Introduction

The irony of life is that it is lived forward but understood backward.
Søren Kierkegaard

Why citizenship?

Citizenship, which may be defined as equal membership of a political community from which enforceable rights and obligations, benefits and resources, participatory practices and a sense of identity flow, affects everyone. More than any other institution, it impacts upon our public and private life by shaping the way we behave, informing how we can live together and determining what we should expect from the state and other institutions. But citizenship is not confined to the realm of the real. It also encompasses a future-oriented, rather aspirational, dimension; namely, cognitive and normative ideas about what is possible and, perhaps, desirable for socio-political relations. Poised between the real and the ideational, citizenship can thus be both an instrument for maintaining the status quo and an invitation to social and political change.

This, perhaps, explains citizenship's appeal. There exist many volumes on it and scholars frequently engage in lively debates about its meaning and content.[1] Politicians, too, often make it the focus of public debate about a wide range of issues, such as realising active citizenship, enhancing the accountability of public officials, providing education for citizenship, defending the European social model and so on. Following 9/11, arguments over the public space and recognition afforded to faiths, and in particular to Islam in western multicultural societies, complaints about competing loyalties and multiple identities, litigation over the wearing of the niqab and other symbols of faith, have raised the political stakes and highlighted the centrality of citizenship to contemporary politics. And even though the broader debate as to whether citizenship is valuable per se[2] or has an instrumental value is far from being

[1] For an excellent review of these debates, see Kymlicka and Norman (1994, 2000).
[2] Civic republican and communitarian scholars have emphasised the importance of civic engagement and participation in public affairs. For a good exposition of their arguments, see Mulhall and Swift (1992).

settled, very few individuals would actually call into question the value and importance of citizenship.[3]

Given the prominence of citizenship in public discourse and academic literature, it is tempting to think that we know almost everything about it. However, when we turn our attention to contemporary challenges, such as pressures for regional autonomy, global economic processes and global inequalities, climate change, increased human mobility and the claims made by resident non-nationals for political inclusion, cultural pluralism, continuing discrimination and international terrorism, we gradually discover not only that we know less than we thought, but we are also confronted with citizenship's limitations. Frustrating this may be, it is, nevertheless, understandable. It is not easy to reconcile twenty-first-century challenges and problems with twentieth-century resources and nineteenth-century models. The nation-state may be under pressure from above, below and within – that is, the pace of social and economic change, migratory movements, demands for regional autonomy, claims for full citizenship from marginalised citizens and non-citizen residents, the internalisation of the economy and accelerated capital mobility, the development of supranational law and institutions and, lately, the intransigence of dogmatism – but the nationality model of citizenship continues to be the dominant paradigm.

Having a historical pedigree of approximately 200 years, national citizenship reflects the relationship between right-bearing individuals and the territorial state, which has been conceived of as the political embodiment of a nation, that is, as an association of compatriots endowed with sovereignty. According to this paradigm, free and equal citizens qua nationals are united by a shared set of values and patriotic allegiance in a quest for democratic governance. Four main assumptions have traditionally underpinned national citizenship: I will call them the priority, exclusivity, supremacy and cohesion theses. According to the priority thesis, citizens must show a preference for the well-being of their fellow co-nationals over that of non-nationals residing both within and outside the territorial borders. The idea of having special obligations to the members of one's community (Miller 1995) stems from the 'we feeling of the nation' and the concomitant sense of shared identity. Although citizens live among strangers who they will never know (Anderson 1983), they have been accustomed to think of them as compatriots. Accordingly, their interests matter more than the interests of non-compatriots, irrespective of the latter's residential proximity. The exclusivity and supremacy theses refer to the assumptions that national identification should be single – it should not reflect multiple belongings,[4] and should subdue, absorb and assimilate all other individual or collective

[3] Turner (1993) has argued that citizenship is a key aspect of our political thinking.

[4] The ideal of monopatride citizen has been the hallmark of national citizenship. Accordingly, multiple nationality has been seen to be both undesirable and a problem, since it results in divided loyalties. For an excellent account of the implications of this, see Leuprecht (2001).

identifications, respectively.[5] Citizens have thus been expected to display absolute and unconditional allegiance to their nation. Finally, the internal cohesion thesis refers to the assumption that heterogeneity and pluralism are not conducive to political stability and democratic governance. As Mill (Mill 1972 [1861] 382) noted: 'free institutions are next to impossible in a country made up of different nationalities. Among a people without fellow-feeling, especially if they read and speak different languages, the united public opinion, necessary to the working of representative government, cannot exist.' The paradox, here, is that while difference has been perceived to be a problem and a barrier, national citizenship itself has been founded on, and sustained through, difference, that is, the insider/outsider distinction. By excluding the outsider, it has managed to elicit the loyalty of the citizenry. Because all these assumptions, which will receive more detailed attention below, reflect the world of yesterday, rather than contemporary realities, their grip upon thinking, policy and politics has been noticeably weakened over the last two decades.

Indeed, the political landscape has shifted in such a way that the nationality model of citizenship has been seen to be an anachronistic institution by both globalists and sociologists keen to explore the dynamics associated with the language of human rights (Soysal 1994; Jacobson 1996) or the recovery of the 'subject' (Touraine 2000). Others disagree. They prefer to bracket the limitations of citizenship qua national membership, and proceed to address substantive issues, such as enhancing participation and equality. This trend thus centres on what may be called a 'limitation neglect'; that is, community membership and boundaries are taken as given and unproblematic. Finally, a third trend in the literature on citizenship starts from a different premise; namely, scholars acknowledge the limitations of national citizenship, but they seek to remedy them and to increase the inclusionary side of citizenship by reforming national citizenship and by pluralising national cultures and identities. Although scholars have chronicled the crisis of the nationality model of citizenship well in the light of the prevailing notions of democratic legitimacy, the forces of globalisation and the unfolding dynamics of European integration, the search for a truly non-national alternative has not progressed.

This book seeks to furnish the tools required in order to transcend the present limitations of citizenship and make it more meaningful in the twenty-first century. It does so by suggesting an alternative citizenship design based on domicile and defending it against a number of objections. Although the history of the nation-state weighs heavily on citizenship, we should not forget that the latter has been characterised by remarkable plasticity. As society develops over time and its central themes and guiding values are undergoing revision and refinement, citizenship is re-written in a way that transcends the narrow confines of the past, while retaining its capacity to be meaningful and socially relevant.

[5] According to Smith (1979) the idea that loyalty to the nation-state overrides other loyalties is one of the seven propositions that make up the core nationalist doctrine.

This is often done by enhancing rights protection, increasing civic involvement and by promoting democratic inclusion and equality in the political system. And although one should always be sensitive to constraints and political obstacles, we also should keep in mind that citizenship is, perhaps, the only institution that has the capacity to turn strangers into fellows and residents into associates in an ongoing quest for just and democratic institutions and for improved symbiosis. But now that the scope of this book has been sketched out and the importance of citizenship highlighted, readers might wonder why we should address citizenship now.

Why citizenship now? Turning points and transition theories

In the 1990s, political reform in Eastern Europe brought about an unprecedented optimism about the future and a widespread belief that politics can change things for the better provided that the liberty of the citizens is respected.[6] And citizens can only be free if they view themselves to be not only the addressees of laws promulgated by governments, but also the joint authors of such laws. At the same time, the processes of globalisation and European integration provided another, equally gripping, motivation for engagement with fundamental thinking about community membership and the role of the citizen. The establishment of European Union citizenship, by the Treaty on European Union in 1992, brought forth the possibility of disentangling citizenship and nationality and, despite its present limitations, this institution was legitimately considered to be a prototype for political experimentation beyond the confines of the national state.[7]

Such experimentation was seen to be necessary because the abovementioned four theses underpinning the paradigm of national citizenship were revealed to be both problematic and inappropriate for contemporary political communities. This is because they were premised on assumptions about unitary identities, unified nation-states, homogenous political cultures and clear boundaries between members and strangers which did not reflect reality (Kymlika and Norman 2000). Democracy and nationalism may have been bedfellows for a very long time, but, in the last two decades of the twentieth century, their uneasy relationship could no longer be concealed. Activists and scholars argued convincingly that the fixity, assumed homogeneity and simplicity of the old paradigm perpetuated exclusion and separation, left many inequalities unscathed, subjugated competing religious beliefs and cultural frames of meaning, encouraged isolationist minority positions, hindered social capital formation and democratic partnerships.

The parallel trends of internal differentiation and cultural globalisation, coupled with European integration and processes of decentralisation, gradually

[6] Compare J. Dunn (2005). [7] This will receive a detailed exposition in Chapter 1.

induced transformations of national identities in Europe and elsewhere. In the UK, for example, Parekh (2000) articulated possible options for the redefinition of national identity, and his report on the future of multi-ethnic Britain outlined a set of institutional reforms which could make Britain a more vibrant multi-ethnic society. As the national was squeezed among assertive pluralism, on the one hand, and transnational and supranational forces, on the other, scholars wondered whether the modern nationality model of citizenship had outlived its usefulness. For although these developments did not precipitate the eclipse of the nation-state, they nevertheless demonstrated that the generative matrix from which citizenship had sprung was based on the manufactured couplings and equivalences between the state, the nation, sovereignty, territoriality, democracy and citizenship that were not as tight as it was previously thought. The loosening of the connections and the possibility for new combinations was heralded to be a unique opportunity to remedy the exclusiveness, restriction and discrimination that prevailed in the past, to straddle the opposition between citizenship theory and political reality that had widened by the conservatism of the 1980s, and to promote social justice.

In the early twenty-first century, however, people found that political life was neither caring nor compassionate. Human life was not worth much: bombers did not care about where they bombed, soldiers did not care about who they killed and politicians pursued their own narrow agenda without much regard for international legal guarantees and human rights. In the aftermath of the catastrophic events of 11 September 2001 security concerns prevailed and authoritarianism dominated the political agenda on both sides of the Atlantic. Politicians argued that changes in citizenship, naturalisation and migration policies were appropriate, and indeed inevitable, in light of new and unprecedented security threats posed by Al-Qaeda and other terrorist groups. Accordingly, they pursued policies designed to strengthen national cohesion by increasing naturalisation requirements, stripping dual nationals of their nationality, and to restrict civil liberties, such as detention without trial, control orders, restrictions on free speech, increased powers of arrest and so on. One thus notices a clear shift away from multiculturalism and diversity towards either 'integration' or 'assimilation' and a gradual 'thickening' of notions of political belonging in western Europe and elsewhere. The loyalty of Muslim citizens and residents has been called into question by the mainstream parties, while the Populist Right pursues its Islamophobic and anti-migrant discourse with a renewed dynamism, capitalising upon the threat of terrorism.

Although the political struggle to make citizenship more meaningful continues in the form of policy battles over border regulation and migration policy, loyalty and patriotism, naturalisation rules and dual citizenship, anti-discrimination legislation and social welfare reform, in the current state of affairs nationalism appears to be a right without a left. It is as if political options have run out. Opinion polls reveal that millions of people have lost

hope in politics, are distrustful of politicians and cynical about the future.[8] Clearly, this is a turning point as regards citizenship. And turning points do not merely provide good illustrations about unfolding social processes and the role of time in politics (Pierson 2004), they also prompt a critical reflection on what works and what needs to be fixed, a consideration of a different vision and the transition from one set of beliefs to another. Turning points are thus closely linked with transition theories.

True, no transition theory can predict with certainty the future of the nationality model of citizenship. Nor is it easy to ascertain whether the trend of making the ethnic boundaries of citizenship more visible will take hold and, more generally speaking, where we are headed in terms of reconfigurations of citizenship. But given the risks posed by the thickening of national identities and state authoritarianism, it is not only reasonable to ask what modifications and adjustments citizenship needs, but it is also vital that we defend the normative ideals of inclusive and democratic citizenship in the twenty-first century. We thus need to reignite a vision that points towards the future while taking stock of the past. We also need to debate openly alternative institutional designs that might improve democratic life by providing better connections among the whole and the parts, democracy and diversity, and supranational patterns of governance and democratic partnerships both within and beyond the state. In other words, we need to ponder upon embedded utopianism.

Embedded utopianism

In many respects, the nation-state centred notion of citizenship has not only prevented us from developing a sophisticated understanding of associational relations and from articulating an appropriate response to present challenges, but it has also stifled normative thinking by insisting that polities are like clubs. As such, they have the power to exclude eligible applicants from admission to the public realm of the community. Longstanding residents are, according to Cole (2000), 'outsiders', since they are permitted to enter the private realm of the state, but are excluded from the public realm. In the subsequent discussion, I argue that the analogy between a polity and a club is incorrect and that another configuration of citizenship is possible which reflects more accurately present historical exigencies and, more importantly, democratic sensibilities.

For as Bauman (2001, pp. 54–5) has convincingly argued:

> democracy is not an institution, but essentially an anti-institutional force, a 'rupture' in the otherwise relentless trend of powers-that-be to arrest change, to silence and to eliminate from the political process all those who have not been 'born' into power ... Democracy expresses itself in a continuous and relentless critique of institutions; democracy is an anarchic, disruptive element inside the

[8] See, for example, the poll conducted by *The Sunday Times* on 31 December 2006.

political element; essentially, a force for dissent and change. One can best recognise a democratic society by its constant complaints that it is not democratic enough.

Sharing this critical sensibility and believing that democracy cannot be imagined without internal inclusion, in this book I seek to think the impossible with respect to citizenship while being attentive to what exists and the forces that have shaped its historical evolution. By looking into the horizon of 'what could be' or 'what might be', I avail myself of a language of critique and social transformation[9] – a language of embedded utopianism.

Underlying this term is an awareness of the need to keep the normative agenda on a realist footing. Alas, it is not sufficient to come up with alternative institutional designs and to assume that they will be adopted by policy-makers who are convinced about their strengths. We also need to analyse the obstacles that stand in their way, consider possible objections to them and reflect on the political forces that may work against their implementation. Although throughout the subsequent discussion I seek to anticipate objections to my argument and to address a number of criticisms that may be raised from differing political perspectives and theoretical traditions, it may be worth pre-empting, and responding to, a few general criticisms at this point.

Three general, albeit interrelated, criticisms may be anticipated. The first is raised in almost all cases involving institutional transformation and bears a close resemblance to A.O. Hirschman's (1991) futility thesis; namely, that attempts at social transformation will simply fail to make a 'dent'. Politics is, after all, the art of the possible. In assessing the chances of implementing institutional reforms in 'the real world', however, one must bear in mind that the line separating 'possibility' and 'impossibility' is quite indistinct. Things widely held to be impossible in the past have been, in fact, entirely possible. In addition, our conception (and prediction) of what is possible and impossible is self-limiting (Barrow 1999): the possible and its limits are essentially defined by our perspectives and institutionalised political choices. And even though we long for certitude and predictability, on a deeper level we know that the world, be it cosmic or political, is complex, unruly and unpredictable. In this respect, questions of feasibility must be situated within the matrix of fluid, dynamic, constantly changing political and institutional environments. In such environments, not only is there no privileged vantage point from which one may pass judgement on what can and cannot be achieved, but, like balloons, whose shape and volume cannot be detected before inflating them, even small mutations can have big and often unexpected effects.

Secondly, it may be argued that the transformation costs associated with an alternative model of citizenship are simply too high. I take 'transformation costs' to include not only the resources devoted to the process of considering a

[9] From this standpoint, the scholars' task is not merely to promote understanding and identify gaps in knowledge. They also have a responsibility to intervene, criticise injustice, ask uncomfortable questions and suggest alternatives. On this, see Brown (2001).

rule change (Buchanan and Tullock 1962) but also the expected, ex post impact of the proposed rule change on other institutions and the political setting in general. After all, an anational citizenship design will not only radically transform citizenship, but will also shake the foundations of modern politics by decentring the national frame of reference. For some, this would be an unacceptable cost. But equally, for others, the continued conditioning of citizenship by nationality in the present globalised era entails a number of unacceptable costs and constraints. Some might even go further and argue that it ultimately discredits itself by its indifference to principle. Upholding the principle of democratic inclusion and placing political membership on a more egalitarian plateau in the new millennium may thus require a critical appraisal of ideologically driven justifications and a willingness to explore new ways of articulating the alliance between citizenship and democracy. After all, as Hirshman's discussion of the jeopardy thesis has shown, it is often the case that fears about these pressures and transformation costs are greatly overblown. Furthermore, unsettling particular meanings and thinking beyond the given are central to democratic transformation.

Thirdly, it may be argued that my framework does not take into account the wishes, perceptions and preferences of the average voter. Indeed, in the current climate of suspicion and negativity that has accompanied the 'war on terror', the enactment of an inclusionary framework of anational citizenship is bound to generate hostile reactions from the public. I see two problems with this argument. First, it is bedevilled by a 'chicken-and-egg' question. For instance, if people are suspicious of 'foreigners' and tend to trust co-nationals more, it is not clear whether nationality produces these sentiments and reactions or whether these are the by-product of nationalist discourses and appeals to ethnic exclusiveness espoused by politicians, of anti-migrant rhetoric and of hostile representations of migrants by the media. After all, a cursory look at the state of political affairs since 9/11 shows that it is not so much the average voter, but politicians and the media, who are controlling the debate and the prevalent discourse on migration, citizenship and nationality. In many respects, 'the nation' is not discovered and expressed by the government of the day; instead, it is made and remade by it.

Secondly, although one cannot afford to disregard what people may want, over time political life would become impoverished if peoples' preferences (and often prejudices) were made the basis for citizenship design. After all, political judgements about what the national interest requires and the best way to deliver public goods do not always coincide with public preferences. Nor has such an argument concerning 'telling people what they want to hear' or 'delivering what people want' been relevant with respect to a great deal of public policies and government-driven radical reforms, such as the denationalisation of public utilities, private finance initiatives, taxation and so on.

Alas, the above arguments may not convince critics. Readers may disagree with my responses and, by the end of the journey, may even conclude that

I may not have offered an acceptable solution to the problems pertaining to national citizenship. Such a response would not be regrettable. The book would, indeed, have been devoid of purpose if all readers agreed with me. It seems to me that a valuable purpose will be served if the discussion provokes debate, encourages a more reflective approach towards our paradigms and the dominant nationality model of citizenship and stimulates thinking about alternative institutional designs. Thinking differently about citizenship can unlock many fruitful possibilities, even if readers decide to depart from my conclusion that the impossibility of anational citizenship is only in the mind. In essence, what I am offering here is an invitation to start thinking about a genuinely postnational framework of democratic citizenship and its institutional implementation in the twenty-first century. In this respect, even if I am judged to have failed in furnishing the correct – and in the opinion of certain readers, an *acceptable* – imagining of citizenship for the future, I do hope that I will at least succeed in the remaining objectives.

Plan of the book

The structure of the subsequent discussion reflects the themes of ideological and structural change, theoretical innovation and institutional implementation. However, the book is not divided into parts. Nor has the discussion been based on a separation between theory and praxis. Rather, theoretical and policy perspectives are blended in an attempt to trace the rise and evolution of citizenship, to account for the development of the nationality model of citizenship, to explore its main ideological and practical limits, to furnish a solution and to examine the empirical conditions for its implementation.

The discussion will proceed as follows. Chapter 1 traces the emergence and development of citizenship. Following the exposition of different conceptualisations of citizenship, it discusses the dominant paradigm of national citizenship and explores some of its main normative and empirical limitations. Chapter 2 considers these limitations in more detail and critically assesses liberal national justifications of the normative relevance of national identity and culture. I argue that the latter are premised on a 'container' concept of culture that may not be as sound as it first appears. I proceed to examine whether an alternative conception of culture, that is, a conception of culture as practice, process and project, represents a more promising way of thinking about culture and the formation of political communities in this increasingly interdependent and interconnected world.

Chapter 3 continues the discussion on the theme of 'making a virtue out of the necessity' of nations and examines proposals to overcome the limitations of the nationality model of citizenship by incorporating new ideas and reforming naturalisation law and policy. More specifically, I critically examine two trends in the literature; namely, the 'new' discourse of patriotism and new models of citizenship. In examining contemporary discourses on patriotism, I argue that

it is inconsistent and unpersuasive. Neither Viroli's rooted patriotism (love of patria understood as a community of shared political territory, historically situated institutions and values grown out of historical processes) nor Habermas' constitutional patriotism (identification with the political culture embodying universalist political principles) nor Mason's republican patriotism (love of central institutions and practices) succeed in transforming the nationality model of citizenship in order to make it more compatible with contemporary developments and with cultural pluralism. In all three accounts, citizenship is embedded within the nation, and cannot function without the thick, thin or thinner mutual sentiments of commonality and civic national belonging. Patriotism in its various forms continues to have the nation-state as a referent and presumes that citizenship is national in character. Similarly, the three models of citizenship suggested by the literature – that is, postnational, transnational and multicultural citizenship – remain rooted within the civic nationalist trajectory. I demonstrate this by taking issue with the institution of naturalisation. Owing to the weight of its past and the symbolic significance it carries, even 'thin' naturalisation will continue to be rooted in and be configured by ethnicity, thereby making any claim to inclusivity either spurious or temporary. Instead of arguing for the liberalisation of naturalisation requirements and the ensuing pluralisation of citizenship, I consider how the nationality model of citizenship might be transcended by developing a model of civic registration.

Chapter 4 develops further the controversial option of superseding the framework of nationality and dislodging citizenship from the confines of the national. It sets forth arguments for redesigning citizenship by decentring the national frame of reference from its privileged position in citizenship theory and practice and by accentuating the network good character of citizenship. It furnishes the guiding principles for an anational framework of citizenship, shows how it can be implemented in reality and addresses a number of related policy dilemmas and objections to it.

Chapter 5 develops this analysis by exploring the implications of the anational model of citizenship in the international public realm and, more specifically, in the fields of diplomatic protection, the nationality of claims, plural citizenship and double punishment. I argue that a model of citizenship based on domicile would substitute nationality in the international domain, since it is premised on the existence of a genuine and effective connection between the individual and a political community. Such connection would be brought to an end in the event of voluntary renunciation of domicile of birth, domicile of choice, domicile of association and the revocation of civic registration owing to fraud or misrepresentation. Prolonged domicile abroad would also result in the severance of the links between the citizen and the country in which (s)he has domicile of choice.

Having designed the personal scope of denationalised citizenship, Chapter 6 focuses on examining its material scope. A central question in such an enquiry