Prospects for Citizenship

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Preface

This is a collaborative volume arising out the Centre for Citizenship, Governance and Globalization at the University of Southampton. It lays out what we take to be primary agendas for research in the field of citizenship studies. Individuals acted as lead authors for each chapter as follows: (1) Gerry Stoker, (2) Graham Smith, (3) Clare Saunders, (4) Andy Mason, (5) Derek McGhee, (6) David Owen, (7) Momoh Banya and Tony McGrew, (8) Chris Armstrong. The draft chapters produced were then subject to collective discussion and criticism; this process was then re-iterated until it resulted in the final chapters that appear in this volume. Draft versions of the chapters were also presented at a Political Studies Association (PSA) Citizenship Specialist Group One Day Conference held at the University of Southampton and we are grateful to the PSA for their support.

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Introduction

This book is written at a time when our sense of citizenship – what it is and who it can be claimed by – appears more uncertain than before. There is a great deal of public debate about citizenship, and public policy measures are aimed at promoting citizenship and clarifying our entitlements as citizens. The 2009 BBC Reith Lectures ran under the generic title of 'A New Citizenship' and rested on a call for a re-moralization of public life. The invited Reith lecturer and well known American philosopher Michael Sandel called for 'a new politics of the common good' that requires 'a more demanding idea of what it means to be a citizen, and it requires a more robust public discourse – one that engages more directly with moral and even spiritual questions'. We hope to contribute to that debate about citizenship but in a way that downplays the moral fervour of Sandel and argues for a more nuanced understanding of the realities of citizenship in today's complex world.

  Citizenship is a multidimensional idea and practice. It captures a statement both about individuals and the social world in which they live. It can be used to describe a person's position in a society but equally it can be something to which virtue can be attached as we are all in different ways exhorted to be good citizens. The classic distinction between liberal and republican forms of citizenship still resonates with contemporary political life as does the implied division between approaches stressing rights and responsibilities. These dynamics remain at the heart of much of the citizenship debate. However, as a group of researchers working out of the University of Southampton's Centre for Citizenship, Globalization and Governance (C2G2), we have a shared sense that new agendas are emerging that need to be addressed both within the academic community and within the policy world. There is a need to think about how to renew our capacity for political citizenship and impassioned calls for a new politics may fall on deaf ears unless these issues are addressed. Our sense of political membership in a globalized world needs to be rethought, as we deal with a world where interdependence has increased alongside migration, population mobility, and a growing sense that we live in a shared economic system and within a collective global context of ecological constraints. So if we are to develop a new politics of the common good – as Sandel suggests – we had better be clear which of the world's citizens are included and which, if any, are excluded. Our understanding of rights and responsibilities in this changed world leads

to complicated new challenges over the issues of multiculturalism and the emergence of an international order for the promotion of human rights. The building of a new citizenship may require the removal of many barriers and obstacles. In short, philosophical reflection needs to be accompanied by hard-headed empirical analysis.

The citizenship settlement that emerged in the aftermath of the Second World War now appears to be unravelling. This book is about the prospects for citizenship in the new century. In the introduction we lay out our arguments for why a new agenda is needed and go on to specify some of the key features of that new agenda.

A Citizenship Settlement under Challenge?

In the 1950s, T. H. Marshall (1950) published an optimistic book about citizenship which focused on British experience but was seen as having a wider relevance. His basic idea was simple: that one set of rights of citizenship leads to another. So legal or civil rights can be resilient only if combined with the right to participate in political decisions and political power which, in turn, leads to the demand for social or welfare rights of citizenship such as the right to education or good health care. The argument has authoritative status not so much for its associated perspective about a positive forward march of history as citizens gain one set of citizenship rights after another, but more because it captures the sense of a settled and clear understanding of citizenship in the post-war era. To be a citizen of a democracy, such as Britain, meant having access to basic legal rights, political entitlements to vote and make your voice heard, and social rights to basic features of a welfare state.

Marshall's assumption was that all these rights were built up and maintained in the context of a world where nation states were the prime actors and carriers of citizen rights. The state was seen as key to delivering the context for the promotion of legal, political and social rights of citizenship. Its power of taxation, its capacity to uphold the law, to govern for the common good and its capacity to deliver welfare support and economic stability were seen as key. In the 1950s, the threefold quality of citizenship was available to citizens in a relatively small club of advanced industrial western nation states – constituting no more than a third of the nation states of the world – and characterized by systems of liberal democratic governance. The political dimension of citizenship played out for Marshall in a world where the representative politics of these nation states was seen as delivering an effective democratic model in practice.

The mix of legal, political and social rights entitlements identified by T. H. Marshall in 1950 no longer (albeit for different reasons) seems to be a sufficiently solid base on which to build our academic analysis of citizenship, still less our sense of what to do to meet the contemporary challenges of citizenship. That does not take away from the seminal nature of the understanding offered by Marshall, whose association with Southampton is reflected in lectures given in his honour from 1983 onwards (see Bulmer and Rees [1996] for an early collection of these). But it is important to understand just how much the world now differs from the one on which Marshall based his reflections in order to appreciate why we consider a new agenda on the prospects for citizenship is required.

Three forces have challenged the pillars of Marshall's concept of citizenship. They are globalization (which raises challenges to the effective sovereignty of nation states), a loss of faith in the capacity of the state to deliver social and economic well-being, and developments within democratic practice and experience which have led to a loss of trust in the effectiveness of the processes of representative democracy. We shall explore each further below and throughout this book.

Something fundamental is happening to our economies and the umbrella term 'globalization' is a good one to capture what is going on. There has been a strong trend towards a world of more rapid transnational communication, closer connections between peoples and organizations, and a greater sense of interconnectedness. Economies are more interdependent, patterns of migration have taken on powerful and challenging directions, environmental pressures on the world's resources seem to be both more intertwined and more pressing than in the past, and the speed and pace of communication and the sharing of ideas and practices throughout the world appear to offer new opportunities but also enable new threats. The importance, meaning and impact of globalization are a matter of dispute (Scholte 2005). Some writers suggest that the forces of globalization are so powerful that they are sweeping away all the efforts of states to protect their populations. But our view is not that globalization has removed the prospects of achieving citizenship altogether, but rather that it has fundamentally changed the context for citizenship.

We live in a world where there is a significant further development towards a global market in which patterns of production and consumption are organized by international financial institutions, transnational corporations and other related organizations, operating across national boundaries. Global finance markets and patterns of international trade in turn influence

the shape of national economies. In the industrialized countries these forces are experienced in terms of sweeping changes in the economy with old-style industrial jobs declining and new-style service and high-tech jobs emerging. Consumers in these countries observe an increasing amount of goods coming from outside their national boundaries as their economies are brought into the grip of a global market to a greater degree than before. The non-industrialized parts of the world face new economic demands and some new opportunities. But, so far at least, globalization has hardly helped to redress the disparity between richest and poorest countries; indeed it may have worsened the position of the poorest countries. So we can be clear that globalization has challenged the effective sovereignty of nation states and meant that the comfortable world view assumed by Marshall can no longer be taken for granted. This is directly related to a second key feature of today's world of citizenship: it is framed by institutions beyond the nation state. One way in which politics has responded to globalization is by regionalization. We have seen the reinforcement and development of three powerful economic blocks. The triads are: North America, Europe and South-East Asia. Developments in economy and society in these areas have met with a citizenship response, most obviously in the case of the European Union (EU). But in all these regions, the citizenship debate now leaks beyond national boundaries.

Furthermore, in today's world, the state–citizen relationship is characterized by a degree of ambiguity that would have been unthinkable during the period in which Marshall developed his thesis. For many citizens today, the state is both a necessity and a hindrance to the achievement of our empowerment. We want the state to protect us from crime but not to subject us to unnecessary surveillance. We want the state to block terrorist threats but not to usurp our freedom. Many citizens – for good reasons – are wary of the state, sceptical about its capacities and/or uncertain about its motivations and objectives. We approach the state as consumer, citizen, taxpayer, carer, user and supplicant in a jumble of ideas and emotions, not through the lens of idealized conceptions of citizenship. Indeed, we may have lost faith in the capacity of the state to support our citizenship or of citizenship to provide control of the state. Access to the law for redress remains stubbornly unequal to a significant degree; fear of crime remains high and the terrorist threat feels at best to be only in part successfully managed. The legal and court systems are an unwieldy business, lacking a cutting edge to deal with certain types of criminality, and yet at the same time they offer an unwelcoming environment in which to seek

justice. The fight against terrorism appears to lead to measures that curtail traditional freedoms, whether they are stop-and-search practices by the police, 'star chamber' legal practices or practices of extended detention without charge. These measures may or may not be seen as justified but it is difficult to deny that they have an oppressive quality that could make any citizen at least wary of what the state is doing in our name. Yet the state has also become the actor that we look to for providing services that meet basic and more advanced needs in our lives. It is not just our protector; it is our saviour in providing health, social care, education and in some instances housing and income support. Sometimes this is experienced as organized beneficence as recipients obtain the benefits of the investment made by themselves and others through a redistributive tax system. At their most positive, institutions such as the National Health Service (NHS) in the UK express communal values of solidarity. But the state in this arena of meeting needs also rations and redistributes in a way that citizens find difficult to fathom. And gather any group of citizens in a social setting and ask them for examples about waste in the provision of public services and the examples pour out.

Perhaps there is evidence of spiralling expectations as we citizens have got used to our welfare rights but equally we, as citizens, are hearing that the state is no longer simply there to provide. Rather it has expectations of your help. It wants you to eat more healthily, to be a better parent, to take exercise regularly, to reduce your carbon footprint and to save for your retirement. The state has the character of both a generous relative and a nagging teacher. Again citizens are left in a position where they are far from sure which of the two faces of the state they are going to experience at any given exchange. Ambiguity and contradiction are inherent in our experience of the state. Whereas Marshall saw the state as delivering our citizenship in terms that are broadly fair to all, today there are many who believe that the state has been captured by special interests.

The idea that the state could be captured by inside interests has a long history in progressive thought – witness the arguments in different circumstances of G. D. H. Cole and George Orwell – so it is not some trumped-up charge of the New Right. But the public-choice critiques that inspired Margaret Thatcher and Keith Joseph are overblown with their emphasis on how public servants are narrowly bent on the pursuit of power and money, under the guise of public service. We can disagree with the view that all public servants are on the make without falling into the trap of assuming that all who work in the public service are other-regarding

champions of the public. As most empirical studies have shown, public servants are neither entirely knavish nor wholly knightly in their behaviour and moreover cannot be said to have captured the state. Yet it would be difficult now for anyone to assume the easy virtue of state action that underlay much of Marshall's thinking.

This brings us to the third major change in the context for citizenship. The environment of British civil society was more benign in the period of the great expansion of the welfare state after the Second World War than it is now. Large-scale projects and programmes were put together with a minimum of public consultation and pushed through. It was only in the 1960s and 1970s that people's protests about, for example, massive slum clearance programmes began to be heard. Public projects and programmes had been carried along on a sea of deference. No more. There is a wider loss of the legitimacy of authority in society. The police, judges, teachers and many others in positions of authority report a loss of respect and a greater willingness for their decisions to be challenged. Again there are reasons for thinking that the rise of critical citizens might be a good thing and healthy for our democratic creed. The difficulty is that the evidence points to the emergence of a culture of hopeless fatalism and deeply ingrained cynicism towards public institutions and politics, despite the fact that the ideal of democracy retains widespread support. Indeed, democratization presents the other great force for change in our world. Whereas in late 1974 fewer than three in ten nations in the world could be classified as democratic, twenty years later in 1994 that number had grown to six in ten and at the beginning of the twenty-first century most of these newly established democracies have survived and been joined by a few more recruits (Diamond 2003). But it is not just the spread of the basic institutions of liberal democracy that is historically unique about the current period; it is that the idea of democracy has gained a certain universal appeal. Democracy has gone global and is no longer the exclusive preserve of the few nation states that Marshall had in mind when depicting his view of citizenship.

Our view of citizenship remains sympathetic to the understanding offered by Marshall of the connection between societal changes and the development of citizenship. In line with Marshall's argument, we suggest that because society has changed dramatically since the 1950s, we need to rethink our understanding of citizenship as an idea and practice. We sustain his interest in a multi-dimensional approach to the issue of citizenship, embedding our conception of it within legal, political and social dimensions. Our challenge is to produce a new analysis of citizenship for a new era and

we propose to approach that challenge using, like Marshall, a mixture of theoretical and empirical analysis.

Prospects for a New Analysis of Citizenship

We construct our new agenda for citizenship around three themes. These are not intended to exhaust the territory of thinking about citizenship in theory and practice, and there are other issues that might have been included for discussion in this volume. One example would be the relationship between gender and citizenship, an issue that has inspired a great deal of discussion across a wide range of dimensions. The omission of such issues should not be taken to reflect a view that they are not important. Rather, it reflects our focus on the core theme of the changing nature of political membership in the contemporary world. Although this is not, from the perspective of citizenship, *all* that matters, it is an extremely important issue and moreover one which unites the research interests of the various contributors to this book. Within this focus on the changing nature of political membership, we focus on three major issues. The first major issue is the future of political citizenship, and this is addressed in the opening three chapters. Something fundamental seems to be happening to what in the middle of the twentieth century in the eyes of Marshall and others seemed to be one of them most settled parts of the citizenship debate. Political citizenship is under threat and it is not clear how it might be revived, though some of the chapters of this book discuss ways in which it might conceivably be revitalized. The middle chapters of the book address the issue of rights and responsibilities but through new lenses, including the issue of multiculturalism and the emergence of demands for human rights legislation. In both cases the focus is on the nature of political membership, and the relationship between citizen and state. In the former case the issue of multiculturalism has brought to the fore questions about the value of integration, whereas in the latter case we examine a tension that has opened up in recent political debates about citizenship between the rights of citizens and human rights. The final core area for further analysis is the emergence of the idea of transnational and even global citizenship, and the pressing need for citizenship debates to take into account a world of globalization and transnational migration.

 Chapter One looks at the issue of the decline of political citizenship. The discussion opens with a consideration of what level of activism and passivity is appropriate for the citizen of a democracy today. It argues that in established and new democracies, there is a danger that many – even a majority of – citizens have no positive sense of political citizenship and that

this in turn provides the base for a potential undermining of a commitment to democratic principles and practices. Evidence about a malaise within politics is offered from Europe and the United States. The analysis then turns to examine, in greater depth, explanations for that malaise and finally it asks what if anything could be done to restore a stronger sense of political citizenship. The discussion then closes with a plea for more research into how citizens understand politics.

Recent years have witnessed growing experimentation by public authorities with democratic innovations: institutions specifically designed to engage citizens in the political decision-making process. Chapter Two focuses on this institutional strategy to 'revive' political citizenship. Initially, the chapter lays out a series of significant challenges to effective citizen engagement: differential rates of participation across social groups; competence of citizens; capacity to influence decision making; costs to citizens and authorities; and scale. The chapter highlights how four very different democratic designs – participatory budgeting in Porto Alegre; the British Columbia Citizens' Assembly; 21st Century Town Meetings; and Womenspeak – respond in different ways to these challenges. The chapter ends with a call for more systematic comparative analysis of the democratic contributions of such innovations and the conditions under which they emerge and thrive.

Chapter Three considers the prospects for citizenship 'from below' in the form of protest movements. Evidence is presented which suggests that, contrary to what is implied by much social movement scholarship, protest is not dramatically rising. In fact, in Britain in 2005 only around 2 per cent of the British population participated in a legal demonstration (European Social Survey). Why is it that protest is such a minority activity in Britain? An attempt is made to answer this question using insights from social movement theory, particularly political process theory, the new middle class thesis and the concept of 'waves' of protest. The analysis shows that these aspects of social movement theory do not –alone – satisfactorily answer our questions. We therefore suggest that more research should be carried out in order for us to understand how the confluence of factors from each of the theories impacts upon the shape and form of protest, and therefore its contribution to citizenship. Furthermore, we suggest the need to develop analysis and understanding of the interactions between protest and 'top-down' democratic innovations.

Chapter Four reflects on the fact that traditional notions of citizenship are facing a number of challenges. Ideas of cosmopolitan and environmental citizenship have emerged in the light of concerns about global inequality

and climate change, whilst new models of transnational and multicultural citizenship have been developed in response to the dilemmas raised by migration and the cultural diversity it creates within state boundaries. At the same time, more particular debates rage about the demands citizenship places upon us. Different normative theories of citizenship will address these issues in different ways and provide different perspectives on them. In this chapter, two such theories will be distinguished and brought to bear on a crucial question which has engaged both political theorists and policymakers in a number of countries, namely: Do immigrants have a duty to integrate when they join a state?

Chapter Five explores the tension between 'civic rights' (or the rights of citizenship) and human rights in the context of domestic politics. It is suggested that the debates and proposals for a Bill of Rights in the UK are the site for the emergence of a clash between two types of politics – 'a politics of citizenship' and a 'politics of human rights' – in which the dual commitments of liberal democracies (i.e. to international human rights and collective self-determination) are in tension. In this chapter the tension between 'civic rights' and 'human rights' is examined by analysing government and opposition discourses about the potential Bill of Rights with regards to the relationship between: (a) human rights and 'public safety'; (b) rights and responsibilities; and (c) the need to bolster and shape what is perceived to be a weak sense of citizenship in contemporary Britain through a Bill of Rights and Statement of Shared Values.

Chapter Six focuses on the proliferation of forms of transpolitical (i.e. transnational and supranational) citizenship in recent years in terms of both explanatory and normative agendas. Outlining distinct 'nested' and 'non-nested' forms of transpolitical citizenship, its initial examination is primarily directed at explanations for the development of the 'non-nested' forms, namely transnational citizenship, attending to the breakdown of the norm of single nationality and consequent emergence of forms of dual or plural nationality, the spread of expatriate voting rights and the development of resident non-citizen voting rights. This survey and explanatory discussion is followed by a consideration of the major normative issues raised by the transformation of membership regimes in terms of three potential principles: the all subjected principle, the all affected principle and the stakeholder principle. The chapter concludes by noting a central issue raised by these considerations for the primary example of 'nested' transpolitical citizenship, EU citizenship, concerning national voting rights for EU citizens who are not resident in their country of nationality.

Chapter Seven analyses the nature of citizenship in the context of globalization. In short, it examines the challenges which globalization presents to the conditions, practices and the institution of citizenship. Much of the literature on the relationship between globalization and citizenship contends that the process has diminished the significance or essence of citizenship, this chapter explores this 'declinist' thesis by identifying some of the key contributions and primary arguments in order to understand why globalization is considered to undermine the conditions of citizenship. It also considers the connections between globalization and securitization and the implications for citizenship – particularly in terms of why and how the global movement of people and ideas, for example, has contributed to expanded restrictions on the practices of citizenship. In other words, it highlights the complex ways in which modern citizenship is being reconfigured by the related processes of globalization and securitization. The chapter then goes on to examine the prospects for the institution of citizenship under conditions of contemporary globalization. It argues that globalization is neither the principal culprit in the purported demise of citizenship nor the harbinger of the progressive transformation of citizenship.

Chapter Eight examines the major recent arguments for 'cosmopolitan' citizenship. It is sometimes claimed that we are living in more 'cosmopolitan' times, and that citizens today – or at least younger generations of citizens – have a more cosmopolitan orientation. But the precise nature of arguments for cosmopolitan *citizenship*, and the relationship between cosmopolitanism more generally and arguments for cosmopolitan citizenship in particular, need careful exploration. The chapter examines cosmopolitan arguments for the universal scope of democracy, distributive justice and individual ethical obligations, and assesses in each case the relationship between those commitments and any commitment to global or cosmopolitan citizenship. Though the connection between cosmopolitanism and global citizenship is tightest in the case of arguments for cosmopolitan democracy, that position does face significant challenges which question both the feasibility and desirability of global citizenship.

The reflections offered in this volume thus mark out what we take to be central questions for the contemporary theory and practice of citizenship. In our view, citizenship remains a central organizing concept for political life, but if it is to play that role, we need to be clearer about the forms and contexts of citizenship in a globalizing world and the demands on, and of, citizenship in these contexts.

CHAPTER ONE

Political Citizenship under Threat: Dimensions, Causes and Responses

There is a *prima facie* case for the proposition that our sense of political citizenship in national democracies appears to be under threat. That case rests simply on recalling your last conversation about politics with a fellow citizen. In that conversation they will have, quite likely, expressed a sense of uneasiness about politics and a view that they feel relatively powerless in the face of machinations of formal politics. Popular political culture in many mature and new democracies is tinged with a strong sense of being 'anti' both politics and politicians. Many citizens hold that politics is 'synonymous with sleaze, corruption, and duplicity, greed, self-interest and self-importance, interference, inefficiency and intransigence. It is, at best, a necessary evil, at worst an entirely malevolent force that needs to be kept in check' (Hay 2007: 153). Yet faith in politics as a mechanism for solving collective action problems and a sense that you, as a citizen, have a capacity and orientation to play a positive role in politics are central to political citizenship. That sense of political citizenship in many national democracies could reasonably be described as under threat.

Maybe we do not so much hate politics as see it as in increasingly pointless activity. There is a demand and a supply side in the threat to political citizenship (Hay 2007). Many citizens, it appears, fail to fully appreciate that politics in the end involves the collective imposition of decisions, demands a complex communication process and generally produces messy compromise. In short, politics found itself out of step with the dominant self-actualizing and individualistic narrative of the neo-liberal era. But it is the supply side of the argument that has the greater magnitude and momentum. On the supply side the space for politics is being squeezed by processes of depoliticization, the professionalization of politics, globalization and privatization. More decisions are handed over to institutions beyond popular politics; the forces of global economy and society appear to be taking issues beyond nationally based politics, and key aspects of public goods and services are managed through private companies and institutions.

Democracy needs citizens to value political citizenship yet in many democracies it appears that connection is under threat. I want to dismiss

at the outset the idea that there was a golden age of political citizenship or that a positive sense of citizenship implies all citizens acting with sustained virtue. Most citizens in the founding days of mass democracy probably never especially trusted politicians or liked doing politics. Moreover, politics is not necessarily noble; it can reflect self-interest. Its practice is often boring rather than inspiring and its successful outcomes are often messy and full of compromise. Yet it does demand a public morality of taking into account the views of others and adjusting your position accordingly rather than the private morality of sticking to your principles no matter what. Political citizenship does make uncomfortable demands on us. The opening of this chapter requires us to address the issue of what would make for a good civic culture, one with a positive sense of political citizenship.

In established and new democracies there is a danger that many – even a majority of – citizens have no positive sense of political citizenship, and that this in turn provides the base for a potential undermining of a commitment to democratic principles and practices. Evidence about a malaise within politics can be presented from a range of countries but given limits of time and evidence the discussion about decline is restricted to Europe and the United States. The analysis then turns to examine in greater depth explanations for that malaise and finally it asks what if anything could be done to restore a stronger sense of political citizenship. The discussion then closes with a plea for more research into how citizens understand politics.

The Dimensions of Political Citizenship

Pattie *et al.* (2004: 22) argue that citizenship revolves around 'a set of norms, values and practices designed to solve collective action problems'. The core problem addressed by political citizenship is how to establish an orientation and set of practices towards our fellow citizens that make it possible for us to commit together to solve shared challenges without resort to violence or unnecessary coercion. The issue of the nature of 'good' political citizenship has been a focus of intellectual reflection and practical debate for over 2000 years (see Pattie *et al.* 2004: 5–22). My focus is on a more narrow concern: What orientation do citizens need to have towards politics in modern democracies in order to support a commitment to their polity? This I might describe as the starting base for any meaningful sense of political citizenship.

An interesting point of departure in pursing a response to this question is provided by Almond and Verba's (1963) classic study of the civic culture of five nations. It compared Great Britain with the United States, Germany,

Italy and Mexico. Culture for these two American authors constituted the broad orientation of citizens towards their political system and their sense of citizenship, measured by way of attitudinal and behavioural data collected through a series of national surveys. The book may be a classic but it is also the focus for a substantial range of criticisms. The dominant view of the Almond and Verba thesis is that it was a pioneering but seriously flawed effort at understanding civic culture. There have been criticisms from academics about the theories underlying the work in that Almond and Verba appeared to sustain a very elitist understanding of democratic practice and a rather individualistic understanding of culture. The empirical findings of the study have also been questioned. The United States and the United Kingdom in the Almond and Verba study were both seen as blessed with citizens furnished with different but supportive civic cultures for modern democracy. Other countries were designated as having some key ingredients missing. Some disputed the findings. Others disputed the interpretation offered by Almond and Verba. Almost as soon as the book was published, many suggested that the cultures they had described even if they had been captured effectively were within a decade or so gone. Almond and Verba gave a fair hearing to many of the criticisms in *The Civic Culture Revisited*, a book published about two decades after the original study (Almond and Verba 1980). But from that point onward the work somewhat faded from view. There is a case for bringing it back under scrutiny.

What I propose is that there may be some advantage in returning to examine the conceptual framework underlying the work. The key conceptual work in *The Civic Culture* is done by a distinction between three types of political culture. Each type captures a citizen orientation towards their polity. The first is the *parochial* political culture where the citizen has little direct contact with the formal and specialized agencies of government and spends much of their time unaware of the political system. The example in the mind of the authors is a village tribe member in a large-scale colonial or former colonial state where the reach of government is limited. The second orientation is referred to as the *subject* political culture. Here the orientation of the citizen is as an observer with an awareness of the political system in general but a lack of engagement with it on particular issues. This orientation is used later in the book to characterize a substantial element in British political culture as deferential. But deference towards the political system is only one response that could be in tune with Almond and Verba's subject culture. The subject

culture can lead to citizens seeing the political system as legitimate or in a more negative light. Crucially, it is rather defined by its passive orientation towards the outputs of the system. The crucial question for subject political culture is: Does the political system deliver? Finally the *participant* political culture is one where citizens understand the political system and are orientated towards being actively engaged with it both in general terms and over particular issues. Again that engagement may lead to positive or negative elevations of the political system but the orientation towards engagement remains.

The final element in the analysis offered by Almond and Verba is to specify those combinations of cultures that are seen as supportive of democracy: low levels of parochialism but a mix of strong subject and participant are seen as key. Thus, in their study of Britain in the late 1950s, the picture is of a country at ease with itself: citizens deferential and respectful of their leaders but confident of their role and capacities and the responsiveness of government. Almond and Verba (1963: 455) comment about politics in Great Britain:

> The participant role is highly developed. Exposure to politics, interest, involvement, and a sense of competence are relatively high. There are norms supporting political activity, as well as emotional involvement in elections and system affect. And attachment to the system is a balanced one: there is general system pride as well as satisfaction with specific governmental performance.

British citizens were more deferential than their American counterparts but this aspect of their culture was balanced by an active and participative orientation towards politics: a blend of activity and passivity that according to Almond and Verba allowed a civic culture to develop. The American route was different with a stronger emphasis on participation, but it too involved a mix of cultures that allowed a positive form of citizenship to emerge. Looking back from a distance of fifty years and more – as the later sections of this chapter will show – it becomes possible to see that the empirical world described by Almond and Verba in both Great Britain and the United States has gone. The conceptual framework could, perhaps, be reinvigorated in the light of current developments.

In our globalized world where decisions are made in locations that are hidden from, or at least opaque to, many citizens it would appear that a parochial perspective by citizens might have enhanced its relevance.

Whereas for Almond and Verba the parochial perspective was a throwback to traditional societies and under challenge from modernization, in today's global world we may all perceive our citizenship in parochial terms, where decisions are made by distant figures of whom we are mostly unaware. The subject perspective would appear to have sustained its relevance as politics but become less ideological and more focused on issues of management and delivery. It appears the participant perspective is the most obviously under threat, although it may be that citizens have sustained or advanced their view of their right to influence collective decisions but found formal politics an increasingly unattractive vessel for carrying that interest.

The framework of parochial, subject and participant political cultures may still provide a relevant and valuable way of thinking about the composition of political citizenship in a country. They may have been in balance in the 1950s in the United States and Great Britain, enabling citizens and the governing political class to live comfortably with one another. But as we shall see below they have got out of kilter not only in those countries but also more widely. From the perspective of many citizens of democracies today, they are to an increasing extent parochials in a world governed by global or at least beyond national forces. They are willing participants in the world of political influence but disengaged by the practices of formal politics. They are subjects but ones who find the performance of politicians and the political system increasingly disappointing. Whereas Almond and Verba, in Britain and the United States, found participant citizens and satisfied subjects with few alienated parochials, we might find a rather different mix now and one undermining of political citizenship: displaying more alienated parochials, dissatisfied subjects and frustrated participants.

The Malaise in Political Citizenship

After a comprehensive and intensive survey of advanced industrial democracies, Russell Dalton concludes that citizens 'have grown distrustful of politicians, sceptical about democratic institutions, and disillusioned about how the democratic process functions' (Dalton 2004: 1). One symptom of distress in political arrangements is decline in voter turnout. In competitive national elections across the globe, turnout rose steadily between 1945 and 1990 to 68 per cent but in the 1990s it started to dip down to 64 per cent (IDEA no date). But turnout in elections is only one element indicating a threat to political citizenship, and in order to investigate the issues further we narrow our focus to countries of the European Union and the United States of America.

Europe

Turnout by European voters, in their own national elections, decreased from 88 per cent in 1980 to 74 per cent in 2002 (Schmitter and Treschel 2004). However, there are still significant differences between countries. Within the European Union, eight countries – Portugal, the Netherlands, France, Austria, Finland, Italy, the United Kingdom and Luxembourg – have experienced a clear downward trend in turnout. But in seven countries – Greece, Denmark, Belgium, Spain, Sweden, Germany and Ireland – fluctuations in turnout mean no clear pattern can be observed (Rose 2004).

Disengagement is also reflected in the collapse in membership of political parties, a major trend in the mature democracies. In the UK 9 per cent of all registered electors were party members in 1964 but by 1992 it was barely 2 per cent (Webb 2002a: 23). Overall, as Table 1.1 suggests, party membership across Europe at the beginning of the twenty-first century is running at just under 4 per cent of the population. A more detailed survey of the position of parties in advanced industrial democracies reveals a decline in members in all countries except Spain and argues more generally 'there is evidence of a significant level of disaffection with, or cynicism towards, parties' (Webb 2002a,b: 441). Political parties in many countries struggle to recruit and maintain more than a handful of activists in most localities. Voters themselves have become less partisan and more prone to shift their vote between parties. As activists and voters have moved away from parties a contradiction has developed in the political systems between party systems with weak informal community linkages but strong formal governmental power (Stoker 2006a: 104–7).

Are citizens finding new forms of expressing their politics as the attachment to old mechanisms is fading? Evidence from the European Social Survey again enables us to make a judgement on this point (see Stoker 2006b). What emerges is a picture of citizens still engaging but through relatively thin and sporadic forms of activity. The figures contained in Table 1.1 reveal several things. First, the different practices of political engagement are not something that most people do all the time. On average the most popular forms of political engagement – signing a petition or buying a product to make a political or ethical point – had been undertaken by only a quarter of the participants in the survey in the previous twelve months. However, there are many and various expressions of political activism. Citizens in these advanced industrial societies may not all be active all the time but there are lots of ways in any twelve-month period by which they are trying to make their voices heard. Much of that activity, though, is individually

Table 1.1 Political activism in various European nations

Activity	% engaged in political activity in last twelve months							
	UK	Germany	France	Spain	Italy	Sweden	Denmark	Average across Europe
Contacted politician or official	18.1	12.8	17.6	12.0	12.0	16.5	17.9	14.7
Worked in political party or action group	3.4	3.9	4.9	6.1	3.0	5.0	4.1	4.2
Worn or displayed campaign badge/sticker	9.8	5.8	11.4	9.8	7.3	10.7	5.1	7.7
Signed petition	40.0	30.5	34.8	24.2	17.4	40.8	28.2	25.8
Took part in lawful public demonstrations	4.4	10.6	17.9	17.5	10.9	6.4	8.3	9.3
Boycotted certain products	26.1	26.1	26.6	8.0	7.5	32.5	22.9	17.7
Bought product for political/ethical/environmental reason	32.3	39.2	28.0	11.6	6.5	55.1	43.8	24.4
Donated money to political organization or group	7.8	9.2	2.9	5.3	3.0	6.5	9.1	6.8
Participated in illegal protest activities	0.8	1.1	2.6	1.7	1.8	0.8	1.1	1.3
Member of political party	2.7	3.6	2.3	3.2	3.9	8.2	5.9	3.8

Source: Calculated from data taken from European Social Survey (2002) available at http://www.europeansocialsurvey.org/ [accessed 24 July 2009]. The average figure includes data not only for the countries reported here but an additional sixteen European countries.

focused (based around an act such as boycotting a good or service or contacting an official) rather than collectively organized. Participation in parties, action groups and collective protest pales alongside engagement through signing a petition or using consumer power to make a point.

There are some interesting variations between countries. Consumer power appears to be used less as a political weapon in Italy and Spain. Demonstrations are more popular as a form of political activity in France and Spain than in the UK and Sweden. Membership of political parties is higher in Sweden and Denmark than in France or the UK. But overall the evidence suggests that more collectivistic forms of participation are less prominent than more individualist forms (for further discussions of this in the UK context see Pattie *et al.* 2004).

There are also differences to be observed among different social groups in terms of their political engagement. Turnout in local elections among young people in England is little more than 10 per cent (Electoral Commission 2005) and in the 2005 UK general election only four out of ten 18–25-year olds voted (Electoral Commission 2005). The evidence presented in Table 1.2 from the 2008 Audit of Political Engagement in Britain suggests citizens from professional and managerial social groups are twice as likely as those from unskilled groups to vote, donate to a party or campaign, and four times more likely to have engaged in three or more political activities. A range of ethnic minorities that are now a vital part of British society and their engagement in politics also creates a complex pattern of difference.

Table 1.2 Political activism in 2007: social grades compared

Activity	% AB social class	% DE social class
Propensity to vote	66	34
Contacted elected representative in last two or three years	16	10
Donated to a political party	7	2
Donated to a charity or campaigning organization	52	24
Engaged in three or more political activities in last two or three years	21	5

Note: The social grade definitions as used by the Institute of Practitioners in Advertising. A and B social grades include those with professional and managerial jobs. D and E include semi-skilled and unskilled manual workers and those living on the lowest levels of subsistence.
Source: Developed from data in Hansard Society (2008).

The key point is that alongside a general sense of malaise in political engagement there are factions of society that appear to be particularly prone to disengagement.

One commonly observed trend in mature democracies is the decline in deference and the emergence of more critical and educated citizens (Norris 1999). But 'critical' is not the right adjective to explain the dynamics of citizenship that they experience. Citizens are not confident or assertive about politics and are more alienated, confused and in the end cynical. Evidence from the European Social Survey can be used to support this argument (see Stoker 2006a: 119–21). With little observable difference between men and women, a quarter of Europeans think that hardly any politicians care what they think and a further third hold the view that very few politicians care what they think. There was some variation by country but in all countries there appears to be a substantial number of people who believe that politicians do not care what they think. Not surprisingly, there are also substantial numbers of Europeans who do not trust politicians (see Table 1.3). Over one in ten has no trust in politicians and about half express low trust in politicians. Compared to trust in the legal system or the police, politicians fare badly. Again there are differences between countries and between groups inside countries but the overall message is clear: many people don't trust politicians.

Table 1.3 Europeans' trust in the legal system, police and politicians

	Trust in the legal system (%)	Trust in the police (%)	Trust in politicians (%)
No trust at all	5.6	3	11.8
1	3.6	2.1	7.5
2	7.1	3.8	12.6
3	9.7	6	15.8
4	10.4	7.2	13.5
5	18.4	15.4	19.6
6	12.3	13	9.8
7	13.5	17.5	6
8	12	17.8	2.6
9	4.6	8.1	0.6
Complete trust	2.8	6.1	0.3

Source: Data taken from European Social Survey (2002).

The United States

Nye (1997) in a book whose title tells the main story – *Why People Don't Trust Government* – reviews the evidence and shows quite a sharp decline in confidence in government in the United States. In 1964, three quarters expressed confidence in federal government; but by the late 1990s that level had reduced to a quarter, with a similar pattern of decline being replicated at state levels of government. What comes across in the sifting of evidence is a big shift in opinion (Stoker 2006a: 36–7).

The mid-1960s appears to have been the high point in citizen confidence in government and politics in the United States. One US political scientist writing in 1965 reported an increase in trust in government since the 1930s (Lane 1965). He argued that years of affluence had brought contentment and that as a result there had been 'a rapprochement between men and their government and a decline in political alienation' (Lane 1965: 895). The author even found that in 1945 a quarter of parents would be happy for their son to go into politics, and that this proportion had gone up to a third by 1965; and he concludes that this positive attitude on the part of a substantial proportion of Americans reflected 'a growing attitude that political life is both rewarding and honourable' (Lane 1965: 894). So confident was the author that he went on to predict a 'growing state of confidence between men and government, perhaps especially between men and politics, during the "Age of Affluence"'. A prediction that has proved to be not one of the better ones made in political science.

In the United States, turnout in presidential elections dropped from 62.8 per cent in 1960 to 51.2 per cent in 2000, although it recovered somewhat in 2004 and 2008. In other elections at state and local levels the evidence is mixed but there are clear signs of a lowering of turnout and of young people in the United States being particularly disinclined to vote (Wattenberg 2002). The evidence about voter turnout needs to be added to the wider and comprehensive evidence of social disengagement and a weakening of civic institutions, collected by Bob Putnam (2000) in his thesis about declining social capital in the United States. Putnam records a roughly 20 per cent drop in the public's following of current affairs in the last quarter of the twentieth century and a similar level of decline in interest in politics (Putnam 2000: 36) Against a range of measures of political participation, Putnam (2000: 45–6) finds a 25 per cent drop in activity between the mid-1970s and the mid-1990s. Some remain civic activists and others civic slugs, as Putnam puts it, but there has been a steep decline in the former and a substantial rise in the latter. In the 1960s

most Americans felt they could be politically effective and even in times of crisis were prepared to give their government the benefit of the doubt at least, in respect of its good intentions. But by the 1990s, all that had changed with cynicism becoming a more dominant theme. He argues that the emergence of 'cynical views may or may not be more accurate than the Pollyanna-ish views of the early sixties, but they undermine the political confidence necessary to motivate and sustain political involvement' (Putnam 2000: 47). In comparative terms, America remains a country of active citizens, but the evidence suggests strongly that it is much less engaged than it was.

The United States is, at the very least, a country not at ease with itself over its politics. Others (Macedo *et al.* 2005: 5) writing under the auspices of the American Political Science Association go further:

> American Democracy is at risk. The risk comes not from some external threat but from disturbing trends: an erosion of the activities and capacities of citizenship. Americans have turned away from politics and the public sphere in large numbers, leaving our civic life impoverished. Citizens participate in public affairs less frequently, with less knowledge and enthusiasm, in fewer venues, and less equally than is healthy for a vibrant democracy

This stark judgement suggests that people are indeed disengaging from formal politics in the United States; and provides little to support the view that a new spread of critical citizen politics has stepped into the vacuum. The Obama campaign in 2008 and the early months of his presidency may have given a lift to many citizens of the United States about the state of politics, but fundamental problems remain observable. In short the evidence from Europe and the United States supports the thesis that there is a malaise in political citizenship.

Explaining Citizen Disenchantment

There has been a considerable amount of debate in the political science community about the factors that are driving the rise of citizen disenchantment. As noted in the introduction to this chapter, there are supply and demand-oriented explanations on offer. We start with those explanations that argue that it is the nature of the politics on offer to citizens that explains their disengagement. These are the dominant and most powerful arguments coming from political science. We then turn to explanations that say that

demand from citizens is also part of the problem and that changes in our culture and practices help to explain our disengagement.

Hay (2007) argues that our politicians are to blame. Not so much because they have shown themselves to be comprehensively sleazy or corrupt but more because they have lost faith in politics themselves. His underlying fear is that our low expectations of politics and politicians – fostered substantially by political elites themselves – have created a self-fulfilling prophecy. Our political masters have shot themselves in the foot by swallowing wholesale the economic analysis of politics, coated in a neo-liberal framing of the limits and failings of the state. Their problem which has become our problem is that politics is now interpreted as a game where all players are instrumental and self-interested. The economic analysis of politics has become manifest in the way that politics is presented and sold to us.

Politicians compete not for our souls but for our stomachs: debating with us not values but rather who can give us the best deal. Politics has been reduced to competing marketing campaigns. As voters we are not asked to make a political choice about different political values or programmes but rather to decide whether one lot of politicians are more managerially competent than the next to deliver on their promises to deliver a better life for us. 'Judge me on my performance' the politicians demand. But the difficulty is that we have, with their encouragement, created a blame game that offers a thin and inadequate diet of politics. Every aspiring politician convinces themselves they can deliver what people want, and every citizen wonders if this time they are going to get the real thing: a politician who keeps his promises. But we all know that it will, every time and on every cycle, end in disappointment.

The actions and moves of politicians are constantly interpreted by the politicians and the media through a lens that emphasizes their instrumental, self-interested motivation. The blame game is based on assumptions of instrumental rationality driving human action and in particular the practices of politics. The economic academic analysis of politics has infested the very practice of politics and undermined its capacity to engage people in collective endeavour. It has encouraged us to assume the worst, and politicians and citizens have taken its messages to heart. The gloomy atmosphere is reinforced by the hegemonic domination of neo-liberal thinking that tells us to expect little but failure from the state, the public realm and politics.

On the supply side, the opportunities to engage in collective decision making for citizens have also being squeezed. It is possible to observe three

forms of depoliticization that have become more prominent over the last few decades (Hay 2007). Type 1 is when issues and decisions that were previously the subject of public scrutiny are placed in a public yet non-government sphere. The displacement of decision-making functions to quasi-independent bodies takes politics out of the reach of the ordinary tools of the citizen's political armoury and justifies this shift by arguing that politicians are not to be trusted with certain types of decisions: a double blow to the practice of democratic politics. Type 2 depoliticization is where issues that might have previously been seen as issues of the public realm are moved to that of private concerns to be driven by private choice. The message is: be an active consumer not an active citizen. If you care about the environment make market choices to buy greener goods and services, and if you want better health care then look to the private sector to provide a solution. The final type of depoliticization (Type 3) is where issues are transferred from the realm of political deliberation and choice to the realm of fate and the disavowal of human agency. The forces unleashed by globalization are often depicted in this way. The loss of faith in politics means that alternative ways of legitimizing decisions issues and choices are being taken out of the open realm of democratic collective decision making. Our best hope – we are told – lies in the introduction of market-like incentives to keep politics and public management on the straight and narrow as part of a strategy of depoliticization. The answer lies in less politics and more handing over of decisions to quangos and consumerization of choice. In a difficult-to-control world it's the best we can hope for.

According to Meg Russell in her thoughtful pamphlet, we have failed to come to terms with mass democracy in our culture. She argues that 'the ways that our political culture has adapted itself to modern life have, over time, conspired to erode faith in political rule' (2005: 4). The culture of consumerism has led politicians to offer promises to the public on which they struggle to deliver effectively. Single-issue pressure groups add to the demands made on the political system to deliver without aiding any understanding of the need to balance competing demands. Citizens are given a constant message that suggests that politics is failing and the cynical and simplistic approach of the modern media has also 'played a key part in feeding all these problems' (Russell 2005: 5). The adversarial style of our politics has, when combined with the sense that politicians must permanently campaign, helped to feed distrust.

In my *Why Politics Matters* (Stoker 2006a) I add to the list of supply-side woes about politics. As we have seen, most citizens' engagement has

a sporadic and mundane character. There is nothing wrong with such expressions of citizenship; they are just rather limited. Much engagement is directed towards something that brings personal benefit or perhaps provides an expressive statement about a person's sense of themselves and their identity. These atomized forms of citizenship mean that people often have only a surface engagement with political issues and complexities. There is hope in the range and diversity of engagement in democracies, but there are concerns because of its uneven spread and shallow quality. Most of the real politics is done in a space where we are spectators. It is the sphere of professionals where we are the amateurs.

The professionalization of politics is a potential factor in the demise of political citizenship. The cohesion brought by parties, the advocacy of special interests by the lobby and the challenge and dissent offered through various forms of protest offer vital links in the democratic chain between governors and governed. But all are failing to engage citizens-at-large in politics. Activists are odd people, very much in a minority in our society. They do a lot of the work of politics for us and we should be grateful to them. But the way their organizations work is in part responsible for people's sense of alienation from politics.

As parties have lost membership, they have become reliant on professional campaigners and organizers and operate in a way that treats citizens as passive political observers who just need to be mobilized at election times to back the party (Webb *et al.* 2002). Citizen lobby organizations – such as Friends of the Earth – have large-scale passive memberships and they too rely on professional organizers and experts (Jordan and Maloney 1997). Members fund but the professional politicos in the lobby organizations decide what to campaign on. Citizens are a passive audience to be talked to about particular campaigns through the media and occasionally galvanized to send in letters or cards of support or join a public demonstration based often on rather simplistic messages. Citizens are offered little in terms of depth of analysis or understanding of the issues at stake by these organizations. Even more radical protest organizations tend to be professionalized in the style of behaviour and their use of the media. The occasional engagement by a wider group of citizens in a protest 'event' or rally is in danger of being more a lifestyle statement than a serious engagement with a political debate (De Jong *et al.* 2005).

Politics is about people deciding to take action, but what is the point if the world is so out of control and the challenges so complex that political forces cannot exercise influence over it (Gamble 2000)? In response to complex new challenges politics has had to move into arenas and modes of operating

beyond the everyday capacities of citizens. Globalization has not ended the capacity for politics but it has pushed it into new and more remote settings. Governments at local and national levels can influence global trends but they do so out of sight of most of their citizens. Technological change and the pressures of scientific development again create impacts that politics is only able to contain by moving decision making onto remote and expert terrains. An effective dialogue between science and democracy has not been easy to create, as rows over GM food, global warming or cloning indicate. What is clear is that politics is in challenging and hard times and that as a result it has tended to be practised in arenas remote from the everyday experiences of citizens.

The politics we are offered is thin, narrow in its focus of attention and lacking much capacity for engagement. This dismal offer is, as Hay points out, not surprisingly, rejected by many citizens who wonder why they should bother if this is all that is on offer. Others, including myself, place some emphasis on the demand side of the explanation. The problem is more than that the politics we have been offered is rubbish; it is that we as citizens are, to put it bluntly, pretty rubbish too. The increased discontent with formal politics can be explained by a number of misunderstandings of the political process that have taken hold in the discourse of democracies. Too many citizens fail to appreciate the inherent collective characteristics of politics in an individualized world.

The pressure from the increased prominence given to market-based consumerism in the culture of many democracies has led key aspects of politics being overlooked. Making decisions through markets relies on individuals choosing what suits them. The collective processes that are essential to steer politics and government struggle to deliver against the lionization of individual choice in our societies. Politics if anything attracts as much interest as before, but that interest has been infected by the impact of the increased prominence given to market-based consumerism and more intense individualization in the culture of many democracies. As a form of collective decision making, politics is, even in a democracy, a centralized form of decision making compared to market-based alternatives. Democracy means that you can be involved in the decision, but the decision may not necessarily be your choice; yet you are expected to accept the decision.

Politics as a form of collective decision making relies on voice rather than the market mechanism of exit to enable you to make your views known. If you don't like something you see in a shop you can go elsewhere but in politics the only way to get something is to use voice and that carries far

more costs than exit. But expressing your interest or opinion is only the start of a more general challenge in politics – that of communication. You have to not only make your views known, you also have to listen. Politics is not about individual choice; it is about collective debate. Within it communication is a difficult, time-consuming and problematic business. Knowing what you want and knowing how to get it out of the political system are very testing and complex.

Politics often involves a stumbling search for solutions to particular problems. It is not the most edifying human experience. It's rarely an experience of self-actualization and more often an experience of accepting second-best. It works through a complex process of mutual adjustment as politicians and officials, and others directly involved in government, attempt coping or manipulative modifications to their behaviour in the hope of inducing the right response from others. The results tend to be messy, contingent and inevitably create a mix of winners and losers.

So it turns out that a propensity to disappoint is an inherent feature of governance even in democratic societies. We think that a substantial part of the discontent with politics is because the discourse and practice of collective decision making sits very uncomfortably alongside the discourse and practice of individual choice, self-expression and market-based fulfilment of needs and wants. As a result, too many citizens fail to appreciate the inherent characteristics of the political process in democratic settings. Politics involves two of the hardest human skills: listening carefully to the opinions of others and their expressions of their interests, and maintaining a certain resilience when things do not go right the first time. Doing politics in our large complex societies is bound to create some frustration. Democracy cannot wish away that reality.

The misunderstanding and undervaluing of collective decision making has not been helped by the way that the media – the main carrier of information and understanding about formal politics in the modern world – portrays the political world. There are several aspects of the argument to consider (Lloyd 2004). First, there has been a 'dumbing down' in news coverage which means that people are less likely to understand underlying issues or complexities in respect of politics, and politics can often be seen to fail when what it is delivering is judged in a simplistic framework. Second, the fusing of news reporting and comment, which is a characteristic of modern media coverage of politics, probably feeds a culture where fact, opinion and speculation merge into one another and which lends itself to a cynical take on political life. A third argument is that the media in some countries have actively

spread a culture of contempt; and a fourth argument is that we have seen the emergence of a style of journalism that presents itself as the champion of the people and takes a strongly adversarial position to politicians, asking all the time why this politician is lying to me and you, the viewers and listeners. The first two arguments perhaps hold true across more countries. The last two arguments are much more difficult to establish but may hold for some countries – of which the UK would be a prime candidate.

We can quite happily combine supply and demand-side explanations for the malaise in political citizenship. The way that politics is practised today leaves too great a gap between governors and governed. Most of us are judging politicians from afar and through a distorted lens. The sense of moral outrage that pervades our reaction to politics I think reflects the fact that in most mature democracies most people have little if any direct involvement in politics. Most people experience politics as spectators and through the eyes and ears of the media. The result of this alienated disengagement is that many citizens are able to combine a substantial level of cynicism about politics with occasional outbursts of moral indignation as to its failings and frustrations. Any UK readers can simply look back to May 2009 and the spectacularly negative public reaction to the way that some MPs had used and abused the House of Commons expenses and allowances regime (Kelso 2009) to remind themselves of how quickly disengagement can turn to anger in a culture pervaded by a strong sense of anti-politics.

Can We Challenge Anti-politics? Developing a Response

We should not imagine that we can do without politics. You might argue that politics persists only because humans make the wrong choices. If they followed the right path, set down by religion or some other moral guide, they would all choose the same thing and as a result politics would not be necessary. You might alternatively argue that politics operates only in societies that are structured so that people's interests are fundamentally opposed, but that it might be possible to structure a society where people's interests were always aligned and as a result politics would not be required. The former argument has at various times been made by some religious and other moralizing opinion leaders. The latter is one used by some radicals and utopians of various hues. Neither is particularly convincing to me and neither can take much succour from the historical record to date. There is little to suggest that human beings or human societies are perfectible, as implied by these contrasting understandings.

Given human society, as it has been and as it might reasonably be expected to be in the future, we could argue that people will make judgements about what is right for themselves and for others and that there is no reason to assume that those judgements will be shared. Equally, it is clear that as humans we need to find ways to act together, to engage in collective action, to resolve the problems and challenges of living together. It is an integral part of human nature to value the opportunity to be involved in decisions about issues that affect you. We will differ about what the outcomes could or should be but somehow in a democracy we need to sustain a commitment to the process and institutions of politics. To argue for political citizenship in a democracy it is not necessary to make assumptions, then, about citizens' willingness to pursue the common good. 'Rather than seeing democracy as a device for discovering or manufacturing the common good, democracy can be understood as a device for managing the power dimensions of activities people engage in as they pursue their own – individual or shared – conceptions of the good' (Shapiro 2002: 240).

As Michael Walzer (2004: 103) puts it, political decisions are inherently and permanently conflictual:

> Very few political decisions are verdicts in the literal sense of that term. I don't mean that we can't sometimes insist that it is morally right and perhaps imperative to do X; but even people who agree on the necessity of doing X are likely to disagree about how to do it, or how soon, or at whose expense … Permanent settlements in politics are rare in political life because we have no way of reaching a verdict on contested issues.

Politics as a result often requires messy compromises that are presented through 'smoke and mirrors' to bridge conflicting interests and values. Deliberation and the open exchange of different ideas are part of politics but they do not capture the roundness of its practice. Politics is a sustained battle of interests and ideas and claims for influence, accountability and scrutiny. It is an inherent reflection of our plurality and difference as human beings. Its nobility is in its capacity to enable us to manage our mutual interdependence, but its practice is often laboured, dull and untidy, muddled and occasionally dirty. So part of the message to our fellow citizens has to be to learn to live with it. So while Shapiro is right to suggest that citizenship does not demand that you pursue the common good, it does demand that you recognize politics is a collective process in which you must be willing to show a spirit of compromise and an understanding of others' positions and

interests. Citizens need to accept some responsibility for the whole as well as take care to express their interests. Politics and political citizenship demands a public morality of taking into account the views of others and adjusting one's position to enable a settlement even if that settlement is not accepted as permanent.

How could we create a political culture that provided support for such an understanding? We need a political culture that is able to live with and manage contradictory forces. Perhaps what we need to do is find a new path to reconciling parochial, subject and participant cultures. Citizens need to be more directly involved in political processes, so the participant impulse needs to be supported. In subject mode they need to judge the outcomes of the political process with less of a consumerist impulse and more of a perspective reflecting on the public interest. Finally, an element of parochialism may be required from citizens both to concentrate on things that they can influence and to become more accepting of the complexity of the political system, its messiness and disappointments. To reconcile ourselves to contradictions of political citizenship in a globalized democratic age citizens may need to acquire a degree of positive fatalism: hoping that something positive will emerge from our political exchanges but not being terribly surprised when it does not.

We could try to shift the culture of elite politics as a first step. Meg Russell (2005: 55–8) proposes a new political charter in which politicians are encouraged to be more honest about their mistakes. They would need to explain the hard choices that need to be made and the constraints faced by decisionmakers, and be more generous to their opponents in not making exaggerated or unnecessary attacks and campaigning responsibly and in a way that does not exploit citizens' distrust. She adds that media coverage and citizens' attitudes to politics will also need to change. But her optimism that such a new political culture could take hold needs to be tempered by a recognition that when activists do their politics they do so with a mix of motives from passion for a cause to self-interest. But above all they campaign, demonstrate, bargain, organize and do the mundane work of filling out envelopes and making phone calls in order to win. There are no neutrals in politics and to ask activists to forgo potentially winning strategies may be asking for too much.

Many argue that there may be ways of re-engaging people in politics directly, and this was a central theme that Stoker developed in his call for a new politics for amateurs in *Why Politics Matters* (Stoker 2006a). The 'Make Poverty History' (MPH) protest in the summer of 2005 could

be seen as an exemplar of the new politics of engagement. It powerfully connected campaigning with formal representative politics, and did so in way that reached out to millions of people who were relative novices in the political process over an issue of high moral import. There are lessons that can be drawn from that campaign if we are interested in a re-moralizing of politics and restoring trust in the political process (McNeill 2006). The first is that hope sells rather than guilt. MPH convinced people that they could do something to make a difference to improve the lot of the world's poor. Second, it built very deliberately from the bottom up and then tried to link visionary leadership to that base, but the base was around the local school-gate, bus stops, places of work rather than the elite institutions of politics. Finally, its message was one of rehabilitation and renewal as converts to the cause were welcomed from all quarters and not derided for making a U-turn or because they were latecomers.

Not all politics can be packaged in the same way as the MPH campaign, but it stands out as a politics that successfully brought together the formal institutions of governance and the informal power of civil society. There are other examples from across the world. Graham Smith (2009) shows how a number of public authorities worldwide have sponsored and organized innovative forms of citizen engagement, developing a range of designs including participatory budgeting, mini-publics (randomly selected assemblies), direct legislation and e-democracy initiatives (see Chapter 2, for a further development of this argument). (see Chapter 2)

However, even if we did find ways of drawing in to a degree more citizens into decision making, the bulk of citizens could still remain observers rather than practitioners of active political citizenship. The big unknown is how these observers come to understand politics and whether they could develop a complex and nuanced understanding of its practices. Even if we convince citizens that politics is not all about politicians narrowly pursuing their self-interests in a cycle of ineffectual games, we still need them to understand that politics is an awkward and difficult process.

Future Research Challenges

We would be more confident about prescribing remedies for the maladies of our political citizenship if we did not recognize that when it comes to reform strategies we are slightly pitching in the dark. We don't know enough about the problem to know what the answer might be. We have general explanations about what might be going wrong but not enough direct evidence from citizens themselves. As Hay (2007: 162) argues in terms of

the silent majority, we 'know very little … about the cognitive process in and through which (they) come to attribute motivations to the behaviour (they) witness, or how (they) come to develop and revise assumptions about human nature (they) project on to others. If politics depends ultimately on our capacity to trust one another … then there can be no more important questions for political analysts than these'. As Van Wessel (2009) argues, 'insights on what politics means to citizens are largely derived rather than based on research that more directly tells us what politics means to citizens'. Hay and Stoker (2009: 227) comment that:

> … despite the unprecedented contemporary interest in the sources of political disengagement and disaffection, we lack a real understanding of how citizens understand politics. Any strategy for revitalising politics needs to take seriously the issue of how politics is perceived by citizens. We know a fair amount about what kinds of political activity people engage in and what factors drive that activity. We can offer some reasonable evidence – informed insights into issues such as electoral turnout and election outcomes. What political science – and the social sciences in general – is less good at understanding and explaining is what politics means to citizens at the beginning of the 21st century.

We need to expend more empirical effort in trying to find out what our fellow citizens understand by the practice of politics. We have some helpful starting points. Hibbing and Theiss-Morse (2002) provide one study of US citizens, drawing upon an opinion survey and some focus groups, to show that people often have a very naïve understanding of the way that politics works. Citizens struggle to see the world through the eyes of others, and are fearful that somehow they are going to be tricked or duped by the political process. The authors also identify a number of potential cognitive stumbling blocks in the path of greater political engagement. When people do meet in associations and groups they often, for fear of stimulating too much controversy or open discussion of troubling issues, put a lot of pressure on members to stick to a limited range of topics and matters where regular, unassuming citizens can feel at home and unchallenged. People in associations and groups as a result tend to confine their interactions to a limited set of topics and more practical issues, in part as a means of coping with the unknown views of group members and the uncertainty created by conflict and division. They prefer to stick to issues nearer at hand and to the uncontroversial, and in other instances gravitate towards groups that are populated by like-minded

people. Open systems of participation and engagement can leave people feeling humiliated and brow-beaten. People may be required to open up in a way that they do not feel comfortable with. Many people do not react well when faced by opposing views. They find it very challenging, preferring instead to believe that most people agree with them. When faced by opposing views they can clam up and go into a spiral of silence. Examining the cognitive maps of our fellow citizens shows many approach politics with a set of limiting coping devices, a degree of caution and, in some cases, where the context is uncertain, some trepidation.

The Hibbing and Theiss-Morse study is unusual in its focus on what citizens make of politics. Van Wessel (2009) produces some interesting and parallel findings in a small-scale study of twenty Dutch citizens. There is scope for a significant amount of further empirical work. An important new direction in political science has a base and we need to move off in the direction provided by these studies if we are to understand and respond to the issue of anti-politics. While we are waiting for that further research, let me offer some first thoughts on a reform strategy informed by an understanding of the perception of citizens.

The negative response to politics may be a very human reaction to the way politics works. But we cannot be sure of that understanding unless we spend more time researching with citizens. We can confidently say that a viable sense of political citizenship has been lost by many of our fellow citizens, but we need to be a lot clearer and better informed about what to do about it.

CHAPTER TWO

Designing Political Citizenship

Political citizenship appears to be in crisis. As the first chapter of this book highlights, there is growing evidence of public disillusionment with the institutions of advanced industrial democracies. The decline in electoral turnout, low levels of trust in politicians and political institutions and decline in membership of traditional mobilizing organizations such as political parties and trade unions are just three expressions of the growing disconnection between citizens and decision makers (Dalton 2004; Power Inquiry 2006; Stoker 2006). This could be taken as a counsel of despair – a growing disillusionment with the 'democratic project'. However, citizens in advanced industrial democracies appear to make a distinction between democracy as an idea and its actual manifestations. Behind these negative attitudes towards contemporary democratic practice is a strong and significant commitment to democratic norms and values. Surveying the evidence base, Russell Dalton suggests: 'Most people remain committed to the democratic ideal; if anything, these sentiments have apparently strengthened as satisfaction with the actuality of democratic politics has decreased' (Dalton 2004: 47). While reform of party and parliamentary practices may have an important role to play in revitalizing contemporary politics, the level of discontent and disengagement suggests that more serious attention needs to be given to reshaping the relationship between the governed and those who govern; to reshape the practice of political citizenship. Reforms need to 'address expectations that the democratic process will expand to provide new opportunities for citizen input and control' (Dalton 2004: 204).

Such an analysis mirrors developments in democratic theory, where over the past couple of decades we have witnessed a resurgence of interest in questions of citizen participation. While there are important differences in emphasis – for example, as to whether participation has intrinsic or instrumental value – theorists from different democratic traditions, be it participatory, deliberative, direct, associative, difference or cosmopolitan, offer arguments that place a premium on increasing citizen participation as a way of ameliorating the disconnect between the subjectivity, motives and intentions of citizens and those who make decisions in their name (e.g. Barber 1984; Offe and Preuss 1991).

There is, however, a significant divide in the theoretical literature on the form and location that a revitalized political citizenship should take. One stream of thinking celebrates activism, organization and networks within civil society. A revitalized political citizenship is cast either as oppositional activity and resistance towards established forms of governance (Dryzek 2000; Blaug 2002) or in relation to self-organization of social and economic activity (Hirst 1994). There is an implicit suspicion here of the role of the state, in particular the manner in which it co-opts citizen participation for its own ends. The second stream of thinking is more open towards the potential of the state to orchestrate its resources to institutionalize citizen participation: it is possible for public authorities to design and implement democratic innovations, institutions that have the explicit purpose of increasing and deepening citizen participation in the political decision-making process (Fung and Wright 2003; Smith 2009). Political activism within civil society is the subject of another chapter. This chapter will take as its focus an evaluation of the second approach to revitalizing political citizenship. The major decision-making institutions of advanced industrial democracy are not about to be swept aside; as such we should be interested in how they might be restructured so as to enhance political citizenship. Throughout the analysis, we will take seriously the arguments of critics and sceptics, analysing the extent to which democratic innovations realize our democratic ambitions. It is to such challenges that we now turn.

Designing Participation: Five Challenges

In evaluating democratic innovations we must recognize that public authorities in advanced industrial democracies have a relatively poor record in engaging their citizens effectively. The contemporary political rhetoric amongst activists, officials and theorists tends to valorize participation, but there are well-founded suspicions of strategies that aim to enhance officially sponsored participation. While increasing and deepening citizen participation may be a worthy ideal, there may be good reasons why it is unrealistic and/or undesirable and may (perversely) have a damaging effect on the institutions and practices of advanced industrial democracies. It is important that in evaluating democratic innovations, we do not sidestep the insights of critics and sceptics. It is too easy to be swept along with the rhetoric of participation and not ask hard questions of institutional designs. If it is a realistic proposition that democratic innovations should be more widely institutionalized, then it is essential that we are able to show, contra

the sceptics and critics, that participation strategies actually promote rather than undermine political citizenship.

In designing democratic innovations, five significant challenges emerge that have direct relevance to the extent to which political citizenship is realized, namely: differential rates of participation across social groups; the competence of citizens to make reasoned judgements; the capacity of citizens to influence or control political decision making; the costs borne by citizens and public authorities; and the extent to which participation can be embedded at significant levels of governance. Critics and sceptics raise important questions as to whether it is realistic to believe that we can design innovations that achieve our democratic ambitions.

The first challenge offered by critics and sceptics is that differential rates of participation across social groups will undermine our commitment to political equality on which citizenship rests. Studies of participation across a range of political activities provide evidence that very few citizens actually engage regularly in political action – whether conventional or unconventional – and that participation is strongly positively correlated to income, wealth and education (Verba *et al.* 1978; Pattie *et al.* 2005). These sections of the population have access to resources such as time, money and knowledge that are crucial to political efficacy. As such, Arend Lijphart argues that democracy's unresolved dilemma is unequal participation (Lijphart 1997). In both elections and official consultation exercises, marginalized social groups systematically fail to engage. As difference theorists continually stress, presence can have a significant impact on the nature of decisions: if the politically excluded are not present and able to voice their perspectives, decisions are unlikely to fully respond to their concerns (Phillips 1995: 13). Extending opportunities for citizen participation in the political process will simply reinforce and amplify the existing differentials of power and influence within society (Sartori 1987: 114; Phillips 1991: 162); in practice political equality will not, or even cannot, be realized.

Second, sceptics and critics of extending participation argue that citizens tend to lack the skills and competence to make reasoned political judgements. This sentiment is most explicitly expressed in the work of Joseph Schumpeter and was a crucial element of his defence of competitive elitism: 'the typical citizen drops down to a lower level of mental performance as soon as he enters the political field ... He becomes a primitive again' (Schumpter 1976: 262). There is plenty of evidence that most citizens are not that interested in politics and do not spend much time actively consuming political information. The popularity of opinion polls reinforces

the problem: citizens are asked their immediate response to questions on subjects on which they often have little or no knowledge and with little or no opportunity to reflect on relevant information. As Mark Warren argues:

> [D]emocracy works poorly when individuals hold preferences and make judgements in isolation from one another, as they often do in today's liberal democracies. When individuals lack the opportunities, incentives, and necessities to test, articulate, defend, and ultimately act on their judgements, they will also be lacking in empathy for others, poor in information, and unlikely to have the critical skills necessary to articulate, defend, and revise their views. (Warren 1996: 242)

A third challenge is that participation will have little or no effect on political decisions. There is certainly little empirical evidence available of the material impact of consultation on political decision making (Lowndes *et al.* 2001: 452; Crawford *et al.* 2003). A range of explanations are forthcoming, from accounts that stress the limiting effect of extra-constitutional imperatives, such as the protection of capital accumulation (Dryzek 2000), to those that highlight the professional resistance amongst public officials (Newman *et al.* 2004: 210). Daniel Fiorino, at one time the Director of the Performance Incentives Division at the US Environmental Protection Agency and a respected commentator on public participation, recognizes the legitimacy of public scepticism towards public participation, arguing that consultation exercises are often undertaken to 'give at least the appearance of individual and community involvement, legitimate decisions already made, warn the agency of potential political and legal obstacles, satisfy legal or procedural requirements, and defuse the opposition' (Fiorino 1990: 230–1; see also Cooke and Kothari 2001).

A fourth challenge is that participation places too many burdens on both citizens and institutions: in other words, the challenge is that enhancing participation cannot be considered an efficient mode of governance. Warren rightly warns that 'radical democrats almost without exception hold that democratic participation is attractive activity, one that people would naturally choose if only they had the opportunity. They should dispense with this romantic dogma' (Warren 1996: 243). The demands of participation are just as likely to generate anxieties and fears and a reasonable preference to spend any spare time in other activities. David Beetham has consistently argued that the economy of time 'is the only *democratic* argument for decision-making by proxy, by some smaller group which is in some sense representative of

the whole, whose members can be released from other responsibilities to devote themselves more fully to deliberation of public issues' (Beetham 1999: 8–9). Enhancing citizen participation also has significant resource implications for public authorities, both in terms of organizing engagement and the potential restructuring of administrative procedures and working practices to accommodate engagement. Participation on the cheap is likely to be of a poor standard and will be detrimental to democratic practice. Although the climate of compulsion requiring participation in certain policy areas can lead to positive developments, it can have 'perverse consequences in terms of producing short-term and inappropriate strategies for engaging the public' (Newman *et al.* 2004: 208).

Finally, there is a widespread assumption that the effectiveness of participation is constrained by scale and thus the transferability of democratic engagement is limited. Again, Warren contends that 'the transformative ideals of radical democracy … often seem beset by a fuzzy utopianism that fails to confront limitations of complexity, size, and scale of advanced industrial societies' (Warren 1996: 242). Robert Dahl (1998: 110) sums up the challenge concisely:

> The smaller a democratic unit, the greater its potential for citizen participation and the less the need for citizens to delegate government decisions to representatives. The larger the unit, the greater its capacity for dealing with problems important to its citizens and the greater the need for citizens to delegate decisions to representatives.

Much of the focus in writing on citizen participation is on small-scale institutional structures: town meetings, workers' cooperatives, neighbourhood governance, etc. (Pateman 1970; Mansbridge 1980). Proponents of participation tend to take one of two approaches: either accepting that the size and complexity of contemporary polities means that opportunities for participation in political decision making can be effective only at a local level, whilst 'politics-as-normal' occurs at higher levels of authority; or offering a radical prescription of decentralization where political control is exercised by smaller units. Arguably, neither strategy is an adequate response to the perceived need to revitalize political citizenship across large-scale, complex polities.

This brief survey of sceptical and critical voices raises considerable challenges to attempts to further institutionalize citizen participation in the political decision-making process. Calls for embedding democratic

innovations are made against the backdrop of existing patterns of engagement that lead us to question whether government-sponsored engagement strategies can in practice fulfil our democratic hopes and expectations for political citizenship. Is there evidence that these challenges can be overcome?

A New Wave of Democratic Innovation

The last couple of decades have witnessed a groundswell of interest in democratic innovations, to such an extent that global institutions such as the World Bank are promoting citizen engagement as a strategy for good governance (World Bank 1996). It would be foolish in the extreme to suggest that the various examples of participatory budgeting (PB), participatory appraisal, citizens' juries, internet discussion forums and other innovations organized or sponsored by public authorities effectively solve all the challenges posed by critics and sceptics. However, the explosion of participatory activity has been driven by interesting examples of institutional design and it is worth investigating the extent to which they can enhance aspects of political citizenship. We will focus our discussion on what we take to be four influential innovations that offer different insights into how we might respond to the current crisis in political citizenship through careful and creative institutional design: PB as it was initially developed in Porto Alegre, Brazil; the British Columbia Citizens' Assembly (BCCA) on Electoral Reform; 21st Century Town Meetings; and Womenspeak.[1]

Participatory Budgeting (PB) in Porto Alegre

PB was established in Porto Alegre, Brazil, in 1989 as the central element in the annual municipal budget decision-making cycle. The incoming Workers' Party mayor had the explicit intention of designing a participatory process that challenged the clientelism and corruption endemic within Brazilian political culture and legitimized redistributive policies. By the turn of the twenty-first century, some 16,600 citizens participated in popular assemblies (Harvard University Center for Urban Development Studies 2003: 40) affecting the distribution of around $160 million in investments (Baiocchi 2005: 14). What is particularly striking is that PB encourages a significant proportion of participants from poorer neighbourhoods (beyond their percentage in the population) and there is a redistribution of resources towards these neighbourhoods. As Rachel Abers notes: 'Whereas often participatory policies are dominated by the wealthy, the well educated and representatives of business interests, the opposite is true in the case of the participatory budget' (Abers 1998: 54).

Such impressive results have been achieved in Porto Alegre through the institutionalization of a creative motivational structure. PB comprises three different institutions with quite different functions which place different demands on participants. First, large-scale mobilization across the city focuses on the sixteen annual area-based popular assemblies in which participants are able to: hold the administration to account; vote for neighbourhood and regional priorities for infrastructure investment (e.g. sanitation, paving, health care, etc.); and elect citizens to the sixteen regional budget forums and the Council of the Participatory Budget (COP). The number of delegates going forward to the budget forums is related to the number of votes cast (i.e. the higher the turnout from a neighbourhood, the greater the representation); whereas there are only two councillors from each assembly that are elected to the COP (i.e. equal representation for each area of the city). The second set of institutions, the regional budget forums, prioritize the list of demands from the popular assemblies and monitor the implementation of projects by city agencies. Finally, the COP applies a set of distributional rules to decide which of the investments prioritized by the regional budget forums and put forward by the administration are to be funded. It then reviews these rules and agrees on those that will guide distribution in the following year. To defend against the abuse of power on the part of selected citizens, councillors can only be elected for two consecutive terms of office and are subject to immediate recall. The COP presents the budget to the mayor who then is required to seek the approval of the legislature of the city council. In her analysis of PB, Abers suggests that we should distinguish between the popular assemblies and budget forums where citizens are able to bring forward their own proposals with little interference from public officials and the COP where citizens often find themselves reliant on officials for information and technical advice and overwhelmed with the details of government proposals (Abers 2000: 211).

The motivational structure embedded in the design of PB has a number of characteristics that encourage the expression of political citizenship by the (traditionally politically marginalized) poor. First, there is a clear relationship between numbers mobilized in the popular assemblies and levels of representation on the budget forums in which delegates prioritize the demands of neighbourhoods into a regional list of investments. The more delegates from a neighbourhood the more influence they can have on investment priorities. Second, there is no expectation that all citizens will participate in all the institutions of PB: mass participation occurs in the popular assemblies, but representatives are selected for the more

intense work on the regional budget forums and COP. Third, because no region or partisan interest is able to dominate the COP, the rules that guide the distribution of resources reflect considerations of social justice. For example, the rules have always included at least one criterion related to relative poverty and infrastructure and services deficiencies of regions. There is thus a distributional bias that favours the poor. Fourth, the administration employs community organizers who have been particularly active in promoting engagement and developing the civic infrastructure in poorer communities with little tradition of civic organization. And finally, participation has been enhanced by the 'demonstration effect' (Abers 1998: 138). The administration has invested heavily in ensuring that it delivers on PB decisions; as such citizens in neighbourhoods that did not participate in the early years of the budgeting process are motivated to engage when they witness the impact of investment in infrastructure and services in neighbouring communities that were mobilized.

The idea of PB has spread across Brazil, Latin America and into Europe and to levels of governance beyond municipalities (Cabannes 2004). However, there are conditions that make the Porto Alegre design particularly effective and which are not always recognized when practice is transferred. First, Brazilian municipal mayors enjoy significant fiscal and political autonomy: they have discretion over a significant resource stream and are in a position to undertake necessary administrative reforms. Second, on coming to power, the Workers' Party had strong support from across different social groups to break the culture of corruption and clientelism; in particular, there was strong political pressure from civic organizations for a participatory approach to budgeting and support for the investment needed to restructure the administration to encourage mobilization and deliver investments. Third, the institutions of the budget are open to all citizens rather than accredited interest groups only. Fourth, the design is explicitly based on rewarding participation: the more a neighbourhood mobilizes, the more likely it is to achieve investment. And finally, basic infrastructure investments in neighbourhoods are the primary outputs of the process. Participation rates tend to be much lower when basic infrastructure is already in place (e.g. amongst the middle class) or when the issue under consideration does not have such obvious direct impact on everyday life: even in Porto Alegre, the administration has not been able to mobilize equally large numbers around city-wide strategic concerns such as transportation, the environment, etc. Where this combination of factors is not present, PB has been much less effective, failing to mobilize the traditionally politically marginalized.

The British Columbia Citizens' Assembly (BCCA)

The late 1990s witnessed a surge of interest in mini-publics such as citizens' juries, deliberative polling and consensus conferences. Mini-publics share the characteristic that randomly selected citizens are brought together for around two to four days to discuss pertinent policy issues. Citizens' juries and consensus conferences involve between twelve and twenty-four citizens and produce recommendations; deliberative polls tend to involve between 200 and 400 citizens and, as the name suggests, seek individual opinions both at the beginning and the end of the process. While there are plenty of examples of such mini-publics, there is relatively little evidence that they have had material influence on political decision making (Goodin and Dryzek 2006).

This is where the BCCA differs dramatically. The Assembly was established by the provincial administration in British Columbia in 2004 following perverse election results and a failure amongst political parties to agree on a strategy for electoral reform. To bypass such partisan disagreement, the BCCA was charged with reviewing the province's simple plurality electoral system and if necessary recommending an alternative system. The Assembly involved 160 randomly selected citizens: a female and male from each of the seventy-nine electoral districts, plus two citizens with Aboriginal backgrounds when it was realized that no one from this social group had been selected. For eleven months during 2004, citizens were engaged in learning and deliberating about electoral reform. Over a series of weekends for the first four months (January to April), members learnt about electoral systems. For the next two months, members were involved in fifty hearings across the province, taking evidence from fellow citizens and interest groups. The Assembly also took 1,603 written submissions. Finally, between September and November 2004, the 160 participants discussed and debated competing electoral systems, before coming to a decision. After eleven months of work the Assembly recommended that the current electoral system should be replaced by a version of single transferable vote (STV). In December 2004, the Assembly published its final report, *Making Every Vote Count*, explaining its activities and recommendation (Citizens' Assembly on Electoral Reform 2004).[2]

The use of random selection is striking for a number of reasons. First it takes us back to early Athenian democratic practice, generating a small body of citizens in which no citizen or social group from a given population is *systematically* excluded from participation (Goodwin 2005: 45). In actual practice the BCCA (and other mini-publics) rely on 'near-random selection' (Warren and Pearse 2008b: 6) because of well-known sampling

problems (e.g. reliability of databases and an element of self-selection) and the decision in some designs to use stratified sampling to ensure the presence of politically salient social groups. In the case of BCCA, quotas were adopted along geographical, gender and age criteria, with the last-minute addition of two Aboriginal members when it was realized that this social group was not included in the sample. There is much debate over the use of stratified sampling – both in terms of whether it should be used at all; and if so, which characteristics should be the basis of quotas (to ensure, for example, a critical mass amongst a marginalized group) – but what is clear is that the BCCA (as with other mini-publics) mobilized a cross-section of the population to an extent not realized in other democratic institutions. Second, the diversity of participants in the Assembly means that citizens are confronted by difference: in coming to judgements they not only draw on the extensive education they received on electoral reform, but also the different social perspectives of the other citizens with whom they interact.

Third, evidence from BCCA and other mini-publics indicates that once citizens have agreed to participate, there is a strong incentive to stay engaged. The formal invitation to participate, a modest honorarium and the sense that they are being asked to take part in a serious political endeavour plays a crucial role in motivating citizens' engagement and support for the process. Citizens who have little or no interest or experience of other forms of political participation are willing to engage in what are highly intensive forms of political engagement. Even the BCCA – which ran for eleven months and was thus more demanding than other designs – suffered only one withdrawal. Citizens perceive they are being offered a rare opportunity to participate in a politically significant process. Political citizenship is made meaningful.

While the timescale and constitutional focus of the Assembly distinguish its design from earlier mini-publics, the most dramatic difference is arguably that it was linked to a mechanism of public ratification: the BC administration committed itself prior to establishing the Assembly to a binding province-wide referendum based on its recommendation. This took place in May 2005 with the following question on the ballot: 'Should British Columbia change to the BC-STV electoral system as recommended by the Citizens' Assembly on Electoral Reform? Yes/No.' The government had placed two significant thresholds for the referendum to pass: at least 60 per cent of votes across the province plus at least forty-eight (60 per cent) of the seventy-nine electoral districts needed to vote in favour. In the end, the referendum passed the second threshold with seventy-seven districts

in favour. However, the overall vote was 57.69 per cent, missing the first threshold by only 2.31 per cent.[3] Critics contend that while the British Columbia administration resourced the Assembly, it failed to adequately resource the referendum campaign: polling evidence suggests that many voters were unaware of the existence of the BCCA. No doubt this had a material effect on the referendum result since those citizens who were aware of the Assembly and its activities were more likely to support its proposal (Cutler *et al.* 2008). Whatever the final result, the BCCA offers an indication of how democratic innovations – in this case a mini-public and binding referendum – can be creatively combined to radically restructure the political process; and, arguably, political citizenship.

Emerging e-Democracy Designs

The internet has at one and the same time been hailed as the saviour and enemy of democracy. It has the potential to open up new modes of engagement *and* fragment the public sphere. However, 'little empirical research has been done on the claims of either supporters or critics of e-democracy, or the specific practices with which democracy is being brought into the public sphere' (Schlosberg *et al.* 2006: 211). The jury remains out on the impact of information and communication technology (ICT) on democratic theory and practice.

Public authorities have been rather tentative in integrating new technologies into the political process (Pratchett 2006), viewing ICT primarily as a way of improving service delivery and/or providing information: e-government rather than e-democracy. Given the potential to engage larger numbers across time and space, the lack of experimentation is striking. Where authorities have experimented – typically with online discussion forums – concerns have been raised about the impact of the digital divide (differential access to and competence in the use of ICT), the tendency to engage the already politically interested and ensuring civility amongst participants.

While much of the analysis of ICT-enabled participation focuses on open online discussion forums, 21st Century Town Meetings and Womenspeak indicate the potential for using different characteristics of ICT to enable political citizenship. 21st Century Town Meeting was developed by the organization America Speaks, evoking the traditional New England Town Meeting, but, according to its organizers, updated 'to address the needs of today's citizens, decision makers and democracy'.[4] 21st Century Town Meetings do not take place online; rather ICT is used to enable the

engagement of significant numbers (between 500 and 5,000 citizens) in a one-day event, combing face-to-face deliberations in small groups with large-scale ICT-assisted interactions and collective decision making. ICT is crucial to connect the small and large-scale – and to make the event an exciting and attractive proposition for citizens. While organizers face familiar problems with mobilizing a representative sample of participants (even with targeted recruitment amongst politically marginalized communities), on entering the venue citizens are faced with a series of small tables, each with a networked computer, electronic keypads for all participants and large video screens. Typically, participants are broken into demographically diverse tables of ten to twelve citizens, each with an independent facilitator. Each table uses the networked computer to offer ideas and comments as their discussions progress. These are quickly collated and synthesized by a specialist team who distil comments from tables into themes that are presented back to the room via the large video screens either for further comment or votes. The electronic keypads provide for instant voting and the video screens present results, data and other information in real time for instant feedback. America Speaks only runs these events where there is commitment from decision makers to attend and respond to the outcomes. The sheer scale of the meetings makes them difficult to ignore and means that they often generate substantial interest from the media and public authorities. The combination of small group discussions and large-scale collective decision making on a single day could not take place without the use of ICT.

Such meetings have been used on a range of different issues, including planning, resource allocation and policy formulation: for example, the Mayor of Washington, DC held a series of seven 21st Century Town Meetings on the city's spending priorities between 1999 and 2005 (Lukensmeyer and Brigham 2002; Lukensmeyer *et al.* 2005). The most widely discussed America Speaks event is 'Listening to the City: Rebuilding Lower Manhattan' that took place in the aftermath of 11 September, attracting 5,000 citizens and (arguably) affecting decisions about the future of the World Trade Center site. In 2007, America Speaks showed how their model could be used across more than one site, linking 4,000 citizens in more than sixteen cities nationwide in discussions about the collective recovery priorities for New Orleans.[5]

A second, very different example of the potential impact of ICT is Womenspeak organized in March 2000 by the Hansard Society in the UK. Whereas most government-sponsored web-forums are open and as such engage the already-politically-interested, Womenspeak was explicitly

designed to tackle the digital divide and use ICT to engage a politically marginalized social group: women survivors of domestic violence. Around 200 women registered on a secure, moderated website and were able to exchange experiences with each other and respond to questions and contributions from Members of Parliament (MPs) (Moran 2002; Coleman 2004). Using similar technology, the Hansard Society also developed the innovative HeadsUp resource for young people, which (among other activities) again provides a secure online forum for MPs to consult with young people (Electoral Commission 2004; Smith 2005: 100–2).[6]

The designers of Womenspeak recognized that for reasons of security women who suffered domestic violence would not be willing to attend public meetings. Four elements of the Hansard Society's approach enabled these women to express their political citizenship through a virtual dialogue on a sensitive area of public policy. First, the organizers worked with a reputable organization, Women's Aid, to mobilize potential participants. Second, the discussion forum was secure – it was only accessible to those women who had registered, the relevant parliamentarians and the organizers. Participants were given pseudonyms to ensure privacy. As Margaret Moran, an MP involved in the consultation notes: 'The anonymity offered by the technology enabled women to tell their stories, often for the first time, without fear of identification and to receive support and advice without fear of reprisal' (Moran 2002). The technology ensured that a silent minority were confident enough to 'talk freely and give honest and personal evidence about their experiences' (IPPR 2004: 33). Third, technical support was provided to the significant number of participants who had no access to or familiarity with the Internet: 'Fifty-two per cent of participants had no knowledge of using the Internet before they took part' (Coleman 2004: 7). Women's refuges were able to provide access to participants without computers and the moderator had experience of working in this sensitive area and so could provide both technical and emotional support. And finally, the asynchronous nature of the discussion forum allowed women time to reflect on existing contributions before posting their own comments at convenient times.

We tend to imagine that ICT will be utilized to open up opportunities to bring together large numbers across space and time. Certainly this is the most obvious application of the technology. But 21st Century Town Meetings and Womenspeak indicate how ICT can be used creatively to enhance other forms of engagement: a large-scale one day event and a protected space for vulnerable citizens respectively.

Prospects for Political Citizenship: Lessons from Democratic Innovations

While PB, BCCA, 21st Century Town Meeting and Womenspeak are very different designs with very different ambitions, they offer us insights into the prospects for enhancing political citizenship through democratic innovations. The first – and arguably most important – finding is that carefully designed, such innovations can play a part in revitalizing political citizenship. Institutional design matters.

While very different in design, there are some generic lessons for revitalizing political citizenship which relate to the challenges of critics and sceptics raised earlier. First, effective innovations are explicitly structured to motivate mobilization and engagement. PB as practised in Porto Alegre indicates how it is possible to motivate significant numbers from a politically marginalized social group: in this case the poor. Womenspeak offers different motivations by creating a safe haven for vulnerable women to share their experiences. And BCCA – with its use of random selection – indicates that we should not limit our institutional imagination to traditional modes of selection. There are a variety of institutional solutions to overcoming democracy's unresolved dilemma of unequal participation (Lijphart 1997).

Second, the different designs indicate how judgements of citizens can be shaped. BCCA offers an approach in which a diverse body of citizens learn about an issue of public concern and deliberate together. The design both informs and orientates participants towards the common good. With a very different selection mechanism, similar dynamics are in place in the COP where decisions about the distributional rules of PB are made. That said, however, whereas members of the BCCA have institutional protection from public officials, the COP involves direct negotiation between citizens and officials, with analysts arguing that this places citizens in a position where they are liable to be unduly influenced by technical and bureaucratic status and knowledge. 21st Century Town Meeting offers us some indication of how ICT might be employed to enable collective judgements to emerge across a large number of participants. What is striking about the four cases we have discussed is the way in which they all rely on some form of facilitation to enable participants to voice their perspectives: political judgement is actively shaped.

Third, while Womenspeak's impact on decision making was disappointing, PB, BCCA and to some degree 21st Century Town Meetings indicate how innovations can be designed to ensure that citizens have material effect – at times control – over significant political decisions. In Porto Alegre and

British Columbia, in particular, political leaders have been willing to hand over significant decision-making powers to participatory institutions. What is striking in comparing PB and BCCA is the different ways that they organize large-scale public ratification. In PB, the significant numbers attending popular assemblies legitimize the process, but participants in these assemblies have no decision-making powers. These rest in part with the regional budget forums which prioritize investments and the COP that applies the distributional rules. Decisions are made in smaller arenas. The opposite is the case with the BCCA design. Here a small body of randomly selected citizens sets the agenda: recommending reforms to the electoral system. At this point their proposal is put to a binding popular vote. While examples remain rare, there is no single method of institutionalizing and legitimizing popular control.

Fourth, all four designs indicate that under the right conditions, citizens are willing to bear the burden of participation. And participation can be extensive and demanding: a year of engagement for BCCA participants and delegates and councillors in PB. In comparison, 21st Century Town Meetings indicate how large-scale participation can be organized that is less demanding. The experience of successful democratic innovations also indicates that effective participation does not come cheap for public authorities. But as a study of PB in Porto Alegre states: 'Assessment of feasibility depends on the value placed on empowerment and participatory local governance. It is primarily a political decision because the constraint on successful implementation is institutional capacity rather than costs *per se*' (Harvard University Center for Urban Development Studies 2003: 63).

Finally, the four examples indicate that innovations do not need to be limited to the local in their reach: political citizenship can be enabled at higher levels of governance. Porto Alegre is one of Brazil's largest municipalities; 21st Century Town Meetings have been sponsored by mayors and other public authorities in some of the United States' largest cities; BCCA dealt with a provincial level constitutional decision; and Womenspeak brought together participants from across the UK. Experiments such as the Europe-wide deliberative poll 'Tomorrow's Europe', run in 2007, indicate that mini-publics such as BCCA could be organized across even larger scales of governance involving different linguistic groups (Fishkin 2009: 183–9).[7] 21st Century Town Meetings and Womenspeak offer insights into how this might be done without the costs of physically bringing all the participants together.

Our analysis suggests that we can design political citizenship, in the sense that new opportunities to increase and deepen citizen involvement in

political decision making can be embedded effectively. But there is a *caveat*. Rhetoric is not enough: institutional design matters. Public authorities need to exhibit the willingness and imagination necessary to invest in democratic innovations. These emerging democratic practices offer actually existing examples of how the relationship between governed and those who govern can be recast. Democratic innovations can be part of the strategy for reinvigorating political citizenship – and potentially re-imagining democracy itself.

Future Research Agendas

Democratic theorists are paying increasing attention to democratic innovations and their impact on the practices of political citizenship. This is a promising development: an all too rare example of the integration of normative theory and empirical political analysis (Beetham 1999: 29; Shapiro 2003: 2). But there are arguably limits to the approach that currently dominates the study of innovations. Ever more sophisticated analytical frameworks have been developed from competing normative accounts of democracy and these frameworks have been applied to particular innovations (Saward 2003: 162). So, for example, deliberative democrats have taken particular interest in mini-publics (Fishkin 1997; Smith and Wales 2000; Warren and Pearse 2008a); direct democrats have tended to focus on the initiative and referendum (Budge 1996; Saward 1998). While such studies have generated a number of insights into the way in which particular institutions shape political citizenship, their value is limited for at least two reasons. First, evaluations of innovations are located within ongoing debates between competing democratic theories: empirical examples of innovations are often primarily chosen to strengthen or undermine the case for particular accounts of normative foundations rather than the development of insights into institutional design and their effect on political citizenship. This is reinforced by a second limitation: evaluations tend to be of a single institutional design, be it citizens' juries, deliberative polling, PB or some other innovation. As such it is difficult to draw reasonable generalizations about the impact that variations in institutional characteristics have on practices of political citizenship, or make judgements about how innovations might be combined to complement and overcome the deficiencies of particular designs. There is a lack of systematic *comparative* analysis of democratic innovations.

One possible approach to comparative analysis is the development of an analytical framework based on the goods that we expect of democratic innovations: To what extent and in what ways do democratic innovations

realize the goods of democratic institutions? The challenges of critics and sceptics of institutionalized participation discussed earlier in this chapter point to the significance of various goods that we associate with democratic institutions, including, for example, inclusiveness, popular control, considered judgement, publicity, efficiency and transferability. Applying an analytical framework composed of such goods allows us to evaluate both the democratic potential and feasibility of a wide variety of innovations: from PB and mini-publics to direct legislation and e-democracy designs (Smith 2009). Such an approach is potentially ecumenical in that while it takes as read the differences over normative foundations within theories of democracy, it recognizes that there is convergence in relation to the goods of democratic institutions. This is not to claim that goods will be conceptualized and prioritized in precisely the same way by different theorists; rather that, if carefully chosen, the goods we associate with democratic institutions, and hence political citizenship, will resonate with theories of different intellectual hues. The approach offers a framework within which very different designs can be compared and contrasted. This allows us to better understand how variations in institutional design can enhance or diminish political citizenship. A further pragmatic advantage of a goods-based framework is that it can accommodate most existing studies of institutions which tend to focus on a particular good, or combinations of goods. The goods-based approach provides an organizing framework for existing research and helps us to recognize where our knowledge base is limited.[8]

A second (not necessarily mutually exclusive) approach to the comparative analysis of democratic innovations could make use of recent developments in qualitative comparative analysis, in particular the work originally developed by Charles Ragin on Boolean algebra and more recently fuzzy-set analysis (Ragin 1987, 2000). While there is a range of case-study material on innovations available, the body of work is too small to undertake meaningful conventional statistical analysis. If dependent and independent variables can be well defined and measured, Ragin's methodological developments may provide insights into the varying conditions under which democratic innovations promote (or indeed inhibit) political citizenship. A recent report on empowerment strategies for the Department for Communities and Local Government indicates how such a comparative analysis of innovations might proceed (Pratchett *et al.* 2009). Whether such comparative analysis can be undertaken only *within* families of innovations (e.g. mini-publics or participatory budgets), or *across* families remains an open question.

One particular issue that hangs over studies of democratic innovations, and which is also ripe for comparative investigation, is the role that political leadership plays in embedding effective institutions. Democratic innovations do not appear fully formed. We have already noted that in Porto Alegre, for example, the Workers' Party mayor played a critical role in establishing PB. It takes a particular type of political leader to recognize the potential of participatory institutions and be willing to hand over significant powers to such bodies. In coming to some understanding of the nature of such leadership and the context in which it emerges, we will also have to account for the activities and actions of 'policy entrepreneurs' who promote and transfer knowledge of innovations. This would include those individuals and organizations that design and promote specific innovations – for example Carolyn Lukenseyer, the president and founder of America Speaks which promotes and organizes 21st Century Town Meetings; or James Fishkin, the designer of the deliberative poll – and international organizations, such as the World Bank, that transfer knowledge of emerging practices across continents. An overview of the take-up of innovations from around the world would give the impression that policy transfer has been effective and political leaders are embracing innovation (Smith 2005, 2009). However, forms of engagement promoted under the label PB, mini-public or e-democracy often do not merit that designation, with organizers or sponsors either purposely using these labels to pass off poor imitations (often to save money but gain kudos) or simply failing to understand the centrality of certain aspects of the institutional design. There is a real danger that these imitations will, in the long run, have a detrimental effect on public confidence in democratic innovations, further reinforcing political disillusionment amongst citizens. Understanding the political dynamics that lead to the effective institutionalization of democratic innovations is crucial.

CHAPTER THREE

Citizenship and Social Movement Protest

In the face of a 'malaise' in political citizenship (Chapter One), we now turn to look at the second of two approaches to the revitalization of citizenship. In Chapter Two, we focused on the institutional approach, which involves public authorities purposively creating opportunities for citizen participation in the decision-making process. In this chapter, we focus on a more bottom-up oppositional approach as expressed by social movements (Dryzek 2000), particularly through their use of protest.

Social movements are networks of individuals and organizations that engage in collective action to address a shared concern (Diani 1992; Saunders 2007). In theory, therefore, social movements make perfect institutions for the practice of citizenship. As you are reading this, social movement organizations and activists across the world are discussing and engaging in collective action on a variety of issues from economics, through to the environment and women's rights. They are highlighting perceived inadequacies of policies, proposing alternatives and planning how to shift public opinion and/or bring influence to the corridors of power. Social movements have had a dual role in their contribution to citizenship; not only do they provide avenues for individuals to express citizenship, they also, particularly in historical perspective, have been important for extending citizenship rights for the excluded – black people, gained the vote through the civil rights movement, women, through the women's movement, and the working class through the labour movement. More recently, they have sought to extend citizenship for immigrants (see Chapters Four and Six), with active 'no borders' campaigns and camps being present and active in many countries. At the very least, social movements, of whatever shape or form, engage people with politics.

This engagement is most visible in the form of protest, which, if we take a superficial look at the data, appears to be on the rise. This apparent rise has coincided with increasing public acceptance of protest as a legitimate means of expressing discontent with the political system. Van Aelst and Walgrave (2001), for example, indicate that over half of the populace of western democracies would 'strongly support' a legal demonstration.

More recently, scholars have become enthusiastic about the prospects of an emerging 'global civil society' (Kumar *et al.* 2009), which they deem to express nascent forms of global citizenship through, for example, the global justice movement. This type of citizenship is, at best, 'nascent' not only because it is still developing, but also because it operates 'temporally … in accordance with more idealistic and normatively rich conceptions of political community' (Falk 1993) rather than within a nation (see also Chapter Eight, in which we discuss the conceptual difficulties of global citizenship). A central objective of the global justice movement is to facilitate 'democracy from below', and, consequently, some scholars even label the movement in those terms (e.g. della Porta *et al.* 2006). 'Democracy from below' challenges national governments, which Falk (1999) claims have fallen hook, line and sinker for the neo-liberal agenda (see Chapter Seven). Social movements using militant actions, labour militancy and new transnational networks are, Falk suggests, important vehicles for challenging multinational corporations and international financial institutions. Since 1999 there has most certainly been a rise in the number of attendees at, and the frequency of, transnational protests and summits. Pianta (2002), for example, shows that 40 per cent of all recorded parallel summits – forums organized by social-movement organizations and activists, which are coincident with meetings of international governmental and financial institutions and seek to develop alternative and more socially acceptable practices – in the period 1988–2001 occurred *since* 2000.

Scholars have also suggested that social movements are vehicles for the realization of citizenship and democracy because, like public authorities making use of 'democratic innovations' (see Chapter Three), they explicitly seek to broaden public participation in decision making through use of methods such as web-based deliberation (Mosca and della Porta 2009), and non-hierarchical social forums (della Porta 2005a). In this sense, social movements, particularly at the grassroots level, can be conceived of as 'schools of democracy', providing people with routes into and experience of political engagement, sharpening their knowledge, encouraging them to develop their values and fostering their political skills (see also Smith 2005: 278–80, who makes similar arguments with reference to the social economy).

The alleged rise of protest, its increasing acceptability, the desirability of 'globalization from below', social movements' use of tools to widen public participation and their focus on issues that feature in academic debates about citizenship – such as migration and civil rights – might lead us to conclude that social movements have the potential to cure the malaise in political citizenship that we identified in Chapter One. However, despite

much aggrandisement of the role of social movements as reinvigorators of citizenship and democracy, active participation in social movements remains a minority activity (see Table 1.1 in Chapter One), and, as a closer inspection of social trends data reveals, may even be declining.

A comparison of numbers attending two events that took place on 4 July 2009 serves to aptly illustrate the extent to which social movement participation remains marginal in our society. On that day, the 'boy band', Take That performed at Wembley stadium to an audience of 80,000 of their fans, having sold 600,000 tickets for their tour in less than four-and-a-half hours (Orr 2009). That same day, a number of organizations including World Development Movement, Oxfam and the Royal Society for the Protection of Birds organized a 'Mili-band' demonstration, which demanded that Ed Miliband, then Secretary of State for Energy and Climate Change, refuse to give permission for a new coal-fired power station to be built at Kingsnorth, Kent. The call to action requested members of the public to join thousands of other protesters in a symbolic encirclement of the power station to form a 'Mili-band'. In comparison to the 80,000 attending the Wembley Take That concert, a paltry 1,000 protesters turned up to the demonstration, not enough to completely encircle the power station even with one-metre-long sashes between all attendees' hands.

This leaves us with several important questions to answer. Should we be excited about the prospects that social movements offer for citizenship and democracy when 80 times more people turn up to a pop concert than to a demonstration on what government advisors have dubbed 'the most important issue facing humanity'? Is social movement protest really rising? How does Britain compare to other countries – are the political systems in other countries more conducive to protest? Why do some protests attract

Table 3.1 Engagement in protest politics since 1970s (% of public)

	Mid-1970s	Early 1980s	1990	Mid-1990s
Signed petition	32	46	54	60
Demonstrated	9	14	18	17
Consumer boycott	5	8	11	15
Unofficial strike	2	3	4	4
Occupied buildings	1	2	2	2

Source: World Values survey, Norris (2002).[1]

huge numbers of protesters, whilst others attract so few? And what is it about protesters that makes them more inclined to protest – how do they differ from the general public in their biographies and views?

We will begin this chapter by exposing some of the problems with the widely held assumption that there has been a long-term rise in social-movement activity in western democracies since they first came to public prominence in the 1960s. It is important to discuss the alleged rise because it partially explains why social movements have been so valorized as harbingers of citizenship and democracy, even if inaccurately. After this exposé, we shall attempt to explain participation in social movements through the lens of social movement theory by focusing on structure, grievances and agency. We consider *structure* by using political process theories to explain differential participation in social movement activity in different countries. Decades of work on political processes has demonstrated that the political situation in a given country may provide barriers or opportunities to the expression of citizenship through social movements.

We then turn to discuss *agency*, focusing on the characteristics or behaviour of individuals, including those relating to resource mobilization theory and the new middle class thesis. We show that variables such as 'education' interact in interesting ways with political process theories. But, as we shall demonstrate, even in a stable polity with high levels of education, protest activity does not remain constant over time and from issue to issue. This can be the result of fluctuations in the *grievance* base, as issues dip in and out of salience. Grievances will be discussed in relation to the theory of protest cycles/waves. Towards the end of the chapter, we discuss future research avenues that need to be explored.

A Rise in Social Movement Activity: A Resurgence of Citizenship and Democracy?

Many social movement scholars argue that it is premature and misleading to toll the death knell for public engagement in politics. Pippa Norris (2001: 1), for example, 'suggests reasons to question and revise popular assumptions of a contagious plague of citizen apathy … The obituary for civic activism is premature'. Norris and other scholars argue that increasing engagement in social movements is one reason to postpone the ordering of the coffin for citizenship. Social movement activity, they argue, is bucking the trend of increasing disengagement in politics. The alleged dramatic increase in political participation beyond the vote in western democracies (Topf 1998: 52) is, according to Norris (2001: 2), the result of the emergence of

'multiple newer channels of civic engagement, mobilization and expression', which 'are rapidly emerging in post-industrial societies to supplement traditional modes'. According to Norris, one of these supplementary modes of engagement is new social movements. Similarly, della Porta and Caiani (2007) note increased Europeanization from below in European global justice movements, in which social movements increasingly challenge European institutions, campaigning, organizing and mobilizing in a pan-European style; and Rootes (2006) makes claims for the 'resurgence of protest and revitalisation of democracy' in Britain. Each of these scholars uses social survey or protest event analysis evidence to support the contention that there has been a dramatic rise in protest politics since the 1970s.

In at least one sense, the claim that protest is increasing seems odd. Many look back favourably on the 1970s as the heyday of social movements, with the advent of hippy culture, 'one love', student uprisings, women standing up for their rights and the revolutionary ideas of the new Left movements. Can it really be that many forms of protest are now almost or at least twice as popular as they were then? One take on the data seems to suggest so (Table 3.1). When considering public engagement in protest politics since the 1970s, most forms of protest now *seem* at least twice as common as they did in the 1970s.

There are two important points to make with regard to Table 3.1: one is about the extent of participation in different types of protest, and the other expresses a word of caution in inferring trend data from this type of survey research. First, it is important to point out that forms of protest that require little commitment have been, and remain, routinely more common than those that require greater commitment. Signing a petition, for example, may take a matter of seconds, can even be completed on line with the click of a mouse, and requires little personal investment. The least popular forms of protest are, and always have been, 'high risk activism' (McAdam 1989) such as engagement in unofficial strikes and occupying buildings, in which there is much higher personal investment and sometimes a risk of economic loss, injury and/or arrest. Thus, it is hardly surprising that the proportion of those signing petitions has remained around thirty times greater than those engaging in the occupation of buildings. This is important because it demonstrates that claims about 'a rising tide of unconventional participation' seem exaggerated because moderate forms of protest remain considerably more popular than more confrontational ones.

Second, we should bear in mind that the data in Table 3.1 were derived from a question which asked members of the public whether they had actually '*ever* done' any of the selected forms of protest. So it may be that

that 32 per cent of those who had ever signed a petition in the mid-1970s are added to cumulatively over time, inevitably leading to higher figures by the mid-1990s. Assuming that the protesters of the 1970s are still alive and well today, they would not have needed to have participated in any forms of protest since then for their contribution to still count in the mid-1990s. Therefore we should, instead, focus on the percentage rise. According to the data, whilst 9 per cent had demonstrated in the 1970s, only an extra 5 per cent had by the 1980s, another 4 per cent to 1990 and just another 1 per cent to 1999.[2] So, although the proportion of the public that claim to have 'done' acts of protest has increased, there is not a corresponding rise in protest per year.

Similar scepticism should be used when interpreting the data collated by Van Aelst and Walgrave (2001). They, too, show an increase in the proportion of the public engaging in demonstrations since the 1970s. According to the data they present, the British case shows a large increase in the proportion attending lawful demonstrations between 1974 and 1990, rising from 6 to 14 per cent by 1990. However, the European Social Survey data we presented in Table 1.1 (in Chapter One) show that when asked whether they had participated in a legal demonstration *in the last twelve months*, the proportion responding in the affirmative was, in 2002, as low as 4.4 per cent. And in the 2005 European Social Survey, the equivalent figure is only 2 per cent.

Unfortunately, there is little longitudinal data on the frequency of protest over time that allows us to correct for this. One exception comes from Rucht's (1998) study of media reporting of protest in Germany. Although he noted an overall rise in the reporting of protest, with some peaks and troughs, the data should be treated with caution because they perhaps reflect the frequency of mediagenic protest events – those which journalists select to sell newspapers – rather than protest events at large, for not all protests gain media coverage.

The Political Environment

In Britain, then, it seems that only around 2 per cent of the population participated in a legal demonstration in 2005. This is a very small minority, and is a smaller proportion than in many other west European countries. Looking back to the 2002 European Social Survey data we presented in Chapter One (see Table 1.1), we can see that in Britain the proportion of the public who have engaged in a lawful public demonstration in 2002 is well below the European average (9.3 per cent). In contrast, in Spain and France nearly one-fifth claimed to have participated in a lawful public

demonstration in that same twelve month period. Could this be because the structural conditions for the expression of citizenship via protest are more favourable in Spain and France than they are in Britain?

The standard social movement theorist's response would call on political process/opportunity theory to explain these differences. This theoretical approach assumes that the political environment affects the emergence, strategy, form and success of social movements. Although it has precedents in the collective behaviour approach, and Lipsky (1970) suggested that fluctuations in political systems should be considered when explaining trends in protest, it was a concept by most accounts coined and christened by Eisinger (1973 – in McAdam 1982; Tarrow 1988; Burnstein *et al.* 1995) who defined it as 'the openings, weak spots, barriers and resources of the political system itself'.

However, the literature identifies two main problems with political process theory. The first centres around debates about what is and what is not 'structural' (see Rootes 1997); and the second is concerned with the way in which different scholars seem to have adopted an idiosyncratic approach to the application of the theory, sometimes seemingly adding new variables to make their findings fit the particular movement or polity they are studying (Saunders 2009).

In this chapter, we use political process theory rather than political opportunity *structure* theory to escape criticisms levelled by Rootes regarding the structural dimension. Political process theory considers both structural and contingent aspects of the polity that might impact social movement emergence, form and strategy. Using this approach it is possible, although not entirely unproblematic, to conceptualize idealized 'open' and 'closed' polities. Even though they are usually treated as if they can be neatly slotted into one category or the other, real life polities always fall some place between these two extreme types. Nonetheless, idealized 'open' states have a decentralized structure, egalitarian ideology and proportional representation. This allows informal and formal access, resulting in the little build-up of pressure, and consequently moderate social movements. In this kind of polity it is assumed that social movement activists regard negotiations as worthwhile because they believe they will be likely to result in policy gains. As Kitschelt (1986: 302) sums up, those movements in a liberal egalitarian political culture are expected to be much less antagonistic, largely because they have less need to antagonize (Saunders 2009).

By contrast, closed states – which at the extreme are centralized, corrupt and totalitarian – deny access, and activists within them regard conventional

forms of political participation as time-wasting activities. According to this approach, when protest does occur in a closed polity, it tends to sway towards 'more direct forms of struggle such as land occupation, factory seizures, store-house raids and insurrections' (Bordreau 1996: 181) or go underground and be violent and sect-like. A closed polity is most likely to engage in repression of social movement efforts, which can act as a double-edged sword for social movements. For obvious reasons, it discourages social movement activity by increasing the costs for individual activists, yet it could also serve as a stimulant to protest by reinforcing the identity, solidarity and sense of injustice that movements possess (Kriesi 1995: 177–8; della Porta and Fillieule 2004: 233).

It is safe to say that the polities in western democracies are closer to the 'open' pole than the 'closed' one. However, in many regards, Britain is one of the most 'closed' western democracies. The British polity is the single polity most consistently referred to in the literature as an archetypal 'majoritarian' state (Lipjhart 1999). It is unitary, has concentrated executive power, a bipartisan system, a first-past-the-post voting system and parliamentary sovereignty. What this means is that we would expect more radical protest to emerge in Britain as compared to (for example) France and Spain. The theory suggests that the first-past-the-post system in Britain reduces the opportunities for social movements to use more conventional means to influence policy, primarily because of the formidable obstacles faced by small parties that would make natural allies for social movements. Consequently, the first-past-the-post system denies social movement organizations access to or alliances with left-wing parliamentary opposition to centre parties. As such, it would be expected that social movement organizations would be forced into more radical activities. In contrast, in France and Spain, the electoral system allows social movement participation in party politics by being more favourable to small parties, and left-wing support gives movements access to parliamentary processes and additional mobilization power. This is used, quite rightly, to explain why there is more protest participation *per se* in France and Germany. But the theory would lead us to believe that radical protest in France and Spain should be relatively unusual because conventional means of participation are available. And yet protest – whether radical or more conventional – is much less frequent in Britain than in France and Spain. The electoral system alone cannot provide an answer to this conundrum.

An alternative explanation is offered by Rootes (1992), for whom 'British exceptionalism' is explained by the combination of the restrictive electoral

system and the 'open' (tolerant might be a more appropriate word) administrative system, which encourages integration rather than opposition. There are two problems with Rootes's thesis. One is that the administrative and electoral systems have changed little, if at all, whilst protest – both radical and conventional – has gone through peaks and troughs. The same year Rootes published his paper on British exceptionalism, radical environmental protest emerged, later to blossom, in the form of the anti-roads movement (Wall 1997; Doherty 2000). The second problem is that we are left with the difficulty of trying to unpack the relative impact of the 'open' administrative system and the 'closed' electoral system. What was an initially simple distinction between 'open' and 'closed' systems is (perhaps necessarily) now much more complicated, making it more difficult to understand the explanatory power of individual variables on the activities of social movements.

Yet another variable may need to be introduced in the search for an explanation of why protest has tended to be moderate in Britain, namely the degree of state 'tolerance to protest'. It is certainly true that Britain has generally been much more tolerant to protest than France and Spain, both of which have longer histories of violent repression and the exclusion of certain groups. Although we might expect repression to act as a deterrent for protest, social movement scholars tend to take an alternative view: that historical repression has led to a culture in which pressure is not effectively absorbed, and has instead been allowed to build up and then be released in violent and radical moments of insurgency. Unfortunately we are again left with the problem of trying to separate out the effect of different variables – some suggest that France and Spain are both 'open' (electoral system, etc.) and others suggest they are 'closed' (tolerance to protest).

What we can glean, speculatively at the most, from this account so far is that people may be more likely to engage in protest if they meet closed doors to the administrative system and open doors to the electoral system, and have opportunities for alliances in the form of minority parties in government coalitions. The first two are hardly conditions we would want to promote to enable flourishing citizenship! But our analysis is complicated even further if we turn our attention to an archetypal 'open' state such as Sweden. Here, a more universally open system embodying proportional representation, a federal system that is tolerant to protest and is welcoming of public participation, and strong 'output structures' – a degree of competence and capacity that allows it to act on its policy promises (Kitschelt 1986: 64) – should result in *less* protest by social movements.

But the reverse is true: Swedes have a higher tendency to participate in demonstrations than the British (6.4 per cent). They also more readily sign petitions, boycott unethical products and engage in ethical consumerism. Yet they are equally as unlikely to participate in illegal protest activities as the British (neck and neck at 0.8 per cent in 2002).

Political process theory, then, only takes us so far in explaining differences in the frequency and composition of protest between countries. One major problem with the theory is that certain conditions may either encourage or discourage protest and no scholars have conclusively identified the combination of factors that encourage the pendulum to swing in a particular direction. Why, for example, does the more open and facilitative democracy of Sweden have more protest than the less open polity of Britain? How do political process variables interact with characteristics of the population, individual activists and the issues people protest about? Which is most important, and why?

A further pendulum problem can be exposed by considering the levels of satisfaction that activists have with democracy in different countries. We might, quite reasonably, expect greater participation in protest in countries that have high levels of dissatisfaction with democracy, where we would expect activists to make use of protest as an alternative to conventional channels for expressing discontent. Activists certainly have higher levels of dissatisfaction with democracy than the populace at large; according to a survey of participants in the International Day of Action on Climate Change demonstrations, London, November 2007 (Saunders and Rootes 2009 Rootes and Saunders 2008), only 26 per cent of participants were satisfied with democracy in Britain, compared to 60 per cent of the British at large (Eurobarometer 2003). Yet political process theory cannot explain why it is that the Swedes, 75 per cent of whom are satisfied with democracy in their own country (Eurobarometer 2003), more readily protest than the Brits. It seems that the explanation for greater civic involvement through protest movements in Sweden compared to Britain lies out of the bounds of political process theory.

Individuals: Middle Class and Rational?

Structural factors do not magically create social movements on their own. Agency is crucial. Therefore, we now move on to consider the role that individuals play in the realization of active citizenship through protest movements. We focus first on the resources that individuals can bring to protest, before briefly considering their motivations and characteristics.

Once social movement theory had progressed beyond 'the myth of the maddening crowd' (McPhail 1991), which wrongly assumed that all protests were equally irrational and spontaneous (see e.g. Gurr 1970), it began to focus on more organized aspects of protest movements. Protest, it was realized, can happen for good reasons: it is often a response to a legitimate strain (Smelser 1962). But given that grievances are ubiquitous, why was it that only certain protest movements emerged and successfully mobilized? Building from the assumption that 'there is always enough discontent in any society to supply grassroots support' for a movement, McCarthy and Zald (1977: 1215), in their embryonic conception of resource mobilization theory, suggested that what really transformed a movement from a pool of disorganized discontent into an organized movement was it having 'at its disposal the power and resources of some established elite group'. Such resources, they argued, were important for establishing the organizational backbone of a movement, which is necessary for effective mobilization.

Without doubt, income is important for social movements, even for grassroots networks like the Camp for Climate Action which, although it has no staff, requires money for running its website, printing its leaflets and setting up the Camps. At the risk of stating the obvious, for a huge protest event to materialize, the public need to know about it. Resources – whether derived from rich sponsors, from collecting membership dues or hosting fundraising events – are crucial for informing them.

However, as Jenkins (1985) showed in his study of the farm workers movement and McAdam (1982) noted in his account of 'the rise of black insurgency', successful movements can and do emerge without a kick-start from elites. Nonetheless, for all movements, whether they have received elite support or not, one of the most important resources is a large pool of adherents that will support movement goals and attend protest events. But what sorts of people are within this large pool, and why would they engage in protest? Social movement theorists usually turn to the new middle class thesis to help answer this question.

In the 1980s, social movement theorists sought to explain the apparent rise in social movement activity in the light of the systemic shift from industrial to progressively post-industrial societies. What had emerged, they noted, was a 'new middle class' that worked in newly founded welfare industries and was instrumental in facilitating (see above) and participating in social movement protest. Various reasons have been posited for the enthusiastic participation in protest politics of the new middle class. Cotgrove (1982) claimed that the people in this stratum were inclined to

protest because they had become disconnected from their role in primary manufacture and, as such, had become disenfranchised from the economic power of the state. Because they could no longer influence the state through their labour, he argues, they turned to protest instead. This explanation is not generally regarded as convincing, partly because it fails to explain why the 'new' social movements in which the new middle class participated expressed universalistic rather than class-based interests (della Porta and Diani 2001: 47–8). A more convincing explanation suggests that the new middle class are most inclined to protest because of their relatively high levels of education and professional resources.

Welfare jobs – those in the public sector associated with welfare state apparatus – it is alleged, attract those inclined to be sympathetic to collective action problems, and provide people with the time and resources to develop critical faculties, offering what Doherty (2002: 61) calls 'emancipatory occupational cultures'. Whilst this seems convincing, it appears that the evidence in support of the new middle thesis is weak. Rohrschneider (1990), in his exploration of the basis for environmental concern, for example, found that there is only a slight relationship between new middle class membership and support for environmental groups. And Bagguley (1992: 30) shows, using cross-national comparisons of social movements, that those countries with strong service classes do not necessarily have the strongest social movements. McAdam (1989), more to the point, notes that it is the 'biographically available' or what Offe (1987) calls 'de-commodified groups' – such as housewives, students, the self-employed and unemployed – who are most likely to contribute more to social movements, not on the basis of class but simply because they have more time.

Although Offe (1987) has been criticized for defining the middle class in terms of education levels rather than job type, he has still made a worthwhile contribution to the literature. One very important thing we can learn from Offe is that high levels of education, the bedrock for the development of egalitarian and/or anti-authoritarian values espoused by social movements, is crucial for motivating participation in protest. Time after time, empirical research on social movement participants has found that protesters are highly educated (see e.g. Opp 1989: Chapter 7). For example, as many as one-third of protesters at the International Day of Action on Climate Change, London, November 2007 (Saunders 2008) claimed to have a *higher* degree (a Masters or PhD).[3] Research by Jenkins and Wallace (1996) and Cleveland (2007) further stresses the importance of education for social movements. The former find that 'educated, salaried professionals' have the greatest

protest potential, and the latter reports that those leading movements tend to be 'intellectual radicals'.

Can these findings enlighten us on the anomalous case of Sweden? To refresh, we noted above that political process theory would predict little protest in Sweden because of its accommodating polity. Is it the case that the Swedes are more highly educated, and if so, does this facilitate greater citizenship through protest? Milner (2003: 199–204) presents evidence from the OECD International Adult Literacy Survey to demonstrate that Swedes, along with other Scandinavians, have the highest levels of functional literacy in the twenty advanced industrialized democracies for which there is comparable data, even amongst those who have not finished high school. He attributes the high levels of literacy to the prevalence of study circles and adult education societies, which are commonplace in Sweden. It is also the case that Sweden subsidizes daily newspapers, resulting in the distribution of one newspaper for every two persons per day, compared to one in every five in North America. Although part of the purpose of Milner's chapter is to show the strong inverse relationship between literacy inequality against municipal voter turnout (Milner 2003: 230), it seems the same could be said to be true for participation in less conventional forms of politics, like protest. Where the populace of a country is, on average, highly educated across all sectors of the population political participation, rates of protest it seems, are higher. However, this is certainly not conclusive evidence. As Grasso (2006) illustrates with reference to European Social Survey data (2003), education does not necessarily have the same effect on political participation across different countries. Whilst high levels of education increase levels of participation amongst Italian youth, this does not appear to be the case for their British counterparts.

If the new middle class thesis only goes some way towards explaining participation in protest *per se*, it does a better job of explaining participation in Internet-based forms of activism. Survey research provides conclusive evidence that Internet users are most likely to be young, male, affluent and well-educated (Norris 2001). Whilst social movement organizations have actively embraced the Internet as a means of widening and deepening participation, it seems that it has not helped them to branch out beyond 'the usual suspects'. Results from a survey of the websites of 261 global justice movement organizations suggest that social movement organizations appear to do little to help resolve the digital divide, finding that fewer than 10 per cent provide computer courses or help desks, only 5 per cent offer free email to their users and just 8 per cent allow for free hosting of

web material (Mosca and della Porta 2009). Despite the ongoing digital divide, the Internet has been important for social movement mobilization. Activists and scholars alike have even gone so far as to suggest that the international summit-hopping protest events that dominated global justice activism in the 1990s would not have materialized in its absence (Pickerill 2003). Forms of online mobilization, such as e-postcards and online petitions have become commonplace, but more innovative Internet protest repertoires like mail-bombings – coordinated mass email sendings – and netstrikes – logging on to an adversary's server in order to cause it to become overloaded and 'crash' – remain rare outside of Italy (Mosca and della Porta 2009; Reieter *et al.* 2007).

Waves of Protest

Even in a country which has high levels of education and a great deal of protest, the frequency of protests *and* the number of attendees varies from issue to issue, and even on the same issue over time. Neither are protests equally spread across geographical space. In social movement theory, these differences are best explained by the concept of a 'protest wave', which, following Tarrow (1994: 153), is 'a phase of heightened conflict and contention across the social system'.[4]

The peace movement is perhaps the best example of a movement with very obvious waves, which have tended to break when the particular sub-issue at stake has either been won or lost. The first wave, 'ban the bomb', lost its impetus with the advent of the 1963 Test Ban Treaty, which insisted that nuclear weapons testing be carried out underground. The second wave, concerned with the 'arms race' in the 1970s and 1980s, fizzled out as the Cold War came to an end. The third wave, which resisted the war in Vietnam, ended after factious disputes between radicals and moderates and their inability to prevent the war (Lortie 2000). The fourth major wave was against the Iraq War, with millions of protesters mobilizing across the world. This fourth wave shrank dramatically once the war had commenced. Whilst the 13 February 2003 demonstrations in London, which occurred prior to the commencement of war, attracted around 2 million participants, the 'troops out' demonstrations that followed struggled to attract four-digit numbers, let alone millions, of protesters (Walgrave *et al.* 2007).

In the environmental movement, there have not been such obvious waves, but there have been surges of protest on particular issues, such as anti-roads in the 1990s (Rootes 2006). In the case of the environmental movement, anti-roads protest largely dissipated in 1997 with the Labour Government's

unrealized pledge for integrated transport. The subsequent campaigns against genetically modified crops were not ever able to garner such high levels of public support.

There are other reasons given for the presence or absence of waves, some of which interact with *structure* and others which are related to matters of *agency*. Koopmans's (2004) three Es – erraticism, evolution and ecology[5] – do a good job at summarizing the main reasons posited by social movement theorists. Similar to Cobb and Elder's (1984) notion of a 'trigger event', erraticism refers to 'tipping points' caused by an unstable polity, or an ill-founded or, put more appropriately, unpopular political decision. Examples include the Thatcher Government's 'Roads to Prosperity' White Paper, which proposed the building of hundreds of road schemes throughout Britain and consequently sparked off widespread anti-roads protest, and Tony Blair's decision to engage British troops in the war in Iraq. Evolution depends on agency and refers to the coming together of new ideas and innovative repertoires that evolve from previous waves of protest (Hetherington 1998: 3). The Camp for Climate Action, for example, is based on repertoires learned from the peace movement (camps) and the anti-roads movement (direct action against businesses). For new waves of protest to emerge, key activists are important in bridging the gaps between peaks in protest. Finally, ecological explanations, which stress the importance of the political and social environment, are deemed important. According to Koopmans, waves of protest can emerge as a result of the 'complex web of social relations linking particular contenders to supporters, opponents, competitors, and neutral third parties, and stretching across societal sectors, social groups, and often across national boundaries' (Koopmans 2004: 40).

It is true, though, that protest issues themselves can dip in and out of salience even if the 'three Es' are favourable for the emergence of protest. The degree of salience of issues can depend on competition with other issues, and the extent of media attention and manner of portrayal. With regard to competition with other issues, environmental issues, for example, have traditionally received less public support in periods of economic recession (Worcester 1997: 163–4). This makes a convincing explanation for the dramatic fall in the memberships of Friends of the Earth and Greenpeace in the early 1990s (Rootes and Miller 2000). With regard to the media, articles are selected that are most likely to sell papers, giving the public a somewhat warped impression of contemporary issues. Note, for example, how the MPs' expenses scandal in June 2009 quickly supplanted the early coverage of the swine flu 'pandemic'. Even though the latter continued to be an important

contemporary issue, it temporarily lost its salience when press coverage subsided. Similar things happen with the reporting of social movement issues (see Downs 1972 on 'the ecology issue'), and this is partly responsible for waxes and wanes in public support for issues and the correspondingly fluctuating levels of mobilization.

Even if social movement issues are salient, this does not necessarily mean that participants will engage in social movement activity and a 'wave' will emerge. There is a clear gap between values and behaviours that has been of longstanding interest to social movement scholars. The most pervasive argument in social movement theory argues that the value–behaviour gap can be explained by the tendency that the public have to free-ride on the good intentions and practices of others. In his classic *Logic of Collective Action*, Olson (1965)[6] suggested that collective action in the pursuit of collective goods was irrational, arguing that if collective actors were successful in achieving a collective good, individuals would stand to gain regardless of their participation. However, unsuccessful collective actors would be left with a deficit in their cost–benefit balance, having invested in a cause to no avail whilst still footing the bill for the cost of action. A rational actor would, in Olson's terms, *free-ride*, reaping benefits without any personal commitment or other outlay to the cause.

Olson suggested that people could be persuaded to participate in collective action through the use of 'selective incentives' – benefits that members receive in exchange for their participation, and which swing the cost–benefit ratio in their favour. Of course there are other incentives for participation in protest movements such as fostering solidarity, developing consciousness of shared interests (Fireman and Gamson 1979) and a broad range of other social, symbolic and normative incentives (e.g. Cress and Snow 1986; Opp 1989). Regardless of whether people need to be coerced to engage in protest, is it true that there is a tendency for people to free-ride?

Jordan and Maloney (2007) investigated to see whether those who were interested in environmental issues and were aware of relevant campaigning groups that they considered to be effective really were free-riders. They found that free-riding was not an important reason for non-membership but that what mattered instead were the presence of resources – participants were more likely to be middle-class professionals and highly educated – and the absence of family obligations that made it difficult for people to make commitments. Given that a variety of types of incentives are responsible for engagement in social movements, it seems that we are back to square one: what really seem to matter for participation are education and

biographic availability, even though not everyone who is highly educated and biographically available participates.

In the shorter term, there are other factors that are important for broadening mobilization in particular protest events: coalitional support, innovative use of the Internet, broad goals – the lower the common denominator the better – and clement weather. Saunders (2008) shows how these factors go some way to account for differential rates of participation in the annual London climate marches in 2006 compared to 2007. On a gloriously sunny day in 2006, 30,000 people attended the march and rally that was organized by the Stop Climate Chaos coalition. The coalition made innovative use of the Internet to inform the public of the event. In 2007, only around 3,000 turned up in the pouring rain to the march organized by the Campaign Against Climate Change. Over the course of the year, the political conditions and the salience of climate change as an issue had remained constant.

So far, this chapter has focused on the importance of protest as an indicator of 'bottom-up citizenship'. However, we should not forget that the lack of protest during lulls does not, by itself, imply that movements have disappeared, but simply that they are experiencing a temporary state of latency. During periods of latency, movement activists work behind the scenes on research, they build networks and sometimes even practise new ways of living that relate to their movement's aims and objectives (Melucci 1989: 70–1). The latter is sometimes called 'DIY culture' and has been hailed as an important feature of social movements (see Purdue *et al.* 1997; McKay 1999). However, it is beyond the scope of this book to discuss these here.

Future Research Agendas

If this chapter has taught us nothing else, we should now at least be aware that social movements and protest events do not always behave in the way in which theories would lead us to expect, even when the theory has been derived on the basis of comprehensive historical analysis. This is part of the beauty of the study of social movements. Protest continues to take us by surprise, whether that be because of the development of new, innovative protest repertoires, or because of the surprise visit of a radical burst of protest in a polity in which we would expect more staid action. This is a good thing for social movement scholars: it means that there is still much work for us to do before we can say that social movements are properly understood.

But before we can even *begin* to understand social movements, we need to properly report trends in social movement participation over time.

Research work that reports a rise in protest since the 1970s should be revisited to ensure that cumulative data are not misrepresented as trend data. The European Social Survey, which collects data on participation in protest activity 'in the past 12 months', is much more useful as trend data than surveys which ask 'Have you ever participated …?' Only once we have settled on the trend data can we try to effectively account for the degree of protest. What we find in this chapter suggests that there are good reasons to challenge the assumption that social movements are a flourishing aspect of citizenship.

At best, this chapter has demonstrated that social movement protest occurs due to a confluence of structural and contingent aspects of the polity in which protest takes place, the coming together of those with high levels of education and the creation and development of salient issues that attract public support. Yet it is not fully understood how structural, issue and agency-based explanations interact, and which variables are most important.

Even at the structural level, more research needs to be carried out to establish the conditions under which harsh policing might stimulate or subdue protest, and under which satisfaction with democracy stifles or promotes protest. We might expect satisfaction with democracy to stifle protest because it implies contentment with conventional strategies of engagement with politics, but protesters need to be satisfied with democracy in order to maintain a belief that a polity is capable of making the societal changes it is proposing, lest protests become futile. Beyond the structural level, cultural variables need to be added to an explanatory model: education, as discussed in this chapter, is but one aspect of cultural differences between countries. Norms of behaviour, socialization, the presence or absence of venues for meeting, greeting and sharing views are also important for stimulating protest. But what is *most* important here is the way in which the different types of variables interact, and this needs comprehensive exploration through cross-national surveys over time and across different countries. In this respect, we can look forward to the results of the Caught in the Act of Protest project, which is systematically surveying three to four protest events per year, for four years in each of six European countries. However, this project is still biased towards western democracies and there is a clear need for more research in post-Communist states (Bernhagen and Marsh 2006) and beyond the EU and United States more generally.

Although the state is important, we should not forget the new challenges and forms of protest that are emerging in response to calls for 'global

justice'. The summit protests of the 1990s generated a raft of academic studies welcoming a supposedly new and significant form of global civil society. However, research *actively seeking* evidence of the Europeanization and globalization of social movement protest, beyond occasional summits, repeatedly fails to find it. It is clear that social movements within particular nations continue to act domestically – targeting government and businesses within their own nation (Rootes 2003; della Porta 2005b). Part of this is due to the non-democratic nature of many international institutions, which are not about to become transparent, participatory and open to influence from social movements overnight (see Chapter Eight).

Preliminary research findings from Rootes and Saunders (2008) on the global justice movement in Britain also weaken our hopes for the realization of a global civil society. They find that only around half of the participants in a range of social movement protests claim to identify with 'the global justice movement'. They also find that activists tend to have a set of quite limited preferred issues that do not always resonate with the theme of democracy from below – the alleged master frame of the movement. Indeed, for Make Poverty History participants, democracy was one of the least popular issues given in response to an open question which asked 'What should be the priority of the global justice movement?' Furthermore, Rootes and Saunders found that individual protest participants tend to engage in collective action events only on a few limited themes, and that they stick to a small range of preferred protest repertoires. They used network diagrams to quite convincingly demonstrate that those activists who engage in social forums tend to do just that – they do not engage in active citizenship beyond these 'talking shops'. On the face of this evidence, the 'movement of movements' seems to be more of a myth than an empirical reality. If we add to this the conceptual difficulties of achieving a global citizenry that we identify in Chapter Eight, this suggests that the realization of scholars' hopes for a global civil society created through social movements remains distant, if not impossible. Further cross-national research needs to be carried out to systematically reassess the extent to which social movements foster elements of global citizenship in practice, and there is interesting scope for synthesizing empirical and normative analysis on this theme.

There are also a number of research questions that can be asked about the challenges that social movement organizations face in attempting to attract people to protest. How can they broaden citizenship by attracting the less well educated to their ranks? How can they reach out to ethnic minorities? And how can they keep their issues salient in the face of competition with

other issues? Furthermore, once they have won a particular campaign, how might they sustain participation? It is also time for a new theory to replace the new middle class thesis. Social movement activists themselves use the term 'precariat' to refer to a new class of people – those who may be highly skilled but are trapped in poorly paid jobs on temporary contracts. Is this new class now an instrumental force in social movements? And if so, how and why?

When it comes to public engagement, social movements play a dual role: they raise public awareness, and they tap public support. But they do much better at the former than the latter, resulting in a value–behaviour gap. Scholars have yet to pay much attention to understanding how this might be overcome.

The constant evolution of social movements and the confluence of factors affecting protest mean that there will never be a shortage of research agendas in this field. But, more specifically in relation to this book and its focus on citizenship, there is a whole new world out there for movement scholars to explore; for social movements interact not only with the polity, and with allies and adversaries as social movement theorists identify, they also interact with other aspects of citizenship. For example, if democratic innovations were successfully implemented at the institutional level, and citizen concerns were better integrated into policy (see Chapter Two), there would surely be less need for social movements. As yet, social movement scholars have not explicitly focused on how these developments might interact with, or even cancel out social movement protest, and whether this is even desirable. In this vein, research on participatory budgeting in practice finds that top-down initiatives tend to be treated sceptically by activists who feel they have become 'tools of the administration', pushing them into a focus on local rather than broader issues, and encouraging them to become 'overly pragmatic' and less contentious (see Baiocchi 2003 in Smith 2009: 42–4). It may be the case that 'top down' democratic innovations stimulate public participation beyond the usual young, white, well-educated suspects found in social movements, but that the usual suspects – particularly the committed radicals, who are 'potentially powerful actors' (Abers 2000: 11 in Smith 2009: 42–4) – refuse to participate for fear of co-option.

CHAPTER FOUR

Citizenship, Cultural Diversity and Integration

Traditional notions of citizenship are facing a number of challenges. Ideas of cosmopolitan and environmental citizenship have emerged in the light of concerns about global inequality and climate change, whilst new models of transnational and multicultural citizenship have been developed in response to the dilemmas raised by migration and by the cultural diversity it creates within state boundaries. At the same time, more particular debates rage about the demands citizenship places upon us. Can we be good citizens without spending a large proportion of our time engaged in public service? Does good citizenship require that we send our children to the local school even when it performs poorly? Should citizens refrain from appealing to religious reasons in public debate? Different normative theories of citizenship will address these questions in different ways and provide different perspectives on them. In this chapter, two such theories will be distinguished and brought to bear on a crucial issue which has engaged both political theorists and policymakers in a number of countries, namely, whether immigrants have a *duty to integrate* when they join a state.

   Partly as a result of immigration, very few polities today possess the high degree of cultural homogeneity which has been presupposed in much post-war theorizing about citizenship. Indeed immigration policies provoke questions about social cohesion and what bonds are required in order for a polity to be viable. A number of states have argued that immigrants are under a duty to integrate and have insisted that a degree of integration, or evidence of a willingness to integrate, should be made a condition of naturalization. In a speech delivered in December 2006, Tony Blair maintained that immigrant groups in the UK were under a duty to integrate and he outlined a number of measures designed to illustrate its practical implications (Blair 2006). Since July 2004, applicants for citizenship in the UK have had to demonstrate knowledge of English; mandatory English language tests, and 'Knowledge of Life in the UK' tests, were introduced in April 2007 for all those seeking permanent settlement rights in the UK (Home Office 2002, 2006). The French model of national integration has supposed that integration will occur through 'daily exposure to, and

participation in, French society', but that model has nevertheless placed demands on immigrants which can be expressed in terms of the idea that they have a duty to integrate; for example the requirement that Moslem girls refrain from wearing the hijab in schools (Laborde 2008: 190, 198–9). Indeed the report of the Nationality Commission published in 1988 maintained that willingness to integrate should be regarded as a condition of acquiring French citizenship (Laborde 2008: 187). In a speech delivered in March 2009, Jason Kenney, Canada's Minister of Citizenship, Immigration and Multiculturalism, also affirmed the idea that immigrants are under a duty to integrate, arguing that although Canada has a responsibility to make it easier for them to do so, they also need to make an effort (Kenney 2009). Canada requires immigrants to possess knowledge of French or English of Canada, and of the rights and responsibilities of Canadian citizenship, as conditions of naturalization.[1]

But why should it be supposed that immigrants are under a duty to integrate? It might be argued that it was their choice to settle in a new country, so they are under an obligation to adapt in whatever ways are necessary for them to be able to play a full and active role in its life.[2] In this respect immigrants are sometimes thought to be in a different position to national minorities that have a long history of settlement within a territory (Kymlicka 1995: 10–15, 95–8). This argument is not without force, but it is limited in terms of its scope. For a start, it does not apply to refugees. Furthermore, it does not have any clear implications for second (or later) generation members of immigrant groups who made no such choice, and have ended up as part of a minority within a society as a result of decisions made by their family before they were born. If the idea that immigrant groups are under an obligation to integrate is to be defended, the argument for it will have to be grounded in the needs or interests of the polity to which they now belong rather than any choice they made to move there. Given that those needs and interests may vary depending upon the specific circumstances of the polity, the obligations that immigrants (and indeed citizens more generally) are under may vary from one polity to another and change over time.[3]

It may nevertheless be possible to provide a general framework for thinking about the question of whether immigrants have a duty to integrate that is relevant in various times and places. In fact it will be contended that there are two rather different frameworks that can be brought into play, and which motivate contrasting approaches to that question. The concept of integration will be analysed, in part by explaining how it differs from the

idea of assimilation with which it is often compared. Two different ways of grounding the rights and duties of citizenship will be introduced, labelled the justice account and the good of citizenship account. They provide at least partially different reasons for valuing integration, or for worrying about its lack. Some versions of the justice account regard integration as important because they suppose that there is a causal connection between integration and mutual trust, and they see mutual trust as conducive to the smooth functioning of a just society. In contrast, versions of the good of citizenship account may regard lack of integration as disturbing primarily because they view it as a symptom of prejudice of various kinds; these forms of prejudice represent failures to treat others as one's social and political equals, which is partly constitutive of the good of citizenship. By approaching the issue in this way, it is hoped that light will be cast not only on the issue of whether there is a duty to integrate, but also on the two accounts of citizenship that are distinguished.

Integration versus Assimilation

The idea of integration is often introduced by way of contrast with that of assimilation, with the purpose of explaining why an integrated society is preferable. Sometimes assimilation is seen as a process in which minority cultural groups abandon *all* of their distinctive values and practices, in effect giving up their particular identities.[4] But even if that were the best way of conceptualizing assimilation, it would not explain what is distinctive about integration.

Tariq Modood argues that integration, unlike assimilation, is a two-way process. Whereas assimilation requires minority cultural groups to change their practices in order to fit in with the majority group's way of doing things, integration involves a process of *mutual* adjustment (Modood 2007: 46–51). He draws the conclusion that if there is a duty to integrate, it must bind not only minority cultural groups but also the majority, and that the former 'cannot alone be blamed for failing (or not trying) to integrate' (2007: 48). Modood's account of integration seems to be on the right track, but it would benefit from refinement insofar as it implies that assimilation is *necessarily* a one-way process. Do assimilationists need to suppose that change has to be achieved in such a way that the dominant cultural group's practices remain as they were if that process is to count as one of assimilation? Why can't assimilationists allow that the dominant cultural group may change its practices as part of a process of assimilation? Assimilation in its most general sense is best understood as a process in which minority groups

change their practices, or aspects of their behaviour (such as the language they use at home or in public), or their values, or indeed some combination of these, so as to become more like members of the majority group, and a policy of assimilation is one which is designed to bring about that outcome.[5] So a policy of assimilation is directed towards minority cultural groups, and a process could not count as one of assimilation unless members of these groups changed their practices, behaviour or values, but it is not incompatible with the majority group changing its own ones in response to its encounter with minority groups.

If a policy of assimilation aims to force or persuade minority groups to become more like members of the majority group, how is a policy of integration supposed to be distinguished from it? The most straightforward way of drawing the distinction allows that there may be overlap between the two but maintains that integrationist policies involve a specific purpose and are not necessarily directed towards cultural minorities: these policies aim to persuade members of one or more cultural groups (whether a minority or the majority) to change or adapt some or all of their practices, behaviour or values so that the lives of members of different groups become more entwined – in effect so that they lead more of their lives *together*.[6] We are now in a position to address the issue of how, if at all, the idea that immigrants are under a duty to integrate might be defended.

The Justice Account

Different typologies can be employed for classifying conceptions of citizenship. In this chapter an account of citizenship that is grounded in the concept of justice will be distinguished from one that is grounded in a particular understanding of the good of citizenship, conceived as the good of a self-governing polity whose members stand in relations of social and political equality towards each other.[7] In the remainder of this section, the justice account is explained and the space it has for the idea that there is a duty to integrate is explored; in the next section the good of citizenship account is presented, and its distinctive reasons for worrying about lack of integration in a society are examined whilst arguing that these reasons are not well suited to justifying such a duty.

According to the justice account, the duties of citizenship are conceived as the means through which a person discharges the duties of justice that she owes to her fellow citizens. As a result, the demands made by citizenship depend upon the requirements of justice. Defenders of the justice account may take the view that some or all fundamental duties of justice are universal

in scope, but they argue that the institutions of a particular state should be designed to enable (and sometimes force) fellow citizens to discharge their duties of justice specifically in relation to each other. Citizens have special duties towards each other to sustain and promote the institutions that secure their just entitlements and which enable them to discharge their duties to each other. In a society where institutions and policies are significantly unjust, the justice account can hold that citizens incur duties of justice to work to reform these institutions and policies, and that they owe a special duty to each other to do so.[8]

Different versions of the justice account will hold different views concerning the extent of citizens' obligations. Some versions suppose that principles of justice apply primarily to the basic structure of society in such a way that the obligations of citizens are limited to a duty to obey the law (when it is reasonably just) and an obligation more generally to support just institutions. This is a hard position to sustain, however. Consider the principle of non-discrimination, which is generally thought to apply to the institutions which make up the basic structure of society. This principle should surely govern not only the selection decisions made by officials in public institutions but also those made within private firms and corporations,[9] even if the state stops short of enforcing compliance with the principle in these contexts. But how much further does the principle apply? For example, does it also apply to the membership rules governing associations in civil society, such as religious groups? Some will resist this conclusion, but there is a general argument for applying principles of justice widely, including to such matters. This argument maintains that if the reason for applying principles of justice to the basic structure of society is that this structure has profound effects on the life chances of individuals, then this provides grounds for applying principles of justice to any practices, or patterns of behaviour, which also have such effects, including those that are part of civil society. On the basis of this argument G. A. Cohen has argued persuasively that John Rawls cannot coherently resist the application of the difference principle (which mandates redistribution of wealth and income whenever this would benefit the worst-off) to personal economic choices, such as career choices and salary negotiations, as well as to the basic structure of society (Cohen 2008: Chapters 3–5).

The justice account can give a role to a range of virtues of citizenship. Some of these virtues are conceived as dispositions which enable citizens to discern what their duties of justice to their fellow citizens require of them in particular circumstances and motivate them to act accordingly. Other

virtues might be conceived more broadly as dispositions which support or promote just institutions, and particular duties might be associated with these virtues. This is where the idea that there is a duty to integrate potentially has its home within a justice account. For it might be argued that integration is necessary in order to promote mutual trust, or at least to prevent mistrust from arising, and that mutual trust is necessary for the smooth functioning of just institutions.

In the UK this thought has been expressed in various defences of the value of community cohesion, defined in terms of the frequency and quality of contact between communities and their members, which have argued that community cohesion is important because it promotes mutual trust and mutual respect. Indeed this idea lies at the heart of the Cantle Report, which was published after the disturbances in Oldham, Burnley and Bradford in the spring and summer of 2001. That report claimed 'there is an urgent need to promote community cohesion, based upon a greater knowledge of, contact between, and respect for, the various cultures that now make Great Britain such a rich and diverse nation' (Home Office 2001: 10).[10] Different ideas are combined together here but one plausible way of unpacking them is in terms of the claim that contact between cultural groups (when it is of the right kind at least) tends to improve understanding between them. The thought then is that better understanding will prevent the growth of fear and mistrust and may also engender mutual trust and mutual respect, all of which help to make major social, political and legal institutions, and civil society, stable and enduring.[11]

There are at least two different empirical hypotheses that might be extracted from these claims, however, and then generalized across culturally diverse societies. According to the first, a certain level and quality of contact between different ethnic communities or cultural groups is required if a culturally diverse society is to be viable, that is to possess a minimum level of stability such that it has the potential to endure over time; according to the second hypothesis, other things being equal, a culturally diverse society will flourish more the greater the level and quality of contact between communities. Although the first hypothesis is more demanding in one respect – it supposes that contact of the right kind is a *necessary* condition for the viability of culturally diverse societies – in other respects it may be less demanding. For example it might be interpreted as the view that if society is to be viable, members of different cultural groups must come into 'meaningful contact' with each other in at least one important domain of activity (that domain perhaps being different for different people) – whether

through living together in the same neighbourhoods, being educated at the same schools, being employed at the same workplaces, being active together politically or being members of the same civil associations. According to this minimalist thesis, the level of community contact strictly required for the major social, political and legal institutions and civil society to be viable in culturally diverse societies might be relatively low.

We will not make an attempt to assess the various possible empirical hypotheses that might be formulated in relation to community cohesion, mutual trust and the stability of institutions in culturally diverse societies. If these issues are examined from a broader perspective, it is clear that those who emphasize the importance of community contact must allow that different levels of community contact might be required in different societies to make them stable and enduring. The level of meaningful contact required may depend, for example, upon the history of the relations between the different groups, including, for instance, the extent of mistrust that has been generated between them as a result of discriminatory practices or other forms of unjust treatment. In societies that have experienced deep conflicts, perhaps even civil war, levels of mistrust may be so high that considerable 'high quality' community contact would be required to restore or secure even minimum levels of trust. In contrast, in societies where relations are relatively healthy, it might be the case that sufficient trust can be created and sustained so long as members of different cultural groups come into meaningful contact with each other in one or another domain of activity, that is provided a state of affairs is avoided in which cultural groups lead largely separate or parallel lives, encountering each other only in market transactions which involve nothing more than the buying and selling of goods and services.

If a society is unstable because levels of trust are low as a result of lack of integration, then from the perspective of the justice account this would provide clear support for the claim that its members are under a duty to integrate, understood as a duty to seek greater contact with other cultural groups on some occasions, in some spheres of activity – what moral philosophers call an 'imperfect duty' since it does not command specific forms of behaviour on specific occasions. But it might also justify a perfect duty to integrate which placed specific requirements on immigrants, perhaps also as a condition of naturalization. It might, for instance, justify requiring immigrants to learn the official language of the state, and acquire enough knowledge of the society they have joined to be able to navigate their way around it, as a condition of being granted citizenship. It might

also justify perfect duties which had greater relevance for members of the majority cultural or ethnic group; for example parents might be under a duty to send their child to a school where he or she will encounter children from other religions, cultures or ethnic groups.

Suppose that the level of meaningful contact between different cultural groups that is required in a society for it to be stable and enduring already exists and can be sustained simply by ensuring that everyone learns the official language of the state and has enough knowledge of their society to be able to find their way around it. It might still be the case that trust between these groups could be increased through deepening contact within spheres of activity or by expanding it across different spheres. (Indeed the two general hypotheses that were distinguished concerning the relationship between community contact and the viability or flourishing of culturally diverse societies are compatible and can be held together.) But when there is already enough meaningful contact between members of different cultural groups to create the minimum levels of trust for a society to be viable, it is not clear that a duty to integrate further could be defended from within the justice account. It is justifiable to demand that citizens make different choices about where, for example, they send their children to school when the viability of society is at stake, but not merely when, say, institutions would run more smoothly as a result. The benefits higher levels of trust would provide for a polity need to be weighed against the costs imposed on individual citizens who, in order to comply with this duty, might need to make different decisions concerning where they lived, or which schools their children attended, in a way that they might legitimately regard as unnecessary if trust between groups is already sufficiently high for society to be stable and enduring.

The Good of Citizenship Account

According to the justice account, the duties of citizenship are primarily the vehicle through which fellow citizens discharge their duties of justice to one another. If a duty to integrate is to be defended from within such an account, the most promising approach is to ground it in the idea that meaningful contact between different cultural groups is important for fostering mutual trust, which in turn promotes the smooth functioning of just institutions. According to the good of citizenship account, in contrast, the duties of citizenship are the vehicle through which individuals express and promote the good of citizenship. In order to identify the significance which such an account may place on integration, we need to understand what constitutes that good.

Judged impartially, we might say that the good of citizenship consists in the value of a collective body in which its members treat each other as equals, and which makes decisions that importantly affect the conditions of existence of its members, with each member having the opportunity to participate on equal terms in the decision-making process,[12] whereas for the individual citizen its good consists in the value of being an equal member of such a body, that is possessing equal standing in it as a result of being recognized and treated as an equal member of it. Understood in this way, however, the good of citizenship may look as if it is equivalent to the good of political equality. It might then seem that the good of citizenship account is simply a narrow version of the justice account, on the grounds that political equality is merely an aspect of what justice requires. Indeed theorists such as Rawls include political rights in their accounts of what basic liberties should be provided as a matter of justice (Rawls 1971: 61). From this perspective, the value of a collective body which makes key decisions and in which each member has equal standing is simply the value of a society that is just in terms of its distribution of political rights and opportunities.

But even if a good of citizenship account grounds the value of political equality in considerations of justice, there are other ways in which it could be made distinctive. For the good of citizenship can be understood in such a way that it embraces not only political equality but also *social* equality, that is each person enjoying equal standing in their society, being recognized and treated as equals by their fellow citizens, not only in the political process but also in civil society and beyond. David Miller, for example, maintains that a society in which people regard and treat each other as equals, and where there are no status divisions which allow us to rank people in different categories, has value in its own right independent of justice (1998: 21–36).

What significance does a good of citizenship account place on integration? An argument for the importance of integration can be developed that runs parallel to the one considered in the context of the justice account. Mutual trust might plausibly be regarded as crucial for sustaining institutions and practices that embody social and political equality and (as before) meaningful contact between different cultural groups might be thought to play a key role in promoting mutual trust. In some circumstances the connections between meaningful contact, mutual trust and the sustainability of social and political equality may justify the idea that there is a duty to integrate. But the good of citizenship account also provides distinctive reasons for worrying about lack of integration. From the perspective of social equality, lack of integration is often a *symptom* of a failure to treat others as equals.

When groups lead largely separate lives within the same society, this may be because of unjust discrimination. But even in the absence of unjust discrimination, prejudice of various kinds may lead to patterns of behaviour which mean that groups do not interact with each other in positive ways. Consider the following forms of behaviour: someone refuses to shop at their local store because it is run by a family that belongs to a particular religious, ethnic or racial minority; when he catches a bus, he will not sit next to a person from that minority; when choosing a school for his child he selects the one which has the lowest proportion of that minority in it; when a family from that minority moves into the house next door to his, he moves away; he discourages his child from playing with children in the neighbourhood who belong to that minority group. Although his actions are problematic from a moral point of view, none of them seems to be unjust in itself. They form a pattern which, if reproduced across a society, will mean that members of this minority will lead largely separate lives, inhabiting different neighbourhoods and being educated in different schools. When lack of integration has these causes, then the good of citizenship suffers.

Could these considerations justify the idea that citizens have a duty to integrate? It seems unlikely that they will provide an adequate basis for such a duty. For the fundamental problem that is being identified is not lack of integration, but a failure to treat members of a minority as equals. Integration might of course be accorded secondary significance, perhaps in terms of the idea that prejudice is best eradicated by bringing members of different racial, ethnic or religious groups into meaningful contact with each other. This would appeal to the same mechanisms which lie at the heart of the justice account's defence of the value and importance of integration, but it would do so in the service of social equality rather than justice. It could support various public policy initiatives designed to bring different groups into meaningful contact with each other, but it is not clear that there would be much point in appealing to it in support of a duty to integrate, for the problem arises mainly from prejudice and those who are prejudiced are unlikely to be motivated to comply with such a duty.

The good of citizenship account may, however, provide distinctive grounds for justifying the idea that immigrants are under various duties, and for making evidence of a willingness to fulfil them a condition of naturalization. These duties might include a duty to learn the official language of the state (or one of those languages, if more than one) if they do not yet have adequate mastery of it, and to acquire basic knowledge of the way in which major social, political and economic institutions function if they do not know that

already, for in the absence of these competences, a person will not be able to enjoy the good of citizenship, that is the good of being an equal member of a self-governing political unit.

Competing or Complementary Accounts?

We have suggested that there are two different accounts of citizenship which provide us with different perspectives on the issue of whether immigrants (and citizens more generally) are under a duty to integrate. Whilst both may be able to justify the idea that under some circumstances there is an imperfect duty to integrate, the good of citizenship account has additional reasons, grounded in its commitment to social equality, for worrying about lack of integration in a society. But do we need to choose between these accounts, or could they both be accepted? There are at least two different reasons which might be given for thinking that no choice needs to be made. First, it might be argued that when they are properly thought through, they converge in their practical implications. Second, it might be argued that even if they are distinct accounts, both can be held together, for the justice account can be regarded as an account of the rights, duties and virtues of justice, whereas the good of citizenship account provides us with an account of the rights, duties and virtues of citizenship proper. Each of these arguments will be explored in turn.

What is the case for saying that the justice account and the good of citizenship account converge in terms of their practical implications? We have already seen that the good of citizenship account has the resources to construct a parallel argument for the importance of integration to the one which can be developed from within the justice account. For it can be argued that the mutual trust which versions of the justice account suppose is fostered by integration, and which they regard as crucial for the smooth functioning of the polity, is also important for realizing the good of citizenship. But it has been suggested that the good of citizenship account has additional reasons for worrying about lack of integration that emerge from its commitment to social equality, that is to treating others as equals not only in the political process but also in one's broader social relations. These reasons, it might be thought, can create a practical difference in terms of public policy even if they do not provide a different way of underwriting a duty to integrate. In response, however, it might be argued that treating others as equals in one's social relations is part of treating them justly and hence that when the justice account is properly thought through, social equality must be accorded comparable significance within it. If this is so, the two accounts

would appear to have the same implications not only in relation to the issue of whether there is a duty to integrate, but also in terms of the reasons they provide for worrying about lack of integration.

It is hard to deny that some ways of treating people as equals in civil society are part of what it is to treat them justly, for they involve acting from a principle of non-discrimination that is unambiguously a principle of justice (Spinner 1994: 45–8; Kymlicka 2001: 299). When employers refuse to hire those who belong to a particular ethnic minority, rental agencies refuse to let their apartments to them, or shopkeepers refuse to serve them, then this represents a failure to treat them as equals in a way that unjustly violates a suitably extended version of the principle of non-discrimination. But there are also forms of behaviour, such as those identified in the previous section, for instance not shopping at the local store because it is run by a family that belongs to a particular ethnic minority, that involve a failure to treat others as equals where it is much less clear that the principle of non-discrimination applies, or indeed that an injustice has been committed as opposed to some other morally flawed act. On the face of it, these forms of behaviour involve racial prejudice, and a consequent failure to treat others as equals, but it is not clear that they involve injustice. A principle of non-discrimination, it might be thought, governs a person's behaviour in some but not all aspects of civil society and their personal lives, and it is the limited scope of that principle which makes it hard to think that the forms of behaviour that have been identified involve injustice, even though they are problematic from a moral point of view (Spinner 1994: 45–8).

There is, however, clearly a connection between acting towards others as equals in one's social relations and promoting just outcomes, and between failing to act in these ways and promoting unjust outcomes. After all, when the kind of behaviour that has been described becomes commonplace in a society – when members of the dominant ethnic group shun the local shop because it is run by a family from an ethnic minority, or when they move out of a neighbourhood simply because members of that minority have moved into it – this contributes to the stigmatization of the group; the victims may suffer from a consequent loss in self-respect, and indeed experience involuntary disadvantage, which makes this behaviour relevant from the point of view of justice (Blum 2007: 545–54). In this context, consider again the powerful argument that if a practice has profound effects on the life chances of individuals, then, like the basic structure of society, it too should be governed by principles of justice, which would seem to imply a narrowing of the gap between the good of citizenship account and the justice account

in terms of their implications for the question of whether there is a duty to treat others as one's social and political equals.

Does the good of citizenship account therefore collapse into the justice account? Is the good of citizenship account simply a particular version of the justice account, perhaps one which theorizes justice as 'non-domination' and holds that non-domination is equivalent to social and political equality? We should resist this conclusion. The fundamental difference between a justice account and a good of citizenship account lies in the way that they *justify* the duties and virtues of citizenship rather than in the *content* of these duties and virtues. Even if they have the same practical implications, they remain distinct at the theoretical level. A justice account justifies these duties and virtues in terms of the role they play in promoting and sustaining just outcomes or relations, whereas a good of citizenship account justifies them in terms of the constitutive role they play in realizing the good of social and political equality which it regards as non-instrumentally valuable – and not merely because it represents the absence of domination. So even when a particular justice account of citizenship converges in terms of its list of civic virtues and duties with a particular good of citizenship account, they remain distinct in terms of the way in which they justify these virtues and duties. Indeed it might be thought that it is an *advantage* of a good of citizenship account that it doesn't need to make the justification of an obligation to treat others as equals in one's social interactions contingent in any way on the role that the fulfilment of this obligation plays in sustaining or generating just institutions, relations or outcomes (including the role it plays in, say, reducing racial stigma, promoting non-domination or eliminating involuntary disadvantage). For we might think that forms of behaviour motivated by racial prejudice, such as not sitting next to those who belong to a particular ethnic minority on the bus or not shopping at the local store because it is run by those who belong to it, would be morally problematic even in a world in which they did not create involuntary disadvantage or racial stigma and in which they were not part of dominating relationships. (Suppose that in this world human beings were psychologically robust in ways that meant they were unaffected by such behaviour and they were compensated for any material disadvantages they suffered; or suppose that a polity consisted of several different ethnic groups of which none dominated any other, but each of which avoided contact with the other groups because of prejudice against them.)

Consider the second reason for thinking that we might not need to make a choice between the justice and good of citizenship accounts. Even

if these accounts are distinct because they are differently motivated, and even if it could be shown that the good of citizenship account provides us with the best account of the rights, duties and virtues *of citizenship*, the justice account would not be rendered redundant for it could still provide us with an account of the right, duties and virtues *of justice* which those under the jurisdiction of the same state enjoy or incur (together with duties and virtues which, even if they are not duties and virtues of justice, are justified in term of their role in supporting or promoting just institutions and arrangements). In that sense we would not need to choose between them because we could understand them as addressing different questions.

This argument has considerable strength. Note, however, that the *scope* of the duties justified by the justice account might be rather different, for these duties might bind not just fellow citizens, but anyone who is subject to the same social, political and economic institutions, including resident aliens. According to the good of citizenship account, there is something special about being the member of a group which makes decisions that importantly affect its conditions of existence, and in which each has equal standing (not only when its members are taking those decisions but also when they interact with one another in other social contexts). It is this feature which might be thought to generate obligations that are owed specifically to fellow citizens (Mason 2000: Chapter 4). According to the justice account, citizenship is the means by which rights and entitlements are secured for the individual members of a group, but there is no reason inherent in the justice account for why the relevant group should be *fellow citizens*. For example, the relevant group might be those subject to the same social, political and economic institutions or those engaged in a cooperative scheme for mutual advantage, but there is no particular reason for thinking that, so understood, this group will include all and only citizens. It might well include some or all resident aliens and exclude some or all non-resident citizens (see Chapter Six). For similar reasons the duties generated by the justice account are likely to extend beyond fellow citizens and embrace at least some resident aliens living within the boundaries of the state, and they may not bind all non-resident citizens to the same extent. Indeed it seems that one of the reasons we might have for favouring the good of citizenship account *as an account of the relationship of citizenship* is precisely because it can explain why the duties of citizenship are owed to fellow citizens rather than to some different but overlapping constituency of people.

Future Agenda

The justice account and the good of citizenship account start out at some logical distance from each other, but versions of the former may be developed in ways that bring them closer to the good of citizenship account in terms of the range of rights, obligations and virtues they endorse. Both can attach considerable significance to meaningful contact between members of different cultural, religious and ethnic groups, and both can, under certain circumstances, justify a limited duty to integrate. They remain distinct at the theoretical level, however, because they are differently motivated. Within a justice account, the value of integration derives from the importance of meaningful contact for mutual trust, and the role that mutual trust plays in sustaining just institutions. Within a good of citizenship account, in contrast, the significance of integration may derive primarily from the importance of social equality, which is partially constitutive of the good of citizenship, for the absence of integration is often a symptom of the failure of citizens to treat each other as equals – something which is problematic even when it does not represent or cause injustice.

The justice account and the good of citizenship account can coexist and indeed provide complementary perspectives on an issue. Consider a debate that will be revisited in Chapter Eight concerning the feasibility and desirability of conceptions of cosmopolitan citizenship. Cosmopolitan citizenship is often presented as a vision of a world order in which the sovereignty that is currently concentrated in nation states is dispersed, with new transnational forms of citizenship providing us with some degree of control over the global forces which deeply affect our lives. The justice account can argue for such a dispersal of sovereignty in at least two different ways, either by appealing directly to the idea that each person has a right to an equal say in decisions that importantly affect their lives, or by arguing that even in the absence of such a right, just outcomes are best achieved by dispersing sovereignty through the creation of a number of different democratically governed political units, some of which cut across the boundaries of currently existing nation states. The good of citizenship account provides a different perspective on the issue of whether the political power that is currently concentrated in nation states should be partially dispersed to political units above the level of the state. This account attaches central importance to collective self-determination, not merely in terms of its ability to deliver just outcomes, but because it supposes that there is something non-instrumentally valuable about people being equal members of a body that controls their destiny. Given the impact of global forces

which have arguably reduced the ability of the traditional state to be self-determining, if we want to have control over those forces (or at least greater control than the current state system affords), then we need new forms of transnational, or even global, governance.

So the justice account and the good of citizenship account can provide us with different perspectives on questions about the rights, entitlements, duties, responsibilities and virtues of those living together in the same state. The good of citizenship account provides us with an account of the entitlements and duties that individuals possess in virtue of being members of a self-governing polity in which they enjoy social and political equality, whilst the justice account provides us with an account of the rights and duties that individuals possess or incur as a result of being under the jurisdiction of a particular state, *whether as resident citizens, non-resident citizens or resident aliens*. (Indeed justice accounts might attribute different rights, entitlements and duties to each of these groups, if, for example, doing so would provide the best means of fulfilling the requirements of general principles of justice that included all persons within their scope.) But a number of questions would then arise about the precise relationship between the two accounts, setting an agenda for future research.

It has already been suggested that versions of these different accounts will converge on a range of duties, even though they differ in terms of the justifications they provide for these duties and whom they imply is bound by them. Indeed defenders of the justice account may think that the state has a general duty to treat all of those who are resident long term within its borders as equals in certain respects, and that this provides the basis for an account of most (if not all) of their various rights and entitlements. When this is coupled with the idea that principles of justice apply not only to the basic structure of society but also to any patterns of behaviour which have significant effects on people's access to advantage, then it is unclear how far the justice account and the good of citizenship account will diverge in their implications. It would be premature to suppose that they must converge fully, however. Even if principles of justice apply to personal behaviour, it is unlikely that the duties they justify will be co-extensive with a duty to treat others as one's social and political equals, even when we bracket the issue of who precisely is supposed to be bound by these differently grounded duties.

Indeed a number of areas of divergence are possible between justice and good of citizenship accounts, in addition to those which consist in the differing styles of justification they employ and the different groups of individuals to whom they apply. For example, they may give different

roles to considerations of personal responsibility. Versions of the justice account hold that individuals should bear the costs of their choices, and for that reason they stand opposed to the idea that citizens have unconditional entitlements to even a minimum standard of living, whereas a good of citizenship account may take the view that possessing equal standing of the sort that is needed for social and political equality requires an unconditional entitlement to a minimum level of provision. These accounts may also have different implications for behaviour that takes place within the family. Versions of the justice account which argue that principles of justice have wide-ranging application to personal behaviour (as well as to the basic structure of society) may hold that the rights, duties and virtues which are justified by these principles have implications not only for the social relations that obtain in civil society but also for personal relations in the private sphere. They can maintain that these rights, duties and virtues have relevance for the distribution of childcare and domestic chores, whereas the good of citizenship account may resist this extension on the grounds that it is social and political relations which matter for citizenship not personal relations – though the good of citizenship account would then face the challenge of explaining why the good of citizenship should not extend to cover equal standing in personal relationships.

CHAPTER FIVE

Citizenship and the Politics of Rights

This chapter will explore the tension between what I will call 'civic rights' (meaning here the rights of citizenship) and human rights in the context of domestic politics. It will be suggested in this chapter that the recent debates and proposals for a Bill of Rights in the UK are the site for the emergence of a clash between two types of politics – 'a politics of citizenship' and a 'politics of human rights' – in which the 'dual commitments of liberal democracies, that is, to international human rights and collective self determination' (Benhabib 2001: 363) are in tension. Rather than leading to 'the emergence of a deterritorialised and postnational politics' in which legally codified human rights are to be privileged over citizenship (Tambakaki 2010: 3–4), these debates on the potential Bill of Rights in the UK were played out within the frame of 'a Westphalian political imaginary' (Fraser 2008: 12). It is in the debates on what a Bill of Rights could do for Britain that the tensions between privileging human rights over citizenship, as well as law over politics, are exposed (Tambakaki 2010: 8). This tension between the universal and the particular, with regards to civic rights and human rights, is part of what Žižek refers to as 'the rebirth of the old distinction between human rights and the rights of citizens' which involves the process of narrowing the rights of citizens (2002: 95) through repackaging the political rights of citizens as a mere 'secondary gesture' (Žižek 2002: 95). This can be observed in the debates on the conditional relationship between rights and responsibilities; however, in this chapter, the primary focus will be on processes of radical exclusion under the 'war on terrorism' where the treatment of foreign-born 'terrorist suspects' can be best described in Arendtian terms as a matter of deciding who has 'the right to have rights' in the name of public safety (McGhee 2008, 2010). In this chapter the tension between 'civic rights' and 'human rights' will be examined through examining what the recent Labour Government and Conservatives (whilst in Opposition) had to say about the potential Bill of Rights with regards to the relationship between: (a) human rights and 'public safety'; (b) rights and responsibilities; and (c) the need to bolster what is perceived to be a weak sense of citizenship in contemporary Britain. In many ways this chapter is an examination of what Nancy Fraser, in her book *Scales of Justice*, calls 'the politics of framing' (2008: 22), which

is associated with debates on the setting of boundaries and decisions on who is included and who is not included. For Fraser, the boundary setting aspects of the political are amongst the most consequential of political decisions (2008: 22).

The debates surrounding the potential Bill of Rights offers a rich vein of intersecting discourses and strategies associated with what were thought (before the recent General Election) to be the two main political parties in the UK (Labour and the Conservatives). For example, these debates are a site for us to recognize the tabloid-collusive ambivalence of the Labour Government with regards to the Human Rights Act and their authoritarianism with regards to the British Bill of Rights and Responsibilities; but also to observe David Cameron's explicit hostility to the Human Rights Act. At the same time, when we step away from the party-political rhetoric, we can see that at least some aspects of our democratic institutions – namely the Joint (House of Lords and House of Commons) Committee on Human Rights (JCHR) – have attempted to take a longer-term view of the development of a human rights culture in the UK. As we shall see, it fell to the JCHR – in the context of recent Labour Government and Conservative Opposition's ambivalent, securitized and 'nationalistic' rhetoric on human rights and citizenship – to attempt to salvage the potential Bill of Rights from party-political shortsightedness, illegality and jingoism.

The chapter will consist of two main parts. The first will explore the relationship between the Human Rights Act and the potential Bill of Rights. The second will examine the recent Labour Government's rationale for introducing a potential Bill of Rights. In this part, I will examine how the Labour Government attempted to use what they called a British Bill of Rights and Responsibilities as a vehicle for making responsibilities explicit, enhancing 'public safety' and for strengthening citizenship. This part will also explore the JCHR's alternative UK Bill of Rights and Freedoms, which insists on the uncoupling of exclusive 'Britishness', citizenship criteria and contingent responsibilities from the Bill of Rights. It will conclude with an exploration of evidence of a change of direction that emerged in the last year the Labour Government was in power, that is when the potential Bill of Rights was being rethought and potentially replaced with a Statement of Rights and Responsible for citizens (as recommended in Lord Goldsmith's review) which would resemble the statement of rights and responsibilities for citizens being developed under the Dutch Charter of Responsible Citizenship. The conclusion will include analysis of the Green Paper 'Rights and Responsibilities: Developing a Constitutional Framework', published

by the Ministry of Justice in 2009. Particular note here will be made of the shift in emphasis from the Bill of Rights and Responsibilities to a non-legalistic Declaration of Rights and Responsibilities. It will be suggested below that the later shift from a legal Bill of Rights to a non-legal charter or declaration (of responsible citizenship) was an attempt to resolve some of the opposition that the Ministry of Justice (under Jack Straw, the former Lord Chancellor) had faced with regard to the tensions they had introduced in connection to the rights of citizens and human rights.

The chapter will end with some suggestions for further research.

The Human Rights Act – a (Precarious) 'Stepping Stone' to the Bill of Rights?

The Human Rights Act of 1998 has been described variously by Jack Straw as 'not having an easy childhood', and as being 'an Aunt Sally; unfairly blamed for a host of other issues' especially through misreporting on the part of the media and sometimes through the misapplication of the Act by public authorities (2009: 3). Ultimately, the Human Rights Act was 'a victim of circumstance' (Straw 2009: 3), given that the 9/11 attacks in the United States happened when the Act had been implemented for barely a year. As a result of 9/11 and the ensuing 'war on terror', the Labour Government which introduced the Human Rights Acts pre-9/11 'came to see the Act as an obstacle in the so-called "war on terror"' (Klug 2007a: 4) in the post-9/11 context. When we realize how closely connected the Human Rights Act and the potential British Bill of Rights are in, for example, the Labour Party's recent history, then the Labour Government's orientation to human rights and the Human Rights Act have a particular bearing on the following questions. What was the potential Bill of Rights for? What was it supposed to do for Britain? I shall deal with these questions in the next part of the chapter. Here I want to spend a little time exploring the relationship between the Human Rights Act and a potential British Bill of Rights. Francesca Klug, in numerous speeches and articles delivered and published between 2007 and 2009, has traced the relationship between the Act and the potential Bill. Klug is extremely skilful in heading off the Eurosceptic backlash against the Human Rights Act (mostly spearheaded by the Conservatives under David Cameron) as being a foreign (European) imposition when she reminds us, as did the 'Governance of Britain' Green Paper, that British lawyers drafted the ECHR (Ministry of Justice 2007: 60; Klug 2009: 8).

According to Klug (2007a: 3), the late Labour leader John Smith committed the Labour Party to a British Bill of Rights as early as 1993. Smith suggested

a two-stage approach to this process. He suggested that 'the quickest and simplest way' of introducing 'a substantial package of human rights' would be first to pass a Human Rights Act which would incorporate into British law many aspects of the ECHR and complete the processes begun under Atlee (with the ratification of the ECHR in 1951) and followed by Wilson in 1966 (granting individuals the right to directly petition the European Court of Human Rights in Strasbourg). The second stage, the stage we in Britain are currently in (or potentially entering), is to introduce a British Bill of Rights. The introduction of a British Bill of Rights was first suggested at the Labour Conference at the NEC in 1993 by the then Home Affairs Spokesperson Tony Blair, who, in support of an all-party Commission, called for the drafting 'of our own Bill of Rights', following the incorporation of the ECHR into UK law (Blair quoted in Klug 2007a: 3). The 1997 Labour Manifesto reflected the first part of this process and the Human Rights Act was introduced the following year (Klug 2007a: 3).

As noted above, a year after the implementation of the Human Rights Act in 2000, the 9/11 attacks occurred in North American cities. One has to wonder how the Human Rights Act would have been perceived in the UK if it were not for 9/11? The Human Rights Act has suffered from a poor childhood indeed. Not only has it suffered from post-9/11 ambivalence and lack of sustained support on the part of the Labour Government, it has also been the focus of a hostile media (especially sections of the tabloid press) which have taken every opportunity to perpetuate damaging myths about the misapplication of rights to the undeserving criminals and terrorists in what Liberty describes as 'a concerted media campaign' (Russell 2007: 3). Klug has suggested a degree of collusion, post-9/11 and especially post-7/7, between senior members of the recent Labour Cabinet and this hostile media reporting, suggesting that at times the former Prime Minister Tony Blair sounded 'like a cheer leader for the tabloids' negative spin' on the Human Rights Act (Klug 2007c: 14). The Department for Constitutional Affairs suggested that with regard to the media's reporting on the Human Rights Act 'too much attention has been paid to individual rights at the expense of the interests of the wider community' (Department for Constitutional Affairs 2006: 1). As well as what Klug describes as 'the tabloid onslaught against the Human Rights Act', which Labour Ministers compounded by showing little or no appetite for rebutting these impressions (Klug 2007a: 5), there is also evidence that the Human Rights Act was bedevilled by poor public consultation and a general lack of preparation prior to implementation. For example, according to the Audit Commission's (2003: 21) report 'Human

Rights: Improving Public Service Delivery' published in 2003, 58 per cent of public bodies surveyed had no clear corporate approach to human rights.

It is the ambivalent relationship between the Labour Government, the Conservative Opposition and the Human Rights Act that I will briefly focus on here. I will first examine David Cameron's views (when he was Leader of the Opposition) on what he calls a Modern British Bill of Rights, before returning to the Labour Government's agendas (in the next part). Ken Clarke has famously described David Cameron's ideas for the Bill of Rights as being based on legal nonsense[1] and xenophobia if he intends the Bill of Rights to be used as 'a get out clause' from the ECHR (in Klug 2007b: 2). It was during his 'Balancing Freedoms and Security – a Modern British Bill of Rights' speech at the Centre for Policy Studies in June 2006 that David Cameron announced his party's intention to scrap the Human Rights Act in favour of introducing what he calls 'a Modern Bill of Rights to define the core values which give us our identity as a free nation'. Cameron's intention in this speech was to attempt to outdo the Labour Government's increasingly tough stance on terrorism, and to court public opinion in the context of the confusion about alleged misapplication of the rights included in the Human Rights Act (as reported in some parts of the media). It was the Chahal ruling issued by The European Court of Human Rights in 1996 (McGhee 2008)[2] that for Cameron epitomized the failure of ECHR case law (compounded in the UK by the Human Rights Act). According to Cameron, the European Court and the Human Rights Act prevented governments from making judgements in the public interest if these judgements impacted adversely on the rights of individuals, such as terrorist suspects. That is:

> A Home Secretary must have more flexibility in making a judgment and the public interest balance the rights of terror suspects against the rights of British citizens. At present the jurisprudence from cases such as Chahal prevents this happening. And the Human Rights Act compounds the problem. I believe it is wrong to undermine public safety – by allowing highly dangerous criminals and terrorists to trump the rights of the people of Britain to live in security and peace. (Cameron 2006: 11)

It should be noted that Cameron's solution to what he perceived to be the miscarriages of justice as a result of the inappropriate application of the Human Rights in British courts was different to the suggestions for rebalancing rights made by Jack Straw and former Home Secretary Jacqui Smith.

Whereas Straw and Smith advocated the prioritization of 'public safety' by emphasizing ECHR Article 2, the right to life, above other rights which follow recommendations of the previous Lord Chancellor, Lord Falconer (McGhee 2010), David Cameron's solution was to abolish the Human Rights Act and replace it with a Modern British Bill of Rights and Responsibilities (Cameron 2006: 14). For Cameron:

> … a modern British Bill of Rights needs to define the core values which give us our identity as a free nation. It should spell out the fundamental duties and responsibilities of people living in this country both as citizens and foreign nationals. And it should guide the judiciary and the government in applying human rights law where the lack of responsibility of some individuals threatens the rights of others. It should enshrine and protect fundamental liberties such as jury trial, equality under the law and civil rights. And it should protect the fundamental rights set out in the European Convention on Human Rights in clear and more precise terms. (Cameron 2006: 16)

Cameron's initial ideas for his modern British Bill of Rights have many of the hallmarks of the Labour Government's Bill of Rights and Responsibilities, especially concerning the relationship between security, shared values, citizenship and responsibilities (which will be examined later). The major difference is that the Labour Government's intention from John Smith in 1993 to the publication of the 'Governance of Britain' Green Paper in 2007 is to build on the Human Rights Act. They perceived the Human Rights Act as a stepping stone to what Michael Wills (former Justice Minister) described as 'the next stage' (Wills, 2008a) of the UK's human rights story.

Although there was cross-party support for a British Bill of Rights, it should be noted that this potential document has become the repository for both the hopes and fears of the nation. The Bill of Rights was seen by the Labour Government and also by the Conservatives whilst in opposition as a major component of (1) national security strategy; (2) citizenship strategy; and (3) as providing the opportunity for making British values and responsibilities more explicit.

Making Responsibilities Explicit and Strengthening Citizenship – the Government and the Bill of Rights

The Labour Government, unlike David Cameron, had no plans for scrapping the Human Rights Act, but there has been a great number of statements about

amending the Human Rights Act in respect of the interpretation of the ECHR (Klug 2007c: 14). Despite this, the Bill of Rights and Responsibilities was viewed as an opportunity for addressing Britain's alleged: (a) responsibilities deficit; (b) citizenship deficit; and (c) public safety deficit. It will be argued here that the first two of these are potentially problematic because they create tensions between a domestic or territorially bounded 'politics of citizenship' and a universal 'politics of human rights'.

The Determination to Enhance 'Public Safety' in the Bill of Rights

It was in the Labour Government's 'Governance of Britain' Green Paper that the relationship between the potential Bill Of Rights and Duties and 'public safety' was introduced:

> The government itself recognized in its review last year of the implementation of the Human Rights Act,[3] the importance which must attach to public safety and ensuring that government agencies accord appropriate priority to protection of the public when balancing rights. A Bill of Rights and Duties might provide a means of giving greater clarity and legislative force to this commitment. (Ministry of Justice 2007: 61)

To add to this, Jack Straw stipulated in his Mackenzie-Stuart lecture that, 'Britain faces a new set of challenges, both internationally and at home, which requires us to look again at our mechanisms of rights' (2007a: 2). From this statement and the Green Paper we can see that the Bill of Rights and Responsibilities, was a component in Straw's wider project of rebalancing rights in favour of public security. According to Liberty, statements such as these undermine the Human Rights Act by suggesting, as David Cameron has above, that in the Act insufficient regard is being paid to public safety and national security (Russell 2007: 9). Liberty did not accept these criticisms of the Human Rights Act. They stated that:

> ... public protection is at the core of the human rights framework. Not only do rights instruments like the 1998 Act play a vital role in protecting individuals against abuses by the state; they also require the state to take positive steps to protect the rights of those within their jurisdiction, including from the actions of other private individuals. The Human Rights Act requires criminal laws to be put in place to protect

people from committing serious offences like murder, terrorism and rape. (Russell 2007: 10)

Liberty also reminded us that most of the rights and the Human Rights Act are not absolute and that 'one of the legitimate reasons for placing proportionate legal restrictions on the rights protected is public safety' (Russell 2007: 10). The JCHR were also opposed to the Labour Government's ambitions for rebalancing the Human Rights Act in favour of 'public safety'. In their 2006 report 'The Human Rights Act: the DCA and Home Office Reviews', the JCHR demonstrated 'that there was no evidence that such an amendment to the human rights framework was necessary' (2006: 35–9). In their 'Bill of Rights for the UK?' report of 2008, the JCHR stated that 'a surprising number of witnesses in our inquiry were opposed to a Bill Of Rights on this ground alone: they were concerned that the real motivation behind the proposal was to dilute the protections for human rights already contained in the Human Rights Act' (2008: 19). The JCHR, in an attempt to reassure these witnesses and to send a clear message, placed the following in bold in their report:

> In our view it is imperative that the Human Rights Act not be diluted in any way in the process of adopting a Bill of Rights. Not only must there be no attempt to redefine the rights themselves, for example, by attempting to make public safety or security the foundational value which trumps all others, but there must be no question of weakening the existing machinery of the Human Rights Act for the protection of convention rights. (Joint Committee on Human Rights 2008: 20)

The JCHR's recommendation in the 2008 and 2006 reports was that the Labour Government should start acting consistently with regards to the Human Rights Act, if they were to successfully build on 'its achievements'. That is according to the JCHR, the Ministry of Justice cannot on the one hand talk about building upon the achievements of the Human Rights Act, whilst also pandering to a hostile media's characterization of the Human Rights Act 'as some sort of terrorists' charter' (Straw, in Joint Committee on Human Rights 2008: 20). Straw admitted to the JCHR that addressing this characterization of the Human Rights Act and the public's misperceptions was 'part of the framework for the current debate' on the Bill of Rights and Responsibilities (Straw, in Joint Committee on Human Rights 2008: 20). The JCHR's consistent position on the Labour Government's attempts to

correct public misperceptions about the current regime of human rights protections under the Human Rights Act was that 'the government should seek proactively to counter public misperceptions about human rights rather than encourage them by treating them as if they were true' (Joint Committee on Human Rights 2008: 14). The Labour Government clearly could not have it both (or all) ways. According to the JCHR, the Labour Government could not attempt to correct/rebalance and thus undermine the Human Rights Act, while also attempting to use or (mis)use the Human Rights Act as a stepping stone to a potential Bill of Rights. In many ways the rebalancing of human rights in the name of public safety (McGhee 2010) forms the background to the unfolding tension to be explored below with regards to debates on responsibilities and citizenship and the politics of human rights. The lesson of the 'war on terrorism' is that the distinction between citizens and foreign nationals (especially foreign national terror suspects) is that the former are considered to be 'rights bearing' (although increasingly this is conditional on discharging the responsibilities of citizenship) and the latter, in many ways, are not.

The Explicit Articulation of Responsibilities in the Bill of Rights

The presentation of the potential Bill of Rights as a 'next stage' in the evolution of Britain's human rights culture, as Michael Wills suggested, was all about responsibilities, or more accurately the better articulation of 'the balance between rights to which we are entitled and obligations we owe each other' (2008a: 2). The better articulation of rights and responsibilities is not new. The alleged responsibilities deficit in Britain was a feature of New Labour's moral communitarianism as far back as 1995 when, for example, Tony Blair's lecture on 'the rights we enjoy reflect the duties we owe' depicted what Driver and Martell refer to as the new Labour perception that in the post-war years Britain was eager to extend the scope of individual rights without any corresponding concern for the responsibilities attached to rights and the duties individuals owe as members of families and communities (Driver and Martell 1998: 130). To overcome the responsibilities deficit, Labour's communitarianism was, according to Driver and Martell, strongly laced with ideas of reciprocity and strong values (1998: 118). Blair wrote, 'the only way to rebuild social order and stability is through strong values, socially shared, inculcated through individuals, family, government and institutions of civil society' (in Driver and Martell 1998: 118–19). For Driver and Martell, New Labour's communitarianism consists of the promotion of a 'new social

morality' (1998: 119) founded on 'shared values'. In an article written in 1997, Driver and Martell, describe New Labour as being torn between what they describe as conformist and pluralist versions of communitarianism (1997: 27). I think this is an accurate description of 'early' New Labour. However, if we fast-forward from the early days of New Labour to Tony Blair's last year in office as Prime Minister in the post-7/7 context, we see that rather than being 'torn' between conformist and pluralist versions of communitarianism, the Labour Government had shifted into an explicitly conformist and morally prescriptive (integration) discourse (McGhee 2008). For example, the 7/7 bombers, according to Blair, were 'integrated' at one level in terms of lifestyle and work (2006: 5), but not integrated fully:

> Integration is not about culture or lifestyle. It is about values. It is about integrating at the point of shared, common unifying British values. It isn't about what defines us as people, but as citizens, the rights and duties that go with being a member of our society. (Blair 2006: 5)

Citizenship, responsibilities and duties are all intermingled in Blair's 'you are either with us or with the terrorists' conditional approach to integration. When it comes to the Labour Government's promotion of the Bill of Rights and Responsibilities, the communitarian concerns with regards to the alleged responsibilities deficit and the attempt to make the acceptance and sharing of particular values a condition of citizenship are a central feature. Schinkel's analysis of the shifting weight between what he describes as the formal aspects and moral aspects of citizenship in Dutch integration discourse is a useful comparison for examining a similar shift in emphasis in contemporary Britain. Formal citizenship, for Schinkel, is associated with our 'juridically codified rights and duties of citizen-members of states' and moral citizenship is 'a counterfactual ideal of citizen-participation' associated with an extra-legal and normative concept of 'the good citizen' (2008: 17). Although Schinkel is careful to point out that every formal conception of citizenship is going to entail aspects of moral citizenship, the distinction he is making is analytical and serves the purpose of exploring the relative weight given to formal or moral aspects of citizenship (2008: 18). If we move our attention away from 'integration' strategies and discourses for a moment (we will return to Schinkel's analysis of Dutch citizenship and integration and the Dutch Charter of Responsible Citizenship below) to once again focus on the central focus of this chapter (the Bill of Rights and Responsibilities), we shall see that when it comes to the Labour Government's and the Conservative

Opposition's promotion of the Bill of Rights and Responsibilities in the UK, the relative weight or emphasis between the formal and the moral has shifted to the latter.

There are problems with this ambition (coming from both David Cameron's Conservative Opposition party, and from Jack Straw and the Ministry of Justice) to better articulate the responsibilities that come with rights, and attempting to use the Bill of Rights and Responsibilities to reverse the alleged responsibilities deficit in contemporary Britain. For example, David Cameron, as noted above, suggested we need 'a modern Bill of Rights that … balances rights with responsibilities' and which 'spells out the fundamental duties and responsibilities of people living in this country' (Cameron 2006: 2); whilst in the 'Governance of Britain' Green Paper it was stated that a 'Bill of Rights and Duties could provide explicit recognition that human rights come with responsibilities and must be exercised in a way that respects the human rights of others' (Ministry of Justice 2007: 61). Liberty challenged this portrayal of a culture of rights without responsibilities in contemporary Britain. As with their criticism of the Labour Government's pandering to the misperception that individuals' rights are being prioritized over 'public safety', Liberty reminded us that with few exceptions the rights in the Human Rights Act are not absolute. This means that individuals' rights can be restricted for a number of legitimate reasons, the result being that it is permissible to make laws which restrict a person's rights in order to ensure compliance with individuals' responsibilities to society (Russell 2007: 8). At the same time Liberty remind us that there is a mass of criminal and civil laws that have existed for centuries that ensure that people act in accordance with their responsibilities to the state and other individuals (Russell 2007: 8). These laws already operate to punish those who breach the criminal law and provide redress where a person violates civil law responsibilities to others, that is by acting negligently (Russell 2007: 8). The problem, according to Liberty, is that David Cameron and Jack Straw's ambitions of trying to make these implicit and embedded responsibilities, obligations and duties explicit and 'easily understood' (Ministry of Justice 2007: 54) by the public and new citizens alike could be perceived as making individual rights 'in some way contingent upon compliance with one's responsibilities' (Russell 2007: 9). It is at this point where the civic politics of responsibilities, duties and obligations and the universality of human rights protections are brought into tension. The JCHR had similar concerns to Liberty. It is the potential for undermining the principle of universality through the overemphasis of the conditionality of rights (on the contingency that duties or responsibilities are

performed) that resulted in the JCHR stating: 'rights cannot be contingent on performing duties or responsibilities' (2008: 6). According to the JCHR, a number of the witnesses called to their inquiry expressed concerns that the 'inclusion of responsibilities in the Bill of Rights might mean that only the "deserving" would have full rights entitlement' (2008: 69). Jack Straw told the JCHR that the longstanding desire to ensure that people realize that with rights come responsibilities was 'the first reason why the government is interested in moving beyond the Human Rights Act to a Bill of Rights' (Joint Committee on Human Rights 2008: 68). Straw informed the JCHR that he wanted to be able to confront people who, in his view, have asserted their rights 'selfishly', that is without regard to the rights of others, with a text which says 'Yes, you have rights, but you also have responsibilities'. Straw stipulated to the JCHR that he was 'really keen on getting that out specifically' (Straw, in Joint Committee on Human Rights 2008: 68). The JCHR recognized the importance of responsibilities to the debates on the new Bill of Rights, but suggested that the Labour Government's thinking about the relationship between rights and responsibilities was 'extremely muddled' (2008: 71). More than that, the Labour Government had failed to reconcile their desire to increase a sense of responsibility in British citizens with the principles of universality in human rights conventions. The JCHR's position, as noted above, was unequivocal on the matter of the relationship between responsibilities and rights: 'human rights are rights as people enjoy by virtue of being human: they cannot be made contingent on the prior fulfilment of responsibilities' (Joint Committee on Human Rights 2008: 71).

A Bill of Rights for British Citizens?

At this stage it would be helpful to acknowledge the parallel and interdependent process that is to accompany the potential Bill of Rights, namely the creation of a British Statement of Values. In many ways, the Labour Government's 'on and off' support of 'human rights' (or more accurately the Human Rights Act) resulted in the relationship between the British Statement of Values and the Bill of Rights becoming increasingly unclear. Some members of the recent Labour Government, such as former Home Secretary Jacqui Smith, seemed to be engaged in the process of uncoupling the British Statement of Values from the Bill of Rights in order to get their authoritarian 'accept and share' British values 'or else' message across. For this reason it is important to stipulate that the Labour Government's intention behind suggesting the formulation of a British Statement of Values was that this process, in particular the national

debate that was promised on shared values, would inform and underwrite the Bill of Rights. According to the JCHR, the intention was that the Labour Government's consultation on 'the values the British people consider to be fundamental' would be used to form the preamble to the Bill of Rights (Joint Committee on Human Rights 2008: 34).

The JCHR have particular problems with the term 'Britishness' and the use of 'British' as a prefix in the title for the proposed Bill of Rights. The JCHR consciously removed the prefix 'British' to both the Statement of Values and the Bill of Rights. The JCHR anticipated difficulties associated with establishing a Bill of Rights on the basis of a statement of 'British' values, the main reason being that this label 'may or may not be accepted' by those people 'who consider themselves to be, for example, "English", "Scottish", "Irish" or "Welsh", but not "British"' (Joint Committee on Human Rights 2008: 29). Jack Straw's justification for employing the adjective 'British' to the potential 'statement of values' and the Bill of Rights, in his witness statement to the JCHR, can be described as yet another strategy to head off (whilst also colluding with) hostile media reporting and public attitudes with regards to human rights:

> The 'British' adjective in my view is important because there is the implication in the air that these human rights which equal in some people's minds, not mine or yours, a terrorists' and criminals' charter, are a European imposition and by Europe it is meant 'the Other', that somehow we are not part of Europe. I think it is important that we break that down. (Straw, in Joint Committee on Human Rights 2008: 29)

The JCHR took an alternative view, as noted above. They saw the adjective 'British' as being counterproductive in that it could be detrimental to social cohesion and could be a source of division (2008: 29). They also viewed the adjective 'British' as suggesting a link with British citizenship, which for many of the rights within the Bill of Rights would be inappropriate.[4] In the 'Governance of Britain' Green Paper the development of a British Statement of Values was justified in terms of strengthening citizenship. In this Green Paper, developing a sense of Britishness was seen as being the key for revitalizing British citizenship. This amounted to a strategy of recognizing the many different aspects of our social identities and value systems in order to ultimately trump other value systems and identities in relation to our 'British' identities and shared values:

It is important to be clear about what it means to be British, what it means to be part of British society and, crucially, to be resolute in making the point that what comes with that is the set of values which have not just to be shared but also accepted. There is room to celebrate multiple and different identities, but none of these identities should take precedence over the core Democratic values that define what it means to be British. (Ministry of Justice 2007: 57)

The connection between British citizenship, the British Statement of Values and the potential British Bill of Rights and Responsibilities was made by Michael Wills, the former Justice Minister, who suggested that the stepping stone between the Human Rights Act and the British Bill of Rights and Responsibilities was the formulation of a British Statement of Values which would explicitly articulate previously implicit responsibilities and would also explicitly express 'our national identity':

Our national identity matters … it was only the years after the Second World War that we went through a period of introspection, lacking in self-confidence when such discussions were often regarded with embarrassment. We are now far more successful and self-confident as a country and the government believes the time is right to find a way to express who we believe ourselves to be in a way that is inclusive and commands broad support. (Wills 2008a: 3)

For Wills this is a pre-emptive strategy, in terms of the Labour Government getting in there first, facilitating a national debate before this process could be overtaken by 'others':

If we don't do this, others will. National identity matters to people. If there isn't a national process to discuss it, in ways that are inclusive of everyone on these islands, then there is a risk that this territory will be colonized by sectarian and sometimes even poisonous views. (Wills 2008a: 3)

Thus, the potential discussion of the Statement of Values and the Bill of Rights was bound up with pre-emptive-defensive or reflexive-corrective motivations associated with a 'getting in there first' mentality or an undoing the mistakes of the past reflexive mentality.

Giving the process of formulating a Statement of Values and a Bill of Rights and Responsibilities a 'British spin' has other consequences. There were concerns, discussed above concerning the Labour Government's attempt to rebalance human rights protections to prioritize the security of citizens and their attempts to better articulate the relationship between rights and responsibilities; their emphasis on 'Britishness' and the addition of the prefix 'British' to the Statement of Values and the Bill of Rights sent the wrong messages, and once again flew in the face of universality (Russell 2007: 5). Liberty viewed the emphasis on Britishness, as suggesting that the 'British' Bill of Rights would only protect the rights of British people. They viewed the prefix 'British' as yet another ill-advised response to for example, the criticisms that launched by David Cameron that the Human Rights Act protects the rights of foreign citizens to the perceived detriment of British citizens (Russell 2007: 5). Once again the tension between citizenship and human rights – and in particular the distinction between those who should and should not enjoy human rights protections, or more accurately whose human rights should be considered first and foremost – emerges here. What these debates lead to is a particular frame-setting discourse that could have profound effects on 'non-citizens', who seem to be 'wrongly excluded from consideration' (Fraser 2008: 6). This amounts to what Nancy Fraser would call 'misframing' which can result 'in a kind of "political death"' (2008: 20) for individuals and groups who find themselves outside the frame. In response to misframing, Liberty reminded us once again of the universality principle that 'people have basic rights by virtue of being human' (Russell 2007: 5). Liberty attempted to block any move that would prioritize the rights of the citizenry over the rights of others (e.g. Third Country, non-EU foreign nationals) who are resident in the UK in the name of preventing further human rights abuses from occurring in the UK. They cited the results of recent misframing practices to support their opposition 'as the Belmarsh internment policy and treatment of asylum seekers have demonstrated, it is indeed non-citizens that are most often in need of human rights protections' (Russell 2007: 5). They suggested that a Bill of Rights and a Statement of Values should not be used to shore up a sense of 'Britishness' if the result of this is that such a process is perceived as a means to prioritize the rights of British citizens first. The JCHR were also opposed to the British prefix with regards to the Statement of Values and Bill of Rights. The JCHR recognized that the formulation of a Bill of Rights was a significant event of 'national definition' (2008: 28). According to the JCHR, a national Bill of Rights was an expression of national identity and in the process of drawing

up a Bill of Rights 'invites reflection about what it is that "Binds us together as a nation"' (2008: 28). However, the JCHR was not persuaded that the term 'British' for the Bill of Rights was a helpful description of the Labour Government's proposal. The JCHR's primary concern was that giving the Bill of Rights the prefix 'British' could encourage an inward-looking view that human rights were linked to nationality or citizenship rather than being universal in their application (Joint Committee on Human Rights 2008: 30). The JCHR suggested instead that the term 'UK' Bill of Rights would be more accurate and appropriate and would also serve to demonstrate that the rights it contained were 'owned' by all of the people (Scottish, English, Welsh and Northern Irish) of the UK (Joint Committee on Human Rights 2008: 30). At the same time they suggested the removal of 'Responsibilities' and the addition of 'Freedoms' to the title of the Bill to represent the location of the UK Bill of Rights and Freedoms within established Human Rights Conventions, which, following Klug, would signify that the Bill of Rights would provide a unifying force but not at the expense of recognizing 'the contribution of many countries, and most religions and cultures, to the human rights values recognized throughout the world today' (Klug 2007a: 13).

In many ways the JCHR report 'A Bill of Rights for the UK?' took on the role of filtering out the prioritization of the rights of some over the rights of others, and the discourses of responsibilities, Britishness and citizenship from the Labour Government's proposed British Bill of Rights and Responsibilities. The JCHR has performed the task of removing the contingency, exclusivity, restrictiveness and non-universality of the proposed Bill of Rights in order to propose their own UK Bill of Rights and Freedoms which is universal, inclusive and outward-looking (through referencing existing human rights conventions and standards). Moreover, the JCHR's recommendations could also lead – and there is some evidence that this idea is beginning to gather some momentum – to the uncoupling of the Labour Government's strategies for increasing a sense of obligations, duties and responsibilities through the process of strengthening British citizenship from the processes associated with introducing the Bill of Rights. As noted above, there are a number of similarities between the citizenship and integration strategies found in the Netherlands and those found in the UK. As in recent British proposals for the introduction of 'earned' British citizenship (McGhee 2009, 2010), in the Netherlands newly arrived immigrants are required to first gain what Schinkel calls 'moral citizenship' in order to apply for 'formal citizenship', the latter being 'the crowning achievement of their becoming-citizens' (2008: 22). However, perhaps the

most significant aspects (for the focus of this chapter) of Schinkel's account of the shifting nature of citizenship processes in the Netherlands (and their parallels with the UK) are what he has to say about the Dutch authorities' concern with established immigrant communities, in particular Muslim communities, 'who have formal citizenship status but who lack "integration"' which is constructed by some politicians and the media in the Netherlands in 'cultural racist terms' as being 'a consequence of their lack of "cultural adjustment"' (Schinkel 2008: 22). For Schinkel, in the case of established immigrant community groups, many of whom already have formal citizenship status, 'the real prize' for the Dutch government was achieving 'the loyalties involved in moral citizenship' (2008: 22). The latter has resulted in the Dutch initiating debates on the potential process of developing a Charter of Responsible Citizenship (Schinkel 2008: 24).

There is one other development that we would like to mention that is the relationship between the debates above on the Bill of Rights and the recommendations made by Lord Goldsmith in his wide-ranging citizenship review (2007–8). Lord Goldsmith's review and recommendations also focus on the wider challenges of strengthening a sense of citizenship and commonality for all in the UK. However, in my opinion, Lord Goldsmith's recommendations do not lead to the strengthening of 'our common bond of citizenship' through a Bill of Rights. Rather, in my view, many of Goldsmith's recommendations could lead us down the paths to something like a British (or UK) Charter of Responsible Citizenship (similar to the Charter proposed in the Netherlands) which could potentially take the place of the proposed Bill of Rights and Responsibilities.

There are some signs that Jack Straw was beginning (in the last year the Labour Government was in office) to take note of the developments with regards to the creation of the Dutch Charter in the context of the stiff opposition he and the Ministry of Justice have faced from the JCHR and organizations like Liberty. We have described above a seemingly irreconcilable tension between the Labour Government's ambitions for the Bill of Rights with regards to public safety, responsibilities and citizenship (which have been grouped here under the term the 'politics of citizenship') and its commitments to universal human rights. Jack Straw has stated that the Dutch Charter of Responsible Citizenship 'is not intended to be a formal document with direct legal or even normative effect. The aim is to stimulate social change through increasing individuals' understandings of their responsibilities to one another, and their responsibilities to society as a whole' (2009: 7). In my opinion there are strong parallels between the

Dutch Charter of Responsible Citizenship, Jack Straw's understanding of the latter and Lord Goldsmith's recommendations for developing 'a narrative, non-legalistic statement of the rights and responsibilities of citizenship' in Britain (Goldsmith 2008: Executive Summary). Like the Dutch Charter of Responsible Citizenship, Lord Goldsmith advocated a narrative statement of British citizenship that both simplified and clarified 'the package of rights and responsibilities which demonstrate the tie between a person and a country' (2008: 6). For Lord Goldsmith, access to citizenship for new immigrants should be rigorous and could, like the earned citizenship proposals, include a 'credit-based' modular system for the acquisition of citizenship 'which may be able to accurately record commitment to settle in the UK and engage with UK society' (2008: 116). At the same time, Lord Goldsmith was adamant that Britain needs to better emphasize the relationship between those who already enjoy formal citizenship and the State (2008: 92) through the development of his ideas for a statement of citizenship rights and responsibilities. For Lord Goldsmith:

> One can imagine a number of circumstances in which such a statement could be of benefit, for example, as part of citizenship education or the coming of age ceremonies which I will discuss below.[5] It could moreover make a much clearer statement of what we expect of citizens and what they can expect of their country. (Lord Goldsmith 2008: 92)

There is no way of knowing how these processes would have developed under the Labour Government with regards to the development of a Bill of Rights and/or a Charter of Responsible Citizenship if it had remained in power after the General Election in 2010. It will be very interesting to see how relevant these 'deficit discourses' and the shift of emphasis from the Bill of Rights to the Charter of Responsible Citizenship under Labour will be to the 'investigations' of the Coalition Government's commission on the creation of the Bill of Rights (which was announced in The Coalition Agreement).

Conclusion: Towards a British Declaration of Rights and Responsibilities?

The future of the British Bill of Rights and Responsibilities was uncertain even before the General Election in 2010. According to an article in *The Monitor* (the Constitution Unit's newsletter) it was reported that: 'amidst the gathering economic gloom the government's constitutional reform plans

are being quietly shelved' (2009: 1). This slippage, according to the *Monitor*, had impacted on plans for the Bill of Rights, which was to take centre stage in Gordon Brown's planned constitutional reform programme as introduced in the 'Governance of Britain' Green Paper. It was reported that despite all three main political parties being committed to introducing a Bill of Rights (in the case of the Conservatives, as a replacement for the Human Rights Act) the promised publication of the Green Paper on the Bill of Rights had been repeatedly postponed, even after the JCHR published their own detailed proposals and draft Bill in 2008 (Constitution Unit 2009: 1). According to *The Monitor*, the main problem with the Bill of Rights was the lack of enthusiasm amongst Labour Cabinet colleagues, and the proposed link between the Bill of Rights and the British Statement of Values (Constitution Unit 2009: 1). According to Patrick Wintour, writing in the *Guardian*, the Labour Cabinet revolt on the Bill of Rights can be summed up in the following way: 'some Cabinet Ministers believe there is no demand for such a complex constitutional development and it will be regarded as irrelevant in times of economic stress or, at worst, be highly unpopular' (2008: 1). Wintour highlighted the potential clash between the Ministry of Justice and the Home Office around the proposed Bill of Rights. Former Home Secretary Jacqui Smith was identified by Wintour as a leading opponent of the Bill of Rights, from whose perspective it would 'strengthen the hand of the judiciary over parliament' and lead to 'further public alienation from the concept of human rights' (Wintour 2008: 2). Wintour reported that Smith's opposition to the Bill of Rights was being backed by Home Office lawyers 'who feel that they have a hard enough time trying to protect their decisions from the impact of the Human Rights Act'. According to Wintour, the response of Straw (and Wills) to such criticisms was to make 'the unpopular Human Rights Act' more palatable by balancing the existing emphasis on rights with a new emphasis on duties and responsibilities in the Bill of Rights (2008: 3). However, as noted above, this strategy of rebalancing rights and responsibilities, and the links between particularly 'British' values and the prefix 'British' in the proposed title of the Bill of Rights, have all been called into question and exposed as exclusionary, counterproductive and feeding the very myths and misconceptions they are setting out to challenge. More than that, the proposed Bill has become the repository for the clash of the domestic politics of citizenship and the politics of universal human rights. According to Melissa Kite, writing in the *Telegraph*, senior Labour ministers were said to be unhappy with Straw's plans for the Bill of Rights as they feared they would 'be deeply unpopular with the public' and

would become 'a charter for expensive lawsuits', especially if the proposed ECHR and aspects of the proposed Bill of Rights and Responsibilities (which also features in the JCHR's UK Bill of Rights and Freedoms) such as social and economic rights were included (Kite 2008: 2).

I will end this chapter with some final developments. The much delayed 'Rights and Responsibilities: Developing Our Constitutional Framework' Green Paper was published in March 2009. Despite the JCHR's recommendations, Straw and Wills were still fixated on 'Britishness', 'responsibilities' and 'citizenship'. However, one significant difference was the shift in emphasis in 'security' discourse; that is there was a relative lack of reference to the threat from terrorism in the Green Paper, emphasis instead being placed on the 'crisis in the world's financial system' (Foreword, Ministry of Justice 2009: 3). A further development was the stipulation in the Green Paper of the Labour Government's position on the relationship between rights and responsibilities. For example, with regards to the contingency of rights on responsibilities, it was stipulated in the Green Paper that:

> The government does not consider a general model of directly legally enforceable rights or responsibilities to be the most appropriate for a future Bill of Rights and Responsibilities ... the imposition of new penalties is unlikely to be the best way to foster a sense of civic responsibility and encourage respect and tolerance for others and participation in the democratic process. (Executive Summary, Ministry of Justice 2009: 10)

The result of these constraints is that the Green Paper, as predicted above, had become less of a discussion paper on a Bill of Rights and responsibilities and more a discussion paper on what Straw and Wills describe as 'the constitutional question' of the relationship between the citizen and the state which focused on 'how this relationship can best be defined to protect fundamental freedoms and foster mutual responsibility as the country is going through profound changes' (Foreword, Ministry of Justice 2009: 3). Thus, the Green Paper in my opinion became a discussion paper for providing a 'clearer and more explicit understanding' of the relationship between rights and responsibilities in order to 'articulate what we owe, as much as what we expect' so as to 'foster a stronger sense of shared citizenship among all those who live in the UK' (Ministry of Justice 2009: 17). The Green Paper was peppered with statements such as these, all of which are evidence of the shift in emphasis from the Bill of Rights and Responsibilities to something more

akin to a non-legalistic British statement of responsible citizenship. This shift was evident, for example in the Green Paper's creation of an 'accessible document', mentioned on page 20. By page 26, other examples of 'national instruments' were listed including the plans in the Netherlands to draw up a Charter for Responsible Citizenship, and by the end of the Green Paper, they were referring to 'a charter or declaration' of rights and responsibilities (2009: 52) before plumping for a non-legalistic declaration of rights and responsibilities in the final pages which was described as having 'the advantage over other options for legal effect' by including 'broad aspirations'[6] and a focus on 'cultural change' (2009: 53). Such a declaration, as noted above, in the discussion of the Dutch Charter for Responsible Citizenship and Lord Goldsmith's recommendations for 'a narrative, non-legalistic statement of the rights and responsibilities of citizenship', according to the Green Paper, 'would provide an opportunity to express rights and responsibilities in inspiring and motivating language, without the constraints placed by the careful drafting needed in legislative provision' (Ministry of Justice 2009: 53). What we can deduce from this shift in emphasis from a Bill of Rights to a Declaration of Citizenship is that the Labour Government was attempting to better articulate rights and responsibilities and bolster British citizenship outside of the legalistic constraints of human rights frameworks, and by so doing they suggested that the intentions of their 'domestic' 'civic politics' in and through the Bill of Rights with regards to public safety, responsibilities and citizenship could not be reconciled with their 'dual' commitment to human rights.

Further Research
The analysis of the debates on the Bill of Rights and Responsibilities and the shift in emphasis under Labour from the latter to focus on a declaration of responsible citizenship makes possible a number of opportunities for further research regarding comparisons with developments in other countries (including countries with different human rights traditions). In particular, future research could compare how what I have described above as the tensions between the politics of citizenship and the politics of human rights are played out in other countries. However, as well as conducting follow-up research at this general level, the relationship between the debates on the development of the potential Dutch Charter of Responsible Citizenship and the development of a possible British version in the form of a declaration of responsible British citizenship warrants specific examination, as do similar developments in other countries.

The possibilities for further research on the topics covered in this chapter are obvious. In the British context, we are left with questions about the future of a Bill of Rights. As stated in the introduction, the futures of Britain's human rights policy and the Bill of Rights are uncertain. Will Britain retain its incorporation of the ECHR through the incorporation of the Human Rights Act? Will a Bill of Rights and national debate on 'British values' be introduced by the new Coalition Government? Or will the latter national debate on 'shared values' lead to a declaration of 'responsible' British citizenship? What is certain is that these potential alternative developments and the debates and documentation which articulate them will continue to be a key site for the exploration and analysis of the tension between the politics of citizenship and the politics of human rights in the future.

CHAPTER SIX

Transpolitical Citizenship

It is an intriguing fact that at a time when political citizenship in advanced industrial democracies seems to be under threat with falling voter turnouts at elections, declining membership of political parties and generalized distrust of politicians (Stoker 2006), forms of *transpolitical* membership appear to be proliferating as political rights (as well as electoral campaigns and fund raising) are increasingly expanding beyond territory and national membership (Baubock 2005) as well as, at least in the case of the EU, across levels of governance (Shaw 2007). How should we account for, or evaluate, this phenomenon? What is its political significance? In this chapter, we'll get to grips with this topic by mapping the terrain, conceptually and empirically, focusing on the major form of transpolitical citizenship, namely, *transnational* citizenship, addressing the causes of its increasing prevalence before discussing its normative character; on the basis of this discussion, we'll turn finally to consider the other major contemporary innovation in transpolitical citizenship, namely, EU citizenship, before concluding with some reflections on the future research on transpolitical citizenship.[1]

Mapping the Terrain

Let's begin with some preliminary specification of terms. By 'transpolitical citizenship', we refer to the general phenomenon of overlapping membership of two or more polities, where a 'polity' refers to a political community with some (non-trivial) powers of self-government.

This definition allows us to distinguish two general modes of transpolitical citizenship: *nested*, in which membership of one polity mandates membership of the other(s), and *non-nested*, in which there is no such relationship.

While EU citizenship offers the most spectacular contemporary example of nested transpolitical citizenship, this mode is also exhibited by federal systems of governance more generally and has been a prominent feature of the accommodation of national minorities in countries such as Canada, Spain and the UK. The most politically significant contemporary form of non-nested transpolitical citizenship is *transnational citizenship*[2] which comes, from a legal standpoint, in three main varieties:

- *Dual (or plural) nationals* who are legally recognized as citizens by two or more independent polities.
- *(Non-stateless) denizens* who, as long-term resident foreign nationals in one polity, enjoy 'most of the civil liberties and social welfare rights of resident citizens, often including rights to family reunification, some protection from deportation, and voting rights in local elections, as well as quasi-entitlements to naturalization' and, as long-term non-resident citizens of another polity, enjoy external citizenship rights (i.e. the right to return and the right to diplomatic protection) and may retain some voting rights.
- *Ethnizens* who are citizens of one polity, are 'ethnically' linked to the membership of another polity and, despite being neither citizens nor residents of that polity, are granted an 'external quasi-citizenship' which entitles them to such benefits as 'financial support for maintaining a minority culture and language, privileged admission to the territory or labour market of the kin state, and, in some cases, facilitated naturalization'. (Baubock 2007a: 2395–6)

Since there is not yet (to our knowledge) a case of *ethnizens* enjoying political rights in relation to the polity that grants them this external quasi-citizenship status (Baubock 2007b), we'll leave this undoubtedly significant phenomenon aside in order to summarize briefly the three trends that have done most to facilitate the development of transnational citizenship in its core political meaning.

The first trend is the rapidly increasing acceptance – or at least, tolerance – of dual nationality. More than 100 states now accept or tolerate dual nationality and the trend towards allowing this status has accelerated significantly over the past twenty years. Thus, in 1996, approximately forty states officially allowed dual nationality, by 1998 it was fifty-five, and by 2001 ninety-three (Kivisto and Faist 2007) to which – drawing on the work of Sejersen (2008) – we may now add at least another ten states.

The second is the similarly widespread recourse of states to the political incorporation of emigrants by way of expatriate voting rights.[3] Moreover, as in the case of dual nationality, there is no clear correlation between granting such rights and the social, economic or political make-up of the state as Table 6.1 demonstrates.

The third trend is considerably less spectacular, and marks the gradual development of, typically, local electoral rights for resident non-citizens. The current position is summarized in Table 6.2.

Table 6.1 States with expatriate voting rights

Region	Polity
Africa (24)	Algeria, Angola, Benin, Botswana, Cape Verde, Central African Republic, Chad, Djibouti, Equatorial Guinea, Gabon, Ghana, Guinea, Guinea-Bissau, Ivory Coast, Mali, Mozambique, Namibia, Niger, Rwanda, Sao Tome and Principe, Senegal, Sudan, Togo, Tunisia
Americas (16)	Argentina, Bolivia, Brazil, Canada, Columbia, Dominican Republic, Ecuador, Falkland Islands, Guyana, Honduras, Mexico, Nicaragua, Panama, Peru, United States, Venezuela
Asia (16)	Afghanistan, India, Indonesia, Iran, Iraq, Israel, Japan, Kazakhstan, Kyrgyzstan, Oman, Philippines, Syria, Tajikistan, Thailand, Uzbekistan, Yemen
Europe (40)	Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Gibraltar, Greece, Guernsey, Hungary, Iceland, Isle of Man, Italy, Jersey, Latvia, Liechtensinstein, Lithuania, Luxembourg, Moldova, Netherlands, Norway, Poland, Portugal, Romania, Russia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom
Pacific (10)	Australia, Cook Islands, Fiji, Marshall Islands, Micronesia, Nauru, New Zealand, Palau, Pitcairn Islands, Vanuatu
Total 106	

Source: Adapted from IDEA (2007, Tables 1.2 and 1.4).

All of these trends are marked by considerable internal diversity. In the case of dual nationality, the main axes of differentiation concern: (a) whether states officially permit the practice of dual nationality (e.g. the UK) or simply tolerate the existence of dual nationality in a range of cases (e.g. Germany); and (b) the rather different legal criteria and administrative regulations they deploy in relation to dual nationality (Faist and Kivisto 2007). In the instance of expatriate voting, there is marked variation concerning the electoral rights to which expatriates are entitled, the voting methods, practices of representation and criteria

Table 6.2 States with resident non-citizen voting rights

	In part of polity	For particular nationalities	Universal
National Regional or local		Australia Barbados Belize Guyana Ireland St Lucia St Vincent and Grenadines Trinidad and Tobago UK	New Zealand Malawi
			Chile
			Uruguay
		Portugal	
	Switzerland	European Union (25 Member States)	Ireland
			Denmark Finland Iceland Norway Sweden
			Belgium Luxembourg Netherlands
	United States		Estonia Hungary Lithuania Slovakia Slovenia
	Canada Israel		Belize Venezuela (Bolivia) (Columbia)

Source: This table is drawn from Baubock (2005: 684) which is itself an updated and adapted version of Earnest (2004: 27).

of selectivity involved. Thus, while the majority of polities which have such rights allow their exercise in legislative elections, there are widely varying positions on whether such rights are restricted to legislative elections (thirty-one) or also include presidential elections (twenty) and referenda (eleven) and subnational elections (six), while twenty-one countries do not allow expatriate voting in legislative elections, restricting them to presidential elections only (fourteen) or presidential elections

and referenda (seven). Similarly, while the majority of states that allow expatriate voting adopt a single method of voting which varies between personal voting at, for example, embassies or other designated sites (fifty-four), postal voting (twenty-five) and proxy voting (four), about one-quarter of such states now support a plurality of voting methods (IDEA 2007). Furthermore, while most states fold the expatriate vote into the overall vote, a limited number of states (e.g. Columbia, Croatia, Italy, Portugal) have adopted a policy of special representation via reserved seats for the emigrant vote. Finally, states also adopt different selectivity criteria with some placing time-limits on the period that a citizen can reside abroad before losing their voting rights; for example, New Zealand grants its expatriates voting rights for only three years and Canada for five, while the UK currently offers fifteen years and Germany twenty-five years (IDEA 2007). In relation to the third trend, voting rights for resident non-citizens, a primary set of variations concern what electoral rights are available, whether in part or the whole of a polity, whether to all non-resident citizens or only those from particular states, and under what type of residency requirement. Thus, for example, in Switzerland only certain cantons offer voting rights for foreign residents, while by contrast the UK allows local voting rights to all non-resident citizens after three years of legal residence but grants national voting rights only to non-resident citizens from the Commonwealth and the Irish Republic. In a different vein, Portugal, Spain and the Czech Republic have adopted reciprocity criteria that allow local voting rights (and sometimes eligibility for public office) on the basis of bilateral treaties with other states, while, more radically, New Zealand has chosen to grant full voting rights to all resident non-citizens after one year of lawful residence. Many of the reasons for these variations relate to the particular histories and civic traditions of the states concerned as well as factors such as their membership of alliances (the Nordic Council, the Commonwealth) or confederations (the EU) of states and the specific political circumstances under which such rights were introduced (e.g. the Conservative Party in the UK introduced expatriate voting and extended eligibility criteria from a five-year limit to a twenty-five-year limit in the hope, as it turned out unfulfilled, of significant electoral advantage). However, the more generally pertinent question raised by such developments is this: What factors have led to the re-orientation of the membership policies of increasingly large numbers of democratic states in terms of the incorporation of *both* immigrants and emigrants into the polity?

Accounting for the Rise of Transnational Citizenship

One response to this question points to the increasing salience of human rights norms in global politics and, noting that civil and social rights are increasingly specified in terms of personhood rather than citizenship, suggests that there is a trend towards 'postnational' membership regimes in which personhood is the dominant criterion (Soysal 1994; Spiro 2007). However, there is little evidence to support this claim in relation to either the spread of dual nationality (Bloemraad 2004; Faist 2006; Faist and Kivisto 2007) or the extension of emigrant (Baubock 2007a) and immigrant (Waldrauch 2003; Earnest 2006) voting rights. This is not to deny the influence of human rights norms within this process but the position is rather more complex than the advocates of postnationalism suggest. In order to try to get a grip on these changes, we'll sketch briefly the background against which the changes occurred before focusing on the reasons that states may have to incorporate, first, emigrants and, second, immigrants into the polity.

We can begin by attending to the issue of dual nationality – an issue which arises because, as a matter of their jealously guarded *domaine réservé*, states are entitled to determine their own nationality laws and, for a range of reasons, states adopt different rules or combinations of rules. More specifically, the late eighteenth and nineteenth century saw the adoption by different states of the principles of *jus soli* (nationality in virtue of birth on the territory of the state) and/or *jus sanguinis* (nationality in virtue of birth to one or more parents of that nationality) as well as the possibility of *jus domicili* (naturalization through residence) which, alongside *jus soli*, was significant for the (so-called) 'settler' states of the Americas and Oceania. Notably, while the adoption of specific principles by particular states was influenced by whether their legal systems were based on Roman law or common law and by where they stood in the sequence of European state-formation, it was in large measure also a function of how they stood with respect to migration:

> Countries that formed through immigration – such as the United States, Canada, the Latin American countries and Australia – tended to base nationality on *jus soli* because it permits more rapid assimilation of immigrants. Countries that experienced great out-migration – such as Germany, the Scandinavian countries, and Italy – tended to base nationality on *jus sanguinis* because it encourages emigrants to retain their nationality and pass it on to their children so as to facilitate – for

both emigrants and their descendants – closer ties with and the return to their homeland. (Koslowski 2000: 79)

The major exception to this rule was Great Britain, which maintained the principle of *jus soli* despite high rates of emigration, but this is explained by the fact that Britain supplemented this principle with the common law doctrine of *perpetual allegiance* 'whereby those born as subjects of the crown remained subjects, regardless of emigration or even naturalization' (Koslowski 2000: 79). From this situation, three main routes to dual nationality emerge (Hammar 1994):

1. Birth to parents whose nationality involves *jus sanguinis* transmission (which today is, as far as we can discern, all states) on the territory of a state with relevant *jus soli* elements in its nationality law.
2. Birth to parents who hold distinct nationalities.
3. The acquisition of a nationality through naturalization without the relinquishment of one's prior nationality.

The relationship of these developments to the emergence of an international norm of singular nationality arose in the first instance in relation to the issue of the military obligations of dual nationals:

Great Britain considered naturalised American sailors born in Great Britain to be subjects of the British crown and pressed them into military service, thereby triggering the War of 1812. ... France, Spain, Prussia and other German states routinely drafted naturalised Americans when they visited their homelands. (Koslowski 2000: 75)

In this context, the United States of America engaged in constructing a series of bilateral treaties aimed at negotiating this problem, the Bancroft Treaties, which 'accumulated into a set of norms against dual nationality in customary international law' (Koslowski 2000: 76). These norms were entrenched under the League of Nations and were central to its treatment of political membership in the various successor states to the Austro–Hungarian empire (Jackson Preece 1998: 74) before being formally codified in the 1930 Hague Convention on Certain Questions relating to the Conflict of Nationality Laws, which stated that 'it is in the interest of the international community to secure that all members should recognize that every person should have a nationality and should have one nationality only' (cited in Koslowski 2000: 76). While in the aftermath of the Second World War, the

flip side of dual nationality, namely, statelessness has come to increased prominence, the view of dual nationality expressed in the Hague Convention maintained sway through further international instruments culminating in the Council of Europe's 1963 Convention on the Reduction of Cases of Multiple Nationality which 'aims to reduce as far as possible the number of cases of multiple nationality' (cited in Howard 2005: 701). While the issue of the potentially conflicting allegiances and obligations (particularly of military service and taxation) of dual nationals remain as objections in the immediate post-war period, dual nationality is also held to be objectionable on the further grounds that it may impede the integration of immigrants into a host state and that it is inequitable because dual nationals may enjoy a larger range of rights and opportunities than singular nationals (Kraler 2006: 59).

To explain the changes to this situation, it is worth distinguishing two background shifts affecting the numbers of potential dual nationals and the weakening of some of the conditions from which standard objections to dual nationality have derived much of their force. The first concerns causes of the increasing prominence of the issue of dual nationality, where the primary causes can be identified as: (a) increasing levels of migration in the post-1945 period which have led to greater levels of resident non-nationals in states as well as an increase in transnational marriages; (b) the development of international norms of gender equality which allowed women to retain their nationality on marriage to a national of a state other than their own, and allowed the children of such marriages to qualify for the nationality of both parents; and (c) the breakdown of colonial empires (most recently, the Soviet Union) in which members of the colonizing empire-state who have settled in a colonized state were allowed, post-independence, to retain the nationality of the empire-state (Kivisto and Faist 2007; Sejersen 2008). The second addresses the weakening of traditional grounds of objection to dual nationality where we can note that the decline of the 'warfare' state and the movement from conscripted to professional armies alongside related international security factors such as post-war European integration, the role of NATO and, most recently, the end of the Cold War have ameliorated the force of the dual allegiance and conflicting obligations objection, while the development of an international human rights regime has arguably made the issue of diplomatic protection for non-resident nationals less pressing a concern (Faist and Kivisto 2007; Kivisto and Faist 2007).

Although the enfranchisement of resident non-citizens was a variably widespread feature of the first 150 years of the political history of the

United States,[4] it is notable that the codification of the norm of singular nationality in the 1930 Hague Convention postdates by only a few years the end of resident non-citizen voting in the United States which had, at local levels, persisted in at least some states from the pre-revolutionary period until 1926 and has only reappeared recently in very limited forms (Hayduck 2006). This practice was not generally widespread among states (although the Neuchatel canton in Switzerland has practised it since 1849) and the decline of 'alien suffrage' in the United States from the late nineteenth to early twentieth century occurs in the context of the rise of 'nativist' (i.e. nationalist) movements and the broader shifts in US immigration policy directed against Asian and East European migrants that were formalized in the 1924 Johnson-Reed Act. The return of this practice in the aftermath of the Second World War in Australia (1947, for British citizens only), the UK (1948, for Commonwealth citizens only), Israel (1950, for Jews only) and Uruguay (1952, for anyone resident for fifteen years) concerned either colonial ties (Australia and Britain) or special reasons for the incorporation of foreign nationals who did not wish to surrender their current nationality (Israel and Uruguay). The more recent spread of the practice since 1960 has been primarily driven by reciprocal agreements between states with significant historical links and/or migration flows (Portugal–Brazil, for example) or by alliances (Nordic Council) or confederation (the EU) between states, although a concern with immigrant integration has also played a role in this process.

Expatriate voting rights have a shorter modern history than dual nationality and resident non-citizen voting and have been introduced for a variety of reasons. Thus, commenting on the history of voting from abroad, Ellis notes that such rights have been introduced for a range of reasons:

> [In] several countries the introduction of the right to vote for overseas citizens was an acknowledgment of their active participation in World War I or World War II. In Spain, the introduction of external voting in 1978 has a symbolic character insofar as its inclusion in the democratic constitution meant the ex post facto acknowledgment of the republican emigration after the Civil War. In Argentina (1993) it reflected the government's political/pragmatic intention to maintain or strengthen the ties between emigrants and the mother country. In Austria, the introduction of external voting (in 1990) followed a resolution of the Constitutional Court. The United States provides an example of those

rare cases where external voting was finally enacted in response to the demands of citizens residing overseas (in 1975). (IDEA 2007: 43–4):

Against the background of these three developments, let us return to the question of why states increasingly seek to incorporate emigrants and immigrants into the polity.

Why should states seek to incorporate emigrants into the polity via dual nationality[5] and/or expatriate voting rights? Recalling that in the nineteenth century many states of emigration adopted *jus sanguinis* nationality laws as a way of maintaining links with their emigrant citizens, we should perhaps not be surprised that states persist in their commitment to such 'bonding' mechanisms in the context of contemporary levels of global inequality and competition for resources (including human capital). The emigrant citizen has become a crucial potential resource for developing states and, albeit to a lesser extent, for developed states in two different respects. The first is as an economic resource. In the case of developing states, sustaining the affiliation of emigrants supports the continuing flow of remittances to the national economy. As Chander notes:

> The financial success of the diaspora has led to its increasing importance to the homeland. Remittances from abroad to family at home in developing countries exceed official development aid by many times. … In 2003 remittances to developing countries totalled $91 billion. The World Bank, by contrast, provided $20 billion in new loans in its fiscal year …, while the United States provided $16.3 billion in net overseas development assistance in 2003, including its World Bank contributions. (Chandler 2006: 63)

While for all states, the role of entrepreneurial emigrants in facilitating trade links, capital and technology transfers between 'home' and 'away' states offers significant potential benefits:

> Remittances are only part of the story. Investments and information networks between the diaspora and homeland have helped drive economic development in many parts of the world. (Chander 2006: 63)

More specifically, dual nationality eases the movement of emigrants between their state of origin and state of residence and facilitates transnational activities as well as the potential return of emigrants; while expatriate voting

rights – even when not exercised – offer the emigrant testimony to the state's valuing of their contribution and give official recognition to their experience of having a stake in the well-being of their 'home' state. The second respect in which emigrants are valuable concerns their role as a source of political influence on their state of residence on behalf of their state of origin. Notably, this role is facilitated if emigrants naturalize in their state of residence while retaining their original nationality. This turn to the figure of the emigrant as a contributing, even heroic, citizen of the 'home' state (Barry 2006) is not only supported through dual nationality and expatriate voting rights; as Chander (2006) details, a range of other 'bonding' mechanisms have been developed by states including special long-term multi-trip 'diaspora visas' for its non-citizen diaspora (e.g. India), 'diaspora membership documents' which entitle the holder to a range of civic benefits (e.g. Turkey and India), 'diaspora bonds' (e.g. Israel – $23.9 billion raised since 1951), 'direct support for development programmes' (e.g. Mexico attracts specific locally targeted development funds from its diaspora with promises of matching government funding), 'foreign direct investment' (e.g. China's reliance on overseas Chinese investment to support its growth), 'encouraging return' (e.g. China has actively recruited highly skilled overseas Chinese), 'pension transfers' (e.g. Mexico is seeking agreement that contributions by Mexicans to the US Social Security system can be collected if they retire to Mexico) as well as mechanisms for granting 'civic recognition' to non-resident citizens. The inventive variety of such 'bonding' mechanisms supports the general thesis that states – and particularly states in the developing world – have come to acknowledge the value of emigrants as citizens. More analytically, we can follow Gamlen (2008) in distinguishing two types of diaspora mechanism that comprise the 'emigration state'. 'Diaspora building' mechanisms cultivate new diaspora communities and recognize pre-existing ones often through governmental techniques designed to encourage expatriates (and their descendants) to identify with the imagined national communities such as Philippines 'Month of the Expatriate', and by providing dedicated bureaucratic structures such as consular services: Mexico's fifty consular offices in the United States comprise such a resource for expatriates (2008: 843–4). 'Diaspora integration' mechanisms are designed to draw resident and non-resident citizens into a way of rights and obligations by extending political rights and making social security rights 'portable' as well as extracting obligations by targeting expatriate investment (2008: 843).

What, though, of immigrant incorporation via dual nationality *or* resident non-citizen voting? What are the benefits of immigrant incorporation?

Some benefits are simply the flip side of economic arguments concerning trade links and foreign direct investment. However, perhaps the primary motivation for the changing attitudes of major receiving democratic states to dual nationality has been a concern with social cohesion based on the (empirically supported) view that immigrants are more likely to integrate and become citizens if they are not required to surrender their existing nationality (Faist 2006). This, in turn, involves at least the tacit acknowledgement of the fact that many migrants support and inhabit transnational social networks that are intrinsically characterized by dual affiliations. While a comparison of the trends for these two mechanisms suggests that states have a strong preference for immigrants to become (dual) nationals and so to maintain the symbolic link between national voting rights and national citizenship, it may also be the case that local voting rights for habitually resident immigrants support local integration, while also giving expression to (and helping to sustain) transnational (the Commonwealth, the Nordic Union), international (Spain and Norway) or supranational (the EU) solidarities.

In sum, states increasingly have compelling economic and political reasons to incorporate both emigrants and immigrants into the polity, although these reasons will have differential force with respect to developing and developed states, and the trends we have been examining are, in part, a reflection of the recognition by states of this fact, although a range of diverse state-specific factors also play key roles in determining whether, when, in what form and with what constraints, they have expanded the polity.

The Normative View

How should we reflect on these developments from a normative point of view?

In what follows, we will begin by focusing on the question of political rights by way of appeal to the democratic argument that all subjected to the collectively binding decision of the polity should be entitled to political membership of the polity; reflection on the limitations of this argument as a normative basis for the evaluation of transnational citizenship will provide the basis for consideration of the *all-affected interests* principle and the *stakeholder* principle as alternative criteria for evaluating transnational citizenship.

To start reflecting on this topic, we can begin by considering the widespread view that habitual legal residence in a polity is a sufficient condition for access to membership of the demos. To my knowledge, this view was first

articulated with respect to resident non-citizen voting rights in the case of *Spragins v. Houghton* (1840) which allowed the Illinois Supreme Court to make clear:

> a general constitutional preference for democratic inclusion where the simple facts of habitation, residence and common social membership establish a political relationship 'between the governed and [the] governing'. According to the Court, the Illinois Constitution: '[I]ntended to extend the right of suffrage to those who, having by habitation and residence identified their interests and feelings with the citizen, are upon the just principle of reciprocity between the governed and the governing, entitled to a voice in the choice of the officers of the government, although they may be neither native nor adopted citizens.' (Raskin 1993: 1405)

We may reformulate the general political argument of the Court in contemporary terms as Dahl's 'principle of full inclusion': 'The demos must include all adult members of the association except transients and persons proved to be mentally defective' (1989: 129), where 'adult members of the association' refers to 'all adults subject to the binding collective decisions of the association' (1989: 120). As Lopez-Guerra helpfully notes, Dahl's specification of criteria of democracy can be summarized thus:

> (1) governments must give equal consideration to the good and interests of every person bound by their laws (principle of intrinsic equality); (2) unless there is compelling evidence to the contrary, every person should be considered to be the best judge of his or her own good and interests (presumption of personal autonomy); therefore (3) all adults [who are not merely transients (1) and are not shown to be mentally defective (2)] should be assumed to be sufficiently well-qualified to participate in the collective decision-making processes of the polity (strong principle of equality). (2005: 219, my insertion)

In the context of a democratic polity characterized in part by authority over a territorial jurisdiction, Dahl's account implies that any competent adult who is habitually resident within the territory of the polity and, hence, *subject to* the laws and policies of its government is entitled to full inclusion within the *demos*.[6] Such an argument can be taken to underwrite Walzer's claim that the denial of full political rights to legally admitted

habitual residents amounts to *citizen tyranny* (Walzer 1983: 55).[7] It also plays a central role in the *social membership* argument advanced by Rubio-Marin (2000) and Carens (1989, 2005) which asserts the principle that 'people have a moral right to be citizens of any society of which they are members' (Carens 1989: 32). The basis of this claim is twofold. First, the general social fact that living in a society makes one a member of a society since one forges connections and attachments, and one's interests become interlinked with those of other members of the society (Rubio-Marin 2000: 21, 31–4; Carens 2005: 33, 39). Second, in living in a given society, one is subject to the political authority of the state and, consequently, on democratic grounds, should have access to full political rights within the political community of that state (Rubio-Marin 2000: 28–30; Carens 2005: 39).

These arguments are, I think, compelling. Moreover, and fairly naturally, they give rise to the claim – implied by Walzer (1983), advanced by Rubio-Marin (2000) and now accepted by Carens (2005) – that neither the conferral (on the part of the state) nor the acquisition (on the part of the immigrant) of such rights should be optional. The former element rules out selective practices such as citizenship tests on the grounds that while a society can legitimately entertain the reasonable expectation that immigrants will acquire its language and knowledge of its political institutions, it is unreasonable to make acquisition of civic rights conditional on meeting what can only be reasonable expectations given, for example, the differential linguistic abilities of persons.[8] The latter element 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.[9]

Given this argument that habitually resident immigrants should be incorporated into the political community of a state, should such incorporation take the form of automatic mandatory *naturalization*? Much here depends on whether or not the practice of dual or plural nationality is tolerated, a topic on which neither the democratic argument from subjection nor the social membership argument provide guidance, but if we assume for the time being that dual nationality is normatively defensible, then there might seem to be little objection to such a view. Yet there are also good sociological reasons for thinking that it is important for social and political integration that immigrants make a public, voluntary commitment to naturalize and, thereby, 'visibly link their own future with that of the country of settlement' (Baubock 2007a: 2419). How can we negotiate this tension?

One way is to note that neither the democratic all-subjected argument nor the social membership argument strictly entail naturalization as the route to political membership; they simply entail mandatory political membership – and there is a non-trivial distinction between *political membership* and *national citizenship* since the latter, but not the former, automatically includes the 'external rights' of diplomatic protection and automatic right of re-entry to the state as well as the automatic entitlement to pass nationality on to their children via the *jus sanguinis* provisions that states have almost universally and justifiably adopted as part of their nationality laws. Consequently, we may hold that there is a compelling argument for the mandated acquisition of full political rights or *political membership* and that this may reasonably give rise to an automatic entitlement to the acquisition of the status of *national citizenship*, but also that the acquisition of national citizenship itself should involve a voluntary act on the part of the immigrant. The additional features of national citizenship fit the rationale for a voluntary act since their value is intrinsically related to the valuing of one's relationship to the state which is expressed in a public, voluntary commitment to naturalize which visibly links one's own future with that of the state, and is not given expression (though it may be present) if one's naturalization is mandated.

If habitually resident non-citizens should be enfranchised, what of habitually non-resident citizens? Lopez-Guerra (2005) has argued that the same grounds that support political rights for resident non-citizens also rule out voting rights for long-term expatriates. His argument is that Dahl's formulation of the principle of full inclusion is a comprehensive principle for determining membership of the political community and, consequently, 'the demos of a democratic polity must exclude all individuals who are not subject to the laws, together with transients and persons proved incapable of taking part in the decision-making process' (2005: 225). He continues:

> Notice that this statement involves two propositions. On the one hand, it *justifies* the exclusion of individuals who live beyond the borders of the state [or polity]. In other words, it shows that non-residents lack a rightful claim to the franchise. But on the other hand, it also seems to *forbid* their inclusion, even against the will of the demos. What this latter point suggests is that democratic principles ban the extension of voting rights to permanent residents of other states [or polities], regardless of any opinion to the contrary by rightfully enfranchised individuals. (2005: 225–6, my insertion)

Although Lopez-Guerra's 'official' line is that he will be focusing on the former, in fact he continually slips between the two propositions and, indeed, if his argument is cogent, it would support the conclusion that he draws:

> Debates so far have focused only on the necessity of granting political rights to all residents. They have ignored the implication that this *requires* the exclusion of long-term expatriates. (2005: 234, my emphasis)

However, while it is certainly true that, on Dahl's criteria, being a habitual resident of a polity is a *sufficient* condition for being subject to binding collective decisions, it is less clear that it is a *necessary* condition. Two distinct arguments support the view that it is not.

First, consider the example of states as a form of polity which combine authoritative rules that depend on residency, rules that depend on non-residency and rules that are independent of one's residential status. Thus, for example, the relationship between a state and its national citizens involves some rights and obligations that are necessarily dependent on residence (i.e. those arising from any law that pertains to actions involving the physical presence of the person within the state), some that are necessarily dependent on non-residence (i.e. the right to re-entry and to diplomatic protection) and some that are residence-indifferent (e.g. paying tax on property owned in the state). One of the political choices that a state can make with respect to issues that are not conceptually tied either to presence on, or absence from, the territory of the state is whether or not to treat them as residence-indifferent. Ironically, just this point is illustrated by the example with which Lopez-Guerra is concerned: thus, suppose that a state decides to have a referendum on whether to institute or abolish expatriate voting. Whatever the result of such a referendum, all citizens – both residents and expatriates – are subject to the authority of the collectively binding decision taken. The same is true of any proposal concerning an issue that can be practically treated as residence-indifferent which supports or rejects the differential treatment of resident and non-resident citizens. Thus it follows that being a resident is not a necessary condition of being subject to the authority of the collectively binding decisions of the state. For the second argument, we may merely note that national citizenship is (in part) a juridical status whose content is defined by the constitutional structure of the state. It follows that any change to the constitution is a change to the terms of political association that specify the content of national citizenship and all citizens are subject to the binding collective authority of such constitutional changes irrespective

of their place of residence – it changes what, politically, they are. (If the UK were to have a referendum on withdrawal from the EU, the decision would be binding on all UK citizens and, with respect to those resident in other EU states, have very significant practical consequences.) In this respect, the all-subjected principle – properly understood – would support the view that constitutional referenda should include *all* citizens, resident or non-resident, and need not entail the rejection of expatriate voting rights more generally.

It is notable that both Rubio-Marin (2006) and Baubock (2007a) reject Lopez-Guerra's strong claim and are willing to allow that '... under certain circumstances, a country may democratically decide to allow for absentee voting for the 1st generation, thereby including expatriates in the political process' on the grounds that it is easy to remain informed about home state politics today and that many emigrants live between two countries (Rubio-Marin 2006: 134, cf. also Baubock 2007a).

At this stage, however, we must return to the point already touched on in considering immigrant incorporation, namely, that whilst the all-subjected principle and the social membership argument provide reasonable responses to the question of who should be enfranchised, neither provides adequate guidance with respect to the question of who should be entitled to access to membership in the first place.

An initially tempting response to this demand is to turn to the all-affected principle. Typically, the all-affected principle is expressed in terms of the *all actually affected interests* principle, namely, that everyone whose interests are actually affected by a decision should have the right to a political voice in the making of that decision. However, it has recently been proposed by Goodin that this principle is incoherent:

> Notice first that whose interests are 'affected' by any actual decision depends on what the decision actually turns out to be. Notice second that what the decision actually turns out to be depends, in turn, upon who actually makes the decision. Hence the 'all actually affected interests' principle ... is unable to tell us who is entitled to vote on a decision until after that very decision has been decided. (2007: 52)

There are several responses available to Goodin's argument; the most economical for current purposes is to note that in relation to any decision, there is a *decision-space* which is constituted by the options on the table at a given time between which the decision takers are to choose. Thus, for example, in a decision context in which there are three mutually exclusive

options – A, B and C – those actually affected would include all whose interests would be affected by the choice of A rather than B or C, B rather than A or C, and C rather than A or B. Although it is the case that how the interests of those who will be affected are actually affected depends on what the decision turns out to be, that their interests will be affected in one way or another can be specified in advance of whatever the actual decision turns out to be. Hence the incoherence identified by Goodin is dissolved. Yet even on such a construal of the all-affected principle, it remains somewhat mysterious why the fact that one's interest will be affected by the decision of a polity should entitle one to membership of that polity with respect to the decision making in question. One might hold, as Baubock does, that the principle 'builds on the plausible idea that democratic decisions have to be justified towards all those who are affected by them, but implausibly derives from such a duty of justification a criterion of participation and representation in the decision-making itself' (2009b: 15). On Goodin's own argument, the all-affected interests principle points to the importance of the intermeshed interests of persons, arguing that 'common reciprocal interests in one another's action and choices are what makes these groups [e.g. territorial, historical, national] appropriate units for collective decision-making' (Goodin 2007: 48). In other words, this view entails that having an interest in membership of a polity or structure of governance is not predicated on one's interests being affected by some (possible or actual) decision of *that* polity but, rather, on one's interests being intermeshed with the interests of others such that one has a common interest with these others of being a member of a legal and/or political community that regulates the relations between the members of this community. Notice though that this is a *recursive* principle in the sense that while persons whose interests are affected by a decision made by a given polity do not thereby have an interest in membership of that polity, in virtue of having an interest affected by a decision of that polity they do have a common interest with all other persons affected by that decision in membership of a legal and/or political community that has powers to regulate the decision made by the interest-affecting polity. It is important to register the fact that the argument concerns a *legal and/or political community*, that is it does not entail the existence of a second-order polity which encompasses the initial interest-affecting polity. This can be shown by simply noting that for the kinds of basic interests expressed in the idea of human rights, what is important is not the existence of a global polity that can regulate the decision of states – for example the decision to engage in torture – but an effective system of

international human rights law. Thus, while discussions of the all-affected principle are right to highlight the significance of intermeshed interests, the politically indiscriminate nature of the principle cannot do what is necessary for a consideration of the fundamental question of entitlement to political membership, namely, specify the type of interests whose intermeshing generates a claim to membership of a political community. Put another way:

> the 'all affected interests' principle substantiates ethical duties for democratic legislators to take externally affected interests into account, to seek agreements with the representatives of externally affected polities and to transfer some decisions on global problems to international institutions, but ... it cannot provide a criterion for determining claims to citizenship and political participation. (Baubock 2009b: 18)

Given this limitation of the all-affected interests principle in conjunction with the limitations of the all-subjected principle, what is needed for normative reflection on transnational citizenship is a principle that acknowledges the strengths of these principles but overcomes their weaknesses.

The most developed attempt at providing such a principle is the *stakeholder* principle proposed by Baubock:

> The basic idea is that all those and only those individuals have a claim to membership in a particular polity who can be seen as stakeholders because their individual flourishing is linked to the future of that polity. Individuals hold a stake if the polity is collectively responsible for securing the political conditions for their well-being and enjoyment of basic rights and liberties. This is what we could call the 'dependency' criterion. And such stakeholders can be seen as sharing an interest in maintaining the continuity and stability of democratic self-government in this polity. (2009b: 21)

This principle combines the view that being subject to the rule of a polity is a sufficient condition of entitlement to membership with an acknowledgment that interests of well-being arising from biographically rooted affiliations also have normative salience in determining entitlement to membership of a polity insofar as these interests of well-being are intrinsically tied to the flourishing or common good of that polity. Rather more than the all-subjected or all-affected principles, this criterion has the right kind of shape to perform

the role of allocating entitlement to membership. What implications follow from it for transnational citizenship?

We can notice first that since 'first generation migrants are generally stakeholders in both their countries of origin and of settlement' this principle lends itself to support of dual nationality. Given the role of family in socialization, it is plausible to argue that second generation migrants are also stakeholders but that by the third generation, this claim is harder to sustain independent of actions on the part of the third generation migrant (such as going to live in the state of their grandparent's origin) to sustain the relationship. Thus, in addition to supporting dual nationality, the stakeholder principle would limit the automatic *jus sanguinis* transmission of citizenship to second generation migrants (Baubock 2007a).

In terms of political rights, the stakeholder principle supports entitlement to citizenship for habitually resident non-citizens although, as noted above in the discussion of the social membership argument, Baubock does not support mandated naturalization (Baubock 2007a). In our view, this leaves his argument open to the citizen tyranny objection and conflicts with the centrality of autonomy within the stakeholder principle. It was suggested in the earlier discussion, and can be reiterated here, that this problem may be negotiated by distinguishing between the mandated acquisition of political membership and the optional acquisition of national citizenship.

In respect of expatriate voting rights, the stakeholder principle is compatible with such rights in that it does not take such rights to be required or forbidden by justice, and also acknowledges the normative salience of existing state practices of expatriate enfranchisement as having constructed reasonable expectations which it would be unjust to frustrate given the normative permissibility of the practice. Overall, the stakeholder principle broadly supports a presumption in favour of such rights for first generation migrants but acknowledges that this presumption can be either supported or defeated by a wide range of factors relating to the specific circumstances of the polity (Baubock 2007a). Thus, for example, the presumption would be strongly supported in the Spanish case in which the introduction of expatriate voting sought to acknowledge the interest of Republican exiles in the return to democracy following the end of Franco's rule, but might be defeated in cases in which large expatriate communities exhibit entrenched political divisions that would exacerbate conflicts within the state (e.g. Eire).

It would be overstating the case to claim that the stakeholder principle offers a fully developed normative basis for reflecting on transnational

citizenship, but its strength is to integrate justice-based reasons for membership with reasons based on the good of citizenship to provide at least the basis of an adequate normative account.

Nested Transpolitical Citizenship: The Case of the EU

How should these empirical and normative reflections on transnational citizenship inform our understanding of the most important current case of nested transpolitical citizenship, namely, the EU? There are a number of membership issues confronting the EU as a polity (Shaw 2007), however, we will focus only on the two most immediate of such issues. The first relates to third country nationals who are (a) subject to the political rule of the EU but are not currently entitled to membership of the EU since such membership is only acquired in virtue of being a national citizen of a member state of the EU; and (b) subject to arbitrariness insofar as rules for the acquisition of nationality vary from member state to member state (thus two third country nationals whose situations are identical in all respects other than EU country of residence can give rise to one acquiring the option and national and, hence, EU citizenship, while the other does not have this opportunity). The second concerns the national voting rights of EU citizens who do not live in their home state or who are dual national of EU member states.

In the case of third country nationals, it is hard to see why their subjection to the political rule of the EU should not entitle them to political membership of the EU. It is worth noting, moreover, that nested polities such as the EU sharpen the argument for the mandatory political membership for long-time resident aliens since such nesting entails that residents may be *multiply* subject to citizen tyranny across different levels of governance. However, it is important to notice that although we can again draw a distinction between political membership and citizenship, this has a different character in relation to the EU than to states in that the relevant notion of political membership would include EU political rights that could be exercised in the state of residence (hence addressing the issue of subjection) including voting rights in EU elections and rights to petition the EU Parliament, but would not automatically include the right to freedom of movement within the EU enjoyed by EU citizens or the limited additional external citizenship rights of diplomatic protection enjoyed by such citizens.[10]

If we turn to consider the issue of EU citizens, there are two main issues, each of which relates to the fact that, excepting certain human rights-based requirements, the scope of national franchises is left to the discretion of

member states. The first issue concerns EU citizens who are also dual nationals of EU member states and where the state in which they are not resident allows expatriate voting in national elections. Whereas the case of dual nationals who vote in the national elections of two states that are not part of a larger polity does not breach the 'one person, one vote' rule, two votes in distinct EU state national elections would breach this rule since the outcomes of such elections determine the composition of the European Council. On this basis, such dual voting should be prohibited. The second issue concerns the fact that although all EU citizens can stand as candidates and vote in municipal and EU elections of whichever member state they are resident in, the same is not true of national elections. Indeed, whether an EU citizen who is not resident in an EU state of which they are a national can vote in any national election is a contingent product of the conjunction of the laws adopted by their home state and state of residence. Yet since freedom of movement is a basic principle of EU citizenship, it is highly problematic that EU citizens who exercise this right can, even in principle, find themselves disenfranchised with respect to national elections. Here, however, we confront the point that such EU citizens are stakeholders in both their state of residence and their home state but, as EU citizens, cannot be entitled to the concurrent exercise of national voting rights in both states. But then in which state should they vote? Notice that the stakeholder principle doesn't provide determinate guidance on this issue – and one may take this either as a limitation of this principle or as expressing the judgement that it is appropriate to allow EU citizens the choice of whether to vote in the national elections of their home state or state of residence. If the latter, it would be necessary to address the objection that choosing to vote in their home state would leave them in the position of being subject to citizen tyranny in their state of residence. In response to this, it could be argued that the standing of such persons as EU citizens protects them from such a condition since not only does the EU protect their human rights but also much of the legislation to which they are subject arises from the EU or must be consistent with EU-based legislation. These are important points and we should acknowledge that different traditions of citizenship within the EU member states may lend themselves different views on this question. Despite this, our own view is that at the core of the idea of political membership is a concern with non-domination that is expressed in the citizen tyranny objection and, hence, there should be at least a strong presumption in favour of national voting rights being granted and exercised in the state of residence.

Future Research Agendas

This chapter has been concerned with sketching the main features of, and normative issues raised by, the transformation of contemporary political membership regimes and the rise of transpolitical citizenship in its nested and non-nested forms. Perhaps the most general research agenda that arises from it is the need for the development of a comparative politics, and political theory, of citizenship policies and membership regimes. The predominance of qualitative case studies and legalistic analysis in this area, valuable though these are, illustrates the point that while there has been some important quantitative work on testing the explanatory power of nationalist, transnationalist and postnationalist hypotheses concerning contemporary developments in membership regimes (Bloemraad 2004), there is a general lack of large-scale quantitative and qualitative comparisons (although for exceptions see Earnest 2008; Gamlen 2008). Thus, while states are developing 'bonding' or 'recognition' mechanisms with respect to their expatriate populations, we currently lack knowledge of the degree to which recognition mechanisms such as dual nationality are taken up and how effective such mechanisms are from the standpoint of either citizen or state.

In the context of normative political theory, and with the notable exception of Rainer Baubock, work in this area has been thoroughly biased towards a concern with immigrants in liberal democratic states and, consequently, has failed to address both more basic questions concerning the normative character of citizenship and the diversity of membership-related issues that arise in the context of our changing membership regimes. In this respect, the stakeholder principle represents a good starting point for normative reflection but the relationship of this principle to more fundamental debates concerning the 'justice' and 'good-of-citizenship' accounts of citizenship and, thus, to wider issues in normative political theory remains to be developed.

CHAPTER SEVEN

Diminishing Returns? Globalization and the Limits of Citizenship

Introduction

Globalization, for many critics, is a 'key culprit in explaining the diminishing returns of citizenship' (Nyers 2004: 204). Citizenship, in this context, being synonymous with the institution of national citizenship: namely, that bundle of rights, responsibilities, obligations, entitlements and loyalties which constitute membership of a territorially bounded political community. Under conditions of contemporary globalization, it is argued, governments are no longer capable of guaranteeing their citizens' security or prosperity whilst citizens' loyalties are no longer defined solely by national loyalties and sentiments. The result is that the historic covenant between state and citizen, forged in the long twentieth century, has been seriously destabilized. For Nyers (2004) the condition of really existing citizenship today provokes the pressing question: 'What's left of citizenship?' In responding to this question, this chapter seeks to distinguish between the various challenges which globalization presents to contemporary citizenship: namely, challenges to the conditions, practices and the institution of citizenship. Developing a modest critique of the 'declinist' thesis it argues for a more nuanced position which recognizes the complex ways in which citizenship is being reconfigured by the related processes of globalization and securitization.

Much of the literature on the demise of citizenship has its intellectual origins in what Holton refers to as the 'first wave' of globalization theory (Holton 2005). This 'first wave' tended towards a 'one-dimensional' or economistic interpretation of globalization, emphasizing the primacy of global markets over national politics (McGrew 2007). It unleashed an intense academic debate within international relations and political science as to the relative decline or demise of the nation state in world politics. Whether explicitly or implicitly, the demise of citizenship literature draws upon quite similar readings of the consequences of economic globalization. In the first section of this chapter we explore this declinist thesis, identifying some of the key contributions and primary arguments. We consider some of the principal responses to the question of why globalization is considered to undermine the necessary conditions of modern citizenship. Developing

this analysis further, in the second section we consider the connections between globalization and securitization: in particular why and how the global movement of people and ideas has contributed to expanded restrictions on the practices of citizenship. The third section draws together the preceding discussion through a critical reflection upon the prospects for the institution of citizenship under conditions of contemporary globalization. This suggests a more complex reading of globalization as neither the principal culprit in the purported demise of citizenship nor the harbinger of the progressive transformation of citizenship. The latter issue is taken up in the final section, which identifies agendas for future citizenship research.

Globalization and the Decline of Citizenship

Globalization refers to processes of growing worldwide interconnectedness such that events and decisions in one region of the world can come to have significant consequences for distant communities. It is expressed in, amongst other things, the emergence of a single global capitalist economy in which webs of finance, production and trade bind together the economic fate of nations. As the current financial crisis (2008/2009) demonstrates, in a highly integrated world economy few governments are able to insulate their citizens from the pernicious consequences of global market forces. Beyond the economic domain the same technological and communication infrastructures which underpin the globalization of finance and production facilitate the global movement of people, cultures, ideas and information, as well as the organization of transnational relations and networks, from the Triads to the World Social Forum. Accordingly, globalization is articulated in multiple domains from the economic, the political, to the military. In the political domain the business of government has become globalized in response to the rapidly dissolving distinctions between domestic and external affairs. States increasingly share power with an array of public and private *supra*-state authorities as public policy making acquires a regional and global dimension. Moreover, in a more interconnected world the 'death of distance' makes proximate even the most distant potential dangers, giving urgency to new systemic risks from global warming to pandemics and state failure. In all these respects globalization contributes to a process of denationalization: as social, political and economic activities are increasingly 'stretched' across national frontiers they are no longer organized according to a strictly national territorial logic. Since modern citizenship has been constituted historically by such a logic there is clear reason to suspect that

contemporary globalization is a 'key culprit' in eroding the conditions of national citizenship.

In an article which captures the essence of the declinist thesis, Richard Falk argues that 'Economic globalization, and its diverse impacts, seems likely to produce a decline in the quality and significance of citizenship' (Falk 2000: 7). Falk traces this decline to a number of factors which are mediated by globalization: the changing role of the state; the demise of conventional warfare; the rise of civilizational, religious and ethnic identities; and the growth of transnational social forces. In combination, he argues, these factors undermine the essential foundations of national citizenship.

Globalizing forces, observes Falk, have been reorienting the state along with the perspectives and allegiances of elites which have taken an increasingly transnational outlook, weakening the primacy once accorded to national attachments. The emergence of a worldwide network of elites committed to the neoliberal globalization project has advanced global corporate capitalism to some extent at the expense of national interests and attachments. Governments have increasingly adapted their role and function to the precepts and prerequisites of neoliberal globalization by creating an environment conducive to free trade, prudent fiscal and macro-economic policy, capital mobility and deregulation. Such policies create new winners and losers in society, weakening the bonds of solidarity or affinity amongst the citizenry as a result of an increasing gulf between the haves and have-nots. In short, the differential social impact of economic globalization on citizens produces passivity, despair and alienation on the part of those who are most disadvantaged or lose out by it. This sense of alienation and despair is reinforced by the growing significance of arenas of decision making and the exercise of power beyond the control of the state. These developments not only erode state autonomy, but also weaken the traditional bonds of loyalty between citizens and the state – especially in western liberal democracies where modern conceptions of citizenship based on affiliation with a territorial state emerged (Falk 2000).

War, and in particular the total warfare of the twentieth century, was crucial in forging the historic covenant between states and their subjects, and gave substance to the idea of modern citizenship. However the current epoch of globalization is associated with the demise of classical warfare, the end of mass conscription and the relative demilitarization, by comparison with the Cold War era, of western democracies (Shaw 1997). Since the 1980s, citizenship has been stripped progressively of its martial attributes and practices – e.g. military service. Many factors contribute to this complex

phenomenon including the declining importance of territorial expansion as an underlying source of power and influence, thus rendering warfare less central to contemporary geopolitics. For Falk, the demise of total war combined with a more pacific geopolitics has devalued the functionality of the patriotic citizen, thereby further eroding citizenship in the era of globalization (Falk 2000).

In response to this partial displacement of the state as a source of political identity, Falk suggests that cultural globalization contributes to the strengthening of other sources of identity and loyalties which are rooted in transnational religious, cultural or ethnic attachments. Increased migration and a real-time global communications infrastructure reinforce tendencies towards greater cultural and ethnic diversity within western democracies. Controversy rages within and beyond the academy as to whether or not such diversity enhances or undermines a coherent sense of national citizenship. The fact of such controversy, however, illustrates the politically contested nature of citizenship; contestation which to varying degrees may undermine the ideal of social solidarity which has been regarded traditionally as an essential condition of national citizenship.

Finally, Falk associates the decline of traditional citizenship with the rise of transnational social forces and political activism in furtherance of notable causes such as the environment, human rights, feminism, indigenous peoples and global justice. This transnational activism relies upon the cultivation of more cosmopolitan, as opposed to national, loyalties and obligations which contributes further to the erosion of civic solidarity. Transnational civil society and transnational activism are argued to divert citizens' political energy and commitment from what Miller has referred to as their special responsibilities to their compatriots (Miller 2007). For Falk, these various pathologies of contemporary globalization destabilize the necessary conditions of modern citizenship, weakening the traditional bonds between citizens and the state, and thereby reinforcing the diminishing returns to citizenship evident in western democracies today (Falk 2000).

Similar conclusions are reached by Castles and Davidson (2000). Following Falk, they contend that globalization impacts on citizenship in three main ways. First, since global forces erode the power and autonomy of the nation state to control and regulate domestic affairs, citizenship is undermined to the degree that governments are unable to provide effective social protection. Global capital markets impose significant constraints on the capacity of governments to provide the levels of social protection for their citizens which arguably are necessary in response to intensifying

global economic competition. Furthermore, governments have restricted access to welfare protection to contain social spending, reinforcing the perception of diminishing returns to citizenship. In effect, citizenship acquires an increasingly symbolic as opposed to material function (Castles and Davidson 2000).

Second, associated with the above argument, Castles and Davidson observe that the diffusion of global norms and ideals – notably universal human rights – has acquired greater legal and political salience. This may have the effect of displacing the significance attached to national citizenship insofar as a universal concept of citizens' rights is enshrined in international treaties and agreements – for example the Schengen Agreement within the EU that ensures the freedom of movement for EU nationals within the Union. As a consequence, the primacy of national citizenship is no longer so self-evident since universal rights regimes have promoted the extension of rights to non-citizens and blurred the distinctions between citizen and non-citizen. The growth of dual citizenship is one notable illustration of this phenomenon. Such developments appear to reduce the significance and benefits of citizenship (Castles and Davidson 2000; cf. Soysal 1994).

Third, Castles and Davidson argue that the global movement of peoples erodes national homogeneity and social solidarity. Migration produces growing ethnic diversity which challenges assimilationist notions of citizenship. To the extent that multiculturalism is perceived as a dilution of national identity, migration is considered to undermine the social cohesion and sense of shared identity which are regarded as being amongst the essential conditions of effective citizenship. Furthermore, the existence of global communications and transport infrastructures contributes to the strengthening of diaspora and transnational cultures, sometimes at the expense of social cohesion and national identity (Castles and Davidson 2000; cf. Schuler 1999). For Castles and Davidson, as for Falk, globalization undermines key conditions of effective citizenship (Castles and Davidson 2000). Furthermore, more recent contributions by Lister and Pia (2008), as well as Judith Gans (2005), elaborate on many of the principal claims of Castles and Davidson, reinforcing the general thesis concerning the erosion of national citizenship.

Relating some of these more general claims to the US context, Spiro (2008) analyses how globalization has impacted on the legalities of American citizenship – that is how the conditions of really existing citizenship in the United States (US) have altered in response to neoliberal globalization. He argues that, historically, citizenship in the US has been predominantly

associated with membership of the larger American community either through birth or residence. In effect, American citizenship and identity have always been rooted in the ties of place and community. However, he contends that, in the era of globalization, this traditional sense of American identity is becoming unsustainable to the extent to which these ties are becoming detached from their territorial moorings. The evidence for this is to be found in the altered legal foundations of American citizenship. The granting of dual citizenship, naturalization and the like – plural yet partial citizenships – undermines the basis and indeed the very meaning and significance attached to American citizenship. Indeed, Spiro questions the legitimacy of the status ascribed not only to immigrants who become US citizens but also fellow Americans who emigrate and/or are born outside of the country. The argument is that all of these developments are eroding the legal basis of American citizenship. Hence, he concludes that, as a consequence of globalization, citizenship is in irreversible decline (Spiro 2008).

This claim that globalization erodes the privileged legal basis and valorization of national citizenship has been developed further by Jacobson (1997). He argues that the traditional basis of nation-state membership and especially citizenship is being eroded by transnational migration (Jacobson 1997). As rights are based increasingly on residency rather than membership – following the developing separation of the issue of rights from the context of belonging – the distinction between 'citizen' and 'alien' has been eroded. This is increasingly the case given the international legal duties of the state to uphold the rights of all inhabitants – citizens and non-citizens alike – in respect of international human rights law. For example, Article 8 of the European Convention of Human Rights (ECHR) stipulates, amongst other things, that signatories must guarantee the right to family life. This implies that migrants must be allowed to reside with their spouse and children in host countries. If a European government decides to stem the flow of migrants by restricting family reunification, those aggrieved have the right to challenge such decisions by taking their case to the ECHR. The ECHR has adjudicated cases of aliens residing in European countries, ruling that signatory-states must uphold the rights of all inhabitants – not just citizens – as enshrined in the Convention. Thus, Jacobson's main contention is that the *supra*-state protection of human rights poses major challenges to the effective conditions of national citizenship, whilst migration blurs the distinctions between 'citizens' and 'alien' (Walzer uses the term 'denizen' to describe those persons who lie between the categories of citizens and aliens). As a result, national citizenship is devalued – that is citizenship is

rendered of less significance given the declining value attached to the actual rights delivered by the acquisition of citizenship status (Jacobson 1997).

Sassen (2003) too affirms key aspects of Jacobson's claim that globalization is eroding the privileged legal status of citizens – in the sense that aliens in most western democracies can claim legal rights traditionally only accorded to citizens. She identifies several developments in this regard, namely the expansion of:

- *Dual citizenship* – the granting and/or recognition of this status by many countries in the last decade amounts to a diminution of exclusive rights. In short, it is argued that such a status weakens the sense of belonging to the nation state;
- *Universal rights* – whereas in the past rights were linked to ownership of property or membership of a political community, rights are now deemed inalienable and universal by the fact of individual humanity – in effect, the body is now the site for claiming rights. Hence, the rights of aliens (non-citizens) not just citizens, are/should be protected and/or guaranteed, blurring the distinction between citizens and non-citizens;
- *Denizen status* – rights that traditionally used to be accorded only to citizens are now also being claimed by non-citizens. Indeed, international human rights law requires states to grant certain rights to people within their territory irrespective of their citizenship status (cf. Jacobson 1997). These include, amongst others, the right to be paid for work done and the right to own property. The argument here is that these *de facto* rights amount to what has been called 'informal citizenship'. In fact, many countries – for example, France, Germany, the Netherlands and the US – go further to regularize or legalize the status of illegal immigrants by granting them citizenship on the basis of stipulated conditions or criteria including amongst others demonstration of good conduct (Sassen 2003; Evans 2004).

However, for Sassen, as for Falk and others, globalization displays its most pernicious effects by eroding the conditions of 'Marshallian citizenship'. As Sassen observes: 'The growing emphasis on notions of the "competitive state" and the associated emphasis on markets have brought into question the foundations of the welfare state … For Marshall and many others the welfare state is an important ingredient of social citizenship … [which has] been severely diluted under the impact of globalization' (Sassen 2006). This is an argument that neoliberal globalization has undermined the 'embedded liberalism' which Ruggie notes was the foundation of the

post-war multilateral order which in turn facilitated the creation of the modern welfare state (Ruggie 1982). In effect, 'embedded liberalism' involved the internationalization of the New Deal state in the form of multilateral institutions which regulated the world economy in ways which accorded with national welfare goals such as full employment, etc. As the neoliberal revolution took hold in the 1980s, international regulation gave way to the promotion of competition and the market with the consequent demise of the Keynesian welfare state (Harvey 2006). Under conditions of neoliberal globalization, governments, responding to the disciplinary power of financial markets and the growing mobility of capital, sought to promote national economic competitiveness at the expense of costly welfare provision and social protectionism. As Sassen suggests, the form taken by this particular '... articulation of globalization with national economies' is characterized by '... the associated withdrawal of the state from various spheres of citizenship entitlements, with the possibility of a corresponding dilution of loyalty to the state' (Sassen 2006).

Of course, globalization has undoubtedly contributed to global economic growth and wealth creation (i.e. increased levels of global prosperity), lifting many out of poverty and economic insecurity (Bhagwati 2004; Wolf 2004). However, it is the highly uneven distribution of its benefits and costs both globally and between different socio-economic groups within states that generates new pressures on welfare regimes. Even before the onset of the current global financial crisis, economic globalization – in the form of capital mobility, offshoring and outsourcing – has been a major source of social dislocation, unemployment (especially amongst the low-skilled) and growing wage and income inequality (Cramme and Diamond 2009b). In the US and Europe, for example, globalization has contributed, along with technological change, to slow wage growth for the unskilled and increasing income inequality. Over the last two decades, most advanced industrialized economies have reported growing income inequality and economic insecurity as well as an expanding gap in employment and unemployment rates between high-skilled and low-skilled groups (Hassel 2009).

Milanovic's pathbreaking studies covering the period 1950 to 2000, for example, conclude that international (between country) and global (between households across the globe) inequality increased as the economic fortunes of both countries and households diverged (Milanovic 2002a,b, 2005). International inequality (measured by the GINI coefficient) rose from 0.44 in 1950 to 0.55 whilst global inequality rose from 0.62 in 1988 to 0.64 in 1998 (Milanovic 2005). If this were converted into actual dollars then the

ratio of the top 10 per cent of incomes to the bottom 10 per cent would be approximately 320:1 and '… probably among the highest, or perhaps the highest, inequality level ever recorded' (Milanovic 2005). This pattern is reproduced in relation to industrial pay inequalities within countries which have widened significantly since 1982 according to Galbraith (2002). In 1960, the income of the richest 20 per cent of the world's people stood at about thirty times that of the poorest 20 per cent; by 1997 the corresponding figure was seventy-four (UNDP 1997). Global wealth or assets are even more unequally distributed too. Estimates indicate that the top 10 per cent own 85 per cent of the world's wealth – a GINI of 0.89 – compared to most countries where the top 10 per cent own 50 per cent of total wealth – a GINI of 0.7 but only a few are above 0.8 (Davies *et al.* 2006).

Such studies identify economic globalization as a significant – although not sole – cause of growing national and world inequality. For mobile capital relocates jobs and production in the world economy, trade intensifies international competitive pressures and global finance constrains the welfare and redistributive capacities of states (Rodrik 1997; Thomas 1997; Castells 1998; Tanzi 2001; Wade 2004; Kaplinsky 2006). This produces four mutually reinforcing dynamics: the increasing segmentation of the national workforce into winners and losers from productive and financial integration; the growing marginalization, exclusion and impoverishment of the losers; the erosion of social solidarity as welfare regimes are unable, or politicians unwilling, to bear the growing costs of protecting the most vulnerable; and the intensification of economic polarization and exclusion within, between and across states (Lawrence 1996; Dickson 1997; Thomas 1997; Birdsall 1998; Castells 1998; Gray 1998; Sklair 2001). For those most exposed to the unevenness of economic globalization the combined effects of the erosion of welfare provision and heightened insecurity reinforce a growing sense of the diminishing returns to citizenship insofar as it effectively creates different classes of citizens (Rodrik 1997; Hassel 2009; Perrons 2009). In short, globalization increases the risk of polarization within and across societies and regions (Cramme and Diamond 2009b). Hence, one could argue that such widening inequalities (including income and access to resources and services) create a situation of 'unequal citizenship'.

In sum, the declinist thesis asserts a causal association (both direct and indirect) between the rise of neoliberal globalization and the demise of citizenship in western democracies. This decline is articulated in the erosion of the cultural, legal, economic and political conditions which gave meaning to, as well as valorized, national citizenship for much of the twentieth

century. To the extent that globalization weakens bonds of social solidarity and national identity, the legal distinctions between citizens and aliens, welfare regimes and entitlements, the economic security of households and the political accountability of the state, it undermines the vital conditions of effective national citizenship (Jacobson 1997; Castles and Davidson 2000; Falk 2000; Sassen 2003; Gans 2005; Lister and Pia 2008; Spiro 2008). In effect, globalization contributes to a significant dilution of citizenship, from a substantive to a more formal ensemble of rights, obligations and entitlements: namely, a form of 'low-intensity citizenship' (to borrow a phrase). Neoliberal globalization is thus considered a 'key culprit' in redefining the limits of citizenship to fit with the new rationalities of the 'competition state' and the 'global market'. Of course, such claims are open to dispute as is the wider argument concerning the causal significance attached to globalization. This critique will be taken up in the penultimate section of the chapter following a consideration of the connection between globalization and the securitization of citizenship.

Globalization and the Securitization of Citizenship

During the Cold War, global Armageddon was never much more than thirty minutes away – the dispatch time of intercontinental missiles. By the same token, the 'death of distance' today transforms far-off conflicts and potential threats into proximate dangers, as the events of 9/11 cruelly demonstrated. Moreover, it is no longer simply military threats which contribute to this globalized insecurity since, amongst other things, environmental degradation, pandemics and organized crime transcend national frontiers. Paradoxically, the same global infrastructures which make it possible to organize finance on a worldwide basis can also be exploited to lethal effect. The globalization of the means of production and the globalization of means of destruction share much in common.

   Modern societies are extremely vulnerable to the disruption of those complex systems which enable them to function effectively, from transport to banking. Although this has always been the case, it is perhaps compounded today by greater reliance on vital trade networks (from food to energy), the transnationalization of production, and the critical role of communications and transport infrastructures. Whereas total war implied the 'destruction' of the enemy, contemporary societies are seriously vulnerable to those who with minimal coercive capability may threaten or seek societal disruption as opposed to societal destruction. Using the 'weapons of the weak', from box-cutters to home-made explosives, the potential for non-state groups to exert

'informal violence' presents a potentially significant threat to open societies. Furthermore, the potential of this 'informal violence' is magnified for two reasons. First, because borders are no longer barriers, such that disruption of critical infrastructures by cyber-attacks or alternatively the perpetration of terrorist attacks can be organized effectively from distant regions of the globe (Lukasik *et al.* 2003). In Keohane's view, the 'barrier conception of geographical space, already anachronistic with respect to thermonuclear war … was finally shown to be thoroughly obsolete on September 11th' (Keohane 2002: 276). Second, the proliferation of highly lethal weapons systems, not to mention technologies of mass destruction, radically alters the scale of potential threats. Globalization multiplies and transforms the potential threats confronting states whilst orthodox notions of territorial security are made problematic. For if potential threats can be organized, resourced or directed from multiple sites across the globe countering them requires more than simply a global surveillance infrastructure but heightened domestic security measures too. In effect, 'as disorder in one part of the world has combined with IT and the speed of travel to feed insecurity in another, security has become increasingly diffuse and borders more complicated to defend' (Avant 2005: 33).

Al Quaeda, the Triads, narco-terrorism and the illicit arms trade are very much part of what Keohane refers to as agencies of informal organized violence, or what Ferguson and Mansbach call post-international violence (i.e. non-state, privatized, outsourced, globalized) (Keohane 2002; Ferguson and Mansbach 2004). Transnational terrorist and criminal organizations, alongside those transnational social forces operating within the shadow global economy, have been able to exploit the infrastructures of globalization for their own illicit and destructive purposes. So much so that some conclude 'the transnational expansion of these dangerous trades has come to form part of the essential machinery of globalization' (Bhattcharya 2005: 32). Domestic policing increasingly has a transnational dimension. Deadly criminal violence on the streets of the world's major cities can often be traced to the distant interventions of transnational organized criminal and gang networks. This globalization of informal violence has contributed to the globalization of insecurity. Whereas the end of the Cold War produced a rapid demilitarization of western societies, the era of globalization has been associated with their growing securitization. This has had profound consequences for the governance and practice of citizenship which, Huysmans amongst others argues, have become a prime focus of such securitization (Nyers 2004; Huysmans 2006; Diez and Squire 2008).

A considerable literature has developed analysing and critiquing this growing securitization of citizenship. This literature emphasizes the social or discursive construction, as opposed to the objective determination, of the threats and dangers posed by globalization to societal and existential security. Drawing upon various analytical traditions, from the Copenhagen School to Foucault, this literature explores how official discourses come to construct global threats to societal security so normalizing an 'exceptional politics' in which citizenship increasingly is securitized (Waever *et al.* 1993; Buzan *et al.* 1998; Muller 2004; Huysmans 2006). This securitization has taken a number of forms including the emergence of what Bigo refers to as 'an internal security field' in which an ensemble of discrete activities – from terrorism to migration, organized crime and asylum seekers – is increasingly conflated within official discourses as a 'continuum of threats' to societal and national security requiring (in some contexts) exceptional responses (Bigo 1994). Such responses, from expanded surveillance to securing borders and restricting civil liberties, often have the consequence of constructing citizens as the 'target of securitisation' (Diez and Squire 2008). To the degree that the rights of citizens are traded for public security, the practice of citizenship is inevitably damaged (Waldron 2003). This is evident in several different contexts.

Since 9/11 there has been a steady rise in state surveillance measures within all western democracies (Lyon 2007). New technologies of surveillance, profiling and monitoring have been increasingly utilized by various state agencies – police, intelligence and security, etc. – from DNA (deoxyribonucleic acid – the technology that uncovers genetic details/ profiles) databases, biometrics, to closed circuit television (CCTV), automatic number plate recognition (ANPR) and related electronic tracking and eavesdropping systems. Furthermore, anti-terrorism legislation and associated policies create potential restrictions on civil liberties whilst the growing securitization of (territorial and electronic) borders infringes on the equal treatment of nationals and citizens (Muller 2004; Sassen 2006: Chapter 4; Gilbert 2007; Pallito and Heyman 2008). As Sassen, amongst others, notes, anti-terror legislation, such as the US Patriot Act, and its modes of implementation have curtailed the civil liberties and rights to privacy of citizens and aliens alike (Sassen, 2006: 180; cf. Sullivan 2003; Whitaker 2003; Rosati 2004; Stanley and Steinhardt 2004; Brown 2009). Moreover, as Muller observes, since 9/11 there has been '... a dramatic – and often draconian – securitization of the politics of borders' whilst new biometric border control technologies '... attempt to transform citizenship

into a quest for verifying/authenticating "identity" for the purposes of access to rights … stripping away the cultural and ethnic attributes of citizenship' (Muller 2004: 280). As Pallito and Heyman argue, these new border control technologies and practices differentiate between citizens on the basis of profiling and threat assessments (Pallito and Heyman 2008). Both the technologies and practices of 'securitized citizenship' not only infringe the civil liberties of all citizens but also differentiate citizens on the basis of their attributes, identities, ethnic or religious associations. This differentiation is especially the case in relation to Muslims, for as Diez and Squire note, since 9/11 '… the target of securitization … has increasingly focused on the figure of the Muslim' (Diez and Squire 2008: 577). Underlying such practices is the construction and public perception of migration and immigrant communities as sources of insecurity.

A recent World Migration Organization report noted that 'no country remained untouched by international migration' (Organization 2006: 381). Outward migration is a predominantly developing country phenomenon and, despite greater restrictions, it is currently on a scale of the mass migrations of the early twentieth century (Chiswick and Hatton 2003: 74). Though complex in origin and destination, global, as opposed to intraregional, migration has expanded enormously over the period 1950 to 2000 (Chiswick and Hatton 2003). According to the United Nations (UN) estimates, there are more than 200 million people living and working outside their country of birth – this is reportedly twice the level of twenty-five years ago (Cramme and Diamond 2009a). Such migration is geographically concentrated, with significant migrant communities in all western democracies – in 2006, 23 per cent of Parisians, 28 per cent of Londoners and a similar proportion of New Yorkers had been born abroad (Freeman 2006: 4–5). The scale of recent migration has made it a highly contentious political issue in western states. Public perceptions of migration have been shaped by wider fears about pandemics, transnational crime, terrorism and unemployment, as well as the perceived burdens imposed on the welfare state (cf. Dottori 2009). As Buonfino asserts, 'Immigration has turned into one of the greatest security concerns of 21st Century Europe' (Buonfino 2004). This securitization of migration superficially conflates concerns about illegal migration, people trafficking, organized crime, social cohesion and employment opportunities with immigration more generally (Vucetic 2002). In so doing it has significant implications for the practice of citizenship.

Constructing migration as a threat to societal security reinforces the '… resentments of those made insecure by their vulnerability to global

competition ... further subverting the protections of citizenship' (Jordan and Duvell quoted in Buonfino 2004: 38). In effect, the growing perception amongst those most disadvantaged by globalization and migration that citizenship status affords them limited protections inevitably contributes to perceptions of its limited value. By comparison, for immigrants, the acquisition of citizenship in most western democracies has been made more demanding, more prescriptive and more restricted (Walters 2004; Diez and Squire 2008). In effect, the securitization of migration – the alien as potential threat – has become inextricably implicated in the practice of citizenship. This is conspicuously evident today in a number of contexts. Stasiulis and Ross, for instance, recount the significant 'perils of dual nationality' – multiple citizenships – illustrated by a number of recent cases involving rendition and other exceptional circumstances in which, despite their citizenship status, individuals have found '... themselves as unprotected persons existing in a vacuum devoid of diplomatic protection' (Stasiulis and Ross 2006). Under conditions of heightened securitization the practice of citizenship becomes imbued with an 'exceptional politics'. Citizenship is thereby increasingly differentiated and differentially experienced. Moreover, the state and its security agencies acquire the privilege to interpret more flexibly their obligations to protect their own citizens or to avoid infringing their liberties (Stasiulis and Ross 2006).

   Processes of securitization normalize the exceptional treatment of citizens and bring into focus the limits to citizenship. To the extent that globalization creates the conditions of insecurity which belie such processes, logic dictates it is a key culprit in accounting for the 'diminishing returns to citizenship'. Yet, as the analysis above indicates, threats and dangers to societal security are not objectively given but on the contrary are 'socially constructed'. This is not to argue that such securitization moves are simply arbitrary. On the contrary they are contingent upon the existence of dominant discourses of danger and threat, such as the 'war on terror', which are the basis of collectively shared interpretations of, and interventions in, the 'real world'. Accordingly, the securitization of citizenship is not an inevitable consequence of globalization. Rather it is the contingent product of a unique combination of historical and political circumstances and choices. The implication, as Hacking observes of constructivist logic more generally, is that different choices and outcomes are always possible: the world may have been different (Hacking 1999). What then of the prospects for the institution of national citizenship?

Globalization and the Prospects for Citizenship

As the discussion so far has revealed, there is an extensive literature which implicates globalization in the decline of citizenship in western democracies. Within this literature, neoliberal globalization is charged with diluting the value of, and significance attached to, citizenship whilst the globalization of insecurity is associated with a securitization of citizenship which involves expanding restrictions on its practice. Of course, this is a considerable simplification of the theoretically and empirically rich arguments of a diverse literature. Nevertheless, it captures the essence of the broader thesis concerning the impact of globalization on citizenship in western democracies which is implicit in much of this work. However, before drawing firm conclusions about the prospects for the institution of national citizenship, under the conditions of contemporary globalization, some further scrutiny of these arguments, in relation to both their substantive claims and theoretical framing, is warranted.

Much of the declinist literature, as noted previously, draws upon an account of globalization which emphasizes both the structural constraints it imposes on states and the leakage of power from states to global agencies and markets. Yet far from globalization necessarily eroding national autonomy or sovereignty, it can be argued that it has enhanced the national capabilities of many states. Openness to global markets, many economists argue, provides greater opportunities for sustained national economic growth and prosperity. As the experience of the East Asian 'tigers' highlights, global markets by no means are incompatible with strong states (Weiss 1998, 2003). Moreover, even where state sovereignty is circumscribed by multilateral institutions, as in the case of the European Union, national governments effectively pool sovereignty in order to extend, through collective action, national control over external forces. Although the limits to, and the constraints upon, national economic autonomy and sovereignty have become more salient, especially in western democratic states, they have not extinguished the scope for states to '... continue to exercise their autonomy in very different ways, reflecting their different political cultures' (Kymlicka 1999).

These different national political cultures have produced different traditions and regimes of citizenship. And these different traditions have important implications for the analysis of the consequences of globalization for citizenship. As discussed earlier, one argument is that globalization, in creating new social divisions between its winners and losers as well as facilitating mass migration, undermines both the social cohesion and the

sense of coherent national identity – the subjectivities – which are critical to the institution of national citizenship. However, states have responded in different ways to these pressures shaped by different national traditions and regimes of citizenship. The differences between *jus sanguinis* and *jus soli* traditions in respect of responses to migration are significant (Diez and Squire 2008). Moreover, the apparent decline of social cohesion may be due less to globalization than the rise of identity politics and other factors. Indeed, globalization's impact is more complex in that it can also reinforce social solidarity, for instance French civic responses to globalization, insofar as '... citizens still want to confront the challenges of globalization as national collectivities' (Kymlicka 1999: 116). Thus, it remains debatable whether or not these new social divisions and alternative conceptions of identity actually strengthen or undermine a sense of national citizenship; and meanwhile, as Falk acknowledges (or cautions), the precise chain of causal linkages with globalization is difficult, if not impossible, to establish (Falk 2000).

Civic responses to globalization reinforce this causal complexity. For globalization is associated with a dramatic rise in transnational civic activism. In recent decades a plethora of nongovernmental organizations (NGOs), transnational organizations, advocacy networks and citizens groups have come to play a significant role in mobilizing, organizing and exercising people-power across national boundaries. Official sources record the existence of over 50,000 NGOs in 2006 as citizens and collectivities, in the pursuit of common interests, cooperate across national frontiers (see Held and McGrew 2007: Chapter 2). Despite the biases and exclusions of this emerging transnational civil society, some argue that such transnational activism serves as an instrument for encouraging alternative forms of citizen participation and engagement (Rothkopf 1998; Economist 2000; Smith 2001; Kellner 2002). Moreover, global and regional human rights regimes have provided new arenas in which citizens and groups denied their rights, such as indigenous peoples, have been able to publicize their predicament and to assert claims to the protections inscribed in international human rights law. Furthermore, the existence of strong regional human rights regimes, such as the ECHR, has acquired a significant role in providing redress for citizens against their own governments. Though deficient in crucial ways, this international machinery and legal structure of universal human rights functions in large measure to reinforce, rather than to erode, the institution of citizenship.

Although Falk and others make much of the association between globalization and growing inequality within states, the presumption of

causality is the subject of intense academic controversy (Falk 2000; Garrett 2001; Firebaugh 2003; Milanovic 2005). This controversy is important since it concerns the relative significance of economic globalization, as opposed to technological innovation and other factors such as economic policy, in the determination of widening income inequality in advanced western democracies. No consensus has emerged other than that globalization is neither the sole nor necessarily the prime causal factor (Lawrence 1996; Milanovic 2002c, 2005; Lindert and Williamson 2003; Atkinson 2009). Such complexity suggests the need for some caution in making direct causal inferences between globalization, trends in inequality and the decline of citizenship. This is further reinforced by studies of the impact of globalization upon welfare regimes and spending.

   World financial markets and global competitive pressures may well impose similar kinds of disciplines on all governments, but this has not resulted in either a convergence or decline of welfare regimes amongst advanced industrial states. Such pressures are mediated by domestic structures and institutional arrangements which produce significant variations in outcomes (Garrett and Lange 1996; Weiss 1998; Swank 2002). States can and do make a difference, as the continuing diversity of national capitalist formations confirms. This is especially the case in relation to welfare regimes and spending (Garrett 1996, 1998; Rieger and Liebfried 1998; Hirst and Thompson 1999; Swank 2002). Indeed, welfare spending has grown most rapidly in the most open economies whilst actual levels of national welfare spending and social protection continue to diverge, even within the EU, suggesting that Marshallian social citizenship and economic globalization are not incompatible (Rodrik 1997; Mosley 2000, 2003; Hay 2001, 2005; Garrett and Nickerson 2003). In explaining this apparent contradiction Rieger and Liebfried, amongst others, reverse the standard logic of causation to argue that it is strong welfare regimes that make globalization possible precisely because they provide protection for its losers which makes such openness politically sustainable (Riger and Liebfried 2003). Perhaps the more important point, however, is that the consequences of globalization for states, as for citizens, have not been uniform. Yet assertions of its causal power in explaining the general decline or erosion of citizenship tend to overlook this significant variation in both its impact and citizenship traditions and regimes.

   These problems are much less in evidence in studies of the securitization of citizenship, although these are not devoid of criticism. In particular there is a tendency for such studies to lack historical depth, which has two

consequences. First, the globalization–securitization nexus tends to be portrayed as a novel development with the implication that citizenship, under conditions of contemporary globalization, is becoming increasingly securitized. Yet only three decades ago the world was divided into rival camps in which the securitization of societies and citizenship, in varying degrees, was a normal feature of the political landscape. Second, it leads to an implied comparison of the present with some mythical 'golden age of citizenship' in which, as Hindess notes, it was '... unsecuritized, preneoliberal ... clearly a good thing' (Hindess 2004). This inevitably distorts reflections upon the condition of contemporary citizenship. Lack of historical depth invites some caution in uncritically accepting narratives connecting contemporary globalization with securitization and the decline of citizenship. If this absence of historical depth is a concern, so too is the parochialism of much of this literature which focuses primarily upon a restricted set of western states or cases of 'exceptional politics'. Scholarly and convincing as such work may be, it is important to recognize that these may not be '... typical of the condition of citizenship in the world today' (Hindess 2004: 305). Finally, there is tendency in much of this literature to under-theorize the relationship between globalization and securitization. Whilst in certain respects these are mutually constitutive processes, they are also in dynamic tension, if not contradiction, insofar as globalization promotes migration whilst securitization seeks to restrict it. These tensions between the dominant discourses and practices of globalization and securitization are little explored yet clearly significant in understanding the prospects for citizenship.

As this brief excursion into some of the more critical reflections on the declinist thesis demonstrates, there is good reason to be cautious in attributing to globalization the status of a 'key culprit in explaining the diminishing returns of citizenship' (Nyers 2004). It also gives rise to significant wider methodological issues. Four in particular are worth mentioning. First, there are tendencies in some of this literature both to exaggerate the impact of globalization and to underestimate its differential consequences. Second, there is a tendency to poorly specify the causal mechanisms linking globalization to the decline of citizenship. Third, there is danger of generalizing from a quite restricted set of cases and evidence. Finally, the lack of historical depth may well distort some of the analyses and conclusions reached. Such factors reinforce the requirement for caution in making definitive claims concerning the limits to citizenship engendered by globalization. Whilst not going so far as to agree with

Kymlicka that '… the main sources of dissatisfaction with citizenship in Western democracies has little to do with globalization', neither is it self-evident that globalization is the 'key culprit' in precipitating such dissatisfaction (Kymlicka 1999: 116). Globalization is not only the factor putting the institution of citizenship at risk.

Lastly, it is important not to overlook the ways in which globalization is expanding, rather than contracting, the limits of citizenship (Smith 2001). As Scholte comments, globalization demands 'substantial shifts in the ways that we theorize and practise politics' (Scholte 2000: 61). Many of the same works which assert the decline of national citizenship also emphasize the potential of globalization in transforming citizenship. As Falk concludes:

> Global forces are thus argued to be reshaping the meaning and institution of citizenship in the sense that multiple loyalties or allegiances are being created. As such, globalization is transforming the monolithic conception of citizenship often associated with the Westphalian system of world public order. (Falk 2000)

The technologies of globalization have facilitated new forms of political expression and created new or alternative public spaces and possibilities of citizen engagement (Rothkopf 1998; Economist 2000; Smith 2001; Kellner 2002). New forms of citizenship as transnational, cosmopolitan or global citizenship are the focus of much academic scrutiny and reflection (see Chapters Six and Eight) (Delanty 2000; Carter 2001; Caney 2005). These are not simply academic constructs but, on the contrary, emerging practices and discourses of citizenship which find expression in diverse political settings, from the EU to global justice campaigns (Beck 2004; Held 2004; Schattle 2007). In the same manner in which globalization has contributed to the (relative) deterritorialization of economic and political activities, similar tendencies are evident in the discourses and practices of contemporary citizenship. The dramatic expansion of dual nationality is just one expression of such tendencies. Another is the growing salience of the corporate social responsibility movement, which has given rise to debates about corporate citizenship, as intimated in the UN Global Compact (Andriof and McIntosh 2001). In contrast to the obituaries for citizenship, globalization has arguably contributed to both a renaissance of normative theorizing about citizenship as well as potentially transforming (the scale and scope of) its practice.

The Limits to Citizenship: Future Research Agendas

This chapter has cautioned against attributing the crisis of citizenship either solely or primarily to globalization. As Kymlicka observes, many of citizenship's discontents '… predate the current wave of globalization' (Kymlicka 1999: 116). This is not to deny that globalization is implicated in this crisis but rather to suggest that its role may not be pivotal. It is unlikely, for instance, that should the current financial crisis tip the world into a period of deglobalization then this would necessarily improve the condition of citizenship. The causal pathology is much more complex. In this respect we take issue with the claim that globalization is a 'key culprit' in the decline of citizenship. Indeed, its impacts have been contradictory insofar as it has contributed to both a narrowing (from social to neoliberal citizenship) and a broadening of citizenship (from national to global) both as an institution and a practice. In the process the limits to citizenship have been exposed. However, the role of globalization in constituting or transforming these limits invites further study.

Some of the gaps in current research have been discussed in the previous section. At the risk of repetition, three aspects of the current study of globalization and citizenship deserve further development. First, the whole issue of the causal mechanisms and the causal significance of globalization in explaining the crisis of citizenship requires further reflection. This suggests both multi-country quantitative studies (of the relationship between global trends and citizenship decline) as well as more comparative country studies. Second, more historical scholarship is required both to calibrate more rigorously evidence of decline but also, more important, to examine earlier phases of nineteenth and twentieth-century globalization and the emergence and consolidation of national citizenship regimes. Third, given the restricted focus in much of this literature on a small number of western states, there would be much value in extending the scope of comparisons to include countries from other regions, especially Latin America and Asia.

CHAPTER EIGHT

Global Citizenship: Cosmopolitan Futures?

Introduction

It is by now uncontroversial to suggest that many of the most pressing political problems of our time extend far beyond the borders of the nation state. In recent years political debate has been dominated by issues such as climate change, financial instability, the spread of nuclear weapons, terrorism and insecurity, global health epidemics and the justice of world trade and sovereign debt, to name but a few. But in each case, it is questionable whether the political institutions which present generations have inherited – chief amongst them the institution of the nation state – are up to the task of responding to these problems. Perhaps genuinely global problems, including the need to maintain global public goods such as clean air, a sustainable atmosphere, security, global economic stability and so on – require genuinely global solutions.

Take the case of climate change: the problem of anthropogenic climate change clearly cannot effectively be dealt with by nation states acting individually, for the impacts of such change are likely to be generalized, unpredictable and will not respect state borders in any way. Thus far there has been very little success even when nation states have attempted to work to solve the problem collectively. We seem to face a classic example of a collective action problem. Everyone has an interest in the maintenance of a public good (here a climate conducive to human habitation). If there is disagreement about how *exactly* to spread the burdens of dealing with climate change, it is at the very least clear that many nations ought to place serious limits on their emissions of carbon dioxide and other greenhouse gases. Nevertheless, we lack mechanisms to secure compliance on the part of all nation states. In the absence of such mechanisms, individual nations which *might* be prepared to comply can instead declare that they ought not to bear the burdens alone.

Does this example tell us that a regime of relatively autonomous and self-determining nation states is ill-equipped to deal with the issues which face individuals in the world today? If global institutions should be either created, or strengthened, in order to deal with such issues, can they reasonably be expected to be democratic in character? If they were, would

we be acting as global citizens when we engaged with them? It has been claimed that activists and political campaigners who are currently lobbying for climate justice are *already* acting as global citizens. Is such a claim intelligible?

This chapter seeks to clarify some of these issues through an analysis of the idea of cosmopolitanism. At its most basic level, a commitment to cosmopolitanism entails a belief that individuals (rather than states, or other group entities) are the fundamental units of moral concern; that each individual matters equally and is entitled to equal concern and respect (see Pogge 2002; Held 2003; Caney 2005). But the form of cosmopolitanism we are interested in for the purposes of this chapter invokes the idea of cosmopolitan or global *citizenship*. Although it has enjoyed a remarkable reemergence as a political ideal in recent years, the notion of cosmopolitan citizenship is almost as old as the idea of citizenship itself. Almost as soon as the ancient Athenians began to specify the duties of citizens of their own city-state, critics such as Diogenes (and the later Stoics) began to describe themselves instead as citizens of a wider human community. As Diogenes himself put it, confronting claims about his duties towards the Athenian state: 'kosmopolites eimi' ('I am a citizen of the world'). But what did he mean by this? Arguments about cosmopolitan citizenship, as will become clear, sometimes refer to cosmopolitan citizenship in the sense of *membership* of a global human community or a set of global institutions; but they also sometimes refer to moral or ethical *allegiances* or obligations to all of humanity, in which sense formal membership is less important. It has been a bone of contention ever since whether citizenship must refer to more or less formal membership in a community (as we believe it must), and whether claiming to act as a global citizen – where we mean by this simply acting with regard to universal ethical imperatives – is to risk what Paul Magnette (2005) calls the 'semantic dilution' of the concept of citizenship.

In this chapter, we examine three important varieties of cosmopolitan argument, and examine how they each deal with the idea of global or cosmopolitan citizenship. In a sense these are all arguments about the scope of justice, which are concerned to claim that we have either entitlements or duties of global scope. But these ideas have played out in three rather distinct arguments, and the structure of this chapter will stay true to that general division of labour (although as will become apparent later we have doubts about the usefulness of the distinction between cosmopolitanism about ethics and about justice). The first section, then, examines arguments for *cosmopolitan democracy*, which cashes out cosmopolitanism in a defence

of a multi-levelled form of political agency, and understands cosmopolitan citizens to be individuals acting politically at these various levels. The second examines arguments for *cosmopolitan distributive justice*, which cashes out its cosmopolitanism through the idea of universal entitlements or obligations of distributive justice – but for which the notion of global or cosmopolitan citizenship turns out to be less central. The third examines arguments for *cosmopolitan ethics*, arguments which are cosmopolitan in the sense that they claim we have universal personal ethical obligations. One prominent example of this kind of argument is the claim that we have individual responsibilities to advance the cause of environmental sustainability.

The chapter aims to establish that we are dealing with divergent conceptions of cosmopolitanism, but also that each argument treats the question of global or cosmopolitan citizenship differently. Whereas arguments for cosmopolitan democracy make a direct claim about the need for membership in a global political community – and whereas arguments for cosmopolitan distributive justice sometimes arrive at the same conclusion, though this is rather more contingent – in the case of ethical cosmopolitanism the connection between citizenship and either membership or community appears much more faint. Much as in the case of Diogenes, what is principally being appealed to here is a claim about the universality of ethical obligation, rather than membership in what we would usually recognize as a community. We recommend caution about this argument, suggesting that the connection between citizenship and membership of a community is a connection we should be reluctant to break if the concept of citizenship is to remain a useful one. The chapter concludes, therefore, by revisiting the subject of cosmopolitanism, and offering some reflections on the prospects for citizenship at the global level.

Cosmopolitan Democracy

In recent years the argument that the nation state is no longer the primary arena for political power that it once was has gained considerable currency, although it is not without its sceptics. Indeed for some this waning power provides an explanation for the perceived disaffection of citizens with democratic politics within their own nation states (as discussed in Chapter One). Rather than signalling some deeper malaise – such as a breakdown in civic virtue – perhaps citizens have quite rightly recognized that political power has flown the nest of domestic politics. This disaffection might be a rational response if 'the locus of effective political power is no longer simply

that of national governments'; if 'effective power is shared, contested and bartered by diverse forces and agencies, public and private, crossing national, regional and international domains' (Held 2003: 466). Furthermore, it may well be that the principal problems which face us in the contemporary world – ecological degradation, financial instability, terrorism and insecurity, mass migration, global health problems – can only be tackled by bolstered and dedicated global institutions. If all of this is correct, then we ought to spend less time bemoaning the lack of domestic political engagement – though that might be important too – and more time engineering new avenues of political engagement at the transnational and global levels. Given that global institutions exist which do hold power, and given that these should if anything be strengthened and granted new briefs and responsibilities, then mechanisms of participation and accountability which are genuinely global should also be seen as highly desirable.

Many such arguments make reference to the language of cosmopolitanism. Rather than Diogenes, the key intellectual inspiration here usually turns out to be the eighteenth-century philosopher Immanuel Kant. Though he was not a noted advocate of democracy, Kant did argue for a reorganization of authority at the transnational level as a result of which individuals would be 'citizens of a universal state of human beings' (Kant 1795 (1970)). The pursuit of a peaceful world order demands a situation whereby citizens would still turn to the state for the defence of many of their rights, but they would also be the subjects of a 'cosmopolitan right' (in effect a rather limited one). Contemporary Kantian theorists have worked to develop these ideas into a fuller argument about the universal scope of democratic autonomy (see e.g. Linklater 1998). For David Held, the rise in 'layers of governance' within the contemporary world (such as substate regions, the EU or UN) points towards a world of 'multiple citizenships', where individuals would be 'citizens of their immediate political communities, and of the wider regional and global networks which impacted on their lives' (Held 1995: 233). His definition of cosmopolitan democracy suggests 'a model of political organization in which citizens, wherever they are located in the world, have a voice, input and political representation in international affairs, in parallel with and independently of their own governments' (Held 1995: 13).

This is vital in a political environment whereby decisions are continually taken which impact on the life-chances of those not formally party to them. The environment provides a very clear example of this disconnect between impacts and formal representation in decision making, but it is far from unique in a globalized world. At the level of normative principle, we should

accept that individuals significantly affected by public decisions, issues or processes should have an equal opportunity to influence and shape them. The only alternative is to claim that we can significantly damage someone's prospects in life without giving them a say in the matter. But we should not apply this principle in cases where the impact is trivial, or fleeting. By singling out the idea of significant impact, Held means to restrict the principle to cases where decisions affect people's ability to fulfil their vital needs (2005: 14).

How are the goals of cosmopolitan democracy to be achieved? One of the most popular short-term goals has been the democratic reform of existing institutions such as the United Nations, taking the form perhaps of a directly globally elected UN Parliament (see also Young 2000; Linklater 2002). There have been calls for the establishment of regional (or continental) parliaments, and for the democratization of global bodies such as the World Trade Organization. These proposals seek to establish a global parallel of the model of democracy which has long been associated with the nation state, with its apparatus of parliaments, parties and representatives, and also to recognize the increasing salience of transnational and even subnational political communities. But some visions of cosmopolitan democracy also embrace less formal varieties of political action. Considerable faith has been placed in the potential of 'global civil society' or a global democratic public sphere to serve as a vehicle for global citizenship (Armstrong 2006). For a growing number of commentators, the democratic participation of citizens is also to be expressed through the auspices of international nongovernmental organizations (INGOs), for instance, which are able to interact with, and hopefully influence, international governmental institutions (IGOs) such as the UN, IMF, WTO or World Bank. In relinking global sites of power with the concerns of individual citizens across the globe, and injecting an element of accountability and transparency into 'global governance', these INGOs represent the crucible of an emerging 'global civil society'. This global civil society is charged with reconnecting global sites of power with the aspirations of individual citizens – but it is also argued that engagement with it will engineer a more cosmopolitan consciousness on the part of such citizens themselves. According to Anheier *et al.* (2001: 17), 'global civil society can be seen as an aspiration to reach and include citizens everywhere and to enable them to think and act as global citizens'.[1]

A number of critics have been sceptical about the claims of cosmopolitan democracy, for various reasons. Some of the scepticism revolves around the claim that we have an entitlement to participate in the making of any

decision which significantly affects our interests (a variant of the 'all-affected interests' argument, for a defence of which see Goodin 2008). Aren't there some decisions we simply have a right to take alone even though others will be affected by them? Will it be possible to know, in advance, whose interests will be affected by a given decision in any case? Won't that depend on what the decision is, with the apparently paradoxical implication that the decision must be described in detail before we can specify who is to make it? These are formidable objections, though it may be that advocates of global democracy could make their case for the democratization of global institutions without committing themselves to such an ambitious version of that argument. For instance, they might argue that, to the extent that global institutions such as the World Bank or World Trade Organization claim to represent – or at least to act in the interests of – all citizens of the world, those citizens should be able to identify themselves as joint authors of those institutions (and perhaps of their actions too).

A second kind of scepticism tends to grant – at least for the sake of argument – that global democracy and global democratic citizenship would be desirable, but questions whether the conditions for the realization of the cosmopolitan project are in place, or indeed whether they could *ever* be expected to be in place. Candidates for such conditions would include opportunities for meaningful political participation; a sense of civic responsibility or solidarity with one's fellow citizens; and arguably even a common identity or indeed a common language (see e.g. Kymlicka 1999). Perhaps a functioning democracy is parasitic on a disposition to act with a view to the common good, or the kind of solidarity which only shared nationality reliably provides (on which see Moore 2001). Perhaps we should not expect citizens to be either well informed about, or interested in, the workings of international institutions (Dahl 1999). It might then be said that the conditions for genuine global democratic citizenship are not in place, nor perhaps that they are likely to emerge in the near future (a position we could call weak scepticism); or it might be said that these conditions are not likely to emerge even in the longer term, and that as a result the cosmopolitan position faces certain deep problems (this we can call strong scepticism). Indeed we could usefully distinguish further between the argument that the vision of cosmopolitan democrats is not going to happen, though it is logically possible, and the claim that it is not even possible. The latter claim would be formidably difficult to sustain, but the former, a more plausible version of strong scepticism, simply suggests that we have good reasons not to expect the vision of cosmopolitan democrats ever to be delivered upon in practice.[2]

Weak scepticism represents a considerable challenge to arguments for global democratic citizenship. Although we should be careful not to romanticize the nature of political activity in contemporary nation states, in which meaningful political participation has become moot too for a variety of reasons (discussed in the first two chapters of this book), thus far opportunities for such participation at the global level are still much more slight. By the same token, calls for both global democracy and global justice (on which see below) may be troubled by the lack of solidarity at the global level. Perhaps we simply lack the requisite motivation to sacrifice our own short-term interests to provide gains for distant foreigners. Here, though, we should not overestimate the degree of solidarity necessary for a political system to function. A certain degree of solidarity may be essential for functioning democratic institutions, not least since that solidarity might provide a guarantee that parties which turn out to find themselves in the minority will be willing to accept that result. And even stronger forms of solidarity might be necessary to support substantial redistribution – although there has been a fairly substantial redistribution from richer to poorer member states within the European Union which, if not necessarily providing evidence of feelings of solidarity and an orientation towards a broad notion of the common good, at least demonstrates European citizens' general tolerance (or apathy?) towards such measures. But defenders of cosmopolitan citizenship have argued that at least some important goals might be secured without presuming much in the way of solidarity. As Habermas (2006: 143) puts it, 'if the international community limits itself to securing peace and protecting human rights, the requisite solidarity among world citizens need not reach the level of the implicit consensus on thick political value-orientations that is necessary for the familiar kind of civic solidarity among fellow nationals'. It might also be said that environmental issues, for instance, could provide a (relatively) narrow focus around which a sense of shared fate might emerge, uniting otherwise disparate individuals and communities. Political action intended to tackle the problems attendant on climate change might provide a vehicle for the emergence of thinner forms of solidarity and shared identity. Though such projects may be extremely important, however, they remain much narrower in scope than many of the visions which leading cosmopolitan democrats have otherwise demanded.

Weak scepticism has considerable force, though as we have just suggested its case should not be overstated. We should be more hesitant about embracing at least the more robust version of strong scepticism, which as we

earlier suggested could be played out in two ways. The claim that individuals *could never* be motivated to care for any common interest at the global level – and hence that the vision of cosmopolitan democrats could simply never be realized – seems much too pessimistic (and certainly this idea is hotly denied by defenders of the idea of global ecological citizenship – on which see below). Indeed, it is a theoretical curiosity that defenders of citizenship at the level of the nation state often make recourse to John Stuart Mill's argument that fellow nationals are united by certain 'common sympathies' and that only such sympathies make democracy possible. For Mill himself took the existence of nationalism – which requires us to feel allegiance to what later came to be called an 'imagined community' (Anderson 1983) far beyond our everyday experience – as evidence of the possibility of more cosmopolitan sympathies. The 'love of country' we often observe can be taken, somewhat paradoxically, to show precisely how it must be possible to 'nurse into similar strength' what Mill calls 'the love of that larger country, the world' (Mill 1874: 421). We should not make the mistake of assuming shared nationality to be a necessary condition for any commitment to democracy or social justice. The fact that 'It has been only a half-century, and sometimes less, since all adult nationals were made citizens in liberal democracies' (Magnette 2005: 184) reminds us what a challenging project democratic citizenship is. But at the same time it reminds us just how historically contingent the connection is between the nation state and democratic participation.

In the end, the more sophisticated arguments for scepticism about global citizenship tend to moderate their claims to admit that, whilst shared identity or nationality is useful for democracy to operate, they are not strictly necessary (see e.g. Miller 1995: 94). As such they would do well to embrace the more plausible form of strong scepticism, which suggests that although it *could* materialize, any realization of the vision of cosmopolitan democrats is formidably unlikely. Thus Kymlicka (2001: 239) reports that democracy 'works best when there is some kind of common identity that transcends … conflicting interests' – but not that it only works at all in the presence of such an identity. Such sceptics also tend to make clear, on closer inspection, that they are not denying the possibility of realizing *any* form of global citizenship, but are casting doubt on the chances of realizing a deep or meaningful version of it. Miller and Kymlicka, for instance, seem principally concerned to establish that a particular (republican or participatory) conception of citizenship is not going to transpire beyond the boundaries of the nation state (see e.g. Miller 2000: 82). Their concerns

express a belief that 'the memories of a shared – and largely mythical – history, a common language and cultural affinities that unite us and distinguish us from other groups play an essential role. If these conditions are missing, citizenship might not disappear but it would be reduced to its liberal dimension' (Magnette 2005: 125). This concern does not entitle us to say that Europeans are not co-citizens, for instance, but it does reflect a concern that our experience of citizenship will be, from the perspective of an approach that values civic virtue, solidarity and orientation towards the common good, impoverished. As such perhaps it does not so much reflect a belief that we cannot be global citizens, but rather that we cannot (yet?) be global *good* citizens. Global membership is plausibly invoked as an aspiration, though its likely depth is not highly estimated. The cosmopolitan democrat could – probably should – accept this conclusion; but he or she will still respond that the solutions advocated by defenders of national citizenship have thus far proved incapable of effectively addressing key global problems. That the cosmopolitan project might be difficult does not mean it is not necessary.

Cosmopolitan Distributive Justice

The emergence of a vibrant literature on global distributive justice has been one of the most striking features within normative political theory over the past few decades. In comparison with a situation towards the end of the twentieth century where theorists of justice were prepared to suggest with very little by way of argument that their theories applied to single societies, conceived as more or less closed systems of social interaction (e.g. Rawls 1972), today's defenders of global distributive justice have turned their sights towards what they see as the many injustices of the contemporary world. They have argued against terms of global cooperation which are skewed in favour of the interests of wealthy states, and against property regimes which deprive many of the world's people of a say over how the resources of their own nations are disposed of. They have called for redistribution to correct an arbitrary distribution of natural resources, for the development of global taxation on currency speculation or resource extraction, with the proceeds being used to eradicate global poverty, and for the equitable distribution of the costs of dealing with climate change. In terms of normative principles, they have either set their sights low and called for the securing of all individuals' basic needs or human rights (though this would still be a very demanding goal), or have aimed more ambitiously for some kind of egalitarian global principle such as global equality of opportunity.

By contrast, approaches to justice which see the nation state (or something very like it) as the proper focus of accounts of distributive justice (e.g. Rawls 1999) have been roundly criticized for being anachronistic and blinkered. We are now in a situation where individuals can, in many cases, seek to defend their human rights without depending upon their own nation states – or indeed to defend their human rights *against* their nation state (though the right to appeal directly to an international court against one's government has until now been a prerogative of citizens of the European Union only). The United Nations Declaration on Human Rights of 1948, on this view, marked a break from a world where the sovereignty of nation states was paramount, at least where sovereignty is conceived in terms of more or less total non-interference. Now, the sovereignty of nation states is much more commonly linked (at least rhetorically, if not always in practice) to the protection of the human rights of their members (see Young 2007). We also live in a world, many defenders of global distributive justice tell us, in which it is increasingly recognized that our lives should not go significantly worse simply because of the brute luck of being born into an impoverished as opposed to a wealthy country.

As has been the case within debates on global democracy, proponents of global distributive justice have made frequent recourse to the language of cosmopolitanism in describing their projects (see e.g. Jones 1999; Moellendorf 2002; Pogge 2002; Caney 2005; Brock 2008). Cosmopolitanism, however, has a contested meaning in debates about global distributive justice. Its critics suggest that this contestation masks a good deal of slipperiness. On a weak version it is said to mean, simply, that individuals are what matter, morally, and that they are due equal concern and respect. According to David Miller, this is compatible with a very wide variety of substantive positions; indeed everyone can accept it, 'barring a few racists and other bigots' (Miller 2002: 84). This leaves open the possibility that one might argue from a cosmopolitan perspective for a system of strong priority towards one's fellow nationals, which would see very little in the way of global redistribution, so long as one could make an argument for that result which paid proper attention to everyone's moral worth (see e.g. R. Miller 1998 for one such attempt). But most self-proclaimed cosmopolitans tend to use the term to mean something much more demanding, by which some (in the case of 'moderate cosmopolitanism') or even all (in the case of the 'strong' version) distributive principles should be taken to have global scope (Caney 2002). For the purposes of this chapter we can take distributive cosmopolitanism to imply that there are at least some distributive principles which have global

scope; this leaves open the possibility that there might be additional forms of justice distinctively appropriate to the nation state, an issue on which cosmopolitans are divided (see Armstrong 2009).

Given their erstwhile commitments we might suppose that distributive-justice cosmopolitans are likely to also be dedicated to some form of global citizenship. It has certainly been suggested that for the ambitious goals of these cosmopolitans to be realized would require the establishment of a world state. That in turn is usually held to be undesirable, since it would likely either lead to tyranny or to civil war, a fear which gave Immanuel Kant (1795) doubt about the possibility of packing very much content into the cosmopolitan right, and which has continued to worry more recent sceptics about global distributive justice (e.g. Rawls 1999). But actually, leading cosmopolitans have been rather lukewarm about claims regarding the need for either a world state, or any form of global citizenship (cf. Cabrera 2008). Here, the distinction between moral and institutional cosmopolitanism is significant (Beitz 1999b). Moral cosmopolitanism involves the by now familiar claim that we all matter equally, and that the individual is the primary unit of moral concern. It further extends, in the case of cosmopolitans about distributive justice, to the belief that the distribution of at least some goods, can properly be evaluated at the global level according to the standards of distributive justice. But this can be distinguished from institutional cosmopolitanism, which is the view that political or economic institutions should be concentrated at the global level. Those who do subscribe to institutional cosmopolitanism may indeed argue for a world state, but they are in fact few and far between. Moral cosmopolitanism is a claim about the scope of ideals, but does not commit its holders to any particular claim about the proper scope or shape of institutions, and most moral cosmopolitans have taken seriously Kant's fears about the dangers of a world state and renounced it as a viable option (see e.g. Pogge 2002; Caney 2005). Moral cosmopolitans will in fact pursue whatever institutional form will best serve their normative ends, and their moral position does not directly entail any particular position on appropriate institutional forms. As Caney (2005: 159) puts it, simply, 'Appropriate political institutions are those that best further cosmopolitan goals.'

In practice, the cosmopolitans about distributive justice we have been dealing with tend to embrace a dispersal of sovereignty, rather like that imagined by Held, along with the creation of more effective global regulatory institutions, as the most likely route to the realization of their values. They embrace the creation of stronger global institutions (short of a world state)

to maintain global public goods, and to share more equitably the benefits and burdens of global cooperation. Some of them have also argued for various forms of global taxation, with various suggestions for how the income should be collected and then spent – as in the case of Pogge's suggestion of a 1 per cent tax on the extraction of natural resources, with the proceeds being used to bring everyone up over the World Bank's two-dollars-a-day poverty line (Pogge 2002; see also Brock 2008). All of this certainly marks a dissatisfaction with a purely nation state-centric (or 'Westphalian') model of international affairs. Thus Thomas Pogge suggests that from the point of view of a cosmopolitan concern for the fundamental needs and interests of human beings, the concentration of sovereignty at the level of nation states is no longer defensible. Instead sovereignty should be 'widely dispersed' to both global and local levels (Pogge 2002: 178).

Whether they consider this likely to deliver the status of global citizen for all human beings is a question on which they do not seem to have felt the need to pronounce, and on the whole that step in the argument is conspicuously absent. The need for global institutions is usually emphasized, but the further argument that we will all therefore, if suitably enfranchised, be members of a global political community tends to be left aside. Indeed it might even be said by way of criticism that these theories lack an account of citizenship, of its nature and of the way in which it might be seen as a good for individuals. For a number of cosmopolitans, a dispersed and multi-layered set of institutions appears to be principally important insofar as those institutions would serve the goals of global distributive justice, and it is a moot point whether this account holds much of a place for the idea that participating in self-government itself is an intrinsically important human good, or whether it is merely a good that is instrumentally valuable because, where it is lacking, distributive justice appears harder to achieve (thus Iris Young 2007: 10 argues, somewhat surprisingly, that 'The primary reason to democratize global institutions and practices ... is to increase the chances that these decisions will promote global justice'). In practice, much of this may itself turn on an underlying ambivalence about whether we should attach any intrinsic importance to the self-government of political communities, an importance which will, in a number of quite foreseeable cases, come into conflict with the goals of global distributive justice. Although one distributive justice cosmopolitan has softened his stance on the value to be attached to self-determination (see Beitz 1999a: 191–8), the finer implications of granting value to self-determination remain to be worked out, and this is undoubtedly an issue on which cosmopolitans

about distributive justice could profitably devote greater attention. That said, it may be that some cosmopolitans about distributive justice are *also* cosmopolitans about democracy, and believe the two arguments to have independent weight or even to be mutually reinforcing. Thus Simon Caney broadly supports the arguments of Held and Linklater and argues for multi-level cosmopolitan political institutions, although he wants to revise the rationale for this slightly to make the connection with rights more prominent. The reason why a global democratic political framework is necessary is that we have a right to exercise control over the institutions and processes that affect our ability to exercise our rights (2005: 159). The arguments about democracy and distributive justice tend to dovetail, and the argument that we should be able, as a result, to see ourselves as global citizens is one that Caney would be able to make, were he willing to.

Defenders of global distributive justice, then, tend to have been cosmopolitans about justice, but not (or not explicitly) about citizenship. Although a number of them have endorsed conclusions very similar to those suggested by the democratic version of cosmopolitanism, they have often done so for instrumental reasons, and have not introduced the language of citizenship or political membership. Perhaps they do see an independent role for a more substantial account of political membership; perhaps they have merely concentrated on making the implications of the distributive justice argument clear, whilst also being persuaded, for example, of the cosmopolitan democrat's arguments about citizenship in particular. Whether this is so remains to be seen. But notably those who, like Caney, believe in the argument for global democracy in its own right tend not to have advanced any explicit argument about global citizenship either.

In the meantime, the only prominent cosmopolitan who has made explicit recourse to the idea of global or even transnational citizenship has been Thomas Pogge. He has suggested precisely that the dispersal of sovereignty which he advocates will lead individuals to 'be citizens of, and govern themselves through, a number of political units of various sizes, without any one political unit being dominant' (2002: 178). Indeed at one point he goes further than this to suggest that we are *already* global citizens. For we (and especially citizens of wealthier states) are all morally responsible for the form the global institutional order takes, and in that sense transnational citizenship at least is 'not a future aspiration, but a present reality' (2004: 8). Making this argument depends on us moving away from the association of citizenship with legal membership (2004: 2), and connecting it instead with a claim about moral responsibility. On this latter argument we are

global (or at least transnational) citizens insofar as we have responsibilities of global or transnational scope. The question this suggests is: does this stretch the concept of citizenship too far? Might we reasonably be said to be global citizens already – in the absence of any meaningful form of global political membership – merely in virtue of the fact that, individually, we have moral or ethical obligations of global scope? We move on to discuss this question further in the next section.

Cosmopolitan Ethics

Ethical cosmopolitans suggest, rather as Diogenes is said to have done, that we have rights or responsibilities of universal scope. These might be enjoyed or owed simply in virtue of our status as human beings, or as shared inhabitants of the planet Earth, or perhaps in virtue of the existence of global social relations. One much-debated question in global ethics concerns how much individuals in wealthy states should try to do personally to alleviate global poverty, and how they might legitimately balance such ethical commitments with more particular commitments to their families, for instance. Are we obliged to give to charity until we reach such a point that we incur significant personal costs (as argued by Singer 1972)? Or can we legitimately favour the interests of those close to us, even where the cost to us of giving would be relatively trivial? Should we try to develop globally oriented virtues or dispositions, and learn to think and act as members of a single global community (as suggested by Martha Nussbaum 2002)?

For Luis Cabrera, an ethical cosmopolitan approach is necessary to correct a defect in the arguments for cosmopolitan distributive justice discussed earlier, which is that they tell us too little about how *individuals* should conduct themselves in an interconnected world, given that the institutional solutions they suggest appear all-too-distant. Given that the world we live in now is an unjust one (by the standards of distributive justice), and given that institutional responses to this have not yet succeeded, what is the individual to do in the meantime? Do we have individual ethical obligations to help establish global institutions? If we believe that the world should move in the direction of greater equality and justice but find that it stubbornly refuses to do so, are we justified in simply holding up our hands and bemoaning that fact, or are we ourselves obliged to do the best that we can to achieve those goals, even if we are relatively sure that others will fall short?

Although we stated at the outset of this chapter that our structure would stay true to the general division of labour between cosmopolitan arguments about democracy, distributive justice and ethics, it seems to me that a note

of caution is in order here. The distinction between cosmopolitanisms about distributive justice and about ethics draws inspiration from the idea that, whereas arguments about justice typically concern themselves with institutions, rules and the distributions that emanate from them, ethical theories typically relate to questions about individual conduct, character and dispositions. Nevertheless the division of labour between theories of justice and ethics is rightly controversial, since there is disagreement, for instance, on whether theories of justice should themselves direct individual behaviour.[3] Likewise it might be said that, if Pogge is right that there is an individual obligation to help establish and support more effective global institutions, it makes sense to conceive that as an obligation of justice rather than of ethics. It very much remains to be seen, therefore, whether the distinction between cosmopolitanism about ethics and about justice will turn out to be a useful one. What is more likely to be useful is a distinction between reasons (of justice) which give individuals reasons to act simply in their capacity as individuals (such as buying goods or services) and reasons (of justice) which give individuals reasons to act in their capacity as members of institutions or collectives.

In the broader debates on cosmopolitanism, then, it is commonly suggested that a cosmopolitan ethical approach is a crucial *addition* to an account of cosmopolitan distributive justice, though on my view a distinction between reasons that apply to us as individuals and reasons that apply to us as collectives, or members of institutions, would be rather more to the point. Various positions in environmental and ecological political theory have made much use, recently, of the idea of global ethics or the need for a cosmopolitan ethic, and it will be most helpful if we take that to stand for a commitment to the idea that we have good reasons of justice to act purely as individuals in a way conducive to the goals of global justice. Such arguments largely focus on individual responsibilities to live sustainably; and in particular on the duty of inhabitants of industrialized or industrializing countries to refrain from consuming in a way that, as we now understand, cannot be extended to all, and which, indeed, will already lead to ecological catastrophe if unchecked. Although political policy and institutional innovation will play a role in achieving the goals of environmental sustainability, a change in individual behaviour and attitude is also required. On one view, progress in tackling ecological problems certainly does require a serious response at the level of institutions, and environmental rights, for instance, might properly be enshrined in national constitutions. But we need to supplement such an approach with a focus on

the virtues and responsibilities of individuals. If we fail to do so, the focus on formal rights and institutions will not achieve its goals; both projects are necessary for achieving sustainability, and hence are complementary (Dobson 2003: 89). The structure of this view, note, is similar to Cabrera's insofar as it sees a focus on personal obligations as a necessary supplement to an account based on the justice of institutions.

Where does citizenship fit into this picture, though? When we buy organic rather than conventional sugar, or re-insulate our houses, are we in fact acting as 'ecological citizens'? Recent years have certainly witnessed increasing interest in the ideal of citizenship on the part of green theorists and activists, and some theorists have mobilized the idea of 'citizenship of planet Earth' in order to gesture towards a culture of responsibility, personal activism and egalitarian community. For Falk (1994), the language of global or 'world citizenship' is an essential tool with which to intervene to 'redesign political choices', and transform political behaviour, on the basis of an ecological sense of sustainability. Mapping onto the distinction noted above, Dobson too suggests that we need to add a concern with 'ecological citizenship' (focusing on individual obligation and virtue) to a concern with 'environmental citizenship' (focusing on rights and institutions).

These ideas are sometimes argued to necessitate a transformation of the ways in which we have traditionally thought about citizenship. An account of ecological citizenship will posit a set of duties or obligations which stretch both into the private sphere (as liberal and republican accounts of citizenship are allegedly unwilling to do), and outside of the borders of the nation state. The most pressing of these obligations is to live within an 'ecological footprint' that would be sustainable if everyone else lived by the same standards (Dobson 2003: 88–90). To be sure, Dobson calls his own vision a 'post-cosmopolitan' rather than 'cosmopolitan' one because rather than working from grand statements of shared humanity, it emphasizes 'how the patterns and effects of globalization have given rise to a series of material conditions' (and chiefly mutual ecological impact) by way of which the standards of justice become appropriate (2003: 127). It is relations of systematic injustice that give rise to obligations of citizenship (2003: 132), rather than the mere fact of humanity. Once one oversteps one's legitimate ecological footprint, one owes an obligation of justice towards those others one has thereby wronged; and for Dobson, this obligation is sufficient to give meaning to the idea of ecological citizenship. It should be clear, however, that this distinction overstates the difference between his position and that of cosmopolitans about distributive justice such as Pogge or Moellendorf,

for whom obligations of justice also exist in virtue of the existence of social relations, and not simply by virtue of shared humanity.

From the point of view of citizenship, the important point to make here is one that Dobson makes himself: this vision of ecological citizenship 'is not much concerned with the otherwise crucial issue of membership' (2003: 117). Dobson believes that deciding to recycle, or buying ozone-friendly products, are acts of ecological citizenship (2003: 103); but in this case, it's a moot point what work the concept of citizenship is actually doing. The concept of community, too, is undergoing some stretching here. Thus the argument holds that the 'community' of post-cosmopolitanism is created by obligations of justice, which are themselves triggered by the patterns of mutual impact made possible by globalization (2003: 81).

But this is an odd use of the term community (see also Hayward 2006). If obligations of justice are key in creating the category of ecological citizens, is it only the *perpetrators* of ecological injustice (who thereby derive obligations to rectify that injustice) who are to be considered part of the community in question, and hence ecological citizens? Are the victims of that injustice not ecological citizens (unless they, too, are acting unjustly) also? If so, those who *are* ecological citizens owe ecological duties not towards *each other*, but only towards *non*-citizens.[4] Arguably, the notion of community at work here assumes nothing about any kind of interaction or mutual identification at all. It does assume one specific kind of interaction with *non*-citizens: the simple fact of causing ecological harm to them. But conceptually at least, it makes no assumptions at all about what unites ecological citizens themselves. We could just as well speak of a community of burglars, all of whom have unjustly burgled homes, but who hardly fit into a community in the conventional sense – although they certainly fit into a social category, and also possess similar obligations (to serve jail terms or pay fines). Moreover, it seems likely that, as our various ecological decisions occur over time (as we decide to give up the family car, or decide that we really do deserve that skiing break after all), we could flit in and out of the status of ecological citizens. This introduces a contingency and unpredictability to the concepts of citizenship and community, which are not usually associated with them. To be sure, we could avoid this problem by saying, instead, that *all* humans are categorically subject to harming, or to being harmed by our ecological decisions, and hence we could try to derive an argument about the existence of a genuinely shared *human* community. After all, though an implication of Dobson's argument is that we will not owe duties of ecological citizenship to those who are not affected by our actions of consumption or

production, in an age of climate change it seems highly likely that in practice obligations will be owed – at least at certain points – to all of humanity. But to make this move would undermine the distinction between the grand 'meta-theoretical' statements about shared humanity which Dobson wants to resist, and the specific description of *actual* mutual influence which he prefers – a distinction which is key to the opposition between cosmopolitan and post-cosmopolitan conceptions of citizenship.

If we believe citizenship to necessarily involve reference to membership of a community, the suspicion this invokes is that Dobson's arguments are about ethics or justice and not actually about citizenship. It seems likely that 'we can acknowledge our environmental interconnectedness, and indeed maintain that we have an obligation of justice ... to use resources in a sustainable way ... without invoking the idea of citizenship at all' (Mason 2009: 289–90). Certainly it is possible to be a sceptic about global citizenship whilst remaining an ardent supporter of global justice or global ethical responsibilities. Singer (2002), for example, makes no reference to citizenship in his arguments about individuals' global responsibilities, including those to consume reasonably. The introduction of the language of citizenship is perhaps intended to add greater normative or emotive force to claims about our individual ecological responsibilities, but it is questionable whether it does so in this case. Indeed Dobson, arguably, makes just as little of the concept of citizenship as some distributive justice cosmopolitans. The central argument is not really about membership or community at all – though those categories are introduced as a way of framing the claims of justice. This masks a general lack of theorization of the nature, and the good, of citizenship, and why it might be important to individuals.

There are arguments from other green thinkers for environmental or ecological citizenship which make much more of the connection to community and membership, however (see e.g. Hayward 2006). But it is notable that, in their case, their ambitions for citizenship do not stretch in so cosmopolitan a direction. They tend to argue for the integration of ecological concerns into existing geographical models of citizenship. As such they are presenting an argument not for global citizenship *per se*, but for what Parekh has called, in another context, 'globally-oriented' or 'worldly' citizenship: a form of political action, on the domestic or transnational stage, which integrates a proper concern for the impacts our actions will have on those outside of our own political community. On this conception citizenship is national rather than global in form, but good national citizenship itself is understood in such a way that it necessarily involves

'an active interest in the affairs of other countries', a concern to avoid the actions of one's own nation damaging the 'interests of humankind at large', as well as a commitment to the creation of 'a just world order' through the actions of nation states acting in concert to promote justice, democracy and fairness (Parekh 2003: 12–13).

Beyond this, there need be no objection to holding out cosmopolitan ecological citizenship as an aspiration, so long as we are clear that this is what we are doing. There is also much to be commended in statements in defence of cosmopolitanism about justice, whether we have individuals or institutions in mind as our target. The problems arise when some accounts suggest that we are already cosmopolitan citizens simply in virtue of a given set of ethical obligations (see e.g. Dower 2002: 40). There's nothing new in using the claim that we are global citizens to express a claim about universal responsibility or allegiance – indeed that idea is virtually as old as the concept of citizenship itself. Cabrera (2008: 94) suggests that we act as global citizens when, as individuals, we work to put in place just global institutions, or help to secure the fundamental rights of outsiders. But he accepts that we are not *formally* global citizens, but instead are 'acting as' global citizens (2008: 97). In this case, the term 'acting as if' would be more appropriate. Though the cosmopolitan case here is commendable, the role that the idea of citizenship plays in it is also less central than in the argument for cosmopolitan democracy.

Future Research Agendas

Struggles for justice and for democracy have had an intimate and long-running connection with the politics of the nation state. Unsurprisingly, the ideal of citizenship has come to play a key critical role, in giving force and shape to various normative aspirations (see Armstrong 2006). As one great analyst of citizenship put it, citizenship has come to represent an ideal 'against which achievements can be measured and towards which aspirations can be directed' (Marshall 1950: 29). At the present time, as we have seen in this chapter, calls for both democracy and justice appear to be shaking off their close relationship with the nation state. It is wholly to be expected, given this context, that the concept of citizenship has again served as a vehicle for the aspirations of many defenders of global democracy or global justice. These arguments confirm the great rhetorical power of the ideal of citizenship. Perhaps it can once again serve as an ideal against which achievements can be measured, and aspirations directed, as Marshall put it. It is this belief which sustains the notion of cosmopolitan citizenship.

But as this chapter has made clear, all is not so straightforward. For one thing, it has been shown that there are a number of different conceptions of cosmopolitanism at work, in different contexts. Some of those contexts provide the setting for arguments about the nature of political membership and the scope of democracy, whereas others provide the setting for arguments about how individuals should act justly, either *as* individuals or as members of communities or collectivities, in an interconnected world (with this distinction turning out to be rather more to the point than the common distinction between cosmopolitanisms about ethics and about justice). It has been shown that their connection to claims about *citizenship and community* are varied. If we hold firm, as we believe we should, to the claim that citizenship necessarily invokes the idea of citizenship *of something* – that is that it invokes the idea of membership in a political community – then the notion of global citizenship turns out to have a rather looser connection with cosmopolitan argument than we might expect. The strongest connection seems to hold in the case of cosmopolitan democracy, where political membership does seem to be plausibly, and inextricably, invoked in the argument for global democracy. Theorists of cosmopolitan distributive justice have advanced a number of similar arguments for multi-levelled institutions and indeed for democratic participation in them. But they have often done so rather instrumentally, to the extent that institutions of global democracy could be expected to serve the goals of global distributive justice. In the end the concept of citizenship turns out to play a rather small role in the account of cosmopolitans about distributive justice. We could reach similar conclusions about cosmopolitan accounts which focus on how the individual, acting as an individual, should be charged with acting to bring about justice. Here the connection between arguments for ecological responsibility which are fundamentally rooted in claims about the scope and nature of justice, and the categories of community, membership and citizenship, is somewhat tenuous.

We can see, then, that cosmopolitans of various stripes continue to face serious challenges, which should influence the direction of future research. For cosmopolitan democrats, the challenges are formidable. They could usefully respond to doubts about the feasibility of their goals by identifying short and medium-term steps which would represent progress towards globalizing democracy. In identifying such progress they are likely to rely on emerging forms of transnational political participation which are both formal and state-sponsored (see Chapter Two), and also informal and oppositional (see Chapter Three). Though neither yet provides evidence for

the existence of global citizenship, they do provide evidence for where we might expect progress towards that ideal be made, and help us to identify the opportunities and pitfalls implicit in such projects. In terms of longer-term goals – the development of genuinely participatory global institutions, and the organized devolution of political power away from the state – cosmopolitan democrats need to take seriously the likely transaction costs of such moves. They also need to respond to criticisms which suggest that they have thus far offered a limited and rather implausible account of the transition towards global democratization (Gamble 2000).

Cosmopolitans about distributive justice and individual responsibility need to work to make more clear the implications of their arguments for political membership. Membership, on one account, is the first and most important good which political communities distribute (Walzer 1983: 31). But it might be said, provocatively, that whereas theorists such as Rawls simply assumed that political membership would coincide neatly with the borders of the state, a number of cosmopolitan theorists appear to have neglected to theorize membership at all. Even amongst those who have, the precise relationship between cosmopolitan commitments in the domains of distributive justice and democracy could usefully be made more explicit. Though the connection between cosmopolitanism and global citizenship is now becoming more clear, we should not imagine that all of the necessary arguments have already been made, or that all of the obstacles have yet been identified.

Conclusion

The issues raised in the preceding chapters develop a new agenda for research on political citizenship in the context of a globalizing world. In this conclusion, we draw together the arguments developed under two main headings: access to political citizenship and the exercise of political citizenship. These are not the only ways in which the arguments could be thematized but this arrangement perhaps most perspicuously summarizes our central concern with the conditions of political citizenship.

Political Citizenship and the Politics of Membership

Amongst the most significant empirical developments within the context of the global transformations within which states are universally, but differentially, situated have been two forms of state-adaption to which Chapters Six and Seven drew attention. The first is regionalization as a response to economic globalization and common security concerns. In the case of the European Union since the 1994 Treaty of Maastricht, this has also involved the emergence of a new form of supranational citizenship, albeit one that is hardly post-national in character, being dependent on citizenship of one of the member states. The second, which is more directly our concern here, is the transformations of state membership regimes which we can see under two aspects. First, these transformations can be seen as responses to conditions of state development under globalization and, relatedly, maintenance of ties amongst a transnationally dispersed national community in which a transformed perception of expatriate citizens and of diasporas more generally finds expression in permitting dual nationality, instituting expatriate voting rights and a range of other governmental techniques. Second, at least in liberal-democratic states, these transformations can be related not only to economic concerns but also to concerns of immigrant integration that find expression not only in permitting practices of dual nationality but also in practices of partial (or, more rarely, full) incorporation into the political community of the state for immigrants. In respect of these developments, we want to highlight three points.

The first concerns the ways in which these shifts in membership regimes in response to transnational migration have reanimated – and give expression to – fundamental debates about how to conceive of citizenship and, at the most abstract level, a distinction between accounts based on justice and on 'good-of-citizenship' as developed in Chapter Four. Our point here is not

that such abstract accounts directly inform the political activity of citizens but rather than they represent distinct but reasonable pictures of citizenship in terms of which different policies concerning, for example, the duty of immigrants to integrate and what such a duty may entail can be clarified so as to aid critical reflection on the politics of citizenship both within states and across states with different traditions of citizenship. As we note in Chapter Four, these abstract accounts may have different implications for the terms on which access to citizenship is made available and what such citizenship is understood to entail.

The second point we want to highlight returns us to the political struggle between the politics of civic rights and the politics of human rights addressed in Chapter Five, and while our focus was on the UK example, such a struggle can be seen as manifesting itself in different ways across western liberal democracies. That such a struggle occurs and is framed in terms of the relations of citizens and aliens may seem hardly surprising but it points to a significant shift in the practical self-understanding of states. Matthew Gibney has pointed out that the Westphalian state understands itself as 'at base a particularistic agent, defined by a responsibility to privilege the interest and concerns of its own citizens' (Gibney 2004: 1997). Put more fully:

> Above all else … the state is fundamentally an answer to the question of who is responsible to whom in the modern world: states are responsible to their own citizens. The survival of the state as an entity over time rests, moreover, on its ability to portray itself convincingly as an answer to such a question. As a consequence, the claims of outsiders are assessed by states, including liberal democratic ones, through a logic that deprecates the interests and needs of outsiders – a logic that is exceedingly sensitive to the potential damage to its own authority involved in forcing its citizens to incur costs for the sake of strangers. Modern states are highly resistant to the moral claims of outsiders. (2004: 211)

The grounds of this view lie in tracking the historical development of theoretical reflections on the political legitimacy of the state from an initial focus on the security of its subjects to a position where modern states 'now also claim to be agents for the protection of the ways of life of the human community over which they rule (national agents) and actors in pursuit of their citizens' economic welfare (economic agents)', these

changes being related to a broader transformation in the relation between state and citizen: 'the modern state's role as democratic agent' such that 'increasingly the authority of the modern state has come to rest upon the claim that its actions and goals reflect not only the needs of its citizenry but also their wishes as expressed through a representative democratic process' (Gibney 2004: 211). This view of the state is not wholly incompatible with much of the transformation of state membership regimes insofar as these transformations are driven by state interests; however, it does not seem to account adequately for the increasing susceptibility of state's actions to the judgments of international human rights organizations and transnational human rights advocacy networks – and the relationship of the embedding of human rights norms with discourses of state legitimation to transformations of citizenship. In other words, it helps explain why there is a resistance to a politics of human rights and why that is framed in terms of the state's prioritization of its own citizens, but it does not explain why, or how, a politics of human rights has become a powerful presence in democratic states. The changing membership regimes of states and internal arguments over the relationship of civic rights and human rights framed in terms of the relationship between citizens and aliens indicate that the state has become a site of struggle between national and cosmopolitan norms, where the politics of citizenship is one of the central manifestations of this contest. One reason that this point matters is that our scepticism towards global citizenship (as expressed in Chapter Eight) should not be seen as a scepticism towards cosmopolitanism *per se*; rather, it should be seen as identifying a different potential path for cosmopolitanism in which it is not a regime of global democracy but the gradual cosmopolitanization of the state that offers a promising route forwards.

Within this politics of citizenship, the issue of access to citizenship helps to highlight the point that basic issues such as family life are integrally tied to questions of citizenship as a state's different policies on family reunion migration represent the mediation of the human right to a family life, national traditions of citizenship and pragmatic politics, while raising the relation of gender to this politics of citizenship. The point here is that, given the gendered character of migration, issues such as family reunion rights for migrants are also issues concerning the differential gender access to citizenship of a state which is not one's own or, to put it another way, the gendering of the politics of citizenship.

It is, then, striking that – at a time in which the politics of citizenship has become a central issue for states and under conditions in which

democracy has gone global as an ideal and, increasingly, as a practice of state governance – that the exercise of political citizenship in what we may call the founding states of democratic governance appears to be in decline in respect of formal (voting, membership of parties) politics and relatively stagnant in respect of informal (protest) politics.

Disappointment, Hope and Fatalism

It is a constitutive feature of political life that engaging in politics, investing oneself in the difficult and often somewhat tortuous process of political activity, entails inevitable exposure to the possibility of disappointment in the form of a failure to achieve one's desired ends and, typically, not just exposure to this possibility but the painfully recurrent actuality of disappointment. (Arguably modern conditions of pluralism have intensified this feature of political life.) Yet within the phenomenon of political disappointment, we can distinguish two rather different registers. In the first, our disappointment consists in the fact that we have lost a political battle on an issue we care about enough to invest ourselves in political activity, our opponents have triumphed and their policies, not ours, will shape our shared political lives for the time being – but typically within this register of disappointment we retain the sense that the contest was a contest, that it could have gone differently or might go differently next time. In the second, our disappointment consists in the perception that the contest was not a contest at all, that our investment of time, energy and identity was not simply lost but also wasted. It is, of course, the case that if a group loses and keeps losing that the former will shade into the latter, but the point remains that while, in the first case, exposure to political disappointment is necessarily bound up with political hope; in the second case, disappointment inclines to political fatalism which breeds either resignation and withdrawal or recourse to methods of bringing about change outside of the political process, most obviously violence. There are a variety of factors that can breed such fatalism, as Chapter One noted: the perception of the venality of politicians, the perception of the state as captured by special interests, the perception that the state is powerless in the face of global forces and the perception that global agencies of governance are themselves either ineffective or too far removed from citizens of states to be subject to political control. In a political culture in which some or all of these perceptions are widespread, cynical disengagement is unsurprising. By distancing himself or herself from politics, by entertaining no important hopes of politics, the citizen minimizes their vulnerability to disappointment and the same point can be seen in the case of actors who restrict their political activity to the use

of low-cost media of political engagement such as signing online petitions. But what can counter such perceptions and support a political culture in which disappointment is bound to hope rather than fatalism?

Two different ways in which fatalistic disappointment can be contested are to expose the falsity of the epistemic content of such perceptions and to design practices that explicitly undermine the basis of such a fatalistic view. In regard to the first, we can note that our discussion of national citizenship in global context (Chapter Seven) points to the misleading simplifications at work in the 'declinist' thesis that globalization undermines citizenship. Our account reasserts the salience of citizenship as an explanatory factor in accounting for some aspects of the differential manifestations and impacts of globalization in terms of diverse traditions of citizenship and as a valuable institution that has taken on new forms through the transnationalization of membership regimes (Chapter Six) and is practised in new contexts (for example, transnational civic activism). But the very disparity between our account and the popular acceptance of the declinist thesis raises vital political issues about the relationship between the academy, the media, political parties and the public concerning the formation and transformation of public perceptions. How have popular images of globalization been formed? Whose interests are served by such declinist images? What are the most effective ways of contesting such public perceptions?

The second way to contest political fatalism is to reshape our political institutions in ways that address the problem of fatalism. One effective way to do so is to design institutions of political engagement which address fatalism by clearly linking direct political participation with consequential political decision making (the topic we address in Chapter Two). At their best, such institutions not only address the problem of fatalism but work to reskill participants in respect of the demands of collective decision making; it is not intuitively implausible that the relatively widespread use of such institutions may help to support the conditions for the reemergence of active political engagement, not least in protest movements, but significant research on this relationship remains to be done (as Chapter Three concludes). Recourse to democratic innovations, though highly valuable, is unlikely to fully address public dissatisfaction with our practices of representative government but it may have significant lessons to provide in terms of the differential mixes of incentives, opportunities and participatory roles that different innovations provide and their varying success in engaging citizens, particularly citizens from the most disengaged strata of society. Beyond this, however, what is urgently needed

is research concerning citizens' perceptions and understandings of politics across its various contexts from the local to the global – and, further, of their understanding of the meaning and value of citizenship in national, transnational and supranational contexts. We may also reasonably ask in this context how different understandings of citizenship impact on the exercise of political citizenship within and beyond the state – and how those understandings may vary across different contexts of political agency. In distinguishing justice-based accounts of citizenship and those based on 'good of citizenship' (Chapter Four), and showing the different (if broadly complementary) implications of these accounts, we provide an abstract theoretical framework in which to analyse different traditions of citizenship and civic reasoning, while the theoretical reflections on democratic goods (Chapter Two) and social movements (Chapter Three) provide bases for reflecting on the institutional and non-institutional dimensions of political citizenship and the relationship between the two.

A final question emerges from the thematic organization of these concluding reflections: Is there a relationship between the destabilization of a settled popular view of citizenship and the problems of declining or stagnant political participation by citizens? And if so, how does the current significance of the politics of citizenship relate to the limited ways and degree to which political citizenship is currently exercised? As always, further research across a range of issues is needed if political reflections are to meet the challenges posed by political reality, but we hope in this volume to have laid out *one* important agenda for such research and the problems which it needs to engage.

Notes

Chapter Two

1 For a more sustained analysis of these and other innovations, see Smith (2009).

2 See the Citizens' Assembly's dedicated website for reports, videos and other information: http://www.citizensassembly.bc.ca/public.

3 See http://www.elections.bc.ca/elections/ge2005/finalrefresults.htm for details of the referendum results.

4 http://www.americaspeaks.org/

5 http://www.americaspeaks.org/index.cfm?fuseaction=page.viewpage&pageid=630&parent ID=473.

6 http://www.headsup.org.uk.

7 http://www.tomorrowseurope.eu/and http://cdd.stanford.edu/polls/eu/index.html#results.

8 For a sketch of an alternative approach to the comparative analysis of innovations, see Fung (2003).

Chapter Three

1 The question asked 'Now I'd like you to look at this card. I'm going to read out some different forms of political action that people can take, and I'd like you to tell me, for each one, whether you have actually done any of these things, whether you might do it, or would never, under any circumstances, do it.' *The table records the* percentage of those who claimed to 'Have done' the protest activities listed. The 1970s data are from the Political Action survey, which was conducted from 1973–6. The rest is from subsequent runs of the World Values Study.

2 The apparent 1 per cent rise to 1999 is not significant, but it is reported here simply to make sense of the cumulative data.

3 In the 2001 census, only 20.1 per cent of Britain's population held a first degree.

4 Tarrow called protest waves 'cycles'. However, like Koopmans (2004), we prefer to use the term 'waves' because 'cycles' implies a recycling, whereas in fact what we are talking about are the peaks and troughs in levels of protest.

5 Koopmans himself does *not* call these 'three Es'.

6 Olson's original thesis sought to explain participation in the Trade Union movement. Others have, perhaps erroneously, regarded it as a more general theory about participation in collective action.

Chapter Four

1 See http://www.cic.gc.ca/english/resources/publications/welcome/wel-17e.asp#s1 [accessed 22 June 2009].

2 The terms 'duty' and 'obligation' will be used interchangeably in this chapter. (Some prefer to reserve the term 'obligation' for voluntary undertakings and 'duty' for commitments that are acquired non-voluntarily).

3 This is not to deny that the characteristics of a group may make a difference to the issue of what they are entitled to claim from the state, or what obligations they have to it. National minorities, for example, may have different rights and obligations than immigrant groups that are justified by their different circumstances rather than any choice either has made.

4 Consider, for example, a much quoted speech that Roy Jenkins gave in May 1966 not long after he became Home Secretary: 'Integration is perhaps a rather loose word. I do not regard it

as meaning the loss, by immigrants, of their own national characteristics and culture. I do not think that we need in this country a "melting pot", which will turn everybody out in a common mould, as one of a series of carbon copies of someone's misplaced vision of the stereotyped Englishman … I define integration, therefore, not as a flattening process of assimilation but as equal opportunity, accompanied by cultural diversity, in an atmosphere of mutual tolerance. This is the goal' (Jenkins 1967: 267).

5   Some might say that assimilation essentially involves changing one's values, but that seems to me to be too restrictive. For example, members of a group may decide that in order to fit in better they should stop speaking the language of their ancestors and instead use the established language of the polity to which they now belong, both at home and in public, and we should surely regard that as involving a degree of assimilation even if it involves no change of values.

6   Although on this way of drawing the distinction it would be mistaken to say that assimilation is necessarily a one-way process whilst integration is necessarily two-way, it is true that assimilationist policies are directed towards cultural minorities, whilst integrationist policies may be directed towards either cultural minorities or the cultural majority, or both.

7   One of the most common approaches to theorizing citizenship distinguishes between liberal and republican accounts: see, for example, Oldfield (1990) and Miller (2000: Chapter 5). The distinction between liberal and republican accounts is not unrelated to the one that is drawn between justice and good of citizenship accounts, but (for reasons that will not be explored here) we regard the latter as more helpful in coming to understand the issue of whether immigrants are under a duty to integrate.

8   To the extent that duties of justice are universal in scope, a citizen will continue to have duties to outsiders, and indeed may have duties to support the development and maintenance of transnational institutions when these would facilitate the fulfilment of his or her duties to outsiders and enable them to receive their just entitlements.

9   Some libertarians might resist this extension, on the grounds that private employers are entitled to hire whom they want, for whatever reason they want, as a result of their property rights.

10   The 'Cantle Report' strongly influenced the 2002 White Paper 'Secure Borders, Safe Haven' (Home Office 2002), and they together informed the 2004 'Strength in Diversity' consultation document (Home Office 2004), and the 2005 'Improving Opportunity, Strengthening Society' strategy document (Home Office 2005) which emerged from the consultation process.

11   'The fact that people from the same background or culture choose to live or work together is not in itself a sign of breakdown in cohesion. But it is important that we foster mutual understanding and respect between people from different backgrounds and cultures. Communities are better equipped to organise themselves to tackle their common problems if they are not divided by mutual suspicion and misunderstanding of diverse cultures and faiths' (Home Office 2004: 5.3). These ideas are presented more rigorously by Cantle (2008, esp. pp. 50–67). In Robert Putnam's terms, the idea is that cross-cultural contact creates bridging social capital (2000: 22–3). On the basis of empirical research, Putnam expresses scepticism about contact theories of this sort (2007: 148–9), but the evidence is inconclusive against community cohesion hypotheses when they are carefully formulated, since so much will depend on the proviso that the contact between cultural groups has to be of the right kind or quality, for example that it must be meaningful. As Putnam implies, however, there is a danger of making the hypothesis impossible to falsify, for example, by dismissing apparent counter-evidence on the grounds that there is a lack of the required meaningful contact (2007: note 14).

12   Each citizen having the opportunity to participate on *equal terms* need not exclude the possibility of a differentiated citizenship in which different groups of citizens (perhaps women, or cultural minorities) had different sets of rights. Indeed a differentiated citizenship might be required in order for them to be included on equal terms. See Young (1989), Kymlicka (1995) and Lister (2003, esp. Chapter 3).

Chapter Five

1   The legal foundations (or lack of them) of Cameron's Human Rights Act scrapping policy have been called into question. According to Klug, Cameron is incorrect when he states that the replacement of the Human Rights Act with a British Bill of Rights and Responsibilities (see below) would 'somehow allow the UK government to ignore European Court of Human Rights rulings it does not agree with ... if anything the reverse applies' (Klug 2009: 3).

2   In my book *The End of Multiculturalism? Terrorism, Integration and Human Rights* I devote a chapter to the questions of torture, deportation and the right to have rights and the government's attempts to navigate the constraints of the ECHR and the Chahal ruling through developing memoranda of understanding with countries for the purpose of deporting foreign-national terror suspects.

3   That is the Department for Constitutional Affairs (2006) *Review of the Implementation of the Human Rights Act.*

4   The JCHR remind us that some legal rights are explicitly linked with citizenship, for example the right to vote, the right to a passport, the right to consular access abroad. There are also certain rights in any Bill of Rights which may apply to citizens, for example, the so-called 'democratic rights' such as the aforementioned, right to vote and also the right to stand for election. However, according to the JCHR, the place occupied by the category of rights related to citizenship in any Bill of Rights would be relatively small (Joint Committee on Human Rights 2008: 26).

5   Lord Goldsmith recommended further consideration be given to extending citizenship ceremonies to all young people, and not just new citizens (2008: 97). These coming of age ceremonies, according to Lord Goldsmith 'would emphasise what they had in common; confer a sense of achievement for what they had learned and done as part of citizenship education at school; as well as provide them with a spur to continue to be active citizens' (2008: 97).

6   What they have in mind under 'broad aspirations' are the resolution of disputes by peaceful means, toleration and respect for others, and safeguarding the environment for future generations (Ministry of Justice 2009: 53). These are 'aspirations' for encouraging responsible behaviour in citizens, but they are not legally enforceable.

Chapter Six

1   Thanks are particularly owed to Rainer Baubock for many valuable comments and suggestions as well as encouragement and support. Help was also gratefully received from Martin Vink for saving us from an error and from Peter Niesen, Rainer Forst, Seyla Benhabib, Amy Allen and Till van Rahden for searching questions. Earlier versions of this chapter were presented at a PSA Specialist Group conference on Citizenship and at a Fellows symposium at the *Forschungskolleg Humanwissenschaften* (Bad Homburg), and thanks are due to the audiences at both events.

2   The seminal work in this field is that of Rainer Baubock, whose early work was fundamental to establishing the field (Baubock 1994) and continues to develop our thinking in this area (Baubock 2003, 2005, 2007a,b, 2009a,b).

3   I am distinguishing here between expatriate voting and external or absentee voting. The former concerns the rights of expatriates to vote even if that requires return to the territory of the state to perform the act; the latter refers to the ability of citizens (who may or may not, be expatriates) to vote from abroad.

4   In pre-revolutionary America, voting rights in the colonies were conducted in terms of the general rule that voters and, indeed, office-holders were (white, male, property-owning) residents rather than British citizens. This practice of alien suffrage survived the revolution of 1776: 'Vermont's first Constitution allowed for both naturalization and enfranchisement of aliens, and the young Commonwealth of Virginia accomplished the same purposes by statute. In the commonwealth of Pennsylvania, after only two years of residence, aliens were permitted to vote' (Raskin 1993: 1391). This practice was present in one form or other in one or more

states in the United States until 1926. For fuller discussion of the history of alien suffrage in the USA see Neuman (1992), Raskin (1993), Harper-Ho (2000), Varsanyi (2005) and Hayduck (2006). For contemporary jurisprudential and political arguments for its reintroduction in the United States, see Rosberg (1976), Aleinikoff (1990), Neuman (1992), Raskin (1993), Tiao (1993), Harper-Ho (2000), Brozovich (2001), Hayduck (2006).

5   It is also the case, as Rainer Baubock has pointed out to us, that many semi or nondemocratic states accept dual nationality as a way of trying to sustain external control over their diasporas and to prevent the emergence of dissident diasporas. See Brand (2006).

6   Although Dahl talks of the principle of all affected interests, I agree with Lopez-Guerra (2005: 222–5) that since it is being governed that is the normatively relevant issue for Dahl, the relevant principle is that of being *subjected to* rule rather than *affected by* rule. For defences of the all-affected principle, see Shapiro (2003a,b) and Goodin (2007).

7   Walzer links this claim to one in which the polity has the right to determine its own entry criteria as an element of its right to self-determination; for an excellent analysis of the difficulties that this conjunction generates, see Bosniak (2006).

8   For a defence of citizenship tests, see Miller (2008), and for critiques see Carens (2005: 38–9) and Seglow (2008).

9   If the democratic argument is compelling, however, it raises another issue. We have argued that political membership should be mandated but citizenship should be optional. Moreover, if one chooses to naturalize within an EU member state, then EU citizenship is automatically mandated. But should one have the option of acquiring EU citizenship if one chooses not to naturalize in the member state? We see no compelling argument for this conclusion since it conflicts with the normative logic of a nested polity as an association of polities in confederal or federal form.

Chapter Eight

1   In a cosmopolitan world, it is often said that 'Each citizen of a state will have to learn to become a "cosmopolitan citizen" as well; that is, a person capable of mediating between national traditions and alternative forms of life' (Held and McGrew 2002: 107; see also Linklater 1998: 181). Insofar as this argument targets the virtues or dispositions of individual citizens, we may be moving closer to the kind of ethical cosmopolitan claims which are discussed in a later section of this chapter.

2   David Estlund (2008: Chapter 14) draws a useful distinction between the claim that something will not happen, and the distinct claim that it is strictly impossible. The former claim is likely to be the more appropriate claim in many political contexts: we might say, for instance, that while it is not strictly impossible for all Parliamentarians to hand in honest expense claims, this is not something we should expect to happen, and not an assumption we should build our institutions around. On my understanding, the doubts about cosmopolitan democracy under review here are of this type: people might in principle be capable of developing the affiliations and capacities required by cosmopolitan democrats, but we should not pin our hopes on (and design our institutions around) such a prospect.

3   In debates about distributive justice, for instance, Rawls (1972) was clear that the basic structure of society ought to be the 'target' of principles of distributive justice such as equality, whereas critics such as Cohen (2000) have maintained that such principles must also be taken to apply to individual decisions and behaviour – in which case a distinction between ethics and justice appears less germane.

4   A full account of the demarcation between who is and is not to be seen as an ecological citizen was rather lacking in Dobson's original account (Dobson 2003), but things do become a little more clear in his later response to criticism from Hayward (see Dobson 2006; Hayward 2006). Dobson acknowledges there that only those in 'ecological space debt' have ecological obligations, but that those we owe that debt *to* might still be thought of as ecological citizens 'to a degree' (2006: 449). It is still not wholly clear why, though, and he continues to rebuff questions about 'eligibility' to citizenship.

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