

The Politics of Citizenship

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For most of the last two decades, citizenship has barely appeared as a central issue on the political agenda in Britain. To the extent that it has, or has been associated largely with debates about immigration and emigration. Who was entitled to be a citizen? Who was allowed to be a member of the English political community?

Something however has changed. Citizenship is now a word on the lips of politicians and academics alike, in Britain - and in West or East - more generally. It has become a fundamental concern to the left as well as the right. What prompts the concern with citizenship? What is at stake in the debate between left and right? Why are the competing political ideologies of our times now claiming citizenship for themselves?

From the ancient world to the present day, all forms of citizenship have had certain common attributes. Citizenship has meant a certain reciprocity of rights against, and duties towards, the community. Citizenship has entailed membership, membership of the community in which one lives one's life. And membership has invariably involved degrees of participation in the community. The question of who should participate and at what level is a question as old as the ancient world itself. There is much significant history in the attempt to restrict the extension of citizenry to certain groups: among others, owners of property, white men, educated men, men, those with particular skills and occupations, adults. There is also a telling story in the various conceptions and debates about what is to count as citizenship and in particular what is to count as participation in the community.

If citizenship entails membership in the community and membership implies forms of social participation, then it is misleading to think of citizenship primarily in relationship to class or part, as some have done in recent theoretical exchanges. Citizenship is about the involvement of people in the community in which they live; and people have been barred from citizenship on grounds of gender, race and age among many other factors. To analyse citizenship as if it were a matter of the inclusion or exclusion of, for example, social classes is to eclipse the view of a variety of dimensions of social life which have been central to the struggle over citizenship. In light of this fact, the debate about citizenship requires us to think about the very nature of the conditions of membership and participation in the community.

If citizenship involves the struggle for membership and participation in the community, then its analysis involves examining the way in which different groups, classes and movements struggle to gain degrees of autonomy and control over their

lives in the face of various forms of stratification, hierarchy and political oppression. A concern with citizenship in its fullest sense is, I hold, coterminous with a concern for issues posed by feminism, the black movement, ecological pressure groups (concerned with the moral status of animals and nature), the labour movements, among others. Different social movements have raised different questions about the nature and dimensions of citizenship. As one critic aptly put it, »citizenship rights are the outcome of social movements which aim either to extend or to defend the definition of social membership... The boundaries which define citizenship ... ultimately define membership of a social group or collectivity.«

A reflection on the nature of citizenship *rights* helps to put the issues a little more sharply, and reveals a direct connection between citizenship rights, freedom, and the conditions under which people can develop their own activities. Citizenship rights are, above all, *entitlements*; that is to say, they establish a sphere - a legitimate sphere - for individuals to pursue their own actions or activities without risk of arbitrary or unjust political intervention. If the early attempts to achieve citizenship rights involved struggle for autonomy or independence from the locale in which one was born and from prescribed occupations, later struggles involved such things as freedom of speech, expression, belief and association, and freedom for women in - and beyond - marriage. Citizenship rights can be thought of as a measure of the autonomy a citizen can enjoy. For the autonomy of the citizen can be represented by that bundle of rights which he or she can take advantage of as a result of his or her status as »free and equal« members of society. To unpack the domain of rights is to unpack both the rights citizens formally enjoy *and* the conditions under which citizens rights are actually realised or enacted. Citizenship rights invoke questions not only about the formal status of rights - rights available to citizens before the law - but also about the actual conditions which make or do not make possible the use or enjoyment of rights as such. The question of citizenship creates a double focus - on both the formal and substantive issues of liberty: the relationship between liberty as a *principle* and as *practice* in the wider community. Citizenship puts *the question of individual autonomy, interdependence and constraint at the centre of political discussion.*

What is at stake can be seen clearly in the exchanges between the new right and its, above all, new left critics. To take the position of new right first. The new right, as is well known, is committed to the classic liberal doctrine that the collective good (or the good of all individuals) can be properly realised in most cases only by private individuals acting in competitive isolation and pursuing their sectoral aims with minimal state interference. At root, the new right is concerned with how to advance the cause of »liberalism« against »democracy«. On this view, a government can only legitimately intervene in society to enforce *general rules* - rules which broadly protect, in John Locke's words, »life, liberty and estate« of the citizen. Hayek, one of the leading advocates of these ideas, is unequivocal about this: a free liberal order is incompatible with the enactment of rules which specify how people should use the means at their disposal. Governments become coercive if they interfere with peoples' own capacity to determine their objectives. The prime example Hayek gives of such coercion is legislation which attempts to alter the material position of particular people

or enforce distributive of »social« justice. Distributive justice always imposes on some another citizen's conception of merit or desert. It requires the allocation of resources by a central authority acting *as if* it knew what people should receive for their efforts and how they should behave. The value of individual's services can, however, only justly be determined by their fellows in and through a decision-making system which does not interfere with *their* knowledge, choices and decisions. And there is only one mechanism sufficiently sensitive for determining collective choice on an individual basis - *the free market*. The free market is the key condition of the liberty of citizens. When operated within the framework of a minimal state, it becomes constitutive of the nature of citizenship itself.

The left, or new left, attack on this position is also by now familiar. The extent to which individuals are »free« in contemporary liberal - or socialist - democracies is open to question. To enjoy liberty means not only to enjoy equality before the law, important though this unquestionably is, but also to have capacities (the material and cultural resources) to be able to choose between different courses of action. The famous cynical comment on equality before the law - »The doors of the Court of Justice stand open to all, like the doors of the Ritz Hotel« - applies equally to democratic participation and access to ordinary amenities. Without a concrete content - as particular freedoms - liberty can scarcely be said to have profound consequences for everyday life. If liberals or neo-liberals were to take these issues seriously, they would discover that massive numbers of individuals are restricted systematically - for want of a complex mix of resources and opportunities - from participating actively in political and civil life. Inequalities of class, sex and race substantially hinder the extent to which it can legitimately be claimed that individuals are »free and equal«.

While it is, I would argue, necessary to pursue the implications of citizenship rights for the organisational structure of society as well as of the state, as the left critics of the new right argue, this line of reasoning is vulnerable to criticism. In particular, it is vulnerable to the charge of having attempted to resolve prematurely the highly complex relations among individual liberty, distributional matters (questions of social justice) and democratic processes. This becomes clearest in the left's affirmation and advocacy collective decision-making. By focussing squarely on an extension (at least in theory) of democracy, above all other considerations, Marxist (and socialist) political theses tend to leave the specification of the relations among liberty, distributional questions and democratic processes to the ebb and flow of democratic negotiation. From Marx to Lenin to Marcuse this is a constant and recurring theme (in some of their most sympathetic work anyway). The people are to become sovereign (via, respectively, the Commune, Soviets, or Parliament). The people are to become the rulers: the governors of their own affairs - without limit, or so the argument runs.

But it is precisely in criticising such a standpoint that the new right thinkers are at their most compelling. Should there be limits on the power of the *demos* to change or alter political circumstance? Should the nature and scope of the liberty of individuals and minorities be left to democratic decision? Should there be clear constitutional guidelines which both enable and limit democratic operations? The new right recognises the possibility of severe tension between individual liberty, collective

decision-making and the institutions and process of democracy. By not systematically addressing these issues, the left, in contrast, has all too often, hastily put aside the problems. In making democracy at all levels the primary social objective, the left has relied upon »democratic reason« - a wise a good democratic will - for the determination of just and positive political outcomes. Can an essentially democratic *demos* be relied upon? Can one assume that the democratic will would be wise and good? Hayek and other new right thinkers have suggested good grounds for at least pausing on this matter.

It was precisely around these issues that the new right - in the Anglo-American world at least - generated so much political capital by directly acknowledging the uncertain outcomes of democratic politics - the ambiguous results, for instance, of the well-intentioned democratic welfare state. By highlighting that democracy can lead to bureaucracy, red-tape, surveillance and excessive infringement of individual options (and not just in Soviet dominated societies), they have struck a chord with the actual experience of those in routine contact with certain branches of the modern state, experience which by no means necessarily makes people more optimistic about collective decision-making. The question is: how can one think through the meaning of citizenship as a »free and equal« status, without falling prey to some of the serious objections put by the new right? How can individuals enjoy a status as »free and equal« in the context of the general concern for the extension of democracy?

If enhanced political participation is embedded in a legal framework that protects and nurtures individuals as »free and equal« citizens, it is possible to provide a plausible answer to these questions. One cannot escape the necessity, I believe, of recognising the importance of a number of fundamental liberal traits: concerning the centrality, in principle, of an »impersonal« structure of public power, of a constitution to help guarantee and protect rights, of a diversity of power centres within and outside the state, of mechanisms to promote competition and debate between alternative political platforms.

In many countries, West and East, the limits of »government« are, of course, explicitly defined in constitutions and bills of rights which are subject to public scrutiny, parliamentary review and judicial process. This idea is fundamental, and fundamental to democracy conceived as a process which should bite deeply into the structure of state and society. However, any conception of democracy which seeks to elaborate it, as I do, as a form of »liberal socialism« or »socialist pluralism« requires the limits on »a public power« to be re-assessed in relation to a far broader range of issues than has been hitherto commonly presupposed. If people are to be »free and equal«, and enjoy equal rights and obligations in and through the political community, they must be in a position to enjoy a range of rights not only in principle, but also in practice. This entails the specification of a far broader range of rights, with a far more profound »cutting edge«, than is allowed typically.

A democracy would be fully worth its name if citizens had the power to be active as citizens; that is to say, if citizens were able to enjoy a bundle of rights which allowed them to *command* democratic participation and to treat it as an entitlement. Such a »bundle of rights«, it is important to stress, should not be thought of as merely an

extension of the sphere of accumulated private demands for rights and privileges over and against the state, as many liberal thinkers have conceived rights. Nor should it be thought of as simply re-distributive welfare measures to alleviate inequalities of opportunity, as many of the theorists of the welfare state have interpreted rights. Rather, it should be seen as entailed by, and integral to, the very notion of democratic rule itself. It is a way of specifying certain socio-economic condition for the possibility of democratic participation. *If one chooses democracy, one must choose to operationalise a radical system of rights.*

What would be included in such a system of rights? A constitution and bill of rights which enshrined the idea of the »double forms« of citizenship - equal rights and equal procedures would specify rights with respect to the processes that determine state outcomes. This would involve not only equal rights to cast a vote, but also equal rights to enjoy the conditions for political understanding, involvement in collective decision-making and the setting of the political agenda. Such broad »state« rights would, in turn, entail a broad bundle of social rights linked to reproduction, childcare, health and education, as well as economic rights to ensure adequate economic and financial resources for a citizen's autonomy. Without tough social and economic rights, rights with respect to the state could not be fully enjoyed; and without state rights new forms of inequality of power, wealth and status could systematically disrupt the implementation of social and economic liberties.

A system of rights of this type would specify certain responsibilities of the state to groups of citizens. The authority of the state would thus, in principle, be clearly circumscribed; its capacity for freedom of action bounded. For example, a right to reproductive freedom for women would entail making the state responsible not only for the medical and social facilities necessary to prevent or assist pregnancy, but also for providing the material conditions which would help make the choice to have a child a genuinely free one, and thereby, ensure a crucial condition for women if they are to be »free and equal«. A right to economic resources for women and men, in order that they may be in a position to choose among possible courses of action, would oblige the state to be pre-occupied with the ways in which wealth and income can be far more equitably distributed. Such resources might be made available through, among other things, a guaranteed income for all adults irrespective of whether they are engaged in wage, labour or household-labour. Strategies of the this type should be treated with some caution; their implications for collective or societal wealth creation and distribution are by no means fully clear. However, without a minimum resource base of some kind, many people will remain vulnerable and dependent on others, unable to exercise fully and independent choice or to pursue different opportunities that are formally before them. The »rule of law«, then, must (contra Hayek) involve a central concern with distributional question and matters of social justice: anything less would hinder the realization of democratic rule.

Accordingly, in this scheme of things, citizenship would impose on the state not only the responsibility to ensure formal equality before the law, but also that citizens would have the actual capacity to take advantage of opportunities before them. Such a responsibility, enshrined in a constitution and bill of rights, would radically enhance

the ability of citizens to take action against the state to redress unreasonable encroachment on liberties. Such a constitution and bill of rights would help tip the balance from state to parliament and from parliament to citizens. It would be an »empowering« legal system. Of course, »empowerment« would not thereby be guaranteed; no legal system alone is able to offer such guarantees. But it would clearly specify citizenship rights which could be fought for by individuals, groups and movements (wherever pressure could most effectively be mounted), and which could be tested in, among other places, open court... This is the model of democratic authority, model of *Models of Democracy*. But its debate still needs a great deal of further specification.

which questioned the idea of the »double forms of citizenship« that determine equal procedures would specify rights with respect to the process, but also equal state outcomes. This would involve not only equal rights to cast a vote, but also equal rights to enjoy the conditions for political understanding, involvement in collective decision-making and the whole of the political agenda. Such broad »state« rights would, in turn, entail a bundle of social rights linked to recreation, childcare, health and education, as well as economic rights to ensure adequate economic and financial resources for a citizen's autonomy. Without such social and economic rights, rights with respect to the state could not be fully enjoyed, and without state rights in the form of inequality of power, wealth and status could systematically disrupt the implementation of social and economic liberties.

A system of rights of this type would specify certain responsibilities of the state to groups of citizens. For example, if the state would then, in principle, be clearly entrusted, its capacity for freedom in respect to economic activity would not only be productive freedom for a citizen, but would entail making the state responsible not only for the medical and social facilities necessary to prevent or reduce pregnancy, but also for providing the material conditions which would help make the choice to have a child a genuinely free one and thereby ensure a vital condition for women if they are to be free and equal. A right to economic resources for women and men in order that they may be in a position to choose among possible social action would oblige the state to be pre-occupied with the ways in which wealth and income can be far more equitably distributed. Such resources might be made available through, among other things, a guaranteed income for all adults irrespective of whether they are engaged in wage, labour or household labour. Strategies of the this type should be treated with some caution; their implications for collective or societal welfare are often and distribution are by no means fully clear. However, without a minimum resource base for some kind, many people will remain vulnerable and dependent on others, unable to exercise fully and independently choice or to pursue different opportunities that are formally before them. The »rule of law« then, must (contra Hayek) involve a central concern with distributional question and matters of social justice, anything less would hinder the realisation of democratic rule.

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