From citizenship to human rights: the stakes for democracy

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A review of the literature on citizenship shows a trend away from anchoring citizenship practices to the nation-state and a move towards recasting the concept in universal terms. The paper examines this trend by focusing on the writings of Held, Bohman, and Benhabib. It distinguishes their ‘deliberative’ approach to citizenship, and suggests that this leads them to reformulate citizenship in a way which differs little from human rights. Although the paper shares in the view that a move to a human rights politics would pave the way for a more equitable order, it argues that there is also a risk. By drawing on the agonistic perspective on democratic politics, the paper shows that the risk is that we might undermine democratic politics by reducing it to a single principle.

Keywords: deliberative democracy; citizenship; human rights

With the intensification of processes of globalisation, the rise of transnational migration and the salience of the human rights discourse, much emphasis has been put in the literature to rethinking the nature and dynamics of democratic politics. Democracy, so the argument goes, is too limited in the face of an interconnected world increasingly organised around institutions of global governance. And democracy is too exclusive given its boundedness with the nation while calls for ethnic, legal, and political inclusion abound. The pressure thus exerted on democratic politics by calls for inclusion has led many political theorists to suggest that in order to bring democracy into line with current developments we need to dissociate it from dynamics of national and territorial exclusion. For such dynamics no longer resonate in a setting different to the one democracy was originally advanced within. In this setting, it is the prospect of a universal democracy, global or transnational, which appears relevant and compelling (Bauböck 1994, Held 1995, 2004, Linklater 1998, Delany 1995, Murphy and Harty 2003, Parekh 2003, Bohman 2007).

The case for universal democratisation addresses two main challenges confronting democratic politics at the turn of the century: the first revolves around the topos of politics. By reformulating democracy across state borders, its proponents show us that diminishing state sovereignty does not irreversibly weaken democracy. Rather, defining democratic markers such as transparency and accountability could be secured at the global layer of governance. The second challenge revolves around political logos or participation. By invoking the cross border activism of a nascent civil society, democratic theorists show us that political action could develop out of global concerns. And by valorising the potential of institutionalised deliberation to empower and emancipate individuals qua human beings, they identify a way in which political agency could be actualised beyond nation-state borders. Yet what the proponents of

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universal democratisation appear to pay less attention to is the implications of their thesis for citizenship. For political agency does not always concur with citizenship.

While political agency, understood as deliberation about political affairs, presupposes neither a fixed setting nor a common bond – since a variety of concerns could instigate political involvement in the temporal dimension – citizenship as a concept, in both its civic republican and Marshallian formulations, rests on something more than temporary political engagement. As a status which once acquired bestows upon the individual an array of rights, citizenship clearly distinguishes between the members of the demos who exercise the full array of rights, and the non-members. And as a participatory activity, which is how civic republicans conceive of citizenship, it presupposes not only common mores and a civic bond among the citizenry, but also constitutes communities which are bounded and thus exclusive. Precisely, therefore, because citizenship is premised on difference, on the clear distinction between those who are included and excluded from the demos, it activates a bond which is collective and egalitarian and an identification with the good common to all. Would this still be possible if citizenship, much like democracy, becomes reformulated in universal terms? Or does the prospect of a universal democracy necessarily imply the end of citizenship as a concept?

To address this question, the paper engages with the writings of Held, Bohman, and Benhabib which claim to reinvigorate citizenship while reformulating democracy in global or transnational terms. It distinguishes their approach as ‘democratic’ and ‘deliberative’, by virtue of the emphasis they place on democracy understood in deliberative terms, and explicates the ways in which this influences their conception of citizenship, leading them to identify it with human rights. The first step, therefore, in the argument of the paper is to show that despite retaining the term citizenship, and resisting the idea of universal inclusion, Held, Bohman, and Benhabib end up revising citizenship in universal and unavoidably human rights terms. The second step of the argument is to show that there is an inescapable implication in so reformulating citizenship. The implication is that by obliterating the difference between citizenship and human rights, we risk not only effacing citizenship’s distinctiveness, but also impoverishing, if not undermining, democratic politics by reducing to one principle – when, ironically, it is in the name of democracy that citizenship becomes so reconceived. Clearly, central to this argument is what one understands by democratic politics. If by democratic politics one understands frontiers and contestations, relations of both inclusion and exclusion, then the prospect of an only inclusive politics carries perturbing repercussions, concludes the paper.

This two step argument proceeds along three sections. In the first section, I explain the deliberative perspective on citizenship and show how Held, Bohman, and Benhabib, who express reservations about universal inclusion, are all led to reformulate citizenship in universal terms. Subsequently, the second section of the paper shows how their deliberative understanding of democratic practice leads all three authors to approach citizenship so minimally that in the process of addressing the problems confronting it they end up unavoidably privileging human rights. The final section considers the prospects confronting such accounts of universal citizenship. It shows, through the lens of an agonistic perspective, that arguing for all inclusion in the name of democracy might not reinvigorate but in fact undermine democracy.

Recasting citizenship in universal terms: the democratic and deliberative approach

Against the background of ever increasing suggestions for recasting democratic practice in global or transnational terms, what brings together Held’s account of global citizenship, Benhabib’s defence of democratic iterations and Bohman’s idea of a transnational democracy of demois is their deliberative approach to democratic politics. Influenced by the work of Jürgen Habermas, all three authors suggest that a deliberative account of democracy which gives centre
stage to processes of communication, to public exchanges of reason, could apply to settings other than the nation-state. This is partly because rational exchanges presuppose neither national nor territorial borders. But it is also because public reasoning is eo ipso empowering. Public reasoning could serve as a means for challenging relations of domination, according to Bohman. It involves justifying exclusions, according to Benhabib. And is the vehicle for promoting legitimacy in institutions of global governance, according to Held. More notably, public expressions of reason promise an intersubjective agreement on the terms of democratic cooperation beyond nation-state borders. Notwithstanding their significant differences and disagreements about (global) democracy, therefore, Held, Bohman and Benhabib unite in their core belief that by virtue of its inclusivity, potential for empowerment and intersubjective results, public reasoning holds the key to reinvigorating democratic practice. This is one marker of the deliberative approach to a global or transnational democracy.

The second marker of deliberative proposals for universal democratisation is that they have a strong proceduralist orientation. Institutionalised processes of deliberation, impartial and all-inclusive, conducted at diverse levels and settings are seen to consolidate democratic practice by facilitating global decision-making and agreements about common concerns. Moreover, according to Held, Bohman and Benhabib, a cosmopolitan framework of law secures both justice and democracy. This is because law and democracy are co-original, as Habermas argues: processes of deliberation (democracy) give birth to constitutional principles (basic legal rights) and constitutional principles (the legal system) entrench such processes of deliberation (democracy). The implicit and sometimes explicit endorsement of the co-originality thesis provides the third marker of the deliberative approach to a global or transnational democracy. For it leads Held, Bohman and Benhabib to recast citizenship in very similar terms. To retain citizenship as a notion, yet to paradoxically dissolve it into those legally codified human rights which it is co-original with – precisely because, as discussed below, they disentangle citizenship from dynamics of exclusion.

Of course, the perspectives of these authors differ with respect to the suggestions they make. While Held speaks of a global citizenship which denotes the idea that self-determined citizens deliberate at a variety of settings for issues directly affecting their lives, Bohman and Benhabib disagree with the idea of a global demos and suggest that we renegotiate inclusions and exclusions through processes of democratic iteration (Benhabib) or through the formation of transnational demoi (Bohman). But what are the concrete suggestions which the three authors make, leading us to argue that they end up identifying citizenship with human rights? While the rest of this section delves into their conception of citizenship with the aim of showing that despite claims to the contrary, they all envision it in universal terms, the second section demonstrates why this all-inclusive conception of citizenship lapses into human rights.

**David Held’s notion of global citizenship**

Held’s conception of global citizenship comes as part of his project for a cosmopolitan or global social democracy which aims at recovering legitimacy in institutions of global governance where participation, transparency, and accountability are often seen to be lacking (1995, 2004). Aligned, therefore, to his proposals for further institutionalisation and a cosmopolitan framework of law, citizenship plays a central role in his project as a means to securing democratic legitimacy. How then does Held approach citizenship?

On the surface, there is little doubt that citizenship which Held understands both as rights and participation becomes dissociated from dynamics of national and territorial exclusion. This is besides what the cosmopolitan model of democracy promotes: deliberations open to all, in a variety of settings. On closer inspection, however, we notice that Held in fact employs three
different, yet interrelated, conceptions of citizenship. On the one hand, he speaks explicitly of a global citizenship, a new conception which reconfigures democratic practice in the face of growing interdependence. A global citizenship, pace nation-state citizenship, is ‘built on the fundamental rights and duties of all human beings ... recognising their capacity for self governance at all levels of human affairs’ (2004, p. 115). It follows, that a global citizenship which draws on common humanity, unavoidably subsumes the member/non member distinction characteristic of democratic practice.

On the other hand, however, Held is more ambivalent about approaching citizenship in universal terms. Rather, he speaks of empowering rights, which provide for equality of status and, in effect, for equality of deliberation (1995, pp. 222–223). According to Held, empowering rights can be identified neither with citizenship nor with human rights. While citizenship is no longer relevant because it remains confined to the nation-state, human rights, seen by some as Western constructs, give rise to disagreements over their exact content and definition. Empowering rights by contrast, argues Held, are not necessarily tied to the nation-state and do not make any claim to universality, but to democracy. Here, we notice that Held refrains from using the term citizenship. Sensitive to citizenship’s historical link to the nation-state, he settles with the notion of empowering rights. However, on a third level, Held is unwilling to even concede as much as the idea of empowering rights concedes. Instead, he speaks of multilevel or multiple citizenships which, in the light of ‘overlapping communities of fate’, develop along with nation-state citizenship. ‘People would come to enjoy multiple citizenships’, he says. That is, ‘political membership in the diverse political communities which significantly affected them’ (1995, p. 233).

If we now look closely at these related accounts, we could delimit the three minimum features of Held’s approach to citizenship: first, it denotes the autonomy and equal status of each and every human being; second, it is a process of deliberation, a participatory activity enabling citizens to exchange reasons for (global) issues affecting their lives; and third it is not exclusively tied to the nation-state. In a nutshell, citizenship is construed in Held’s account as an all-inclusive notion: all-inclusive in terms of who participates (all autonomous agents), where they participate (in different arenas) and how they participate (under a cosmopolitan framework of law which secures autonomy and impartiality). In Held’s words, ‘the new conception of citizenship is based on general rules and principles ... [Its] meaning shifts from membership in a community which bestows, for those who qualify, particular rights and duties, to an alternative principle of world order in which all persons have equivalent rights and duties in the cross cutting spheres which affect their vital needs and interests’ (2004, p. 114). Although it could be objected that Held’s conception of global citizenship insofar as it coexists with, and adds to, nation-state citizenship does not directly entail universal inclusion, we could argue that this appears to be the case only in the short or medium term. In the long term, Held does anticipate, as the last citation clearly indicates, that a global citizenship would override exclusive democratic practices. But is a global, all-inclusive, citizenship possible?

Seyla Benhabib’s case for democratic iterations

In her latest effort to rethink political membership in the face of transnational migration, Seyla Benhabib astutely points out that democracies require borders and thus relations of both inclusion and exclusion (2006, p. 33). This is partly because democratic legitimacy presupposes representation of a specific people and accountability to a specific constituency. But it is also because the tension between the practices of the particular demos and cosmopolitan norms, such as human rights principles, is not something that we could do away with, according to Benhabib, but is constitutive of liberal democracies. Rather than developing therefore the idea of a global
demos, which by implication undermines that which is constitutive of liberal democratic politics – the tension between sovereign self-determination and universal norms – Benhabib suggests that through democratic iterations we can renegotiate relations of inclusion and exclusion and thus mitigate the tension between the two.

At its most basic, the idea of democratic iterations denotes that deliberations, which require that participants give justifications for exclusions, open the way for the demos to reiterate the conditions for just membership. Benhabib explains: ‘democratic iterations are linguistic, legal, cultural and political repetitions in transformation, invocations that are also revocations. They not only change established understandings but also transform what passes as valid or authoritative precedent … [By engaging therefore in such processes] a democratic people, which considers itself bound by certain guiding norms and privileges, reappropriates and reinterprets these’ (2006, pp. 49–50). What Benhabib suggests, therefore, is that through processes of democratic iteration, the citizenry progressively revises relations of inclusion and exclusion. More importantly, she expounds that through rational argumentation in acts of democratic iterations, new norms emerge with respect to nation-state practices, and these new (universal) norms would be incorporated into democratic processes of will formation, thereby acquiring positive legal status. In this way, the spread of cosmopolitan norms, all the more prominent today, comes to be reconciled with popular sovereignty. No longer referring ‘to the physical presence of a people gathered in a delimited territory’, popular sovereignty would now refer ‘to the interlocking in the global public sphere of the many processes of democratic iteration in which peoples learn from one another’ (2007, p. 32).

Certainly, Benhabib does not seem in the first instance to reassert citizenship, the vehicle of democratic politics, in all-inclusive terms. A tension in her argument, however, reveals that she actually does. The tension surfaces once we consider that while democratic iterations uphold the idea of the citizenry which decides on its own affairs, they necessarily lead to, if not presuppose, revision of (exclusive) practices and legalisation of human rights norms – otherwise, they would be short of ‘iterations’ in the Derridean sense which Benhabib uses. But if the point of democratic iterations is to renegotiate and revise exclusive nation-state practices, so to reconcile cosmopolitan norms with particular politics, then their implication is that the citizenry which iterates such potentially universal norms comes to unavoidably embrace everyone. Because if the citizenry were not to embrace all human beings who are of equal moral worth, then there would be little point in processes of democratic iteration. Since Benhabib does not, therefore, justify why the second or third generation citizenry which comes into being after iterative acts have taken place is not all inclusive, we are led to the conclusion that Benhabib does embrace, if not anticipate, the possibility of a universal citizenry. What however for Benhabib is only an implicit suggestion for Bohman appears to be the objective, as the following section demonstrates.

James Bohman’s transnational democracy of Demoi

In his latest work, Democracy across borders: from demos to demoi, James Bohman, much like Held and Benhabib, attempts to reconfigure democratic practice in the wake of a changed political landscape. Like Held, Bohman places emphasis on deliberations in settings and arenas across state borders. And like Benhabib he resists the idea of universal inclusion, of a global demos, on the grounds that the tension between universal norms and particular politics is constitutive of modern democracy. These two premises which inform Bohman’s proposal for a transnational democracy lead him to suggest that we retain the idea of the demos, yet we reconceptualise it in the plural, as demoi engaged in democratic deliberations across state borders. Moreover, what further distinguishes Bohman’s position from Held’s and Benhabib’s is
that he grounds his suggestion for a transnational democracy of demoi in the republican ideal of non-domination – rather than self-determination. To have non-domination, he says, ‘is to have a particular kind of normative status, a status allowing one to create and regulate obligations with others. This is the status of being a citizen. It is a status of non domination rather than self legislation; it is to be not ruled by others’ (2007, p. 9).

It follows that for Bohman citizenship plays a pivotal role in his account of transnational democracy. Understood as the capacity to deliberate, citizenship is precisely that primary status which enables and empowers collectivities to challenge relations of domination. This is partly because communicative freedom, which citizenship embodies and secures, is the most pertinent means available to individuals to expose their rule by another. But it is also partly because the political right to initiate deliberation denotes the democratic minimum necessary for global democratisation, according to Bohman. As he puts it: ‘the democratic minimum permits meaningful political activity to emerge, since it attributes to each citizen the capacity to initiate deliberation and thus to take up the common activity of deliberating about common concerns’ (2007, p. 47). By thus tying citizenship with the democratic minimum, Bohman is able to sustain and defend the idea of cross border democratic practices. Yet if Bohman valorises citizenship in multiple demoi, on the grounds that it is that basic, minimal, status guarding against instances of domination, all the more possible in the context of an interconnected world, then how exactly does he reformulate the concept in universal terms, as this paper suggests?

In order to dissociate citizenship from the nation-state and thus from dynamics of national and territorial exclusion which today appear problematic, Bohman anchors citizenship in the human political community. Humanity, pace nation-state membership, carries several advantages for Bohman. In representing the perspective of the ‘generalised other’, humanity emerges as the horizon against which we test (and change) exclusive norms and practices. By virtue of its magnitude therefore, humanity appears to be a more relevant anchoring point than state membership in challenging relations of domination. At the same time, humanity far from being an individualistic notion secures the solidarity necessary for politics. This is because Bohman understands humanity in a way that implies a relation to others. He understands it as ‘a second person’, rather than ‘first person’, status. And ‘when taken as a second person status, humanity’, says Bohman, ‘captures the strong connection between rights and political status in a just political community called to be responsive to claims of justice and injustice’ (2007, p. 108). Notably, therefore, humanity denotes a political community, because it is the addressee of claims to justice – a point which reveals that justice and democracy are for Bohman co-original, ‘one cannot be realised without the other’ (2007, p. 38). Consequently, by anchoring citizenship in humanity on the presupposition that (political) humanity directly enlarges the scope of political practice, Bohman ensures that he reformulates both citizenship (in more inclusive terms) and human rights (as something more than an individualistic inscription). Of course, the question which arises at this point is what exactly is left from citizenship. Because isn’t it the case that by so recasting citizenship, we end up privileging human rights? The following section addresses this question.

Privileging human rights?

Human rights are different from citizenship. Human rights, according to Delanty, ‘are based on an ethical and legal concept of the individual; citizenship is based on a political and legal understanding of the individual. They share a legal conception of the individual but differ with respect to their universality. Human rights are basic . . . rights that all individuals enjoy by virtue of their common humanity, whereas citizenship is specific to the members of a particular community’ (2000, p. 69). Five basic differences can thus be delineated between citizenship
and human rights. First, whereas human rights pertain to all human beings irrespective of membership in a political community, citizenship is accorded exclusively to the members of nationally and territorially delimited communities. Second, while human rights are conceived as universal, citizenship is particular because the rights and privileges it confers remain confined within particular nation-states. Of course, here it needs to be clarified that although citizenship’s particularity is a contested property, especially in the light of numerous attempts within the cosmopolitan school of thought to theorise citizenship in universal terms, we could argue that it is precisely in its boundedness that citizenship’s particularity, which we here explicate, consists. For as Balibar notes, ‘by definition citizenship can exist only where we understand a notion of city to exist – where fellow citizens and foreigners are clearly distinguished in terms of rights and obligations in a given space’ (2002, p. 108). Moreover, and although it could be further objected, from the other end, that disagreements about the origins, content, and validity of human rights raise serious questions about their universality, such objections appear to lose their force when we counterpose human rights to citizenship. For what humanity precisely promotes, if not secures, as an idea is universalisation. Bounded membership, in contrast, precludes this possibility.

Third, and notwithstanding the political role which human rights often take on, they are in principle moral and legal rights. As Habermas notes, ‘human rights are Janus-faced, looking simultaneously toward morality and the law. Like moral norms, they refer to every creature “that bears a human face”, but as legal norms they protect individual persons only insofar as the latter belong to a particular legal community’ (2001, p. 118). Citizenship, by contrast, has strictly political connotations. It is the primary political means embodying democratic self-determination. Fourth, while citizenship is exclusively granted by states, human rights override the capacity of states once ‘protection is their prime function’ (Heater 1999, p. 160). Finally, whereas human rights are often viewed as passive rights, by virtue of their protective function, citizenship is viewed as a dynamic set of entitlements which could be exercised.

In the light, therefore, of these five differences between citizenship and human rights it becomes apparent that by envisioning democratic practice in universal terms, Held, Bohman and Benhabib risk effacing citizenship’s distinctiveness and identifying it with human rights. All the indications are here: a citizenship which pertains to all human beings by virtue of their deliberating capacity would negate national and territorial boundedness and overrule exclusions (difference one). It will certainly be a universal principle, designating the democratic minimum, as Bohman astutely argues (difference two). Moreover, a universal citizenship will principally involve and encourage further legalisation – the cosmopolitan framework of law which Held for instance privileges – on the grounds that law pace particular politics is consensual, rational, and inclusive, and therefore suitable as a vehicle for global democratisation (difference three). And a universal citizenship will, inevitably, override the capacity of states (difference four). But would a citizenship which differs little from legally codified human rights be still dynamic and empowering (difference five)?

According to Brysk and Shafir, ‘human rights promise to offer more than nation state citizenship ... [they promise] the possibility of a global community’ (2004, pp. 4–5). Within the context therefore of an interconnected world, it can be argued that human rights appear, by virtue of their universality, to be more relevant than citizenship. Not only do they tally well with processes which question exclusive state practices, but also, as a result of their consolidation in international law, they transpire as principally empowering (and not simply protective) means. Hence from the Turkish Parents Association in Berlin which in the name of human rights demanded school instructions to be conducted in their mother tongue, to the head scarf affair in France, what seems to be increasingly the case today is that calls for rights and equality are posed not in terms of citizenship, but of human rights. This change in our perception of what
constitutes empowering rights confirms that a citizenship which appropriates human rights’ universality would be, as Held, Bohman and Benhabib anticipate, a dynamic notion.

Yet an objection arises at this point. If we are in the first instance correct in our suggestion that a universal citizenship collapses into human rights, then why do Held, Bohman, and Benhabib retain the term citizenship, resisting to recast democratic practice in human rights terms? To be sure, within the literature there have been such arguments, notably Goodhart’s, which claim that in the face of a global politics we should reconceive democracy in terms of human rights (2005). Or Brysk and Shafir recently expressed the hope in Citizenship Studies that human rights could perhaps be eventually transformed into citizenship (2006). Why isn’t this the case with the three authors examined here? To address this question we need to return to the emphasis which Held, Bohman, and Benhabib place on deliberation. For it is their deliberative approach to democratic practice which provides us with cues as to how exactly they end up identifying citizenship with human rights.

Two underlying assumptions of the deliberative perspective which we have already examined, are relevant for us here. The first is that a procedural understanding of democratic practice which gives centre stage to public reasoning could secure global democratisation – since, as we have seen, public reasoning is inclusive and empowering. The second assumption is that human rights which entrench processes of democratic deliberation cofound the democratic order with citizenship. Both of these assumptions, we are now in a position to show, lead Held, Bohman and Benhabib to effect the same theoretical move: to first empty citizenship of all substantive bonds, by identifying it with public exchanges of reason – a necessary step in the process of dissociating the concept from the exclusive nation-state politics which today appear problematic. And then to embrace the prospect of such a minimal citizenship which differs little from human rights, on the implicit presupposition that human rights which cofound the democratic order could come to reinvigorate it. For example, this seems clearly to be the case with Bohman who ultimately privileges human rights, when he argues that citizenship, understood minimally as the status which secures the right to initiate deliberation, could now that nation-state politics appear problematic be anchored in humanity, precisely because humanity is political (and thus co-original with citizenship).

Likewise, something similar could be shown in the case of Benhabib whose deliberative approach leads her to privilege human rights at two circular moments. First, at the moment of democratic will formation when she identifies democratic practice with rational revisions of established norms, reserving thereby nothing distinctive that this conception of citizenship can lay claim to and nothing which human rights cannot secure. This suggestion appears likely when we recall that popular sovereignty for Benhabib no longer refers to the actions of a particular demos but to ‘interlocking processes in which peoples learn from one another’ (2007, p. 32). Second, we might suggest that Benhabib privileges human rights at the moment of will-crystallisation, when peoples ‘open to learn from one another’ become rationally convinced to iterate (new) more inclusive norms. At this moment, human rights could again be taking priority over citizenship, precisely because nation-state citizenship appears problematic while universal human rights, which cofound the democratic order, appear more relevant and compelling.

Similarly, Held’s conception of citizenship, which denotes that self-reflecting individuals would rationally deliberate and decide for those (global) affairs impacting on their lives, could also easily lead to an argument which privileges human rights. For why couldn’t basic human rights which valorise common reason among other humane properties not secure public exchanges of reason at the global level (which is how Held defines citizenship)? The point, therefore, is not that Held implicitly envisions human rights as the main principle of politics. Nor that he simply effaces the difference between citizenship and human rights, and identifies the
former with the former. Rather, that his conception of citizenship is, like Bohman’s and Benhabib’s, so minimal that human rights could assume its role.

To return to the question posed earlier in the section, namely, why citizenship is still used as a term, we can now explain that this is because Held, Bohman and Benhabib understand democracy in very specific terms. By postulating that democratic practice involves procedural exchanges of (an intersubjective) reason which secures legitimacy (Held), tackles exclusions (Benhabib) and challenges relations of domination (Bohman), they are able to retain citizenship as a term, yet approach it so indistinctively that it could be identified with human rights. Of course, this is not to say that the deliberative understanding of democracy leads one to undermine citizenship and privilege human rights. Rather, it is to say that when applied to the case of a problematic nation-state citizenship, such an understanding of democracy is likely to lead to arguments which end up shadowing citizenship with human rights.

Of course, this is not to say that the deliberative understanding of democracy leads one to undermine citizenship and privilege human rights. Rather, it is to say that when applied to the case of a problematic nation-state citizenship, such an understanding of democracy is likely to lead to arguments which end up shadowing citizenship with human rights.

But a question arises at this point. What is the problem with arguments which identify citizenship with human rights? There are two conceptual difficulties with such arguments. The first difficulty surfaces when we consider that neither Held nor Benhabib, for example, clearly explain why exactly individuals would deliberate at the global level (Held) or why they would iterate cosmopolitan norms (Benhabib). Although common reason dictates so, surely rationality could not be enough for grounding participation at levels other than the state. Might it not, therefore, be the case that democratic practice, at the global age to be certain, requires something more, some sort of common allegiance? This brings us to the second difficulty confronting deliberative arguments which appear to privilege human rights.

Envisaging citizenship in universal terms is possible, theoretically, only if we play down the need for a collective ‘we consciousness’, what Habermas calls ‘civic solidarity’ (2001, p. 139). Curiously, neither Held nor Benhabib explore this in detail. Although Bohman appears, in contrast, to recognise this need for ‘civic solidarity’ when he reconceives humanity as a second person status, we could question whether humanity could engender the type of solidarity that drives democratic participation. This is not to say of course that humanity is a ‘thin’ notion. Rather, it is to say that it is such an all encompassing notion that it could potentially ‘defuse’ civic solidarity. Yet can we seriously entertain the idea of a democratic practice that is not driven by some sort of common bond? Assessing the extent to which accounts of citizenship as an all-inclusive notion succeed in what they set about to achieve, namely, to reinvigorate democratic politics comprises the focus of the next and final section of this paper.

Prospects for democratic politics

The previous section concluded by suggesting that democratic practice might rest on a common bond which is not always available on deliberative accounts of citizenship that recast the concept in minimal and universal terms. In this section, the prospects which such a conception opens for democratic politics are considered. Not only because the case for a universal citizenship necessarily derives from proposals for a global or transnational democracy, but also, notably, because it is in the name of democracy that political theorists so recast citizenship.

To be sure, it could be argued that by reasserting citizenship in universal terms we do revitalise democratic politics. We bring it into line with present developments which challenge national and territorial borders and we fine tune it with demands and calls for a politics of universal inclusion. At the same time, we recover citizenship’s dynamism, retrieve its relevance, and strengthen its appeal. Perhaps this is the only way forward. Given that citizenship’s dynamics of exclusion appear problematic, the obvious option available is to dissociate it from such dynamics. In this way, we take a step closer to a more equitable order and, certainly, as Held convincingly argues, we secure a more transparent, representative, and legitimate democratic politics.
But there is also a danger. If we follow an agonistic understanding of democratic politics which issues from the writings of theorists such as Honig, Mouffe and Connolly, then we could argue that the prospect of an all-inclusive politics is not only impossible but also risks undermining democratic politics. To explain why, we must look closely at the agonistic position. Although there is significant disagreement among agonistic theorists, we could identify the following four assumptions as central to their perspective. The first assumption is that democracy involves and presupposes an ethos which ‘affirms the contingency and openness of political life’ (Schaap 2006, p. 258). Democracy does not solely rely on exchanges of reason, as deliberative democrats suggest, but also requires the cultivation of its ethos. Second, conflicts and disagreements, frontiers between ‘us’ and ‘them’, are constitutive of democratic politics according to agonistic theorists, and cannot be resolved through appeals to common reason. As Mouffe states, ‘the task of democracy is to tame antagonism, to transform it into agonism’, because antagonism is ever present and ineradicable (2005, p. 20). The third assumption is that contestation channelled through democratic institutions drives politics. Contestation, for agonistic theorists, ensures that power relations are challenged and that democratic politics remains dynamic and alert. Fourth, commonality, which citizenship embodies, is necessary but not given. It is constructed and contingent upon the availability and development of common forms of identification, practices and discourses (Mouffe 2005, pp. 24–29). Such political discourses, agonistic theorists argue, bond democratic citizens and ensure that democratic politics happens.

These insights into the agonistic approach lead us to put forward the following hypothesis: if citizenship, the vehicle of democratic politics, becomes reformulated in all-inclusive terms, drawing on common humanity instead of the discourses and practices that bind democratic citizens together, then isn’t it likely that we risk political disengagement and apathy? We risk disengagement because humanity, an all-inclusive notion, might not sustain democratic participation. As Mouffe insightfully captures: ‘mobilisation requires politicisation, but politicisation cannot exist without the production of a conflictual representation of the world, with opposing camps with which people can identify … In order to act politically people need to be able to identify with a collective identity which provides an idea of themselves they can valorise’ (2005, pp. 24, 25). Could common humanity provide this idea? Given that humanity functions as the lowest common denominator for collective identifications, let alone the disputes surrounding the origins and validity of human rights, it seems unlikely at the moment that it can. In a similar fashion, we could argue that we risk apathy when we postulate that by politicising humanity we could still secure democratic contestations. Because what would ‘we’ contest, if there are no divisions and no frontiers? In other words, the argument here is that for democratic politics to happen, citizenship needs to be reconceptualised in a way that remains faithful to its role as the vehicle for collectively contesting, and not simply deliberating about democratic politics. Because a universal citizenship potentially neutralises commonality and mutates contestation, it risks undermining democratic politics. This is one aspect to the danger confronting accounts of citizenship as a universal notion.

Before we move to its second side however, we need to address a potential objection arising at this point. The objection is the following: is it the case that the agonistic perspective which we here apply to citizenship discourse remains blind to the challenges confronting nation-state citizenship in the face of globalisation? Considering the emphasis which agonistic theorists place on relations of inclusion and exclusion, it would appear that their approach remains closed to the changes currently underway in the international arena. Yet this is far from the case. Connolly, for example, who recognises the diminishing importance attached to territoriality, argues for democratic resistances across nation-state borders (1995, pp. 135–163). Honig suggests an agonistic cosmopolitics (2006), and Mouffe develops the idea of a multipolar world order (2005). Notwithstanding, these suggestions, however, it appears that agonistic theorists are potentially caught in a dilemma: when their views on democracy are applied to citizenship
discourse, tensions arise between democratic politics which they reconceive across nation-state borders and citizenship a concept necessarily tied to the nation-state. What kind of discourses and forms of identification would pull democratic citizens together leading them to collectively mobilise and contest relations of power across nation-state borders? Although the answer to this question is presently unclear in the relevant literature, one response is certain. Relations of identity/difference and frontiers separating ‘us’ from ‘them’ are for agonistic theorists part and parcel of democratic politics. Differences and exclusions do not, therefore, simply issue from national and territorial practices now subject to questioning but are deeply ingrained in the democratic grammar.

This leads us to infer that the second side of the danger which we earlier identified to be issuing from conceptions of universal citizenship is that if there are no frontiers and thus no differences and disagreements separating ‘us’ from ‘them’, then there is perhaps no politics. Precisely because citizenship embodies such a politics, we need to be alert to the prospect of identifying it with human rights. Of course, this is not to deny that human rights is a form of politics. Insofar as human rights challenges and exposes exclusions, it is a necessary and indeed indispensable political principle. Yet it is one thing to argue that human rights further, strengthen, and promote democratic politics and quite another to suggest that such universal rights should be made the main driving force behind politics. The problem here is not that humanity would be ‘usurped’ as Schmitt argued in The concept of the political (1996, p. 54), but that it reduces politics, modern liberal democratic politics, to only one principle. Is this a risk worth taking?

**Conclusion**

While restrictive citizenship practices unfold in parallel with calls for universal inclusion there has been a proliferation of proposals to so reformulate citizenship that it becomes dissociated from dynamics of national and territorial exclusion. Driven by political rather than moral considerations in its approach to democratic practice, the ‘deliberative’ strand in such debates has proposed to reinvent citizenship by construing it in discursive and universal terms. In exploring further the prospects confronting such a conception, the paper suggested that by so approaching citizenship we risk effacing its difference from human rights, thereby reducing democratic politics to a single principle.

In engaging, therefore, with agonistic theorists’ antithetical view of politics, the paper suggests that the difference between the two principles which oil the wheels of democratic politics should be preserved. Not the least because it is precisely in tandem and in tension that they drive politics, but also because it is at the intersection between basic legal rights and citizenship, between law and politics, that relations of exclusion could be challenged. Although Held, Bohman and Benhabib would certainly object to reducing democratic politics to only one principle, this inescapable implication of the way in which they recast citizenship merits perhaps further consideration.

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**Notes**

1. In distinguishing a deliberative perspective to global democracy/citizenship, I draw from Brassett and Smith (2008).
2. Notwithstanding that Held’s account of global citizenship does not explicitly fit into the deliberative perspective which I here sketch, there are two reasons why I consider his proposal to be part of it.
The first is that Held’s emphasis on securing deliberations in a variety of settings and arenas cannot but also presuppose some exercise of public reasoning – otherwise, there would be little point in promoting such deliberations. Second, the strong proceduralist orientation of Held’s proposal is, as we will shortly see, a further defining characteristic of the deliberative approach to global citizenship.

3. Although it appears from the citations used here that Held puts forward the notion of global citizenship in his most recent work (2004), this is far from the case. Already in his 1995 book *Democracy and the global order: from the modern state to cosmopolitan governance*, there are sample references to a global citizenship. For example, when he says that ‘under a cosmopolitan framework of law’ the rights and responsibilities of people qua national citizens and qua subjects of cosmopolitan law could coincide, and democratic citizenship could take on, in principle, a truly universal status’ (1995, p. 233).

4. Although Benhabib does not sufficiently elaborate whether democratic iterations involve predominantly deliberations, this appears to be quite likely if we consider that it is discourse ethics which informs her overall approach.

5. Of course, it could be objected at this point that the universality which citizenship is seen to appropriate is also infused with the very same inclusionary/exclusionary dynamics which define citizenship discourse (see Edkins 2003). Still, it could be argued that whereas in the case of citizenship these dynamics assume a strictly political form, facilitating a contestatory politics, as we will shortly see, in the case of human rights they thread on moral causes and implications.

6. Here it needs to be clarified that although the way in which Benhabib understands citizenship is undeniably distinctive, questions arise when one brings into the discussion human rights. For it is not exactly clear why basic legal rights could not in principle embody democratic practice, if by democratic practice one understands (rational) deliberations which ensure that democratic norms become revised.

References


