

Nationals, but not full citizens: | Naturalisation policies in Mexico | HENIO HOYO*

Abstract

Despite being citizens, naturalised Mexicans are subjected to large restrictions in their political, civic, and even labour rights. Why such discriminatory regime is applied to such a reduced group of citizens, in a country that officially prides itself as open, tolerant, and having an intrinsically ‘mixed’ national origin? My hypothesis is that the roots of such differentiated treatment are the ideological legacy of the ‘Revolutionary Nationalism’ doctrine, which was promoted by the Mexican state during most of the 20th century, and is still expressed in laws and policies.

Keywords: Mexico; naturalization policies; nationalism; inequality.

Introduction

According to its official historiography, Mexico is a *mestizo* (‘mixed’) nation: that is, one produced by the miscegenation and ethno-cultural fusion of both indigenous inhabitants and Spaniards. In some way, this could give an idea of a nation naturally prone to inclusiveness. What is more, during the 20th century Mexico was presented as a country of ‘open doors’, where victims of political persecution could find refuge. But in contrast to such ethos of inclusiveness and openness, and despite recent developments that included the acceptance of multiple citizenship, some groups within Mexico are subjected to very important restrictions in their rights, which amount to an open, legally-sanctioned discrimination. This is the case of the Mexicans by naturalization.

Why such restrictive measures applied to such a small group of Mexican citizens that, in principle, should be entitled to same rights as any other citizen? How such restrictions based on the foreign origin of a citizen, are related to the core ideas that sustained the political regimes in Mexico after the 1910 Revolution?

Nation, nationality, and citizenship in Mexico

After its independence from the Spanish Empire in 1821, and like all other post-colonial societies, Mexico had to deal with the key question of membership. That is: who are the Mexicans, and who foreigners? Which are

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the conditions for acquiring, and losing, Mexican nationality/citizenship, and which rights and duties should be attached to it?

Decisions, regulations and policies on these issues were adopted rather slowly and according to the political necessities of the moment (see Pani, 2012a, 2012b). For instance, the *Apatzingán* Constitution of 1814 – which is considered as the first of Mexico, despite being issued before its independence – did not offer clear guidelines regarding who ‘the Mexicans’ were, or how such citizenship should be acquired. The first Constitution issued in an effectively independent Mexico (in 1828) did not specify these points either.

In fact, nationality by birth was not regulated until 1836, when male-transmitted *ius sanguinis* was adopted as the main principle; but this would change several times during the century.¹ The current system for citizenship-by-birth acquisition, which combines both *ius soli* and *ius sanguinis*, was set in 1934 only (Cisneros Chávez & Moraga Valle, 2012; González Martín, 1999, pp. 19-34; Hoyo, 2015b, pp. 2-4).

In contrast to citizenship-by-birth, naturalization was tackled right after independence. The first decree in this regard was issued in 1823 and was followed by a more detailed law in 1828 (Cisneros Chávez & Moraga Valle, 2012; González Martín, 1999, pp. 19-34; Hoyo, 2015b, pp. 2-4; Pani, 2012a, p. 632). This is an indication of the preoccupations of post-independence regimes about the remaining Spaniards in Mexican territory – who, by the way, were also subjected to mass expulsions (see e.g. González Navarro, 1994; Pani, 2012a; Pérez Vejo, 2009).

How important have been naturalised citizens in Mexican history - or as a matter of fact, all foreign-born inhabitants of it? This question is difficult to answer, because statistical data on immigration and naturalisation for both 19th century and most of the 20th, is notoriously fragmented and unreliable; is currently unavailable due to limits to public information access; or it simply does not exist (see e.g. Rodríguez Chávez, 2010; Rodríguez Chávez, Salazar Cruz, & Martínez Caballero, 2012; Yankelevich, 2015). This lack of data makes it impossible even today, to differentiate between three groups of foreign origin: resident foreigners as such; naturalised Mexicans; and Mexicans-by-birth born abroad who automatically acquired such nationality due to the *ius sanguinis* principle.

However, the specialists agree that all foreign-born inhabitants of Mexico – that is, the sum of all three groups mentioned above – have never been more than 1% of the total population (Cobo Quintero & Rodríguez Chávez, 2012; Gleizer Salzman, 2011; 2015, pp. 116-117; Pani, 2012a, p. 628; Rodríguez

¹ The 1836 law also admitted *ius soli*, but only applicable for those born in Mexico from a foreign father, and upon request. Universal *ius soli* was adopted in 1843, but it was changed back to a pure *ius sanguinis* regime in 1857. The Second Mexican Empire of Maximilian of Hapsburg (1864-1867) introduced a mixed system, but after its defeat, ‘pure’ *ius sanguinis* was restored and confirmed in 1886, and in force until the first decades of the 20th century.

Chávez, 2010; Rodríguez Chávez et al., 2012; Yankelevich, 2015). In the particular case of naturalization, researchers working with the available archival sources have found surprisingly low numbers. Pablo Yankelevich sets a figure of 36,519 naturalizations in 171 years (1828-1999), from which 93% were granted during the 20th century, particularly between 1920 and 1953 (Yankelevich, 2015, pp. 1633-1638).² Daniela Gleizer offers a similar picture: only 25,166 requests for naturalization in Mexico were granted during the period 1900–1949, while 13,859 other applications were unsuccessful (Gleizer Salzman, 2015, p. 118).³

More detailed data is available only for recent years, but it shows a sharp increase in relative terms: 60,149 naturalizations were granted from 2000 to 2014 (table 1). When compared with Yankelevich’ figures, this implies that in just eight years (2000-2007) Mexico granted more naturalizations than in all its previous history (37,772 vs. 36,519). This goes in line with the radical increase of all foreign-born persons in Mexico, which almost doubled between 2000 and 2010 (see table 2).

Table 1. Naturalisations in Mexico, 2000-2014

2000	3,944	2005	5,610	2010	2,150
2001	3,090	2006	4,175	2011	2,602
2002	4,737	2007	5,470	2012	3,590
2003	4,317	2008	4,471	2013	3,581
2004	6,429	2009	3,642	2014	2,341
<i>Total for the period 2000-2014: 60,149 - For 2000-2010 only: 48,035</i>					
Source: Secretaría de Relaciones Exteriores (2015)					

Table 2. Mexico: foreign-born inhabitants vs. total population of Mexico

	2000	2010	Absolute increase	Relative increase
Total	97,483,412	112,336,538	14,853,126	15.24%
Foreign-born, absolute	492,617	961,121	468,504	95.11%
Foreign-born, %	0.51%	0.86%		
Source: INEGI (2015)				

In spite of such important relative increases, we can still see that (A) foreign-born persons continue to be a very small minority, vis-à-vis the total inhabitants of Mexico – just 0.86%; and (B) that roughly one-tenth of the increment of

² Most persons that obtained naturalization between 1828 and 1953 came from Spain (40.39%) and Guatemala (15.70%). Further countries of origin included Germany, China, Poland, Lebanon and Russia (Yankelevich, 2015, pp. 1633-1638).

³ This number includes rejected applications, as well as those left unfinished by the applicant.

foreign-born persons living in Mexico between 2000 and 2010, was due to naturalization: 48,035 from 468,504.

Thus at least in quantitative terms, naturalization has been very marginal in the history of Mexico. This contrasts firstly, with the importance given to naturalization laws right after independence, as mentioned above; and secondly, with the laws and policies set after the Revolution, as we will see next.

The dangerous few: naturalization and immigration in post-revolutionary Mexico

In 1910, the Mexican revolution started as an uprising against the 35 years-long regime of Gen. Porfirio Díaz. It then continued as a long, complex struggle between leaders and groups of diverse social backgrounds, regional affiliations, and political affiliations. Nevertheless, such leaders shared strongly nationalist conceptions, particularly vis-à-vis the United States.

This attitude was not gratuitous: firstly, given the long history of US interventions in the country during the 19th Century, including but not limited to the 1846-1847 invasion that ended with the loss of half the territory of Mexico;⁴ and secondly to more recent developments, like further military interventions during the Revolution itself, and the fact that the American ambassador (Mr. Henry Lane Wilson) was directly involved in the 1913 *coup d'état* that ousted and killed the first president elected after Díaz, Mr. Francisco I. Madero (see e.g. Meyer, 1977, 2006; Meyer & Vázquez, 2001).

As an answer to such menacing international environment, 'Revolutionary Nationalism' (*Nacionalismo Revolucionario*) became the blueprint of most regimes in Mexico until, at least, the 80's, and the books by Andrés Molina Enríquez, *The Great National Problems* (Molina Enríquez, 1909) and José Vasconcelos, *The Cosmic Race* (Vasconcelos, 1997 [1925]) are widely considered as those that shaped it the most. However, Revolutionary Nationalism was never a very coherent ideology; but just a set of general and vaguely articulated notions about the history and characteristics of Mexico as a nation, and the common goals it should pursue. On top of it, such notions were not always presented in an explicit form, and the particular narratives could change quite frequently.⁵ In spite of such heterogeneity, we can identify at least four 'pillars' of Revolutionary Nationalism:

1. *Political institutionalization*, which involved the consolidation of strong bureaucratic/governmental institutions at the federal level, but leaving relative

⁴ The territory ceded by Mexico after the war comprises the current US states of Arizona, California, Nevada, New Mexico, Texas and Utah, and portions of Colorado, Kansas, Oklahoma and Wyoming.

⁵ Studies about Revolutionary Nationalism abound, but most of them deal with specific aspects or moments of it. See Aguayo (1998); Bartra (1992); Gall (2013); Gutiérrez (1999); Knight (1990); Lomnitz - Adler (2009, 2010); Mabire (1999); Meyer (1977, 2010); O'Toole (2010); Segovia (1968); Vizcaíno (2004) among others. The 'four pillars' presented here are a synthesis and extrapolation of this literature.

autonomy to regional (e.g. state-level) powers. It also involved the creation, centralization and consolidation of a system based in both corporatism on the one hand, and the dominance of a single political party (PRI) on the other, as the primary mechanisms for political competition, popular representation, and management of social demands, all within a formally democratic system.

2. *National development*, which meant that the Mexican state was directly responsible of the socio-economic progress of the country and its inhabitants. This led to the creation of successive National Development Plans, as well as to the direct intervention of the state in the economy by means, for instance, of public companies (either through privatizations or the establishment of new ones); of strong protectionist measures, and a close control of the financial system and exchange rates; and of social and labour protection policies and laws.

3. *National identity*, where Mexico was presented as having a long and revered indigenous background; nonetheless, as a ‘modern’ nation, it was the result of the ethnic, cultural and genetic mixture (*mestizaje*) of the indigenous inhabitants and the Spanish conquerors.⁶ Such doctrine led, among many other things, to the development of a centralized national curricula for both public and private schools, with particular attention to national history courses; and to intensive efforts towards the development of national art – including, but not limited to painting, music, films, and literature.

4. *Defensive character*, which had an ‘outward’ expression in a formally autonomous foreign policy, particularly vis-à-vis the United States; and an ‘inward’ expression in a complete rejection of any form of intervention in the public life of Mexico –including, but not limited to political matters, and either by foreigners abroad or those inside Mexico itself.

All four pillars of Revolutionary Nationalism were enshrined in the 1917 Constitution and the corresponding secondary laws in almost every single area: from economy, labour and land tenure, to foreign affairs (see for instance Escalante Gonzalbo, 2009; Ojeda, 1976).⁷ But Revolutionary Nationalism also had a direct impact on the provisions regarding citizenship/nationality. Both the Constitution and the 1934 Nationality and Naturalisation Act (hereafter NNA) set five principles in this regard (Hoyo, 2015a, 2015b):

1. A clear distinction between ‘nationality’ and ‘citizenship’, each with different rights associated;
2. Acquisition of Mexican nationality by birth by both territorial and ancestry principles (universal *ius soli* + *ius sanguinis* for those born abroad);

⁶ It must be noted that the Mexican narrative, with its emphasis on ethno-cultural mixture and miscegenation in a relatively recent time, offers a stark contrast regarding most other national historiographies, which strive to identify the national origins in a single, very old, and arguably ‘original’ and ‘pure’ community.

⁷ An example of such nationalist is article 27th of the Constitution, which prohibits foreigners from owning land within 100km of Mexico’s international borders, and 50 km of coasts.

3. Prohibition of dual nationality (abrogated in 1997);
4. Legal differentiation between Mexican nationality by birth and by naturalisation, with different rights and restrictions for each; and
5. Preferential naturalisation for persons with similar ethno-cultural background.

Principles (1), (2) and (5) are quite common in Latin America. The first one was inherited from the Spanish legal tradition: *nacionalidad* refers to the individual membership (or ‘belonging to’) the Mexican nation-state, therefore corresponding to the standard English use of the word ‘citizenship’. In turn, *ciudadanía* refers specifically to the enjoyment of political rights in such state (e.g. enfranchisement). A person becomes a Mexican ‘national’ at birth or after naturalization, but will be considered as a Mexican ‘citizen’ only upon reaching 18 years and as long as it has ‘an honest way of living’.⁸ In turn, principles (2): use of both *ius soli* and *ius sanguinis* for nationality by birth, and (5): preferential naturalization for specific nationalities, are also common in the Americas – even if there are variations across countries.⁹

Principle (3) is the only one that has been changed since 1934. Such change also followed a trend in the Americas: while the region was extremely reticent to dual nationality until the 60’s, nowadays it is the one that accepts it the most (EUDO Citizenship Observatory, 2013; MACIMIDE, [2014]).

Mexico introduced a constitutional reform in 1997-1998, which defined Mexican citizenship-by-birth as ‘permanent’. This means that since then (1) no Mexican authority can deprive a Mexican-by-birth from its nationality; (2) if a foreign country forces a person to renounce to its Mexican nationality in order to take its own, this will not have legal validity for Mexico; and (3) that in the facts, a Mexican by birth cannot renounce to its Mexican nationality, even if this is a truly voluntary decision. Hence for Mexico, a Mexican-by-birth will always remain Mexican, and so she/he will be subjected to the same legal regime as any other national (Becerra Ramírez, 2000; González Martín, 1999, 2000; Hoyo, 2015b; Hubbard Urrea, 2010; Secretaría de Relaciones Exteriores, 1999).

Finally, regarding principle (4), the Constitution mentions only one ground for naturalisation: marriage to a Mexican, linked to residence in the country (art. 30). All further grounds are referred to secondary laws, with the Secretariat of Foreign Affairs as the institution in charge of such process. This contrasts with

⁸ In the practice, such requirement allows for the suspension of the political rights of any person subjected to a judiciary process, but does not preclude their restitution afterwards. However, the differentiation between *nacionalidad* and *ciudadanía* can be rather unclear in many cases.

⁹ For instance, Colombia lowers its residence requirements to one year instead of five for nationals of Latin American or Caribbean countries. Similar schemes apply to Nicaragua (two years instead of four for Spaniards and Central Americans); Venezuela (five years instead of 10 for citizens of Spain, Portugal, Italy, Latin American or the Caribbean); Brazil (one year instead of five for Portuguese citizens) etc. Also, many Caribbean countries have similar provisions regarding citizens of other Commonwealth countries (EUDO Citizenship Observatory, 2013).

the international practice, where naturalization procedures are normally handled by an office of the Ministry of the Interior or a similar institution.¹⁰

The standard requirements for naturalization, as specified in the current Nationality Law (hereafter NL98) are 5 years of legal residence in the country and passing a test of Mexican history and culture. However, *preferential* naturalization (generally involving the reduction of residence requirements to 2 years) are granted in many cases, which include but are not limited to family reasons (e.g. marriage to a Mexican; having Mexican children, or having Mexican ancestry) as well as the ethno-national origin of the applicant. The latter is the most relevant for our analysis.

In 1934, both art. 30 of the Constitution and NAA granted privileged naturalisation to *indolatinos* ('indo-Latin persons'). Nevertheless, it must be pointed out that this did not include all persons coming from what currently is Latin America, but only those that were either *mestizos* or indigenous. Thus the nationals of a Latin American country with foreign origins (e.g. second-generation migrants from Asia or Africa) were excluded, as they did not belong to the same 'race' as *indolatinos* (see Gleizer Salzman, 2011, 2015; Yankelevich, 2009, 2011, 2014).

What is more, a rigid system of quotas for both immigration and naturalization purposes was established. Under such system, a number of human groups deemed as 'detrimental' to the Mexican nation in ethno-cultural, racial, or 'biological' terms, were barred not only from naturalization, but in many cases, of just entering the country altogether. This included all Africans; Asians with the partial exception of Japanese; Eastern Europeans; and Jews among others (see Gleizer Salzman, 2011, 2015; Saade Granados, 2009; Yankelevich, 2009, 2011, 2014).

The openly racial motivations for both barriers and facilitation to immigration and naturalization, were substituted during the 40's for an approach that seemingly privileged ethno-cultural similarities and historical ties of the applicant with Mexico. In this vein, Spaniards were included in 1940 among those entitled to privileged naturalization. Then, a 1949 reform to NAA changed the term "indolatinos" for the less biased "Latin Americans". However, the same reform required applicants to prove that both themselves and their parents were natives of Spain or a Latin American country – therefore still barring both naturalised and second-generation migrants from privileged

¹⁰ This is even more peculiar since the Secretariat of the Interior (*Secretaría de Gobernación*) is responsible of population and immigration policies of Mexico. However, regarding naturalization it has a subordinated role only, e.g. by providing information to Foreign Affairs about the immigration status of an applicant or, in any case, of its involvement in criminal activities. It can also issue recommendations in specific cases, but they are not binding.

naturalization. This changed in 1993 only, the same year that was Portugal added to the list.¹¹

Art. 20 of the current law (NA98) offers preferential naturalization to those nationals from “a Latin American country, or one of the Iberian Peninsula”, with no specifications about the ethnic background of the applicant. Therefore, the grounds for privileged naturalization are seemingly based in the historical and identity links shared by the former colonies and their respective metropolis. In this vein, the countries whose nationals are entitled to privileged naturalization include Spain, Portugal, and all countries of Latin America with two strange cases: Belize (which is included) and Haiti (which is not).¹² Thus it is clear that besides historical/identity grounds, there are further considerations guiding the Mexican policy on privileged naturalization. These are not public, but we might think of two: (i) the ability of the person to be integrated in the Mexican society; and/or (ii) ethnic/racial grounds *per se*.

If the guiding considerations were the first, then language would be a main factor. This does not apply in full to Brazil, Portugal, and Belize. Of course, the first two could be included due to the linguistic similarity between Spanish and Portuguese. But in that case, other Latin languages could also be considered, like French/Creole. What is more, Belize is internationally considered as part of the English-speaking Caribbean. Its inclusion for preferential naturalization purposes might be explained by its neighbouring status regarding Mexico, as well as its large Spanish-speaking population.

Far more interesting is the *exclusion* of Haiti: a country that Mexico has always regarded as part of Latin America for diplomatic purposes, not only in the discourse but also in official documents and programs up to the present day.¹³ Therefore, it seems highly anomalous to exclude Haiti from ‘Latin America’ for purposes of preferential naturalization only.

This could hint to the persistence (either implicit or explicit) of some ethno-cultural bias in naturalization preferences: that is, regarding who is ‘fit’ in ethnic terms to become part of the Mexican nation. But the existence of such an institutional bias in the case of Haiti is difficult to prove, especially since other countries with large communities of African ancestry are indeed entitled to expedited naturalization (e.g. Brazil, Dominican Republic, Belize itself). In any

¹¹ In 1993, a new Nationality Act substituted the almost-60 years old NAA. However, the 1993 Act was not properly enacted, and was substituted just 5 years later by NA98.

¹² ‘For naturalisation procedures, the countries considered as Latin American [are:] Argentina, Bolivia, Brazil, Belize, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Honduras, Nicaragua, Panamá, Paraguay, Peru, Dominican Republic, Uruguay and Venezuela as well as Spain and Portugal from the Iberian Peninsula’ (Instituto Nacional de Acceso a la Información & Secretaría de Relaciones Exteriores 2015).

¹³ For instance, Haiti is explicitly mentioned as a Latin American country in the Foreign Affairs Program of the current administration (Secretaría de Relaciones Exteriores, 2013).

case, the exclusion of Haiti of it still lacks an explanation,¹⁴ particularly since Mexico has officially embraced multiculturalism/interculturalism during the two last decades – certainly not without difficulties (see for instance De la Peña, 2006; Vizcaíno, 2004).

Up to this moment, the focus of the analysis has been in regulations. Of course, we cannot exclude many other intervening factors such as procedural and informal barriers that might also reflect to ethno-cultural, racial, or other considerations, especially given the large margin of discretion enjoyed by the Mexican authorities in the matter. These possible procedural/informal barriers are beyond the scope of this text, but historical researches have proven how determinant they were for the outcome of previous naturalization requests (see for instance Gleizer Salzman, 2015).

Yet for the moment, let's assume that the applicant to Mexican nationality has been successful, so she/he receives the corresponding *carta de naturalización*. What does it mean, in terms of rights, duties, and benefits as a new citizen?

Make them Mexicans... but only a bit

At least in liberal democracies, the modality of nationality/citizenship acquisition (*ius sanguinis*, *ius soli*, naturalization, etc.) does not have general legal effects in the political rights of the person. Once an individual becomes a part of such polity, she/he is entitled to the same rights, obligations, and limitations as the rest (including political ones).

This rule is based in the fundamental equality of all members of a democratic / republican polity. The exceptions to it are mostly regarding the access to political/governmental posts or functions of special importance, like those at the highest levels in the executive power (head of state or of government) or in the military/security apparatus of a given state (chief of staff, high commanders, heads of security or intelligence agencies, etc.) which might be reserved to citizens by birth. But beyond these special cases, which are justified in terms of national security, the international practice does not evidence a generalized differentiation *de jure* in the rights of naturalised citizens vis-à-vis those of citizens by birth.

Mexico is completely different in this regard. Naturalised Mexicans face restrictions, or outright prohibitions in several areas which are explicitly stated in diverse laws and the Constitution itself (arts. 32, 95, 102, among others). These restrictions include, but are not limited to holding posts and functions in each of the governmental branches, which can only be performed by 'Mexicans by birth' and, since the 1998 reform that allowed dual nationality, by 'Mexicans by birth that do not have another nationality'. Some of the areas with posts for which naturalised Mexicans are currently ineligible, include:

¹⁴ Some specialists suggested to me that the 2010 earthquake in Haiti could be the cause of its exclusion from preferential naturalization schemes, in order to prevent massive naturalisation requests. However, to my knowledge the same restrictive measures have not been applied to other Latin American countries after natural disasters.

(a) Executive branch: President of Mexico as well as all Secretaries of State; the Attorney General; and Heads, Commissioners or Directors of federal agencies, regulatory/auditing bodies, or autonomous/semiautonomous institutions as diverse as the Institute of Social Security, the National Electoral Institute; the Federal Institute of Telecommunications; the National Commission for Human Rights, and many others. Similar restrictions are set for a number of executive posts in the local level, including of course all governorships and the mayor of Mexico City.

(b) Particular governmental services: all diplomatic posts; all ranks in armed forces; many in police / security corps.

(c) Legislative branch: All elected posts in both houses of the Federal Congress; of the Legislative Assembly of the Federal District; and of most of the 31 state congresses.

(d) Judiciary branch: All judges of the Supreme Court (art. 95), as well as those of the state courts, and several posts in most judiciary bodies.

(e) Academic, research and cultural institutions: Director or Member of the Governing body of the National University; the National Polytechnic Institute; the National Institute of Anthropology and History; and other institutions.

Clearly, to defend the exclusion of naturalised Mexicans from all these posts on grounds of national/state security, seems completely out of proportion. This applies in particular for those posts in the academic, research and cultural institutions, and those in the local level. Instead, we need to explain such treatment in the goal of reducing any chance for 'foreign-related' persons from taking any meaningful role in the public life of Mexico - even those who are Mexican citizens themselves.¹⁵

The unequal treatment of naturalised Mexicans vis-à-vis Mexicans by birth does not stop in the public/governmental realm though. It also reaches some areas within the *private* sector. For instance, both the Constitution and secondary laws state that every single post in either military or civilian ships using the Mexican flag, should be performed by Mexicans by birth: from Captain/Pilot, to officers, to crew members. Once again, it would be difficult to defend the exclusion of naturalised Mexicans from, let's say, fishing activities on grounds of national security. Similar restrictions are in force regarding Mexican commercial (e.g. passenger) airlines, as well as several related land-based posts, such as commanders of port or airports.

¹⁵ I am aware that the only way to prove, without doubt, the direct influence of Revolutionary Nationalism in each of the restrictions mentioned, is to make a detailed analysis of legislative debates for each Constitutional article and relevant law. The same would apply for any subsequent reform proposal of such articles and laws. Such a detailed study is beyond the limits of the present article, but it is part of my ongoing research. Preliminary analysis of selected debates seem to confirm the case. Furthermore, the discussions in 1997-1998 that led to the acceptance of dual nationality, but that at the same time restricted the political rights of any dual national, also offer evidences of such ideological link, even in relatively recent times (see Cámara de Diputados, 1997; Hubbard Urrea, 2010; Secretaría de Relaciones Exteriores, 1999).

A last instance of differentiation is regarding the ability to take active part in elections. According to the General Law or Electoral Institutions and Procedures (LGIPE), naturalised Mexicans can vote in elections, but are barred from any relevant post in electoral institutions. What is more, they are also explicitly prohibited from counting ballots or any related activity in a poll station (art. 83). Hence the substantive political rights of a naturalised Mexican are limited to vote and to perform secondary posts in the public sector, and in selected areas only. In this vein, both past and current legislation in Mexico has led to deep inequalities between Mexicans by birth and Mexicans by naturalization, the latter becoming in fact “second-class citizens” (see Carbonell, 2006, p. 195; González Martín, 2000; also Hoyo, 2015a; Hoyo, 2015b).

Changes in the 90's: but not for all

A final, but key aspect of the unequal treatment of naturalised Mexicans is regarding their membership in the Mexican nation-state. As said above, in 1997-1998 a constitutional reform was passed to specify that Mexican nationality by birth would become ‘permanent’, therefore allowing dual or multiple nationality (Cámara de Diputados, 1995; Secretaría de Relaciones Exteriores, 1999).

This was made to answer long-standing demands made by Mexican nationals and persons with Mexican ancestry living abroad, mostly in the United States. This would help them to naturalise in the US without worrying about the consequences of it in Mexico: for instance, being subjected to the restrictions for foreigners to acquire land (see footnote 7). More pragmatic goals, such as the creation of a stronger Mexican lobby in the United States, also played a role – even if the results did not meet the expectations of the Mexican government (Calderón Chelius & Martínez Saldaña, 2002; Cámara de Diputados, 1995; Cano & Délano, 2007; Durand & Massey, 2003; Lafleur, 2013).

The reform offered undeniable advantages for Mexicans abroad. However, it had a key limitation: the ‘permanent’ character was to be applied to Mexicans by birth only, therefore excluding naturalised citizens from it. According to a surprisingly frank testimony, this was made in order to avoid “an invasion of Central Americans” looking for naturalization (Hubbard Urrea, 2010, pp. 130-131).

Hence the reforms in 1997-1998 introduced a new and very important dimension of inequality between Mexicans: since then, Mexicans-by-birth cannot lose their nationality in any way (not even by voluntary renunciation), but naturalised Mexicans (i) are still required to relinquish its previous nationality, when opting for the Mexican one; and (ii) can still be deprived of it, on such diverse grounds as: acquiring another nationality; ‘pretending to be a foreigner’ for any public or governmental purpose or action; using a foreign passport or accepting any title or office that implies ‘obedience to a foreign government’; or residing five years abroad (Constitution, article 37). This

further reinforced the “second-class” nature of Mexican citizenship by naturalization (González Martín, 2000).

It is important to note that the same 1997-1998 reforms that allowed dual nationality, also set limits to the political rights of dual nationals. Such limits were directly inspired by those in force against naturalised citizens (Secretaría de Relaciones Exteriores, 1999). Hence this reflected, or even strengthened, long-standing ideological considerations that link the rights of a person, with its ‘belonging credentials’ to the Mexican national community. Even when the legislators were allowing dual nationality, they kept full rights for ‘pure’ Mexicans-by-birth only.

However, the reforms of 1997-1998 also made evident shift in the specific *focus* of the notions inherited from Revolutionary Nationalism. During most of the 20th century, it was clear that the rejection of any foreign influence in the public life of Mexico, was directed against the United States. In turn, due to ethnic considerations linked to *mestizaje*, other ‘indoamerican’ or Latin American countries were entitled to expedited naturalisation, as they shared the essential ethnic, racial and cultural traits of the Mexican nation. In contrast, the 1997-98 reforms allowed the binational membership of persons, and were particularly directed to those with evident links with the United States. At the same time, dual nationality was prohibited for naturalised persons, with the aim of avoiding ‘an invasion’ of other Latin Americans.

In other words, the post-revolutionary focus regarding foreign threats and allies was pretty much reversed. This reflected the political changes endured by Mexico since the 80’s, not only in internal politics, but also foreign policy (see e.g. Covarrubias, 2010; Mabire, 1994, 1999; O’Toole, 2010; Vizcaíno, 2004). In spite of such important changes, one of the areas where the general mistrust towards foreigners is maintained, is regarding the *rights* that both naturalised Mexicans and dual citizens should exercise, vis-à-vis the ‘autentic’, mono-national Mexicans by birth.

Conclusion: Naturalised, but still not authentic Mexicans

The current nationality/citizenship regime in Mexico is a combination of liberal provisions such as universal *ius soli*, with others that denote ingrained ethno-cultural considerations such as those guiding preferential naturalization schemes, and some surprisingly restrictive and atypical provisions that contradict the egalitarian base of citizenship, by introducing limits in the rights of specific groups of citizens, according to their national origin.

Far from being corrected, such system of ‘categories of citizenship’ has become more pronounced with time, particularly after the reforms in the 90’s (Carbonell, 2006; González Martín, 2000; Hoyo, 2015a, 2015b). Since then, Mexicans-by-birth are the only ones entitled to all rights regarding nationality, including the ‘permanent’ character of it, as well as all political rights and the access to all jobs in both public and private realms. Then, Mexicans by birth

who exercise their right to dual nationality, are stripped down of many of their political rights, yet they keep the Mexican nationality. Finally, naturalised citizens face even larger restrictions on their rights than dual nationals do. On top of it, they are now the only Mexicans who are both prohibited from having other nationality, and also subjected to the loss of Mexican one.

Revolutionary Nationalism's legacy of mistrust regarding any person 'tainted' by a foreign influence, or dangerous to an ideal *mestizo* national community, is still at the core of citizenship/nationality laws in Mexico. This, in spite of the political liberalization in Mexico during the last three decades, and the official embrace of multiculturalism/interculturalism by the different Mexican political regimes since then.

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