

# Participatory parity vs. segregated citizenship

## Comparing the theories of Will Kymlicka and Nancy Fraser on the rights of immigrants and national minorities

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*This article analyzes Will Kymlicka's theory of justifying special rights for members of national minorities in contrast to immigrants or refugees and compares Kymlicka's account with the principle of participatory parity, as it is established by Nancy Fraser. It is argued that, comparing to Kymlicka, Fraser provides a better starting point for ethical considerations of minority rights in general. Even though the principal of participatory parity lacks detailed instruction of its political implementation, it is primarily inclusive and does not deprive immigrants or refugees of basic rights.*

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### Introduction

Ethical investigations of immigration occur within a wide scope of responsibilities.<sup>1</sup> The moral and legal dimensions of a right to migrate, the right to enter into another state, the legal and illegal dimension of immigration, the corresponding duties of hospitality and first-admission policies the host states may have to fulfil, and, of course, the almost unbearable living conditions many immigrants have to cope with during the process of migration are only some issues in current debates. All these moral and judicial aspects are further complicated by various causes, motives and aims that different categories of migrants have for leaving their home country, which also influence the moral justification of their right of residence.

There is, however, another point for discussion which does not touch the concrete process of migration, but does involve the legal coexistence of immigrants, refugees, regular citizens and other members of minority groups *after* immigration has taken place. In this context, the tension<sup>2</sup> between universal rights, which are conferred to every human being, and their contextual realization in individual nation states with their own particular

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<sup>1</sup> See for an overview Veit Bader, "The Ethics of Immigration", in *Constellation* 12 (3/2005), p. 331 f.

<sup>2</sup> The tension between universal human rights and their particular embodiment in single nation states is clearly elaborated by Seyla Benhabib in *The Rights of others. Aliens, Residents and Citizens*, Cambridge 2004, p. 2, p. 44, p. 175.