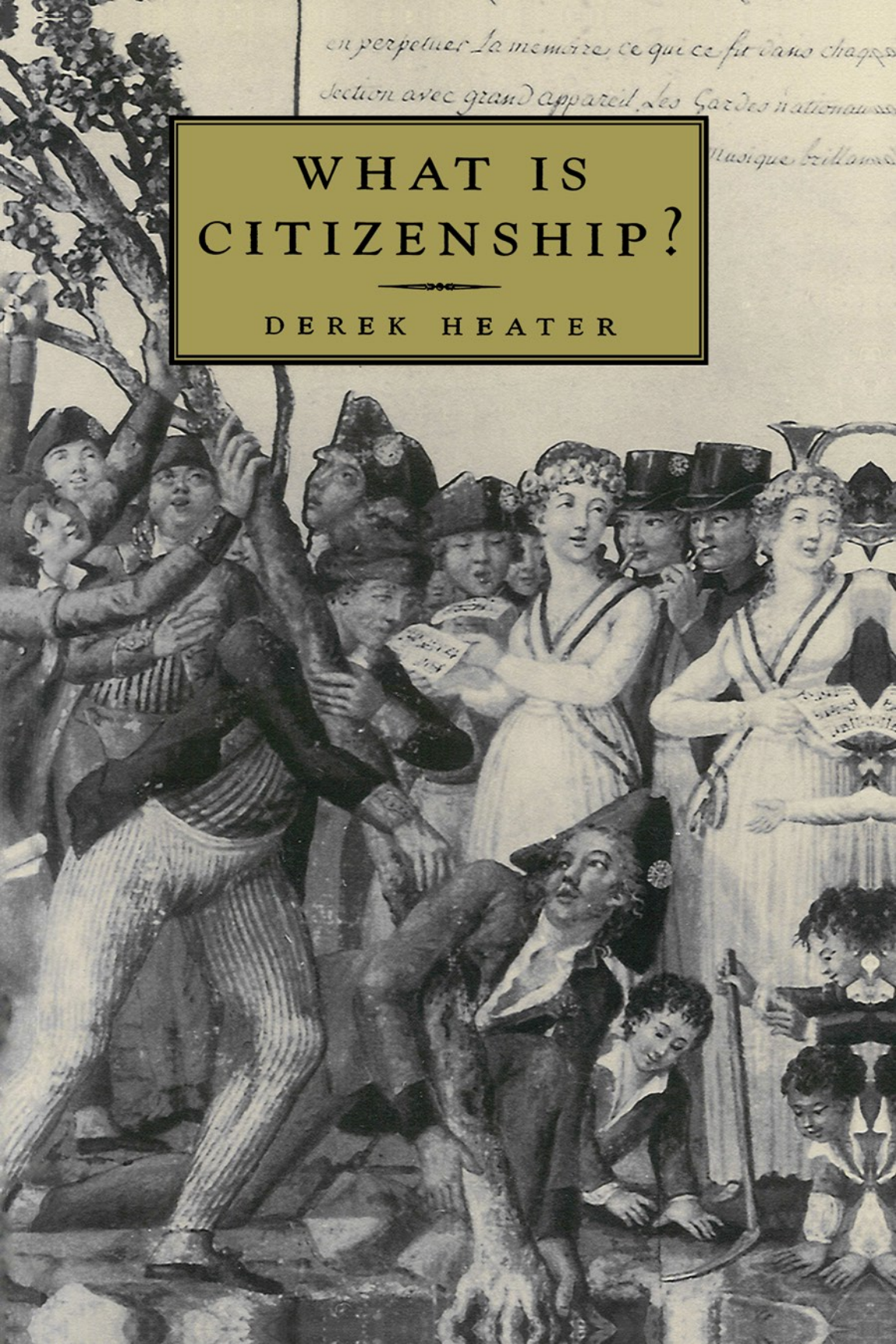


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# WHAT IS CITIZENSHIP?

DEREK HEATER





# **What is Citizenship?**



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Polity Press

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# Preface

Yet another book on citizenship needs to be justified. This is simply done: among the great outpouring of works on the topic during the past decade or so, it is difficult to find a succinct analysis of the subject-matter. David Held recognized the gap, invited me to try to fill it, and he and his colleagues at Polity Press have been of great assistance in seeing the task through to completion. I am also grateful for the comments of two anonymous readers of the manuscript. My wife, too, deserves my usual thanks for uncomplainingly being drawn away from her interest to listen to mine. But, of course, none of these can be thought responsible for the judgements I have made about the content and general approach of the book nor for any errors that it may contain.

I must add two explanations. One is that the book perhaps reflects my own greater interest in the academic disciplines of history and politics rather than sociology, though I have striven to present what I believe to be a reasonable balance. The other is that, although the material is presented in summary form and will, it is hoped, find favour with students, what follows is not just a 'textbook'. I have attempted in places some interpretations by clustering material into patterns, which will add, I trust, both to the understanding of this complicated topic and to its intrinsic interest.

Derek Heater

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# Introduction

The title of citizen (*citoyen citoyenne*) was adopted by the French revolutionaries to pronounce the symbolic reality of equality: the titles of aristocratic distinction were expunged. The Russian revolutionaries went one better by replacing even the title of Mr (*gospodin*) by the uniform title of citizen (*grazhdanin*). Today citizenship is a commonly held status throughout the world, though, true, the title has not persisted; so equality, at least in theory, in principle and in law, might seem pervasive. But explaining that equality – how it has evolved; its variegated elements, including rights and duties; the civic identity it provides; and how far the practice so often falls short of the theory – all this is a much more complicated business than the bland statement of the generalized principle of equality might suggest.

Yet, however difficult the concept of citizenship may be, the effort of comprehension is especially necessary now. For we are at present living through an age that for good reasons considers citizenship of cardinal significance. However, as a consequence of this recognized importance, academic enquiry has uncovered the extraordinary complexity of its history and present condition to aid our more accurate understanding.

There have been other ages of heightened consciousness of citizenship, often associated with particular states. Fifth to fourth-century BC Athens, first-century BC to first-century AD Rome, late medieval Florence, late eighteenth-century America and France spring obviously to mind. The present interest is different: it is virtually global in its extent. How, then, to explain the fascination the subject currently holds? It

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derives from the confluence of a number of events and concerns in the 1980s and 1990s.

First, in the established liberal democracies the emergence to political and doctrinal dominance of the New Right in the US and UK threw into question the validity of 'social citizenship'. By social citizenship is meant the provision of welfare state benefits as a *right*. It is a right that was conceded in order to ensure a greater equality for citizens than would be the case if untempered market forces of employment and wages were allowed to prevail.

Secondly, partly because of accelerated human migrations and partly because of enhanced and politicized awareness of ethnic differences within states, the fact that almost all states are multicultural in demographic composition has become an issue related to the definition of citizenship as civic identity.

Thirdly, and closely related to this development, ethnic, cultural and national consciousness have brought about either the loosening or the actual fragmentation of polities hitherto thought of as nation-states. What does it mean, for example, to be a Canadian citizen if one thinks of oneself primarily as a Québécois, or an Israeli citizen, if a Palestinian Arab? In potentially fissiparous conditions like these only a stable or strong government could hold a national citizenship in place. In the Soviet Union and Yugoslavia that stability and strength failed; and the assumed nation-states disintegrated. Furthermore, it was a consciousness among a critical mass of the population of the need and the opportunity to claim an effective citizenship that wrought these changes.

But, and moreover, these states had been autocratic regimes, many of whose successor governments sought to rebuild their political systems, this time following the liberal democratic blueprint. And so, fourthly, they have needed to construct fresh constitutions and ways of conducting public life which could give reality to the legal and political rights of citizenship that had not been thoroughly enjoyed under Communism. Nor were the ex-Communist countries alone in striving to make this transition: South Africa and the states of sub-Saharan Africa and Latin America that had endured but shook themselves loose from military dictatorships, have passed through similar experiences of improving the meaning of citizenship for their people.

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Fifthly, we are becoming increasingly conscious that for large numbers of people throughout the world the idea of citizenship is still hollow and meaningless, deprived as they are of virtually all its attributes.

Sixthly, the validity of the nation-state is itself being put in question. Uniquely, at the sub-continental level, the European Union has created a new, legally defined category of citizenship, namely, of the Union. Meanwhile, economic developments and environmental worries have revived the ancient concept of cosmopolitan citizenship, the awareness of being a citizen of the world and the imperative need to behave and to be encouraged to behave as such. These trends are part of the increasing recognition that citizenship is a multiple rather than a singular feeling and status.

Citizenship in our complex times reflects this complexity. Its elements derive from manifold sources, influences and needs. To analyse them is, inevitably, to oversimplify and to exaggerate the separateness of the component parts. However, this is the route to understanding and therefore this is the task upon which we now embark.

# 1

## The Liberal Tradition

### Origins

Something of an oversimplification it may be, but it is most helpful to easy comprehension – not to mention quite fashionable – to distinguish between two traditions and interpretations of the nature of citizenship. These are the civic republican style, which places its stress on duties, and the liberal style, which emphasizes rights. Now, despite the former's origins in classical antiquity and therefore its longevity, it is the liberal form that has been dominant for the past two centuries and remains so today. It is therefore fitting to start with the liberal tradition, postponing consideration of civic republicanism to the next chapter. Compared with the republican variant, liberal citizenship is much less demanding of the individual. It involves a loosely committed relationship to the state, a relationship held in place in the main by a set of civic rights, honoured by the state, which otherwise interferes as little as possible in the citizen's life.

Liberal citizenship was the offspring of the liaison between revolutionary upheaval and contractarian natural rights theory, Great Britain playing the role of midwife. True, it was the French Revolution that first established the principle and practice of citizenship as the central feature of the modern socio-political structure, but it was the British (including, crucially, the American) experience over one-and-a-half centuries prior to 1789 that laid the foundations for the transition from a monarch–subject relationship to a state–citizen relationship. Paradoxically, the actual terms 'citizen' and 'citizenship' were rarely used in the

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liberal sense in the English-speaking world. Yet the English Civil War and its aftermath, the political theory of John Locke, and the seizing of independence by the American colonies and their transmutation into the United States were all absolutely vital to the evolution of the liberal mode of citizenship and citizens' rights.

A citizen has the right to vote: Colonel Rainborough declared in 1647, 'I do think that the poorest man in England is not at all bound in a strict sense to that government that he has not had a voice to put himself under' (see Wootton, 1986, p. 286). A citizen also has a right to just treatment by the law: the first Habeas Corpus Act was passed in Britain in 1679. In about this year Locke wrote his *Two Treatises of Civil Government* (though they were not published until a decade later, in 1690). In the second of these Locke influentially expounded his theory of natural rights, that every man should have the free and equal right 'to preserve . . . his life, liberty, and estate' (Locke, 1962, s. 87). The American revolutionaries adapted this formula to life, liberty and the pursuit of happiness', and the French, to liberty, property, security, and resistance to oppression'. These rights are God-given; but it is the function of the state to ensure their protection. We therefore step from generalized natural rights, which individuals have *qua* human beings, to specific civic rights, which are assured by the state to individuals *qua* citizens. Hence the dual title of the French Declaration – of Man and the Citizen.

The distinction could be telling, as Marx recognized. The rights of man are negative, allowing the individual to pursue his own, personal life, not committing him to a life as a member of a community, a citizen. Marx cites Art. 6 of the French Declaration, which defines liberty as 'the power of doing anything that does not harm others', and he continues:

The freedom in question is that of a man treated as an isolated monad and withdrawn into himself. . . none of the so-called rights of man goes beyond egoistic man . . . namely an individual withdrawn behind his private interests and whims and separated from the community.

*(‘On the Jewish Question’, in McLellan, 1977, pp. 53–4)*

The rights of the citizen, on the other hand, have a more defined, positive character. For example, the French Declaration and the American

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Bill of Rights (the first ten Amendments to the Constitution), finalized within weeks of each other in 1789, concentrated particularly on a range of legal rights such as freedom of speech and conscience, equality before the law, presumption of innocence, trial by jury (see French Declaration Arts. 3–11; Bill of Rights, Arts. 1, 5–9).

Another feature of citizens' rights considered to be crucial in these early days of defining liberal citizenship was the right to property. Locke firmly established this principle. He declared quite trenchantly that 'government has no other end but the preservation of property' (Locke, 1962, s. 94). The language of the Declaration of Rights is even more forceful, asserting that the right to property is 'inviolable and sacred' (Art. 17). Ownership of property was not only a right, it was, as a universal practice, a requirement for the basic political right of citizenship, namely the right to vote. For instance, even in Massachusetts, hub of the rebellion against the British government, the franchise was restricted in c.1790 to the owners of real estate worth \$12 a year or any property with a capital value of \$240. The political crises of the late eighteenth century threw up the issue of universal manhood suffrage, a cause persistently supported, for example, by Thomas Paine. But the mystique of property was too powerful for its implementation yet. Not until the 1820s did some American states lead the way.

How, then, may we characterize the concept of liberal citizenship in these emergent years? It is an important question because the consolidation of the basics from roughly Locke to the French Revolution provided a legacy which still shapes our assumptions about citizenship in our own times.

First, the individual remains an individual. The acquisition of citizenly status does not necessitate abandonment of the pursuit of self-interest. Public and private spheres are kept distinct, and citizens are under no obligation to participate in the public arena if they have no inclination to do so. Nor have citizens any defined responsibilities *vis-à-vis* their fellow citizens. All are equal, autonomous beings, so that there is no sense that the state has any organic existence, bonding the citizens to it and to each other. Citizens have the odd duty to perform, it is true – mainly the payment of taxes – in return for the protection of their rights by the state. But there is only a slight change of heart, a weak sense of identity, no necessary pride in thinking oneself into the station of citizen. Citizenship largely means the pursuit of one's private life and



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interests more comfortably because that private life is insured by state-protected rights. In short, therefore, the extrapolation of the rights of the citizen from the rights of man may marginally have adapted, but by no means transformed, the individual from Marx's 'isolated monad'.

If the liberal citizen is expected to feel only a limited obligation to the state, *pari passu* the state is expected to impinge on the citizen's life in only a feeble way. This is the second feature of liberal citizenship as laid down from the late seventeenth century. The state is useful to the citizen as, in Locke's striking image, a 'nightwatchman'. And if any government oversteps its limited powers and interferes in its citizens' activities to the detriment of their life-styles, or, conversely, fails in its protective function, then the citizenry has the right to rouse itself from the quiet pursuit of private affairs and rebel, as the American colonists did in 1776.

And what, we ask thirdly, are these private affairs that the citizen must be allowed independently to pursue? It is the accrual of wealth. Is, then, liberal citizenship a political expression of capitalism? Yes; but the relationship is, in fact, much more complicated than that.

### **Citizenship and capitalism**

We cannot say categorically that the evolution of modern liberal citizenship would have been impossible without the emergence of a capitalist market economy and an accompanying, increasingly powerful, bourgeois class. For one thing, pressure for the legal and political rights that were conceded by the three revolutions in England, America and France was spearheaded as much by a lawyer-dominated professional class as by entrepreneurial capitalists, perhaps even more so. Nevertheless, the decay of a feudal or quasi-feudal society and its supersession by a market economy did introduce changes that were, if no more, at least conducive to the emergence of a liberal form of citizenship. (Henceforth, in this chapter, let us take liberal form of for granted.) Three kinds of change may be identified.

1 Pre-capitalist society was based on personal subservience – vassal to lord, apprentice to master, subject to prince. In contrast, the free exercise of individual initiative is the very essence of capitalism. Similarly, citizenship grew by the extraction of rights for the individual.

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Feudalism	Capitalism	Citizenship
Individual subservience	Individual initiative	Individual rights
Hierarchical society	Permeable class structure	Civic equality
Provincially fragmented economy	Open access to markets	National identity

**Figure 1.1**

2 Feudal structure was socially hierarchical. As the Victorian poet Cecil Frances Alexander unequivocally expressed the distinction between rich and poor: ‘God made them, high or lowly, / And order’d their estate.’ Capitalism, in contrast, requires social fluidity. Class divisions, it is true, are inevitable – middle class and the lower orders; but not caste rigidity. Initiative, to refer back to our first kind of change, required the partitions between classes to be permeable. The concept of citizenship took this alteration to the logical conclusion of equality of status. A citizen is a citizen is a citizen: no differentiation.

3 *Ancien régime* society was, to modern minds, unbelievably provincially fragmented. Economically, that is; not to be confused with the modern convenience of devolution. Internal customs barriers, even provincially distinct measurements of weights and capacity, were anathema to the capitalist’s essential requirement of free and open access to markets. The integration and solidification of the nation-state, so essential for the capitalist, made way for citizenship as national identity.

The foregoing interpretation is simply tabulated in figure 1.1. One feature of this transformatory process was the alteration in the relationship between civil society and citizenship. In the Middle Ages citizenship meant being a privileged inhabitant of a city or other municipality, and the status tended to be accorded to members of corporate bodies such as guilds, that is, the component organizations of civil society. The growth of capitalism and the revolutionary changes wrought in Europe from the late eighteenth century undermined this localized and fragmented political role of civil society, and citizenship became attached to the national instead of the municipal sphere. The individual’s communal identity was therefore bifurcated.

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Marx, in fact, takes an extra step and argues that the collapse of the old structure also destroyed the sense of commitment which had made civil society such a co-operative network. 'The shaking off of the [feudal] political yoke', he explained, 'entailed the shaking off of those bonds that had kept the egoistic spirit of civil society fettered' (McLellan, 1977, p. 56). In so far as this analysis is valid, it means that citizenship in the modern, broader sense could alone provide a feeling of communal togetherness (stiffened, of course, by the ideology of nationalism).

One further introductory point on this matter of the relationship between capitalism and citizenship: we have a picture of a movement from a hierarchical to an increasingly egalitarian society as the rights of citizenship became democratized. But we must examine this picture more closely because, lurking there, is the counterbalancing economic inequality induced by unfettered capitalism. This is how Bryan Turner has explained this 'progress': 'The growth of modernity is a movement from de-jure inequalities in terms of legitimate status hierarchies to de-facto inequalities as a consequence of naked market forces where the labourer is defined as a "free" person' (Turner, 1986, p. 136).

So, in various ways and with outcomes not all necessarily an advance on what had been left behind, capitalism facilitated the emergence of liberal citizenship. But the connection has not been a one-way process, it has been reciprocal; for citizenship, in turn, has supported capitalism. We have already seen how prominent in the list of citizens' rights as drafted in the early years was the right of property ownership. In times of political upheaval this was a comforting formula for the middle classes. For instance, even the French Declaration of Rights of 1793, formulated by the radical Convention on the eve of the Terror, reiterated this right. The nervousness of the wealthy in the face of social and political upheaval provides another consideration, too: the damping down of civil discord by the broad concession of civil (i.e. legal) and political rights in practice affords a welcome calming of these fears. What is more, the middle classes benefited not just in this indirect manner. Chronologically it was they, not the working classes, who first had access to and made use of these civil and political rights of citizenship.

Nevertheless, the relationship between capitalism and citizenship has by no means been all mutual cosiness. In some circumstances

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citizenship has been threatening to capitalism and capitalism has been hostile to citizenship. The basic question has then arisen whether the state can ever, or indeed should ever, be a neutral observer when the interests of capitalism and citizenship are in collision.

One must, naturally, recognize that the state has an obligation to protect its citizens. How far does this extend? In practice, the state has often intervened on behalf of the citizen by curbing the absolute freedom of the capitalist to maximize his profit. This intervention has taken two main forms. One is by regulating the market by laws, for instance, against the formation of cartels and monopolies. The other is by increases in taxation on higher income and heritable wealth in order to fund welfare and educational services for the mass of citizens. For, particularly in the twentieth century, the belief that citizenship embodies social as well as legal and political rights has taken hold. Consider one illustration of this. Even in the Reagan–Thatcher era, when the Republican administration in the USA and the Conservative in the UK pursued quite radical neo-liberal free-market policies, the amounts spent by the governments on health and social security still increased. From 1979 to 1984 in the UK expenditure on health rose by 16 per cent and on social security by 26 per cent; from 1980 to 1984 in the USA expenditure on health rose by 38 per cent and on social security by 12 per cent. Taxation inevitably increased.

The capitalism–citizenship coin, however, has another side: the threat posed by capitalism to citizenship. We must not forget that the citizenship model presents a state composed of citizens of equal status, equally enjoying their rights and relating to the state by virtue of those rights and concomitant duties. Capitalism weakens this egalitarian political structure by giving primacy to economic relationships.

New class divisions open up, separating the wealthy entrepreneurs from the general populace, a gulf condoned by the liberal virtue of individual enterprise. For the successful, profit in the market place, not civic loyalty, gives social identification. For the rest, they are consumers of products and services, not citizens in the proper sense. *The Citizens Charter* published by the British Conservative government in 1991 lets the capitalist cat out of the civic bag: the text refers in a number of places to ‘customer’ and ‘client’ as if these were synonymous with ‘citizen’. The danger is that if citizenship is perceived as a set of rights to protect the individual *qua* consumer against some of the problems