from below. It examines how citizenship is not only granted but also enacted, resisted, and transformed through the practices of those on the margins. As Isin and Nielsen (2008) argue, moments when individuals disrupt the normative order to demand rights or recognition are central to understanding the dynamic and contested nature of political belonging.

Acts of Citizenship and Everyday Performances

Traditional accounts of citizenship often focus on its legal and institutional dimensions, but constructivist scholars have shifted attention to its performative and experiential aspects. For Isin (2009), citizenship is not merely a status or a collection of rights, but a series of 'acts' through which individuals assert themselves as political agents. These acts may not align with formal citizenship status and may even occur in defiance of the state. They are significant not because they conform to institutional norms, but because they challenge the boundaries of who can speak, be seen, and claim membership.

Examples of such enactments abound. In many European cities, undocumented migrants have organized protests demanding recognition and regularization, occupying public spaces, initiating hunger strikes, and forming 'sans papiers' movements that assert a moral right to belong (Silverman, 2012). Similarly, stateless persons in the Middle East and South East Asia—such as the Bidoon in Kuwait or Rohingya in Malaysia—have staged protests and leveraged transnational media to voice their exclusion, often using the language of universal human rights to make claims otherwise denied by national law.

These acts, while not always resulting in formal inclusion, reshape public discourse and highlight the performative nature of political subjectivity. They compel recognition not through legal channels alone, but through visibility, disruption, and moral appeal. Thus, marginalized groups construct a de facto form of citizenship by asserting presence and demanding accountability, even in the absence of de jure membership.

Legal Mobilization and Social Movements

Beyond individual acts, collective legal mobilization has become a powerful tool for contesting exclusion and reimagining citizenship. Social movements often operate as arenas in which alternative visions of membership are articulated, especially when formal legal and political channels are blocked. Legal strategies—such as strategic litigation, advocacy, and human rights framing—play a central role in these efforts.

A prominent example is the movement of undocumented youth in the United States, often known as DREAMers. Despite their lack of legal status, many of these young people grew up in the United States, attended public schools, and participated in civic life. Their mobilization—including public 'coming out' campaigns, litigation, and lobbying—led to the creation of the Deferred Action for Childhood Arrivals (DACA) program in 2012. Although DACA did not confer legal citizenship, it offered a form of administrative

recognition and highlighted the capacity of grassroots activism to reshape the moral and political discourse surrounding citizenship (Abrego & Menjívar, 2011; Nicholls, 2013).

Gendered citizenship struggles offer another domain in which exclusion is contested from below. In many countries, women's access to citizenship—whether for themselves or their children—has historically been constrained by patriarchal legal codes. Women-led movements in Lebanon, Nepal, and Malaysia have challenged laws that deny citizenship to children born to citizen mothers and foreign fathers, using a combination of legal challenges, media campaigns, and transnational feminist solidarity to push for reform (Fouad et al., 2023; Pradhan, 2010). These struggles demonstrate how legal mobilization is not only about inclusion into existing frameworks, but also about reshaping those frameworks to be more egalitarian and just. In Sri Lanka, migrant women's labour has been essentialized in national development rhetoric while being denied full belonging at home or abroad (Hewamanne, 2021), showing how gendered performances shape the limits of citizenship.

Such movements also reveal the multi-scalar nature of citizenship contestation. While states remain key arbiters of legal status, international institutions, human rights norms, and transnational networks increasingly shape how citizenship is claimed and understood. Movements that leverage international human rights mechanisms—such as those by stateless persons before the UN Human Rights Committee—exemplify how global norms can be used to contest national exclusions (Blitz & Lynch, 2011).

Digital and Diasporic Contestations

The rise of digital technologies has opened new frontiers for contesting citizenship from below. Social media platforms, online petitions, and virtual advocacy networks enable marginalized groups to bypass traditional gatekeepers and communicate their claims directly to global publics. These platforms also allow for the creation of counter-publics—spaces where non-dominant narratives of citizenship, belonging, and justice can be articulated (Fraser, 1990; Jackson & Welles, 2016).

For instance, refugee and migrant communities have increasingly used digital storytelling to share personal experiences of exclusion, resistance, and hope. Initiatives like #IamAnImmigrant or #AbolishICE in the United States, and #LetThemStay in Australia, have mobilized public sentiment, challenged xenophobic policies, and amplified the voices of those most affected. These campaigns are not merely symbolic; they often lead to tangible political effects, such as policy reviews or increased legal protections (Milner & Silverman, 2020).

Diasporic communities, too, are reconstructing notions of citizenship through digital platforms. Transnational activists often engage in what Basch et al. (1994) call 'simultaneous embeddedness', participating in the civic and political life of both host and home countries. Diasporas use online platforms to campaign for dual citizenship, political inclusion in homeland elections, or legal reform in countries of origin. In doing so, they challenge the notion that citizenship is territorially bounded or singular.

Moreover, diasporic contestations reveal the plural and negotiated nature of political belonging. For instance, diasporic Palestinians, Tamils, and Kurds often assert forms of cultural and political citizenship that are not tied to any existing state, instead relying on shared histories, collective memory, and digital platforms to sustain identity and resistance (Koinova, 2021; Mavroudi, 2007). These claims destabilize state–centric models and call for more expansive understandings of citizenship rooted in affective ties, historical injustice, and transnational solidarity.

Constructing and contesting citizenship from below is a critical process through which marginalized actors assert their presence, challenge exclusion, and reimagine political community. From individual acts of defiance to collective legal mobilization and digital activism, these practices demonstrate that citizenship is not solely a

matter of state bestowal. It is also a lived, performative, and negotiated process shaped by those who are often denied formal recognition.

A constructivist perspective foregrounds this agency and contingency, illustrating that citizenship is not fixed but is continuously reconstituted through struggle and resistance. Whether through protests, litigation, or online campaigns, non-citizens and marginalized groups assert themselves as political subjects—claiming not only legal inclusion but also the right to define the terms of belonging. These bottom-up practices are central to any critical understanding of citizenship in the 21st century and highlight the transformative potential of contestation in advancing more just and inclusive futures.

Case illustrations

While theoretical perspectives help illuminate the constructed and contingent nature of citizenship, concrete empirical cases provide critical insight into how these dynamics play out in practice. This section presents two case studies that illustrate the key arguments advanced in this article: (a) the legal and symbolic exclusion of the Rohingya in Myanmar, and (b) the contestations surrounding the CAA and the NRC in India. Both cases reveal how citizenship is not a neutral legal status but a socio-political project shaped by historical narratives, identity politics, and contested claims to belonging. They also exemplify the constructive and performative dimensions of citizenship—from both above and below—emphasized in constructivist scholarship.

Rohingya Statelessness and the Constructed Boundary of Citizenship in Myanmar

The Rohingya, a Muslim minority group concentrated in Myanmar's Rakhine State, represent one of the starkest examples of state–engineered statelessness in the 21st century. Despite centuries of residence in the region, the Rohingya have been rendered stateless by the Myanmar state, denied recognition as an official ethnic group, and systematically excluded from citizenship through a series of legislative, bureaucratic, and symbolic mechanisms. Their marginalization is not simply a product of legal exclusion but is embedded in a broader nationalist project that constructs the boundaries of Myanmar's political community along ethnoreligious lines.

The 1982 Citizenship Law was pivotal in reconfiguring national belonging. It replaced the post-independence citizenship framework, which had allowed for a more inclusive and pluralistic notion of Myanmar identity, with a system based on 'taingyintha' (national races) (Ullah & Chattoraj, 2023). Only those ethnic groups deemed 'indigenous' to Myanmar before 1823—the year of the first Anglo-Burmese war—were eligible for full citizenship (Cheesman, 2017). The Rohingya, whose identity was framed as foreign and associated with Bengali Muslim migration, were excluded from the official list of national races, thereby becoming ineligible for full citizenship.

The law institutionalized a three-tiered citizenship regime: full, associate, and naturalized. Most Rohingya could not qualify for any category, and even those with limited documentation faced arbitrary revocation and denial. Bureaucratic mechanisms—such as the requirement for ancestral records and proof of residence before 1948—served as instruments of bureaucratic violence (Graeber, 2012), systematically excluding Rohingya through a logic of impossible documentation. These dimensions are not abstract but mutually reinforcing. For instance, the legal revocation of Dominican citizenship was accompanied by symbolic narratives of racial difference and spatial segregation in settlements near the Haitian border, illustrating how legal, symbolic, and spatial exclusions interlock.

These mechanisms mirror Arendt (1951) that statelessness is not simply the absence of legal nationality but the stripping of political personhood. Chowdhory (2018) provides a comparative South Asian lens, showing how displacement and statelessness are often by-products of ethno-nationalist state-building processes that instrumentalize legal frameworks to define belonging. Her work highlights how both host and origin states—such as Bangladesh and Myanmar—frame the Rohingya through competing narratives of temporariness and threat, reducing their claims to space, rights, and identity. This reaffirms the need to analyse belonging not only from the perspective of legal recognition, but also from how states discursively and institutionally erase or delegitimize particular populations.

This legal exclusion has been reinforced by symbolic and discursive narratives that cast the Rohingya as interlopers and threats to Buddhist identity and national sovereignty. Political leaders, monks, and media discourses have repeatedly described them as 'Bengali illegals', erasing their historical presence and justifying their disenfranchisement (Roy, 2021). This symbolic exclusion paved the way for spatial marginalization—Rohingya are confined to Internally Displaced Persons (IDP) camps, denied freedom of movement, and denied access to education and healthcare. The situation reached a tragic crescendo in 2017, when over 700,000 Rohingya were violently expelled to Bangladesh following a military campaign that the UN has characterized as ethnic cleansing.

Yet Rohingya have also engaged in acts of resistance and international legal mobilization. Refugee leaders in Bangladesh have testified before international tribunals, engaged with human rights organizations, and used digital media to assert their identity and demand justice. These acts of 'stateless citizenship' challenge the notion that political subjectivity is contingent upon legal recognition by a nation state.

The Rohingya case vividly illustrates how citizenship is constructed as both inclusionary and exclusionary: it is produced through legal criteria, historical narratives, and identity politics that delineate the contours of national belonging. It also underscores the layered and violent dimensions of exclusion—legal, symbolic, and spatial—and demonstrates how stateless populations can nonetheless contest their erasure.

The CAA-NRC Protests in India: Contesting Legal-National Belonging

India has long grappled with the tension between its civic constitutional identity and its ethno-religious pluralism. The recent political developments surrounding the CAA and the NRC illustrate how citizenship can be both constructed from above and contested from below. These policies represent an inflection point in India's post-colonial citizenship regime, revealing how legal tools are used to reconfigure national belonging and provoke widespread resistance.

Passed in December 2019, the CAA provides a path to Indian citizenship for non-Muslim migrants (Hindus, Sikhs, Christians, Buddhists, Jains, and Parsis) from Afghanistan, Bangladesh, and Pakistan who entered India before December 2014. This marks the first time religion has been explicitly introduced as a criterion for citizenship in Indian law. While the Act ostensibly protects persecuted minorities, its exclusion of Muslims raises serious concerns about its constitutionality and its implications for secularism and equal citizenship (Ranjan & Mittal, 2023). Roy (2016) argues that the construction of Indian citizenship has always been fraught, shaped by colonial legacies, partition anxieties, and state narratives of loyalty, making it ripe for communal redefinition in contemporary politics.

The NRC, meanwhile, requires individuals to prove their ancestry and legal residence dating back several decades. Originally implemented in Assam—a north-eastern state with a history of anti-immigrant mobilization—the NRC process led to the exclusion of nearly 2 million people, many of them Muslims, from the citizenship register (Baruah, 2020). Although framed as a neutral bureaucratic process, the NRC disproportionately impacted marginalized communities, especially those lacking documentation due to poverty, displacement, or illiteracy.

Together, the CAA and NRC are viewed by critics as components of a larger project to redefine Indian citizenship along majoritarian lines, privileging Hindu identity and marginalizing Muslims. These policies have been accompanied by public discourses of suspicion, loyalty tests, and cultural nationalism, further amplifying the symbolic exclusion of Muslim citizens and undocumented migrants.

The state-led citizenship project sparked massive protests across the country, led by students, women, civil rights groups, and marginalized communities. The Shaheen Bagh sit-in, a peaceful protest led by Muslim women in Delhi, became a national symbol of resistance. Protesters used the Indian Constitution, the national flag, and imagery of Gandhi and Ambedkar to reclaim citizenship as a secular and egalitarian ideal (Kadiwal, 2021). These mobilizations exemplify bottom-up constructions of citizenship, where legal status becomes secondary to performative claims to belonging, dignity, and justice.

Social media played a key role in shaping these protests. Hashtags such as #RejectCAA and #NRCProtest helped organize demonstrations, share legal resources, and document police violence. The protests also witnessed solidarity from transgender and Dalit groups, highlighting how various axes of marginalization intersect in struggles over citizenship (Babu & Joseph, 2025).

The Indian case underscores the instrumentalization of legal frameworks to redefine national identity and belonging. At the same time, it reveals the capacity of marginalized communities to contest exclusionary narratives and reclaim citizenship through protest, symbolism, and performative acts. As Isin (2009) notes, such disruptions are not merely expressions of dissent—they are constitutive acts that expand the political imagination and reshape the meaning of citizenship itself.

The cases of the Rohingya in Myanmar and the CAA-NRC protests in India demonstrate how citizenship operates as a deeply contested and constructed category. In Myanmar, citizenship has been used as a tool of ethnic cleansing, while in India, it has become a battleground for the country's constitutional identity. Both cases illustrate the multi-dimensional nature of exclusion—legal, symbolic, and spatial—and underscore the constructivist insight that citizenship is not a static legal category but a socially and politically contingent process.

Crucially, both cases also illuminate the agency of marginalized actors in contesting exclusion and asserting political subjectivity. Whether through international advocacy, protest movements, or performative acts of citizenship, non-citizens and minoritized citizens are not passive recipients of state power. Instead, they actively negotiate, resist, and reshape the meanings and practices of citizenship. These case illustrations thus reinforce the central claim of this article: citizenship is not merely conferred; it is claimed, constructed, and contested.

Beyond South Asia, exclusionary citizenship regimes are evident globally. For example, the Dominican Republic's 2013 Constitutional Tribunal decision retroactively stripped thousands of Dominicans of Haitian descent of their citizenship (Amnesty International, 2015). Similarly, Gulf states such as Kuwait have long rendered the Bidoon population stateless, while European debates on civic integration often reproduce conditional and exclusionary logics (Goodman et al., 2017). Including these examples underscores that citizenship's dual role as inclusion and exclusion is not region–specific but a global phenomenon.

Rethinking Citizenship in the 21st Century

In an era marked by global displacement, transnational migration, digital transformation, and resurgent nationalism, the institution of citizenship is undergoing profound contestation and transformation. While traditionally imagined as a stable legal tie between an individual and a nation-state, citizenship in the 21st century is increasingly fluid, fragmented, and multi-scalar. It is no longer sufficient to conceive of citizenship solely as a juridical status administered by states; rather, citizenship must be understood as a dynamic and contested construct—shaped by global forces, performed through everyday practices, and increasingly open to renegotiation.

From a constructivist perspective, citizenship is not a fixed or universal category but a historically contingent and socially constructed institution, constituted through discourses, institutions, and power relations. This ontological openness allows scholars to interrogate how citizenship is being redefined in the face of global shifts: the rise of authoritarian populism, the proliferation of dual and transnational citizenship regimes, the challenges of climate-induced displacement, and the advent of digital governance and identity systems.

Global Shifts and the Changing Landscape of Citizenship

The past two decades have witnessed a set of transformations that challenge traditional models of citizenship rooted in territorial sovereignty and national identity. Among the most significant is the resurgence of rightwing populism and majoritarian nationalism in many countries, from Hungary to India to the United States. These movements have sought to tighten the boundaries of belonging, often by redefining citizenship in ethno-cultural terms, criminalizing migration, and targeting minorities. Populist rhetoric frames 'the nation' as a homogenous moral community under siege, thereby mobilizing legal and symbolic exclusions under the guise of national restoration (Melegh, 2022; Mounk, 2018).

Simultaneously, we have witnessed the rise of dual and multiple citizenship regimes, reflecting a global shift toward more flexible forms of national membership. Countries that once adhered strictly to single citizenship have increasingly tolerated or even encouraged dual citizenship, especially for their diasporic communities or high-skilled migrants (Harpaz & Mateos, 2019). These developments underscore the instrumentalization of citizenship, wherein legal membership becomes a resource to be negotiated, optimized, or traded, rather than a singular, territorially bound identity.

Climate change adds yet another layer of complexity. The growing phenomenon of climate-induced displacement—where individuals and communities are forced to move due to rising sea levels, droughts, or environmental degradation—raises critical questions about the future of citizenship. What happens to political membership when entire communities lose their territorial homes? Small island states like Kiribati or Tuvalu are already confronting this existential dilemma, prompting scholars to consider alternative, post-territorial frameworks of belonging (McAdam, 2020).

Moreover, the digitization of identity and governance is beginning to decouple citizenship from territorial presence. Biometric identity systems, digital borders, and e-residency programmes—such as Estonia's e-residency initiative—are reconfiguring how states recognize and govern subjects. These shifts raise both opportunities and risks. On the one hand, digital tools may expand access to public services or cross-border rights. On the other, they may entrench surveillance and deepen existing exclusions by privileging datafied, mobile, and economically productive subjects (Sperling, 2021). Importantly, digital citizenship is not limited to state initiatives. Grassroots actors also use digital platforms to construct counter-publics (#IamAnImmigrant, #AbolishICE), mobilize solidarities, and contest exclusion. These digital practices expand the repertoire of citizenship beyond territorial borders and illustrate how technology reshapes both inclusionary and exclusionary logics.

Post-national and Flexible Citizenship

The shifting global landscape has led some scholars to advocate for post-national or flexible models of citizenship that move beyond the nation-state as the sole or primary locus of political membership. Soysal's (1994) concept of *post-national citizenship* argues that the authority to define and distribute rights is increasingly embedded in supranational institutions and human rights regimes. Bloom (2019) proposes the notion of 'noncitizenism', urging scholars to recognize the political capabilities and claims of non-citizens as subjects of justice and belonging outside the framework of national citizenship. In this view, individuals derive their claims not only from their membership in a national community but also from their status as human beings. This post-national logic is visible in the extension of rights to non-citizens, such as permanent residents in the European Union or refugees under international protection.

Ong's (1999) notion of *flexible citizenship* similarly highlights how transnational elites navigate multiple regimes of belonging and benefit. Ong shows how Chinese diasporic entrepreneurs selectively engage with different legal and political systems to optimize economic and social capital. While these flexible citizenship strategies can enhance agency for some, they also reveal the stratified nature of global mobility, where access to flexibility is unequally distributed based on class, race, and nationality.

Both post-national and flexible citizenship critiques illuminate the exclusionary core of classical citizenship models. The assumption that citizenship ensures equality within a sovereign community ignores how legal status often coexists with deep social hierarchies. Moreover, the framing of non-citizens as outsiders to the moral and political community reinforces the very boundaries that post-national frameworks seek to transcend.

Possible pathways for reform include recognition of post-national and multi-scalar forms of citizenship, greater reliance on human rights norms in adjudicating membership, and the development of digital citizenship initiatives that broaden rather than restrict participation. Experiments with EU long-term residency, city-level voting rights for non-citizens, and digital e-residency programmes in Estonia illustrate alternative models that challenge exclusive state-centric frameworks.

Constructivist Insights: Citizenship as Contested and Contingent

Constructivist scholarship offers a powerful lens through which to understand these transformations. As a body of thought, constructivism emphasizes that political institutions and identities—including citizenship—are not given but socially constructed, historically contingent, and subject to contestation (Adler, 1997; Wendt, 1999). This means that the changing meanings and practices of citizenship are not anomalies or failures of the system; they are part of its very constitution.

Constructivist scholars like Isin and Nielsen (2008) have drawn attention to undocumented migrants or stateless persons, claim rights and recognition despite their exclusion from formal legal status. These acts not only challenge dominant citizenship regimes but also generate new norms, discourses, and practices that may eventually reconfigure the institution itself. Citizenship, from this view, is not simply administered by the state but is continually performed, resisted, and reconstructed by diverse actors across multiple scales.

The constructivist emphasis on discourse, norm circulation, and agency helps us understand how citizenship remains a site of contestation and creativity even in the face of authoritarian closure or bureaucratic rigidity. Whether through legal mobilization, transnational activism, or digital protest, individuals and communities continue to reshape the terrain of political belonging, often pushing the boundaries of what citizenship can and should mean.

As the 21st century unfolds, it is increasingly clear that citizenship can no longer be understood solely through the lens of territoriality, legal status, or national identity. Global migration, digitalization, environmental displacement, and political populism have exposed both the limitations and possibilities of citizenship. While exclusionary regimes continue to proliferate, so too do alternative imaginaries and enactments of belonging—from transnational solidarities and human rights claims to everyday acts of defiance and digital mobilization. Constructivist perspectives remind us that citizenship is not a settled institution but a contingent and contested space—shaped by norms, narratives, and struggles. In this context, rethinking citizenship involves not only critiquing its exclusionary logics but also recognizing the emergent practices and actors who challenge its boundaries and reimagine it in more inclusive, just, and pluralistic ways.

Conclusion

Citizenship remains one of the most powerful yet contested tools of modern governance. This article has demonstrated how the concept, often seen as static and legalistic, is in fact socially constructed, politically instrumentalized, and deeply intertwined with questions of identity, belonging, and exclusion. Through a constructivist perspective, citizenship emerges not simply as a mechanism for inclusion but also as a practice that actively produces 'others'—those denied recognition, rights, and voice. The case of the Rohingya in Myanmar illustrates the devastating consequences of exclusionary citizenship regimes. By stripping a population of legal status, the state enforces not only legal invisibility but also social death. In such contexts, citizenship becomes a tool of violence, dispossession, and control. This reinforces the need to rethink citizenship in a more inclusive, flexible, and rights-based manner.

In the face of globalization, dual citizenship, and cross-border mobility, traditional understandings of citizenship are increasingly inadequate. Climate-induced migration, statelessness, and growing transnational solidarities challenge the notion that citizenship must be tied to one state, one identity, and one territory. Scholars and policy-makers alike must move toward post-national and intersectional conceptions of citizenship—ones that centre human dignity, mobility, and participation. This article calls for a reorientation of citizenship from a gatekeeping function to a mechanism of genuine inclusion. Only by acknowledging its socially constructed nature and engaging with its political implications can we begin to imagine a more just and inclusive global order.

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