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Citizenship Renunciation without Emigration

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Against the status quo, this article argues for the right to renounce state citizenship while remaining a resident. To motivate this argument, it presents a dilemma: if long-term residents can choose not to naturalize, why cannot citizens renounce their status without leaving? This article rejects one way out of this dilemma—making citizenship mandatory for long-term residents—and proceeds to make the positive case for the right to renounce citizenship. It argues for the value of citizenship renunciation as an expressive political act, distinct from territorial exit, which allows individuals to sever political ties while maintaining social membership. This form of political exit enables citizens to express their detachment from the state without the costs of emigration. This article explores the implications of this proposal for democratic consent, legitimate authority, and collective citizen responsibility for state action, arguing that a right to renounce without emigration enhances autonomy and democratic legitimacy.

INTRODUCTION

Against older views of perpetual allegiance to the sovereign, there is growing acceptance of the right to renounce citizenship. This is reflected, for example, in Article 15(2) of the Universal Declaration of Human Rights ("No one shall be arbitrarily deprived of his nationality, nor denied the right to change his nationality") and in Article 8 in the 1997 European Convention on Nationality, ECN ("Each State Party shall permit the renunciation of its nationality, provided the persons concerned do not thereby become stateless"). Yet this right is often conditioned either on residence abroad or on the expectation of emigration from the state's territory; the ECN, for example, qualifies that "a State Party may provide in its internal law that renunciation may be effected only by nationals who are habitually resident abroad."[1] Normative analyses of citizenship, including those concerning the right to renounce citizenship, make a similar assumption.[2] In theory and practice, then, one does not have the right to transform oneself from a citizen resident into an alien resident: the voluntary renunciation of citizenship is tightly linked to the act of emigration.

In this article, I argue that citizens should have the right to renounce their citizenship without the requirement of emigration. To motivate this argument, and after setting the stage and clarifying its scope, I argue that liberal theorists are faced with a dilemma with regard to citizenship. The accepted view regarding long-term alien residents is that, while they have the right to naturalize and become citizens, they are not automatically incorporated into the citizenry; they can choose to act on their right to citizenship, or they can choose to keep their alien resident status. But if one can choose not to accept citizenship while being a resident, why cannot one renounce citizenship while remaining a resident? To be consistent, it seems that either both acts should be prohibited (i.e., mandatory and automatic citizenship for long-term residents) or both should be permitted (allowing for voluntary renunciation without emigration).[3] I proceed by resisting the first horn of the dilemma, arguing that the arguments in support of mandatory naturalization are unpersuasive and that resident noncitizens could have legitimate reasons for not naturalizing. In the next two sections, I make the positive case for the right to renounce citizenship without emigration for political reasons. I argue that citizenship renunciation can be seen as an expressive political act, specifically an instance of resistant political exit, in which one formally expresses detachment from and disapproval of the state. I then address and refute the objection that this account entails anarchist implications. In the final section, I explore the implications

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[1] As of 2023, renunciation is legally permissible in most states. Harbers and Steele (2023) note that, globally, only 38 states prohibit citizenship renunciation either formally or *de facto*, through administrative barriers. Among states that formally allow for renunciation, most (but not all) require either actual or expected foreign residence. See also Groot (2003); Lepoutre (2020b).

[2] Adam Hosein (2017, 28), for example, writes that "[w]e do not think that people who are current [sic] within a state's jurisdiction have any right to renounce their citizenship and thereby cease to be members of the political community." Cf. Whelan (1981, 638), Lenard (2015), and Price (2018).

[3] Helder De Schutter and Lea Ypi conclude their influential article on mandatory citizenship by hinting at this dilemma: "As mentioned at the outset, it is also possible to pursue a different line of argument and insist that since citizenship is voluntary for immigrants, it should also be voluntary for citizens… Since exploring further the implications of this argument would take us too far from the contents of the present analysis, we hope to pursue that question in a different article" (De Schutter and Ypi 2015, 250).

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of my account for legitimate authority and accounts of citizen responsibility for state action.

The argument I aim to defend in this article has its predecessors. Writing in the context of the Vietnam War, Michael Walzer argued that "native born young men" ought to be asked before they are conscripted whether they intend to become citizens, and should they say no "then we must at least consider the possibility that they be allowed, like aliens again, to avoid the draft and continue their residence, that is, to become *resident aliens at home*" (Walzer 1970, 112, my emphasis).[4] Similarly, Peter H. Schuck and Rogers Smith have proposed that, in order to make a consistent consensual law of citizenship, "a formal procedure be established and publicized under which any citizen, at the age of majority, may expatriate himself" (Schuck and Smith 1985, 122).[5] I will return to these earlier arguments in more detail below, where I aim to demonstrate that my version of the argument is capable of avoiding their most serious shortcomings.

SETTING THE STAGE: TERMS AND DEFINITIONS

First, in this article, I am only concerned with citizenship renunciation—that is, the voluntary loss of citizenship by the citizenship holder. Practices of involuntary deprivation of citizenship by the state—through acts of expatriation, denationalization, or annulment—are, of course, of paramount practical and theoretical importance and are widely discussed in the literature (Gibney 2013; Bauböck and Paskalev 2015; Akhtar 2017; Lenard 2018; Fargues and Winter 2020; Pélabay and Sénac 2020; Tripkovic 2021). These are often related to issues of national security, as in the case of Shamima Begum, who was stripped of her British citizenship following her affiliation with the jihadist terrorist group Islamic State (*Daesh*). The justificatory basis of the state's presumptive right to expatriate (or lack thereof) is related to the competing conceptions of citizenship I discuss below, but in my view, the discussion of the right to voluntarily renounce citizenship can proceed without settling the question on these nonvoluntary modes of losing one's citizenship. Thus, in what follows, I am focused solely on instances of citizenship loss that are initiated by the individual, and not by the state.

While this distinction between state-initiated and citizen-initiated loss of citizenship is relatively clearcut (and is reflected in international law; see, e.g., Articles 7 and 8 of ECN, respectively), a more nuanced and philosophically difficult distinction is drawn between renunciations of citizenship through certain actions of the citizen and ones that are committed through an explicit declaration of intent. Under some nationality laws, certain acts lead to the automatic loss of citizenship, even without a formal declaration of intent by the individual. Joining a terrorist organization and committing an act of treason are the most obvious examples where the action of the individual can be taken as expressing a renunciation of citizenship. In practice, states take a much broader view of what acts are *de facto* renunciations. Voluntarily acquiring a second nationality, serving in a foreign military force (even of an ally), serving in an official government role in a different state, or even a "loss of genuine link" by residing outside of the country for a lengthy period of time (Lepoutre 2020a) are all grounds for automatic loss of citizenship in at least some states. The question of whether certain actions signal intent by the individual to relinquish citizenship is unfortunately beyond the scope of this article (Aleinikoff 1986). To keep matters simple, my focus will be on cases where renunciation is committed through a clear declaration of intent, and not through automatic loss triggered by more ambiguous actions.

Third, the discussion below will be limited in scope to states and citizenship regimes that are (broadly speaking) liberal democratic. By this term, I mean to include citizenship regimes in which, on the one hand, citizen status is connected the familiar bundle of social, civil, and political rights, including a right to emigrate and to renounce citizenship, and, on the other hand, noncitizen residents are protected by a similar, if more circumscribed, bundle of rights (Vink 2017). I concede that this limitation of scope may appear myopic, given that, in many national contexts, citizenship status is not robustly attached to these rights, to say nothing of the status of noncitizen residents (Kochenov 2019). Nevertheless, I believe that this assumption is justified in the context of this discussion: while the right to renounce citizenship ought to be universal, and might well be used for political reasons beyond the liberal democratic context, renunciation without emigration will not be a realistic option in non-liberal states. I explore some of the implications of this assumption below.

Fourth, it is important to note that the scope of loss of citizenship, whether state- or citizen-initiated, is at least presumptively restricted by states' obligation toward the reduction of statelessness. This limits state power to expatriate individuals who would become stateless as a result, but also limits the right to renounce citizenship. Effectively, almost all liberal democracies require that the individual already is, or can effectively become, a national of another state following renunciation.[6] This raises interesting challenges for my proposal that I will address toward the end of this article, but for the sake of simplicity, I will assume that the same anti-statelessness conditions that currently limit the right to renounce citizenship will also be in place for the right to renounce without emigration. As I will show in the following

[4] Importantly, Walzer eventually resists this conclusion and argues that the practical implication is that military conscription should be abolished except in cases of social emergency.

[5] Notably, this argument is presented as part of a broader one against birthright citizenship for the children of undocumented migrants. I am not committed to the broader argument, nor do I think it follows from their more limited case for renunciation without emigration.

[6] The United States is one of the prominent exceptions to this rule. The US Department of State's Foreign Affairs Manual, section 1215.e notes that it "will accept and approve renunciations of persons who do not already possess another nationality."

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section, this concession still leaves the basic dilemma in place.

THE DILEMMA

Now that the terms and boundaries of the discussion are clear, let us turn back to the problem at hand. In normative theories of citizenship, the prevalent view is that long-term residents in liberal democracies are owed a fair pathway to citizenship as a matter of right. Whether this right is conditional on meeting any additional criteria beyond continued long-term residence—passing a citizenship test (Blake 2019), demonstrating linguistic capabilities, swearing an oath of allegiance (Viswanath 2024), or, in the case of undocumented migrants, that their long-term residence was lawful to begin with—is a question that can be side-stepped for my purposes.[7] The important point is that even once the factual conditions are met, the exercise of this right—acquiring the legal status of a citizen—depends on the will of the individual. They can choose to become citizens, or they can choose to keep their status as resident aliens. Yet, for those who are already citizens, the right to renounce citizenship is dependent on emigration; they can remain citizen residents, become nonresident citizens by emigrating, or lose their citizenship abroad, but the status of resident aliens is not available to them.

This is, prima facie, a problem for two reasons. First, this is a problem of equality of treatment: we often assume that like cases should be treated alike, unless there is a morally relevant difference between the cases. But as Kieran Oberman writes:

> What morally relevant difference is there between foreign long-term residents and native residents? They are both settled within the state on an on-going basis. Both are subject to its laws. Either one could be socially engaged or socially isolated. (Oberman 2017, 99)

Note that Oberman here is interested in the opposite problem to the one I am considering here: he argues that, unless we assume a human right to immigrate, immigrants who have voluntarily chosen to enter the state (unlike citizens from birth) can consent to permanent alienage. I am, conversely, assuming *arguendo* that immigrants acquire the right to become citizens but can choose not to exercise this right, and ask why citizens should not be afforded the same liberty. The fact that nonimmigrant citizens did not choose to become citizens in the first place, if anything, provides further support to the intuition that they are not equally treated.[8]

One simple objection to this line of thought is that foreign long-term resident immigrants are not, in fact, equal to native residents because they are nationals of their origin state. Thus, the objection goes, treating the cases differently would not violate equality of treatment. In my view, this does not work, but even without refuting it, recall that for the moment we are assuming non-statelessness limits on the right to renounce, meaning that only citizens with dual nationality would be able to exercise this right. Since dual nationals are not necessarily immigrants, the line drawn between "immigrant" and "native" is irrelevant.

While equality of treatment is a generic reason for concern, the second reason to be skeptical of the status quo is more specific to citizenship as such. The status quo represents an uneasy co-existence of voluntarism and ascriptivism in the allocation of citizenship status, and—I want to suggest—reflects some tension between competing underlying conceptions of the value and function of citizenship itself. Is citizenship an individual legal status or is it a form of political office? Is it based on consent, affiliation, or subjection to authority? Does its value arise instrumentally, from the bundle of rights and privileges it secures, or intrinsically, from the status itself?[9]

As Bauböck succinctly articulates this concern:

> If the essential quality of democratic citizenship is that it expresses a consensual form of membership it ought to be consensual for all and not just for immigrants. If, however, the value of citizenship is in the bundle of rights which are attached to the nominal status and if citizenship acquisition cannot be consensual to all, why should it be consensual to anybody? (Bauböck 1994, 88)

MANDATORY CITIZENSHIP FOR LONG-TERM RESIDENTS?

If the arguments in the preceding section are persuasive, then the status quo view is incoherent. It reflects an inequality of treatment between two groups that are otherwise similarly situated, and it appears to be an unstable hybrid of competing conceptions of citizenship. This suggests that, for the sake of consistency, we must choose one horn of the dilemma. But of course, this does not require us to choose the path of renunciation without emigration, as I want to do in this article. An equally coherent way out of the dilemma would be to resist the view that citizenship for long-term residents should be optional. Thus, in order to advance my argument, I first need to show why the alternative should be ruled out.

Mandatory citizenship for long-term residents is, in a sense, the natural solution to the dilemma. As Joseph Carens writes, "[w]e do not treat the acquisition of citizenship as an optional matter for people who acquire it at birth… and we are mistaken in treating it as entirely optional for immigrants. At some point

[7] For a recent survey of this debate, see Orgad (2017) and Jensen and Nielsen (2021).

[8] See debates about birthright citizenship and the distinction between entry through birth and entry through immigration (e.g., Brezger and Cassee 2016).

[9] The classic work on the different conceptions of citizenship is Pocock (1995). For a recent discussion on the value of citizenship with regard to naturalization, see Sharp (2022).

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when people have lived in a country long enough, they should simply become citizens automatically" (Carens 2005, 41). Automatic citizenship is the prevalent norm of citizenship allocation for all birthright citizenships, the most common way in which individuals become citizens. Birthright citizenship is determined solely based on factual considerations (birth to citizens or birth within the territory), and without regard to either the newborn's consent (obviously) or their parents' consent. However, even if birthright citizenship ought to be automatic, we cannot simply assume that automatic citizenship is a generally attractive normative model. The arguments in defense of the norm of automatic citizenship by birth (Jacobson 2006; Carens 2016; Ferracioli 2018) do not clearly entail extending the norm to adults. More importantly, while some states in the past have conferred their nationality on adult individuals automatically and based solely on factual circumstances—for example, when taking on the position of a professor at a public university, or (for women) following marriage—these practices are now considered to violate fundamental human rights (Irving 2016).

In recent years, several theorists have advanced several arguments in support of automatic and mandatory citizenship for long-term residents. One line of argument is that this automatic allocation of citizenship is a kind of justified paternalism required to protect individual autonomy. If being a noncitizen resident is conceptualized as a second-class status, and the relationship between them and resident citizens is conceptualized as "citizen tyranny" (Walzer 1983, 59), then the supposed voluntary choice to remain a noncitizen looks very much like a voluntary slave contract. On this view, mandatory citizenship "rules out the possibility of choosing not to acquire such rights on the grounds that such a choice represents voluntary subjection to a condition of political servitude and, hence, is incompatible with the autonomy-valuing character of liberal democratic states" (Owen 2011, 649).[10]

This is unpersuasive for several reasons. The first is that the status quo (in liberal democracies) does not require long-term residents to waive their right to citizenship, but only gives them the choice not to exercise it. They do not, then, place themselves in a position of inescapable permanent alienage. It is coherent to argue that respect for autonomy should dictate respecting the choices made by long-term residents not to naturalize, even if respect for their autonomy requires states to offer a pathway to naturalization (Seglow 2009, 800). Analogously, it is plausible to argue that the protection of political autonomy requires granting the right to vote, but does not generate a duty to vote (Owen 2011, 652–3).[11]

Second, paternalism is usually viewed as legitimate if the harm to the individual is considerable; but as liberal democracies grant more rights based on residence, there is little reason to think that the status of noncitizen resident is particularly harmful and, therefore, less reason to think that one should not be allowed to voluntarily choose it (Oberman 2017, 102–3).[12] In addition, as many noncitizen residents are citizens of their origin state, "the rights and protections connected with external citizenship can reduce the arbitrariness of political power exercised by the host state" (Bloks and Häuser 2025). Admittedly, this response is contingent on the robustness of rights protections of noncitizen residents. It still does not follow, in my view, that the paternalist argument succeeds even in cases where noncitizen resident status is more vulnerable to domination and oppression. Instead, what follows in those circumstances is that noncitizen residents should be granted civil and social rights, and that there should be a pathway to citizenship, but not that citizenship ought to be imposed on them.

Positively, there might be good reasons for long-term residents to choose not to become citizens. In their recent book, Valeria Ottonelli and Tiziana Torresi have advanced the argument that labor migration creates a dislocation between the social space that migrants (temporarily) inhabit and their social bases of self-respect, which are found "partly at home and partly in the virtual social space created by their geographies and temporal displacement" (Ottonelli and Torresi 2022, 57). This separation makes it rational for the temporary labor migrant to trade away equal status in the receiving society to advance their home-centered projects, and requires the liberal state to accommodate these life plans beyond a pathway to citizenship. In a different line of argument, Rainer Bauböck maintains that while mandatory citizenship would be a justifiable policy from an intranational perspective, it ignores the political relationship of immigrants with their home states and their legitimate interest in maintaining this political relationship. While states have a duty to protect political autonomy, it could be argued that for denizens, this interest is sufficiently protected by extensive quasi-citizenship rights in the host country and external citizenship rights in the country of origin, with the additional right to choose where one orients their political action. As Bauböck writes, "[w]hen immigrants are denied access to naturalization this will perpetuate [their limited political impact]; when there are pushed into citizenship they do not want, this will hamper their orientation towards societies of origin" (Bauböck 1994, 89–90).

The legitimate paternalism argument seems to me, then, like a nonstarter. The second line of argument for making naturalization mandatory is more persuasive, as it focuses not on the interests of prospective citizens, but on the interests of the political community as a whole. While Ruth Rubio-Marín's central focus in her argument is that considerations of democratic legitimacy require states to make citizenship automatic and

[10] Note that Owen is describing this view, but does not hold it.

[11] Meghan Benton similarly highlights the importance of accountability and exit options as a mechanism to combat domination (Benton 2014).

[12] This is admittedly a more complex question when the individual does not hold any other nationality (either formally or *de facto*), and thus not naturalizing would leave them stateless.

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unconditional for long-term migrants, she also argues that democratic states have legitimate interests in naturalizing long-term residents, and, as long as the costs of naturalization are not overly demanding for the latter (e.g., by allowing for dual nationality), the automatic conferral of citizenship should not be viewed as liberty-restricting (Rubio-Marín 2000, 102–29).

Helder De Schutter and Lea Ypi argue that long-term residents should have a legal duty to either become citizens or leave the country, arguing that keeping naturalization optional (1) is unfair to existing citizens (as those who refuse to naturalize free ride on public goods to which only citizens contribute), (2) undermines social cohesion, and (3) is a violation of the democratic duty according to which "one cannot constantly perform actions which exert influence on others or make use of common spaces without being prepared to join the civic political forums where practices that affect others are discussed and negotiated" (De Schutter and Ypi 2015, 242). Extending this last line of argument, Jakob Huber advances a more explicit Kantian-republican line by arguing that "[c]oexistence under conditions of physical proximity alone… grounds an obligation to jointly establish and submit to coercive institutions that make public laws" (Huber 2019, 807). This generates a duty for states to automatically confer the status of citizens to long-term residents, and—crucially—a duty for long-term residents to take on the political office of the citizen.

While there is some force to this argument, on closer inspection, it does not succeed. The main reason is that the objection overstates the case, both in the sense that it overstates the distinction between the contributions of citizens and noncitizens make toward the common good, and in the sense that the exceptional burdens of citizenship are exaggerated. To demonstrate, most forms of taxation are residence-based, regardless of citizenship status. Military service in most liberal democracies is no longer mandatory, and not always restricted to citizens. Even ignoring the marginal cost of voting, most liberal democracies do not enforce a legal duty to vote in elections (Joppke 2010). This leaves us with jury duty, and more informal "duties" listed by De Schutter and Ypi, such as "the expectation to reflect on and justify or criticize the actions of one's fellow-citizens both outside and inside one's native country' or 'the duty to pay attention to political affairs" (De Schutter and Ypi 2015, 240–1). These are both contestable from a normative point of view, ambiguously burdensome, and could be addressed without requiring formal naturalization. While I do want to argue in the final section of this article that citizens and noncitizens differ in one significant normative manner—the nature of their responsibility for the state's actions—this does not make the additional duties of citizenship so burdensome that it requires forcing long-term residents to naturalize.

The second version of the argument is that naturalization generates positive societal effects and, therefore, entails a duty on noncitizen residents to naturalize. De Schutter and Ypi argue that "[t]he full integration of immigrants in the national political sphere through the extension of citizenship promotes cohesion in the host society and contributes to its stability" (De Schutter and Ypi 2015, 246). There is indeed empirical evidence that facilitated naturalization policies contribute to immigrant integration (e.g., Huddleston and Vink 2015; Hainmueller, Hangartner, and Pietrantuono 2017; Goodman 2023). Yet the move from these empirical findings to legally mandatory naturalization is a leap; at most, they support removing obstacles to naturalization, rather than making it compulsory. While we cannot know for sure what the social effects of mandatory naturalization would be, one reason to be skeptical is that making naturalization mandatory renders staying a noncitizen highly costly, as refusing to become a citizen either means violating the law or having to return to one's origin state (Bauböck 1994, 92). Thus, it becomes more plausible it is for fellow citizens to interpret naturalization as an instrumental, self-interested act, rather than evidence of social integration and identification with the political community, undermining one of the main mechanisms linking citizenship and social cohesion (cf. Goodman 2023, 144–5).

Let us take stock of the argument thus far. In the previous section, I argued that the status quo, where the naturalization of long-term residents is optional but the renunciation of citizenship is conditional on emigration, is incoherent and raises a dilemma. In this section, I argued against holding one horn of the dilemma—that is, making naturalization mandatory for long-term residents. If the dilemma is real and one horn is rejected, this should lead us to hold the second horn by the process of elimination. That is a step in the right direction, although clearly not a conclusive one—one philosopher's *modus tollens* is the other's *modus ponens* and so on. In the next two sections, therefore, I make the positive case for the right to renounce without emigrating.

CITIZENSHIP RENUNCIATION AS A FORM OF EXPRESSIVE POLITICAL EXIT

Renouncing citizenship can be viewed as a specific political act. More precisely, I want to argue that we should view it as a form of political exit and as a way to express dissent. Importantly, this line of argument is explicitly rejected by Bauböck:

> Native fundamental dissenters might also claim that they have not chosen their country of whose constitution they do not approve. Could they not with similar reasons insist on a right to choose a different citizenship? … [However,] their demands are sufficiently met when there are democratic instruments for changing the constitution and when they are free to change their citizenship after leaving their country. Where these fundamental choices are open to them they will find little additional worth in a more extensive liberty of actively choosing or renouncing the citizenship of their country. (Bauböck 1994, 90)

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However, I will argue that Bauböck's objection fails to recognize the particular value served by the right to renounce citizenship. In a nutshell, I argue that by renouncing citizenship, the individual removes themselves from the political community and thus rejects the rights and duties that are linked to membership *specifically*. If their political exit is not tied to territorial exit, they remain members of society while still expressing their political alienation.

As discussed in the previous section, Bauböck argues that naturalization ought to remain optional in order to retain its meaning as an act of commitment to the political community. Immigration may not be fully voluntary, or might be driven by multiple motives, but naturalization ought to remain as voluntary and consensual as possible. This reflects a liberal and republican commitment to the consent of the governed as the basis of legitimate authority. But of course, as De Schutter and Ypi argue, nonimmigrant citizens never consented to their status as citizens, and this was imposed on them non-voluntarily. One way out of this asymmetry is to make entry into citizenship voluntary for everyone. This was, historically, Locke's solution to the problem:

> [T]he emergence of a liberalism incorporating the premises of the new political economy with its commitment to voluntarism and social mobility assisted a general rethinking of the relationship between subject and sovereign… [Locke] argues that the rigid distinction between an Englishman and a foreigner is based upon a mistaken historical assumption; being a foreigner is an accident of birth which can be altered. A foreigner who leaves his native land and accepts English citizenship becomes an Englishman. (Resnick 1987)[13]

Importantly, for Locke, the paradigm of acquiring citizenship by voluntary naturalization holds for everyone, not just immigrants. In the Lockean conception of citizenship, no one becomes a subject of a government until they have given their consent. Children, unable to give consent, are not citizens.[14] Visitors, alien residents, and "denisons," who have not given their express consent, are not members of the commonwealth—and by implication, none of us are members of the commonwealth until we expressly consent. At best, they have given their "tacit" consent, given by "submitting to the laws of any country, living quietly, and enjoying privileges and protection under them," but these obligations only persist as long as one enjoys the benefit of the state (Simmons 1998).

Locke's proposal for expressed consent as the condition of membership faces many familiar critiques, not least because the infeasibility of getting each individual's expressed consent leads to anarchist implications (or, at the very least, means that almost no one, apart from the naturalized citizen, is a full member of the polity). Instead, the argument that I want to develop here relies on the inverse position, also expressed by Locke: not of consent as affirming legitimate political authority (and entry into the political community), but on the lack of consent (or dissent) as denying it, as expressed through exit from that community.

This political interpretation of exit is common in the literature on the right to emigrate. Defenders of the right to emigrate have emphasized that this right is not merely a special case of a broader right to free movement, or an instrumental right for the protection of an important interest (as in the case of someone fleeing an oppressive regime where their life is at risk). In addition to these important dimensions, the right to leave the state's territory serves, instrumentally, as an accountability mechanism on government power, and, conceptually, as a basis for the legitimacy of government. As Whelan writes, "[a]cknowledgement of an ongoing right of emigration… would enhance the individual-consent basis of liberal theory, relieving individuals of the requirement (in principle) to be bound by the majority as well as helping to ensure that accidents of birth need not be determinative in practice of allegiance" (Whelan 1981, 639).[15]

More strongly, the act of territorial exit can be interpreted not just instrumentally as securing the individual interest of the emigrant, but as an expressive act of dissent. While some forms of exit are politically neutral—for example, moving to a different city to be closer to family or emigrating in pursuit of a career opportunity—recent work on the expressive and discursive elements of exit correctly identifies the political expressive value in at least some acts of exit (Kirkpatrick 2019; Montanaro 2019). Most notably, in her work on the concept of "resistant exit," Jennet Kirkpatrick challenges the Hirschmanian bifurcation between voicing criticism and leaving in silence. While exit could occur from within the country, as is the case with Kirkpatrick's interpretation of Henry David Thoreau, it is more likely that this would entail "physical exit from a country," where a person continues to agitate for change while living abroad, or when the act of leaving itself expresses dissent (Kirkpatrick 2017).[16]

Renouncing citizenship can also express dissent, but given the status quo, this act is limited to those who have already emigrated or are external citizens through other means. Famously, Garry Davis, a former B17 bomber pilot, renounced his American citizenship in Paris in 1948 in protest of militarism and in support of a world government. In more recent examples, Lenny Lapon, an activist from Springfield, Massachusetts, publicly renounced his Israeli citizenship in protest of

[13] Hoye similarly argues that volitional allegiance and the right of expatriation (rejecting the idea of perpetual allegiance to the crown) were central to the radical republican tradition (Hoye 2021).

[14] "'Tis plain then, … by the Law of right Reason, that a Child is born a Subject of no Country, or Government. He is under his Fathers Tuition and Authority, till he come to the Age of Discretion; and then he is a Free-man, at liberty what Government he will put himself under; what Body Politick he will unite himself to" (Locke [1648] 1988, chap. VIII.118, 346–7).

[15] More broadly on exit as an accountability mechanism, see Hirschman (1970).

[16] On exiles as principled disobedients, see Vasanthakumar (2021, chap. 8).

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"the racist colonization of Palestine" (Lapon 2014), and in November 2022, banker and billionaire Oleg Tinkov renounced his Russian citizenship in protest of the Russian invasion of Ukraine, stating on his Instagram account that "I can't and won't be associated with a fascist country that started a war with their peaceful neighbour" (BBC News 2022).

The immediate objection to justifying emigration as a form of dissent is a Humean one: even when there is a formal right to emigrate, enacting this right can be prohibitively costly to the agent as to make this right otiose (Hume [1748] 1994). Putting aside the general anarchist objection that, in a world of states, there is no space free of authority, the Humean objection can still be plausibly read as one pointing out the vast physical, material, and emotional costs of emigration (Lenard 2015). If the right to exit is meant to serve the purpose of holding government power accountable, then the right to leave must be more than merely formal; the cost of leaving cannot be prohibitive. While defenders of the right to emigrate have persuasively argued that the state has duties of noninterference with regard to emigration, and more controversially that *other* states have (weaker) duties to admit in order to render this right effective (Lenard 2015; Sharp 2023), even in the most favorable circumstances, emigration entails unavoidable costs. As Lenard writes:

> Leaving any community, including but not limited to national communities, may mean cutting oneself off from family and friends, from a culture that has framed one's worldview, and in which one has cultivated one's identity. In (most of) even the best of cases, exiting will mean leaving loved ones and the "sense of belonging and rootedness from community" that membership provides behind. (Lenard 2015, 7)

One argument in support of the right to renounce without emigrating, then, is that by detaching political exit from territorial exit, it makes the right to political exit more effective as an act of expressive legitimacy contestation. Allowing for renunciation without emigration would mitigate the costs associated with renunciation and make this act available for resident citizens. As Schuck and Smith write in their proposal:

> Failure to expatriate oneself formally and intentionally when provided the opportunity to do so should be taken as tacit consent to citizenship, just as it is today. That consent could be made all the more plausible by permitting those who did choose to renounce American citizenship to remain in the country as permanent resident aliens, with all the attendant rights and duties of that status, if they so desired. Hence, expatriation would not be forestalled by an inability to remove elsewhere. (Schuck and Smith 1985, 123)

Walzer, similarly, argues that the "moral condition of the alienated resident probably cannot be [eliminated], at least not in the modern state." Unlike the resident alien, alienated residents—by which Walzer means those who do not share "the political purposes or the political destiny of [their] fellow residents"—cannot be asked to leave. As he writes, "Their condition is, after all, not their own 'fault.' It is some reflection on the quality of state in which they find themselves" (Walzer 1970, 114–5). Since individual citizens could not resist citizenship status when it was imposed on them at birth, the second-best option is to allow them to resist it later in life.

In this sense, citizenship renunciation is a form of "conscientious disobedience," although the analogy to civil disobedience or conscientious objection is imperfect. Civil disobedience is, by definition, an instance of law-breaking; but given that citizenship only exists through official state recognition, renunciation must be a legally recognized act. This is distinct from mere declarations of intent to renounce citizenship, or illegal acts displaying the same intent (sham marriages, passport burning, etc.). Conversely, unlike cases of conscientious objection, the motivation behind citizenship renunciation is not a demand for the accommodation of personal commitments regarding a particular law, but an expression of political dissent toward a broader policy. The act of renouncing citizenship for political reasons ought to be a public one; in Kirkpatrick's terms, renunciation should be a spectacle (Kirkpatrick 2017, 136).

THE OBJECTION FROM ANARCHY

One may object here that the proposal relies on an ideal of a "sovereign individual," for whom affiliations, obligations, and commitments are fully voluntary and can be shirked at will (Stilz 2016, 69–75).[17] This is Bauböck's main reason for rejecting the right to renounce without emigration, at least when it is based on subjective reasons (i.e., a sense of alienation) rather than objective ones. As he writes, "[a] universal right of expatriation in the country would be incompatible with maintaining an inclusive form of citizenship which is the foundation for consent in governments in representative democracies" (Bauböck 1994, 143).

Interestingly, this concern is prevalent even among the earlier proponents of the proposal. Walzer, as I have already noted, thinks that the objection renders the proposal unfeasible and instead sees it as providing support for a general objection to mandatory conscription. Schuck and Smith, while not withdrawing entirely from the proposal, concede that "the consensual principle in its purest form is literally anarchical, jeopardizing all memberships and allegiances… political societies probably could not survive if their citizens felt free to renounce their memberships unilaterally whenever it seemed convenient to do so" (Schuck and Smith 1985, 38). They believe, however, that this problem is resolved because self-expatriation will be "extremely unlikely,"

[17] This implication is likely to be endorsed by those who endorse a "club" or "commodity" view of citizenship on libertarian grounds. This is not to be confused with the "Sovereign Citizen Movement," a far-right movement whose members were described by the FBI as believing "that even though they physically reside in this country, they are separate or 'sovereign' from the United States." See Matza (2020).

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as it would "sever the individual from important political privileges" and thus "would remain, as it must and should be, an exceedingly difficult choice."

Schuck and Smith's reply, however, seems to me inconsistent with their broader argument. First, as they themselves concede, the situation of the noncitizen resident cannot be overly burdensome. This will go against the principle of extending rights and protections to everyone within the state's territory—at the very least, basic rights to security, and further economic and social rights, even if not the full political rights of citizenship. Moreover, it will defeat the purpose of rendering the choice to stay a citizen an expression of consent. Second, and more practically, Schuck and Smith seem to exaggerate the degree to which many people value the political rights that are unique to the status of a citizen.

Walzer's and Schuck and Smith's error in responding to the objection to anarchy, I argue, lies in their reliance on an overly individualist interpretation of the Lockean framework, which conflates different instances of political exit and thus generates implausible implications. For both of these accounts, the subject in question is the apolitical individual who prefers to separate their private life from political demands of the collective (Walzer 1970, 114) or the anarchist who wishes to make a symbolic statement about the coercive nature of citizenship (Schuck and Smith 1985, 123). But there are other reasons to renounce citizenship that are not subject to the same constraints. To see why this is the case, we can articulate at least three categories of cases in which citizenship renunciation could be conceived as a political act, both practically and expressively. As I wish to demonstrate, understanding renunciation as resistance does not entail anarchism.

First, an individual might renounce citizenship as an expression of shifting political loyalties. Given the growing acceptance of dual nationality, this is likely to be reserved to extreme cases, where the new affiliation is in deep tension or even conflict with the original nationality, and so the act of renunciation expresses the act of "choosing sides." Importantly, this reasoning is political in a way not captured by either Walzer or Schuck and Smith. In practice, states are likely to treat this as an act of treason (whether or not they formally allow for renunciation), and there is little to support the rationale of remaining a noncitizen resident of the state. Cases like British spy-turned-Soviet agent Kim Philby or American whistleblower Edward Snowden could be seen as examples of this type.

Individuals might also wish to renounce their citizenship as an expression of rejection of colonial power and a statement of Indigenous sovereignty. Thus, for example, Puerto Rican political activist Juan Mari Bras attempted to renounce his US citizenship while in Venezuela as a statement of support for the liberation of Puerto Rico from the United States (Cuison-Villazor 2021, 1049).[18] Unlike the previous category, this is a claim made by a collective rather than by individuals, and emigration is not a suitable solution to it, given the group's territorial claims. Here, the rejection of citizenship needs to be addressed in the tools of self-government, federalism, or—in extreme cases—secession. Renouncers aim to detach themselves both from the colonizer polity and from its society.

If political renunciation can only be understood in these two ways, this supports the anarchist worry expressed by Bauböck, Walzer, and Schuck and Smith. Yet renouncing citizenship for political reasons need not be understood as an extreme case of one-person secession, what Angell and Huseby call "the hyper-balkanization" objection to the right of secession (Angell and Huseby 2023).[19] Examining cases such as Davis, Lapon, and Tinkov, it makes little sense to see these as claims of shifting loyalties or of collective sovereignty, but rather as claims of resistance to state action. In Davis's case, his objection is a cosmopolitan one, rejecting American citizenship for its complicity in imperial wars. In cases like Lapon and Tinkov, their acts express the rejection of a particular government, regime, or policy. But it does not necessarily express a rejection of society.

The objection from anarchy could be addressed, then, by more carefully distinguishing between political obligations that arise from social membership, on the one hand, and those that arise from the legal status of citizenship, on the other hand. As Walzer himself recognizes, "[t]he politically alienated man has incurred social obligations by his residence, by the everyday contacts he maintains with other men and women, and by the benefits he accepts." He is mistaken, however, that these only support limited negative political obligations (Walzer 1970, 114). I agree with Lea Ypi's and Anna Stilz's respective arguments that the right to emigrate should be conditional, as one does not have the right to automatically and unilaterally be released from their obligations to others (Ypi 2008; Stilz 2016). Thus, for example, an "exit tax" may be justified for skilled emigrants to pay back the public investment in their education. Similarly, under my proposal, when someone renounces their citizenship while remaining a resident, they retain the obligations of social membership even if they lose their formal political membership. They may well be still obligated to obey the law, pay taxes, or other obligations that arise from duties of fair-play, or a natural duty of justice, or associative duties. But these obligations are not unique to citizens, nor do they arise from the status of citizen; they are similarly owed by those who are members of society, in the broad sense

[18] For further examples of rejecting citizenship for self-determination reasons, consider the cases of American Samoans refusing to be birthright American citizens; the Druze in the Golan Heights or Palestinians in East Jerusalem refusing Israeli citizenship; or—somewhat differently—Tibetans refusing Indian citizenship to maintain their claims against China; cf. Font-Guzmán (2015) and Bloom (2018). On the obligation to recognize the right to citizenship refusal in settler colonial states, see Kane and Lenard (2025).

[19] For a defence of the hyper-balkanization reductio, see Tideman (2004). For an analytical comparison of secession and emigration, see Sam (2022).

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of the term, but who are not citizens; namely, long-term residents. As Michael Blake (correctly, in my view) draws this distinction, social membership is a gradual, as it "relates to one's situated-ness within an informal network of norms, cultural traditions, linguistic habits, and so on"; it can be the ground for different rights and duties, including the right to acquire formal citizenship, but it is not identical with the latter (Blake 2017, 174).

In addition, this response addresses not only the worry about anarchism, but further strengthens the expressive meaning of renouncing citizenship. If renouncing citizenship is also in the self-interest of the individual—relieving them from their obligations without incurring a cost—this may plausibly cast doubt on the expressive meaning of their action. With emigration, the expressive meaning of the act is not always straightforward. I may be emigrating as a way to express dissent, but I may be motivated by economic interests, personal reasons, or other preferences. Renouncing citizenship, on the other hand, is a less ambiguous act; and if, by the fact of remaining a resident, it does not relieve me from the obligations associated with social membership, the less ambiguous in intent it becomes.

I am not suggesting that renunciation should only be permitted if it is driven by justified political reasons. Consider two scenarios in which an individual might wish to renounce their citizenship for the "wrong" reasons. In the first, a person decides to renounce their citizenship frivolously—for example, after losing a bet, or as a publicity stunt. In the second, the person decides to renounce their citizenship for genuine political reasons, but these reasons are morally objectionable; consider, for example, a racist renouncing his American citizenship in protest of school desegregation. In both cases, we can agree that the person in question lacks a moral justification for renouncing citizenship. Yet, as in analogous cases of civil disobedience or conscientious objection, this is distinct from whether their right to so should be legally protected. Since the act of citizenship renunciation is expressive, noncoercive, and imposes minimal external costs on others (given the distinction between social and political obligation), there are few reasons to restrict its legal permissibility to instances where an overriding moral justification exists.

RENOUNCING INTENTIONAL CITIZENSHIP

There is, then, an uneasy balancing act to the proposal. To serve its expressive meaning, the act of renouncing citizenship cannot be overly costly (for Humean reasons), but it also cannot be costless. This leads to the following worry: if, by renouncing citizenship while remaining a resident, one retains many of the social, economic, and political rights, but also many of the duties that arise from social membership, what difference does renunciation make? As Bauböck expresses this worry, "voluntary internal expatriation would have perverse effects of blurring, rather than highlighting, distinctions between citizens and noncitizens and of devaluating substantial citizenship" (Bauböck 1994, 145). Without such distinction, the act of renouncing citizenship becomes merely symbolic in the pejorative sense, like giving up on a meaningless title.

This is not quite right, however, for two main reasons. Even if, domestically, the line distinguishing between the rights and duties of citizens and noncitizens is blurred, under the current mobility regime, only citizens will be entitled to a permanent right to return to the state upon leaving it, and will be entitled to diplomatic protection abroad. This reflects the special international value of citizenship status, although arguably this distinction may well be contingent. Some nationality laws (e.g., the Netherlands) stipulate that long-term residence abroad leads to automatic loss of citizenship, and it is possible to argue, from a normative perspective, that noncitizen long-term residents should have a right to return and be protected from deportation (cf. Ochoa Espejo 2016; Birnie 2020). Nevertheless, this demonstrates that even in circumstances where the domestic distinction between citizens and residents is blurred, an international distinction may persist.

The second, and more important reason, has to do with collective responsibility for the state's actions. The precise account of whether (and why) citizens are responsible for the actions of their state is contested: different accounts point to different grounds, including national identity, causal contribution, democratic authorization, benefit, and associative duties (Lawford-Smith and Collins 2017; Pasternak 2021, 125–56). Importantly for my purposes, and as many commentators are quick to add, the term "citizens" in this debate is not meant to be synonymous with those formally holding citizenship status. Temporary and long-term immigrants also pay taxes, benefit from state protection, and could be politically active; they may, in other words, be counted as liable for the purposes of assigning responsibility without having the legal status of citizens (Lawford-Smith 2019, 20; Pasternak 2021, 70). In that sense, they may be seen as sharing a liability for the state's actions and could justifiably incur the costs of addressing the wrongs committed by the state, regardless of their citizenship status.

What citizens have, and noncitizens do not have, is a share in the collective responsibility for state actions in the sense these are done "in their name." Building on Avia Pasternak's theory of intentional citizenship, we can view citizenship as a form of collective action: "citizens are acting together in their state… and their state's policies can be attributed to them" (Pasternak 2021, 46). Like Pasternak, I am not claiming that this is the sole basis for assigning responsibility; as mentioned above, those who contribute to the state, benefit from it, or facilitate its operation in some other way can bear remedial duties for its actions. But the responsibility of citizens is different: because the actions of the state are done in their name, they have a forward-looking responsibility to repair their state, independently of whether they can be said to

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contribute to it, benefit from it, or endorse its actions (Erez and Laborde 2020, 192–3).[20] Unlike the other bases of assigning responsibility, which are proportional to the level of contribution, benefit, or blame, citizens "can be expected to accept a nonproportional share of the burden of their state's responsibilities" (Pasternak 2021). In Pasternak's account, intentional citizenship is a ground for allocating responsibility when proportional allocation is infeasible or too costly.

One of the main challenges for this account of collective responsibility is that, for it to be plausible, citizen participation in the state must be genuine, in the sense that it is not coercively imposed. It is not enough that the state claims to be acting in the citizens' name; genuine participation requires that "group members choose not to leave their group even though leaving the group is not unreasonably costly. Or, if leaving the group is impossible or unreasonably costly, that fact is not what motivates them to stay" (Pasternak 2021, 75).[21] As she concedes, this model raises an immediate empirical objection to how these subjective attitudes can be evaluated and measured. On the one hand, it is neither feasible nor desirable to interpret every act of opposition as demonstrating a rejection of intentional citizenship. On the other hand, Pasternak's proposed solution of relying on cross-national surveys on national identity (Pasternak 2021, 98–109) is problematic in the way it conflates social identity with political participation in the state. How can we differentiate, then, between intentional and non-intentional citizens?

Citizens, I propose, should have an option to formally express this claim through citizenship renunciation. The option to renounce citizenship, as a formal and legal act, provides a clear option for expressing the lack of intentional citizenship, and thus removing oneself from the collective, and, by omission, choosing not to renounce is further evidence of participatory intentions. As we have seen above, in instances where nonresident citizens have renounced their citizenship in protest, this was an expression of self-removal from political membership. As it follows from the model that nonresident citizens still bear responsibility for their state's actions, even when they do not live within its territory, this act can be explained in terms of rejecting one's share of collective responsibility. Interestingly, the option of resisting collective responsibility through exit is recognized by Pasternak:

> even if the intentional membership approach potentially incentivizes some citizens to relinquish their citizenship status, at the same time it can provide incentives for the state and those citizens who are more strongly attached to it to avoid morally hazardous policies, precisely in order to prevent the exodus (actual or intentional) of some citizens, thus creating a greater burden for those who choose to stay behind. (Pasternak 2013, 379–80)

If this is correct, there is no reason to condition citizenship renunciation on emigration. Resident citizens should have the option to formally renounce their intentional membership, while recognizing that this does not entail exit from social membership and its accompanying duties.

It is appropriate now to revisit the assumption that the account is limited to liberal democracies and its implications for the role of citizenship renunciation with regard to collective responsibility. Unlike other accounts of collective responsibility (e.g., Stilz 2011), Pasternak maintains that intentional citizenship is not limited to liberal democracies. While it is true that "it is likely that citizens will feel alienated from a state that denies their political and personal liberties" (Pasternak 2021, 117), authoritarian states do not rely solely on repression to generate loyalty and stability, and state repression is often heavier on political minorities. This suggests that, under some circumstances, citizens of authoritarian states can be intentional citizens, and thus renunciation as a political act becomes possible. However, even if they have a moral claim to renounce their citizenship without emigrating, practically speaking, this is less likely than in liberal democracies; the costs of remaining as intentional noncitizens would simply be too high. Thus, in the case of citizens of authoritarian regimes, political renunciation will likely follow emigration, for reasons of prudence rather than as a moral requirement.

CONCLUDING REMARKS

This article defends the right to renounce citizenship without emigration. I argued that the status quo, in which long-term residents can choose whether to become citizens but citizens cannot choose to renounce their citizenship without emigrating, is incoherent. I argued that we should reject the first horn of the dilemma: mandatory naturalization for long-term residents is unnecessary and undesirable. Furthermore, I argued that a right to renounce citizenship without emigrating lowers the costs of political exit, strengthens the claims of legitimate authority based on the consent of the governed, and creates a further path of resistance to state action.

Further questions, that I have not addressed here, remain. First, should this right be differentiated between natural-born and naturalized citizens? The logic of the Lockean argument seems to suggest yes; unlike the ascriptive and unchosen birthright citizenship, naturalized citizens voluntarily took on this status, and so it seems right that it should be more difficult for them to renounce it (Locke thought it should be impossible). Yet this goes against the commitment to

[20] In my article with Laborde, we argue for the engaged criticism of the cosmopolitan patriot as an alternative to blind loyalty and to alienated disdain. I now think this was too simple; while through exit one removes oneself from political membership, I am inclined to agree with Kirkpatrick that it can be interpreted as a form of civic resistance as well.

[21] I want to thank an anonymous reviewer for encouraging me to clarify this point.

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antidiscrimination between natural-born and naturalized citizens in other policy areas.[22]

Second, once citizenship is renounced, can it be reacquired—and what would be the normative implications of that with regard to citizen collective responsibility? On the one hand, given that the individual retains their social membership, it seems that they would retain a right to political membership like all long-term residents (à la Carens). But on the other hand, a revolving-door approach to political membership would reintroduce the anti-voluntarist objection that this undermines the value of citizenship.

Finally, throughout this article, I assumed that the individual renouncing citizenship is not left stateless as a result. Is the implication of my argument that individuals should have the right to renounce citizenship *even when* this will render them stateless? This is a difficult bullet to bite, mainly as it reintroduces the paternalist objection. I hope to address these questions on a different occasion.[23]

Even if my argument is persuasive, and there is a moral right to renounce citizenship without emigration, I admit that it is unlikely that this right will be legally recognized by actually exiting states anytime soon. Does this render this article "an exercise in mere sophistry without any practical relevance"? (Bauböck 1994, 147). Not necessarily. This question, as I have shown here, sheds light on the theoretical assumptions underlying different conceptions of citizenship that move on the spectrum between the voluntary and the ascriptive. That there is no right to renounce citizenship without leaving is often thought to be a decisive argument against voluntary theories. I hope that my argument shows that this bullet is biteable.

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[22] Especially in questions surrounding policies of denationalization, which—given the presumptive duty against statelessness—are limited to dual nationals. See Gibney (2020).

[23] While finalizing this article, I came across Jocelyn Kane's recently defended dissertation, which deals with this question from a different perspective (Kane 2025). See also an unpublished paper by Rebecca Buxton, who kindly shared the manuscript with me (Buxton 2022).

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