

Citizenship

Manish Kumar

Introduction: Citizenship has historically been a contested concept and involved a wide range of meaning depending upon the types of political community in which it is placed. What kind of relationship should govern a political community (internally and externally) or the nature of its membership along with rights and duties are debated among social scientists from ancient times. As such, this is not a new phenomenon but has been the case of all political communities across time and space. The issue of citizenship, as mentioned in the introductory chapter of this book, is not devoid of institutional mechanism and the governance process, which a particular community adopts. Accordingly, it needs to be analyzed in congruence with the evolution of state-system and its governing process. Usually, it is understood that the form and substance of citizenship in each historical period highlights the socio-economic and political forces operating at that particular time. However a deeper probe poses many more questions: Who are the citizens? What constitutes citizenship? Who are excluded or included from citizenship and on what basis? Is it only a legal or political status, or does it have something to do with the socio-economic or religious-cultural circumstance in which it is placed upon and so on? These set of questions offer a complex set of answers that must be understood in a historical perspective. This chapter begins by inquiring the idea of citizenship and tracing its historical trajectory from ancient Greek to the Roman period where the idea of active and passive participation in the political sphere will be highlighted. The second part reflects upon a different understanding of citizenship that it acquired in the early and late medieval period whereby the phenomenon of citizenship was associated with the evolution of modern city. This process further paved the way for the development of the modern concept of citizenship. The third part of the chapter depicts these processes. The fourth part highlights the debate surrounding multiculturalism and citizenship, whereas the last part briefly dwells upon the colonial and post-colonial understanding of citizenship.

Historical Background of Citizenship

Rogers M. Smith has talked about the four meanings of citizenship: the first meaning of citizenship is applied to both ancient and modern republics and democracies where a citizen has been a person with political rights. These political rights include participation in self-governing process, rights to vote, to hold elective governmental offices, to serve on various sorts of juries, and to participate as equal members in political debates and deliberations. The second meaning considers citizenship as a legal status, which is evident in contemporary times. Here, citizens are those people who are legally recognized as members of a sovereign political community. Accordingly, they possess some basic rights that are guaranteed by the particular government. As such, possessing 'citizenship' is equivalent to possessing a particular nationality under a particular modern state. Third meaning of citizenship which has increasingly used in recent times refers to those who belong to almost any human association, whether a political community or some other group. Fourthly, Smith argues, citizenship signifies more than just membership in some groups rather than it include "those who contribute to the well-being of their political community, church, lunch club, or other human association, and do so frequently, valuably, at some cost to themselves-are understood to be the true citizens of those bodies". In the fourth meaning, he consider represents a merger of the republican conception of participatory citizenship with that of the recent practice of using citizenship to refer to membership in variety of human groups.

Theoretically, citizenship confers membership, identity, values, and rights of participation and assumes a body of common political understanding (Harnish 2006: 653). So, how do we define a citizen? The term has a complex and evolving history – citizenship in a democracy gives membership status to individuals within a political unit; confers an identity on individuals; constitutes a set of values; involves practicing a degree of participation in the process of political life and implies gaining and using knowledge and understanding of laws, documents, structures, and processes of governance (Ibid. Enslin 2000). T. H. Marshal defined citizenship as a status bestowed on those who are full members of a community. These statuses are equal with respect to rights and duties, which a citizen possesses. He argues that there is no universal principle that determines what those rights and duties shall be, but societies in which citizenship is a developing institution create an image of an ideal citizenship. In order to understand the complexities of citizenship it is essential to place them in historical contexts and then reflect upon its nature and meaning.

Historically the concept of citizenship is linked with the development of the ancient

city-states of Greek and Rome. The city-state was the public arena in which free and rational men were actively participating in the governing process. These full rights of citizenship were confined to the member of the *polis* who had a right to speak and to govern and thus women, slaves and children were excluded from participation.

Early Republican Rome was also divided into two classes: the Patricians and the Plebians. Patricians were the large landowners who had the political rights to hold office whereas the Plebian class was composed of landless tenants and were excluded from entry into political life (Turner 1990: 202; Darnsey 1970). As the Roman Empire developed, this social division took more precise form namely as that of the *honestiores* (the privileged class) and the *humiliores* (the lower classes). Citizenship rights in this social context had been “the status of (rational) property owners who had certain public duties and responsibilities within the city-state” (Ibid).

The Greek model is largely inspired by the writings of Aristotle, particularly his account of citizenship in *The Politics*, written between 335 and 323 BCE. Aristotle defined citizens as “all who share in the civic life of ruling and being ruled in turn” (cited in Bellamy 2008: 32). Along with the writings of Aristotle, the Greek model of citizenship is also drawn from two other sources – from the political system in Athens, and also to a lesser extent, from Sparta. Political participation in the city-life was the defining element of the Greek model. Aristotelian view of citizenship regarded human beings as political animals. It is inherent in the human nature to live in political communities (*polis* or city-state) because it is only within such communities, that a human being could realize his potential. However, there were certain qualifications and duties, which an individual must fulfill in order to become a citizen. To become a citizen, the following qualifications were necessary: to be a male aged twenty or over, of known genealogy as being born to an Athenian citizen family, to be a patriarch of a household, to be a warrior, to be a master of the labor of others (Bellamy 2008: 31).

Thus, it was confined to a small segment of the society and large numbers were excluded – such as women, children, immigrants or ‘metics’ – including those whose families had been settled in Athens for several generations (although they were legally free, liable to taxation, and had military duties) and above all, slaves. In the context of classical Greece, not everyone could participate in the civic life. It was confined to free native-born men and it excluded children, slaves and aliens from the category of citizens. Economic activity and the private sphere of life became subservient to the political aspect of life. It was the slave who had to perform economic functions and

women had to manage household affairs which in turn gave men the necessary leisure for political participation and deliberation. Active political participation was possible in Greece because it had small homogeneous population and minimum social differentiation. Citizenship was thus characterized as active participation in political sphere and was later modified during the time of the Roman Empire.

It is believed that the number of citizens in Athens were between 30,000 and 50,000, while the number of slaves was of the order of 80,000 to 100,000. There were different categories of citizens and they were involved in deliberative and judicial functions. In Athens citizens had to participate in the Assembly which met at least 40 times a year and required a quorum of 6,000 citizens for plenary sessions, and for citizens aged over 30, doing jury service numbered 201 or more, and on some occasions over 501 (Bellamy 2008: 31).

Assembly had to perform various functions such as declarations of war and the concluding of peace, the forming of alliances, public order, and finance and taxation. In addition, there were some 140 local territorial units of government, or *demes*, and these constructed their own assembly points for public discussion of local affairs and decrees. Generals were elected by the Assembly and could serve multiple terms for as long as they were successful. However, other public offices were chosen by lot and usually held for one or a maximum of two years. Citizenship was a full occupation including military service and participation in local affairs. In the Greek Polis, Citizenship meant an everyday participation in the political affairs of the community. They were responsible for not only legislation and execution of the law but also to abide by it. In contrast to Athens, where the arts, philosophy, and the leisure were much appreciated, Sparta emphasized mostly on military services. Spartan citizens were more permanent public servants than their Athenian counterparts (Bellamy 2008: 32-33). As such, Civic republicanism in Greek generally meant a constitutional government based on principles of sharing of power in order to prevent misuse of authority. It also involved the citizen in political affairs to the benefits of the individual as well as promotion of the common good. Thus, public service and civic duties were the essential components of classical citizenship.

Later on, with the growing social differentiation, size and bureaucratic complexity, the political reality of the Roman Empire also changed. It no longer gave importance to the moral idea of the polis as an ethical association, but translated it into a new rhetoric to suit the changing conditions. As Bryan S. Turner puts it “Cicero (106-

43 BCE) had attempted to translate the ancient Greek conceptions of civic virtue and public obligation to the polis into a new rhetoric which would be adequate to the changing conditions of Roman society, in the world of later Roman absolutism, philosophers like Seneca (4 BCE-65 AD) could at best offer comfort to the citizen and in his *De Clementia* beg rulers like Nero to rule with mercy” (Ibid). Following Michael Mann and Anderson, he argues that the citizen-legion that had been the basis, not only of Roman military power, but an essential basis of social solidarity which thus had been broken down (cited by Turner 1990: 2; Anderson 1974: 53-103; Mann 1986: 283-298).

Thus the problem in the classical period “between the heavenly city of rational beings and the earthly city of self-interested men, and between the moral development of the individual and the need for public duty in the public sphere became in large measure also part of the Christian legacy within which political life was ethically dubious” (Ibid). As such, it could be extended to all subjects of the Roman Empire. The Roman Empire had a large and heterogeneous population, and in order to hold together such a vast empire, a different kind of citizenship was required. Active participation of the Greek era was thus replaced by a passive notion of citizenship as a legal status whereby ethnically different population could enjoy certain rights and equal protection of the law. Thus, non-Romans were treated as a ‘second-class citizens’ who could enjoy legal rights but not the political ones. One thing that still persisted from the Greek era was the continuous exclusion of women and ‘the people from the lower rank’ from the status of citizens.

Accordingly, equality of legal status became the main element of citizenship. In many respects the Roman republican model of citizenship were similar to the Greek model but there were also striking differences. Though classes existed in Greek society, but as a citizen these class and private interests were put aside. On the other hand, the Roman republic was born of class discord and the struggle of the plebeians to obtain rights against the patricians. The creation of ‘Tribunes of the People’, elected by a new Plebeian Council, who possessed the power to veto the acts of other magistrates, including each other was due to the ‘secession’ of the plebeians to the Aventine Hill in 494 BCE, where they swore an oath of mutual support to get the patricians to appoint officials who would look after their interests. The Plebeian Council had two important functions: to deal with civil litigation, and to pass laws. These laws gradually applied to all classes (Bellamy 2008: 35-36). Three other popularly elected assemblies were the following: based on family clan groupings, elected by serving soldiers based on their

legionary units and based on tribal divisions.

Though Roman citizens were able to vote for and sit on all these bodies, as well as being eligible to become magistrates, they never possessed political influence of their Athenian counterparts. True power rested with the Senate that was dominated by the patricians, particularly the Consuls who formed the executive. As Bellamy argues that Senate and people were always in tension, with the influence of the plebeians waxing and waning depending on their importance as support for different factions among the patricians (Bellamy 2008: 36). This model of citizenship was significantly altered in the medieval era that the next section focuses upon.

Citizenship in the Early and Late Medieval Period

Citizenship during the medieval era can be understood along with the emergence of institutions like 'city' and 'kingship'. Western European societies have been transformed from the estate societies of the middle ages to the absolutist regimes of the eighteenth century and later to the class societies of 'plebiscitarian democracy' in the nation-states of the twentieth century (Bendix 2007: 2). The Roman Empire came to an end around the fifth century BCE. At that time, the European continent was filled with monasteries, various nomadic tribes, fortresses, castles and surviving Roman cities. There was no central authority. The nomadic tribes, after adopting the Christianity, developed the institutions of kingship and began settling in permanent castles and fortified villages. These tribes developed a system of military obligation and a new medieval nobility arose on the basis of the ownership of land and means of warfare (Isin 1997: 124). Generally it is believed that during the eighth and ninth century BCE, many cities in Europe originated as seats of nobility.

However, a conflict started across Europe around the beginning of the tenth century BCE between the urban nobility (based in cities) and the rural nobility. The rural nobility began considering the former as different in its aspiration and approach and thus began excluding them from participating in warfare and politics. The urban nobility gradually started declaring itself as a citizenry distinct from rural nobility as well as from the peasants and slaves whom the nobility ruled. According to Isin, this was the origin of the medieval conception of freedom, where the citizen as a resident of the city was absolved of any feudal obligations (Isin 1997: 125).

Weber made an important connection between land ownership and the legal status of the people. He argued that both the ancient and the medieval cities developed by incorporating characteristics such as markets, trades, crafts, fortifications, and associations. Originally, the cities were formed and ruled by the new nobility, i.e., the patricians – a status group whose power rested on monetary wealth gained in trade and invested in landed property as well as enslaved debtors and slaves. The patricians often held large lands outside the city but remained as city inhabitants. The lands that they held in the city were held under city law while the lands outside were under a different law (Weber 1978: 1238-39). This differentiation was also the source of a new class differentiation. As the patricians secured their distinction from the rural nobility they developed their own laws, rules and offices and forced all other citizens to obey their rules in the city. The craftsmen, tradesmen, artisans, and other citizens were by and large excluded from offices and the administration of the city. However, with the rise of guilds, particularly the merchant guild and the craft guild, the plebeians of the medieval city began exerting considerable influence (Isin 1997: 124). That led to a revolutionary upheaval in the medieval cities of Europe whereby the powers and positions of the patrician were significantly curtailed. By the twelfth century the city became a sworn association, a de facto corporation that was run and administered by the majority of its citizens, and in which patricians had only limited rule (Ibid.).

The cities that emerged, after the decline of patrician influence, during the twelfth century BCE, were autonomous associations of merchants and artisans that seized power from lords and kings and declared themselves as legitimate ruling authorities. It was a plebeian city, which had a distinctive institution that embodied traditions of Germanic folk law, Christian practices and Roman law. These de facto corporations exercised powers, made laws, created institutions and governed themselves. The city as an autonomous corporation owed little to the past, although both the patrician-citizens and the plebeian-citizens were inclined to use Roman legal language to define their newly founded institutions such as mayors, councils, and so on. The leagues of sovereign cities were formed particularly in Germany, France and Italy, which declared them as Sovereign Corporation (Isin 1997: 125). The coexistence of multiple sovereignties or autonomous polities did not pose any problem for cities or lords and kings, who simply had to live with them. These cities were sovereign in two senses: firstly, the law that prevailed in cities stipulated that a slave's or serf's unchallenged residence in a city as a citizen for a year and a day precluded any claim on him by a

former lord, and secondly, and more importantly, citizens as members of the city as a corporation had liberties of law making, regulation and administration as a collective and the practice of these liberties came to define the sphere of citizenship (Ibid.).

The medieval practice of citizenship was therefore an outcome of artisans, tradesmen, and craftsmen seizing power from aristocratic landowners, the patricians. A genealogy of citizenship can draw an episodic regularity in all three practices of citizenship – Greek, Roman, and Medieval. In each case citizenship originated with the nobility rising against the kingship as the main source of power and evolved as an outcome of the struggle between patricians and plebeians. The forms of capital and resources available to each class in wresting rights from the dominating class, however, were quite different. So were the means through which each class constituted its members as citizens. (Ibid.).

Another institution that emerged at the time of the autonomous city and challenged it was the institution of kingship. From the twelfth century BCE onwards, the kingdoms of Europe consolidated large territories under their rule and increasingly became hostile to cities. However they also depended upon these cities, which generated revenues and were needed for their war resources because these autonomous cities were the center of merchants and artisans, trade and industry. Thus, a tension emerged between the kingdoms and the autonomous cities. But, for reasons that still baffled historians, the kingdoms of Europe evolved into powerful monarchies and consequently into modern nation-states (Tilly, 1990).

Against such powers, to which they undoubtedly contributed, the autonomous cities of Europe could not stand. By the seventeenth century BCE, the autonomous city and its citizens were subjugated under the great absolutist states that monopolized the manner of governance in their territories. By the eighteenth century BCE, European kings and their functionaries such as lawyers, historians, jurists, etc. had rewritten the history of the cities, claiming that the kings had always created it. In other words, if ‘cities’ declined it was not because ‘states’ subordinated them but because there were shifting relations of power among medieval classes- patricians, plebeians, clergy, and royalty, which redefined the nature and relationships between the city and the state (Isin 1997: 126). The urban patricians found more protection under the state institutions than formerly possible in cities and regained the power it had lost to the merchants, artisans, and traders, in short, the plebeians. As such, cities and states were institutional media through which agents pursued their material and ideal interests.

The earlier ideas of citizenship as civic virtue and legal rights, to an extent, continued to exist during the late medieval period. Citizenship during the era of absolutist state was defined by Bodin as one that enjoys the common liberty and protection of authority. Thus, a citizen became following the Roman tradition, someone who enjoys protection of the state. As such, citizenship became a passive idea and the notion of common freedom became the primary concern. Hobbes, for example, talked of protection of life as the duty of state, whereas Montesquieu argued for the family and home. Similarly Locke talked about the right of life, liberty and property as the main concern of individuals. Thus the 'private sphere' got prominence in this period as compared to 'public good' of earlier time in the discourse of citizenship. This does not mean that the idea of 'civic virtue' or 'public duty' was not present in this period. In fact, Machiavelli praised the idea of civic virtue and considered it as an essential for a secure state, especially for a republican government. For him, a citizen must perform his civic obligations and should be equipped with 'civic obligation' such as 'courage, fortitude, audacity, skill and civic spirit (spirited action)'. Likewise Montesquieu and Rousseau had also cherished the idea of 'civic virtue'.

With the emergence of modern, legal-territorial state system in 1648 and the rise of 'nationalism', the idea of citizenship further advanced. French revolution and particularly the 'Declaration of the Rights of Man and of the Citizen' rejected the hierarchical system of privileges, which was the heart of the feudal system. It argued for a free and rational individual who can participate in the decision-making process.

Modern Conception of Citizenship

The ideas of the Enlightenment, with its emphasis on free will and individual freedom, brought modern ideas about citizenship into existence. The French Revolution remains the most potent symbol of the struggle to establish a notion of citizenship based on civil and political rights against the claims of the feudal order. Citizenship was to be "the dominant identity of every Frenchman against the alternative identities of religion, estate, family and region...replace religious faith and familial loyalty as the central motive of virtuous conduct" (Walzer 1989: 211). While the Enlightenment provided the ideas that fuelled the struggle for citizenship, the dissolution of the older feudal order in the course of industrialization and the rise of capitalism provided the material conditions under which it was finally won. In Britain, citizenship rights, initially limited to the nobility in their relations with the monarch, were gradually extended to new

groups. First of all, it was the rising propertied middle class, and later, to the rest of the adult male population. Modern political theory recognized only two sovereignties, namely the citizen and the state. Citizenship thus became a set of political, civil, and social entitlements and duties within the framework of the state law. The legal and political conceptions of citizenship get separated in modernity, where the former dominated the latter.

As Isin argues, the modern conception treated the sovereign citizen as the consumer and producer who engaged in contractual relations in his own private interests within the framework of state law. On the other hand, the rise of the bourgeoisie and its political and legal demands made it impossible to maintain the power the nobility and aristocracy held since the decline of medieval cities in the fifteenth century. He, further argues, that the doctrine of the sovereign citizen capable of entering into contracts, pursuing his private interests, selling his labor power, and purchasing his sustenance, and capable of being governed, was the characteristic aspect of modern citizenship and reflected the demands made by the bourgeoisie on the landed aristocracy (Isin 1997: 127).

Throughout the nineteenth century, modern citizenship embodied the principle of ownership of landed property. Even though the territorial focus of citizenship shifted from the city to the nation, citizenship was extended only to those who have property. But in the twentieth century, citizenship became universal in the sense that all natural born and naturalized residents acquired access to citizenship rights (Turner, 1986). It was because of the demands of the rising working class. When, the bourgeoisie gained hegemony in its struggle against the aristocracy, it had to contend with the rising working class in cities. Throughout the nineteenth century, the working classes had been struggling against the bourgeoisie but it was only in the twentieth century that its demands were met and incorporated into the state law (Marshall, 1950). This was not only the success of the working class but also a bourgeois strategy of incorporation. With these rights secured, along with the decline of aristocracy, the ownership of property was no longer a necessary condition of citizenship.

Modern conception of citizenship is thus linked with a series of events ranging from the Treaty of Westphalia in 1648 to the Enlightenment, Glorious revolution of 1688 to the German Romanticism, the American War of Independence to the French Revolution of 1789 and so on. These different events formed the bases on which citizenship evolved in different directions.

Generally, it is known that in classical times the term for citizen was derived from the word *civitas*, which in the Roman period gave rise to the notion of a *civitatus*. Later on, this etymological origin developed into the French word *citoyen* from *cites* meaning an ensemble of citizens enjoying limited rights within a city context. The notion of the citizen – as a freeman of a city or who has the freedom of trade and other privileges – was both extensive and continuous (Turner 1990: 203). Thus, in French in twelfth century BCE there emerged the notion of *citeaine*. Accordingly, it was common to regard the inhabitants of a city as citizens, while those residing beyond the city walls were considered as subjects (Ibid. Downing 1988: 9). Max Weber also thought that considered the evolution of autonomous cities played an important role in the development of philosophical thought about citizenship (Weber 1966: 233). The city emerged as the core of individual freedoms, which questioned the hierarchies of the traditional rural societies.

Later on, contrary to previous development, in the nineteenth century a strong nostalgia for country life and practices emerged in German social thought. The radical humanists in Germany generated an ideal vision of the Greek city-state as an alternative to the industrial cities of Germany. Thus, there grew a distinction between the German and French understanding of citizenship. Citizenship in Germany was closely connected with the development of the idea of civil society. Within the German conception of a civil society, a citizen was, as Turner argues “ any individual who had left the family context in order to enter the public arena which was dominated by economic competition and was contrasted with the state as that institution which was the historical embodiment of the reason” (Turner 1990: 204). In German philosophy, Hegel’s concept of civil society was that space which lay between the family and the state. The task of the state was to resolve the contradictory claims and conflicting interests in order to provide a higher and more universal expression of the particularities of the society (Ibid 205). Marx and Engels in the German Ideology of 1845 had criticized such Hegelian understandings of civil society. Marx argued, that the citizen in Liberal capitalist understanding was merely an abstract subject, which disguised itself from the real conflicts lying in the basic structure of the society. Thus, Marx in the debate on the Jewish Question argued that the “Political emancipation of the Jewish community as a rather superficial and partial historical development in the absence of a genuine reorganization of the socio-economic structure of society as such” (Turner 1990: 206). In Germany, the development of capitalism from above through

Bismarckian legislation and the absence of a successful radical bourgeoisie revolution created a social context in which the notions of citizenship were limited. As the state emerged as the moral guardian of the German people, it acquired immense social power and prestige over the civil society. Thus, the German tradition of citizenship stands in a passive relation to the state because it is primarily an effect of state action (Turner 1990: 207). Turner considers this distinction as fundamental to the Western tradition and it can be located in the political philosophy of the medieval age. There were two opposite views of citizenship in the medieval ages – the ascending view and the descending view. In the ascending view a free man was a citizen, an active bearer of rights while in descending view the king was all powerful and the subject is the recipient of the privileges.

In contrast to the German view of citizenship, British traditions of political participation had different story. The English tradition of individual rights was the product of the struggle against the absolutist state. The struggle “had lead to the execution of the King, an expansion of parliamentary authority, the defence of the English common-law traditions and the assertion of individual religious rights” (Turner 1990: 207). English traditions of individual rights, however, were confined to the individuals having property, thereby excluding the majority of the population from real social and political participation. The constituent settlement of 1688 created the British citizen as the British subject, that is, “a legal personality whose inedible social rights are constituted by a monarch sitting in parliament” (Ibid). The English tradition of citizenship under the seventeenth century settlement was a passive concept where it was handed down from above and the citizen appeared as a mere subject.

By contrast with both the English and German cases, the French conception of citizenship was the product of a long historical struggle to break the legal and political monopoly of the court society. It was a revolutionary conception of active citizenship that was combined with an attack on the private spheres (the family, privacy and Church). It was the violent struggle against the absolutist conception of sovereignty in order to transform the social system. Following Rousseau’s general will, the Frenchman became a common citizen of a national entity. Thus, “a state is transformed into a nation at the same time that subjects are transformed into citizens” (Ibid; Lindsay 1943). Rousseau and Burke summarized the differences between the French and English revolutionary traditions in two contradictory view of citizenship. For Rousseau, the

viability of citizenship required the destruction of all intervening institutions, which separated the citizens from the state, whereas for Burke, the essence of citizenship was the continuity of local groups, particular institutions and regional associations between the sovereign powers of the general will and the individual.

As Macpherson observes, for Burke an organized civil society must have hierarchy, order, regulation and constraint; its hierarchical character precluded the very possibility of ‘the rights of man’ (Macpherson cited in Turner 1990: 208; Macpherson 1980). Similarly, the other variation of Western notion of citizenship is evident in the American traditions. The American case shared with the French a strong rejection of the centralized authority and adopting the rights of man and privileges of independent citizens. Alexis de Tocqueville regarded democratic revolution in America as the first macro experiment in democracy in modern history as there was the absence of aristocracy, the frontier, and the exclusion of an established church (Tocqueville cited in Turner 1990: 208). However, American democracy existed alongside with a divisive, racist and exploitative South where a weak tradition of citizenship in welfare terms co-existed with American individualism and by the checks and balances of the federal system.

In his classic essay “Citizenship and Social Class”, Marshall traced the expansion of citizenship in Britain over three centuries. Civil citizenship constitutes of individual rights to speech, faith, and property, the right to conclude valid contracts and the right to justice (Marshall 2009: 148). These rights emerged in the 18th century England, when capitalist political systems instituted the protection of property, equality before the law, and civil liberties. As such, the institutions associated with civil rights are the ‘Courts of Justice’. Political citizenship is the right to participate in the exercise of political power, as a member of a body invested with political authority or as an elector of the members of such a body (Ibid: 149). This developed in the 19th century when the franchise was granted first to the middle-class and later to the working-class men. The corresponding institutions associated with political rights are parliament and councils of local government. By social citizenship, he means the whole range of rights that arose mainly in the 20th century and includes – from the right to share to the full in the social heritage, and to live the life of a civilized being according to the standards prevailing in the society (Ibid: 149). Katz argues that social citizenship in this period took the shape of a welfare state (Katz 2001: 344). Here, the institution closely

connected with it is the educational systems and the social services. As Marshall points out, the concept of citizenship was also made more inclusive through a broadening of the rights of the citizen to include social rights. While membership of village communities, towns and guilds had offered some degree of social security in the pre-industrial period, this had been eroded by the spread of capitalist market relations. However, the diminution of inequality which accompanied the growing prosperity of the entire society and the compression of the economic distance between classes led to a growing demand for an abolition of inequality, at least with regard to the essentials of social welfare (Marshall, 1950:107). Thus, Marshall's three categories of citizenship – civil, political, and social – highlight both the complexity and the dynamic nature of the meanings of citizenship. While Marshall's analysis of the evolution of ideas about citizenship remains one of the most insightful and widely cited, it has also been recognized as partial and incomplete, even in the context he is dealing with. The 'history of citizenship' as he describes, is almost exclusively that of the white, male working class population in industrializing Britain. It is an account of a society without empire and without internal inequalities (Fraser and Gordon, 1994: 93). It is silent on gender and race and on the rights of those whose lands were colonized. The following two sections reflect on these issues.

Multiculturalism and Citizenship

In recent years, identity politics guided by considerations of nationality, ethnicity, religion, gender, and language has come to the forefront of public debates in most of the societies. It focuses on questions of recognizing cultural diversity, the status and rights of immigrants, the rights of indigenous people, and argues that there is a need for group representation and rights. These above issues form the subject matter of identity politics. Today most of the countries have substantial number of minorities from more than one culture and this has altered the debate on issues of citizenship along with the ideals of democracy and justice.

The theory of natural rights that provided the individualist basis to liberalism emerged when the feudal practices of group identity, behavior and social balancing was challenged by the theory of divine right of kings. The liberal-individualist conception of citizenship, which emerged later on, advocated a citizen as one having equal rights to all under the law that differed from the feudal perception that decided people's political status by their group identity of guilds (Ramaswamy 2007: 3790). The advocates of identity politics question such individualist conception of citizenship.

Multiculturalists or Cultural pluralists argue that the citizenship must reflect the distinct socio-cultural identity of different groups such as African Americans, indigenous people, ethnic and religious minorities, or gays and lesbians who feel excluded and marginalized because of their distinctiveness or difference (Ibid).

The term multiculturalism was first used in Canada in 1971 and then later in Australia in 1978. It was used to describe a new public policy that moved away from assimilation of ethnic minorities (immigrants in particular) towards policies of acceptance and integration of diverse cultures (Lopez 2000: 2-3). After that, it entered the American and British political lexicon in the 1980s (Glazer 1997: 8). It was in the 1990s, that political theorists began to develop the theoretical basis of a multicultural society. Will Kymlicka elaborates the first systematic theory of multiculturalism in his two major works namely *Liberalism, Community and Culture* (1989) and *Multicultural Citizenship* (1995). Kymlicka criticizes the earlier models of unitary republican citizenship, which assumed it as a homogenous political community and thus ignored the cultural and ethnic diversity. He observes that liberalism with its focus on individual rights has not paid sufficient attention to group rights. Kymlicka points out, the distinctive feature of liberalism is that it ascribes to individuals the freedom to choose and revise their conception of good life. However, the capacity of an individual to make meaningful life choices depends on access to a culture because one is shaped by one's culture (Ramaswamy 2007: 3791). According to him, the institutions of liberal democratic societies mostly reflect the culture of the major national group. And if members of minority cultural groups want to have autonomy, freedom and identity as those of the majority community, then justice and fairness require that their culture be secure. This would require granting demands of minority groups for rights of self-government within the polity, of guaranteed representation or veto rights over certain decisions, measures like education arrangements in the form of protection of minority languages and so on. These measures should be considered as a matter of just and equal treatment and not as a matter of special treatment. He further argues that in a multicultural state, a comprehensive theory of justice would have to include both universal rights and certain group differentiated rights or special status for minority cultures (Ibid. Kymlicka 1995a: 6). In the course of elaborating his theory, he distinguishes three kinds of minority or group differentiated rights that are to be assured to ethnic and national groups. These are self-government rights, poly-ethnic rights and special representation rights. Self-government rights require the delegation of powers

to national minorities, such as indigenous peoples, but are not available to other cultural minorities who had immigrated into the country. Since immigrant groups choose to immigrate into a host society, they must bear some of the burdens of integration and thus remain satisfied with the rights of fair recognition. Poly-ethnic rights guarantee financial support and legal and political protection from the state for certain practices associated with particular ethnic or religious groups. It is particularly given to aboriginal people so as to enable them to maintain their culture and autonomy. It might include legislation to prevent suppression of cultural and identity concerns of minority ethnic groups. Special state support for media policies and funding to address the media interests of minority ethnic groups are one particular expression of poly-ethnic rights. Both indigenous peoples and immigrant minorities might also be eligible for special representation rights, which guarantee places for minority representatives on state bodies or institutions ((Ramaswamy 2007: 3791-3792; Kymlicka 1995a: 6-7).

Kymlicka's account of group-differentiated citizenship makes distinction between two kinds of minorities: national minorities and ethnic minorities. National minorities are those people whose previously self-governing, territorially concentrated cultures have been incorporated into a large state such as American Indians, Puerto Ricans, Chicanos and native Hawaiians in the United States, the Quebec people and various aboriginal communities in Canada and the Aborigines in Australia (Ibid). Ethnic minorities are those peoples who have immigrated to a new society and wish to retain their ethnic identities and traditions.

Bhikhu Parekh argues that members of cultural minorities must be treated as equal and valued members with the rest of the society. As equal respect is central to individual's sense of dignity which is a step further from conventional notions of non-discrimination and equal opportunity (Cited in Ramaswamy 2007: 3792). Minority communities may be allowed to run their internal affairs themselves so long as they are not internally oppressive. They should also be free to set up their own cultural, educational and other institutions. They can also organize literary, artistic, sports and other events and to institute museums and academies, with the help of the state. Cultural differences should also be taken into account in the formulation and enforcement of public policies and laws. Charles Taylor has offered an alternative theory in his work *The Politics of Recognition*. He rejected liberal theory of multiculturalism as inadequate. According to him, liberalism is incapable of giving culture the recognition it requires because the liberal ideal of public neutrality is inapplicable in culturally

diverse societies and must be replaced with the idea of equal worth of cultures (Cited in Ramaswamy 2007: 3792). He recognizes cultures, which have fairly large number of members, have survived for some time and articulated a language of moral evaluations. He argues that democracies need to take the claims of indigenous peoples, linguistic minorities and other kinds of social groups seriously. Taylor rejects Kymlicka's theory of multiculturalism that might accommodate difference by granting individuals differentiated rights to enable them to pursue their particular ends. As Taylor puts it, this solution works only for "existing people who find themselves trapped within a culture under pressure, and can flourish within it or not at all. But it does justify measures designed to ensure survival through indefinite future generations" (Ibid. Taylor 1994: 62). He cites the example of Quebecois whose aim is the long-term survival as French speaking community in Canada. Taylor's theory of recognition argues that our sense of our own well being and moral goals depends critically on how we see ourselves reflected in the eyes of others. In a group whose culture is devalued leads to moral harm of its members and hence there is a need for revaluation and public acknowledgement of the despised group as a legitimate presence in the body politic (Cited in Ramaswamy 2007: 3792). While acknowledging the need for "difference-blind procedures for interpreting and redeeming individual rights" within a liberal polity there is also a need for a substantive sense of common moral purpose forged out of the interaction of the different cultures subsisting within it (Ibid; Taylor 1994: 62-65). He also proposes the need for a multiculturalist's education to enhance mutual cultural understanding.

Iris M. Young on the other hand demands guaranteed representation for oppressed disadvantaged groups and veto power over policies that affect them. She argues for differentiated citizenship through which these groups can be fully integrated in a particular society. It means that members of certain groups should be incorporated into the political community, not only as individuals, but also through their group identity. Their rights should depend in part on their group membership. She argues "group veto power regarding specific policies that affect a group directly, such as reproductive rights policy for women, or land use policy for Indian reservations" is a must for differentiated citizenship (Cited in Ramaswamy 2007: 3792; Young 1990: 184). Young does not consider protection of minority cultures as a state responsibility. Rather, she believes that it would confine groups to the private sphere and would not give public endorsement to their distinct identities, since the public sphere is dominated by norms

which appear to be universal and culturally neutral but in reality reflect cultural values of the dominant social categories such as that of the middle class white men. She argues that the state should be an organization of oppressed minorities with the view that they could exercise real power. Arguing within the US context, she points out that exclusive emphasis on rational argument further disadvantages minorities who are otherwise better off in their conditions. She supports forms of communication like rhetoric, storytelling and an oral tradition that are more accessible to disadvantaged minorities (ibid).

Thus, multiculturalism is concerned with addressing the problems of the disadvantaged. However, the guarantee and protection of individual rights, which is the basis of a liberal state, is still an important component of modern democracy. Multiculturalism with its emphasis on cultural diversity tries to bring in marginalized and neglected groups and offer alternative political space for their benefits. However, Liberals criticize such approach because in giving such different treatments, they not only ignore economic disadvantages which it results in but also the fragmentation of identities thus undermining the benefits which uniform citizenship based on one person-one vote and equal rights for all after years of struggle, guaranteed. They further argue that stressing any one identity to the point of excluding others makes it meaningless as modern societies accept the multiple identities of persons in which no one identity is decisive. It is this spirit of unity in diversity, of the possibilities of co-existence of various identities in a person which multiculturalism overlooks. They also ignore that within the groups, some practices could be discriminatory and oppressive. On these important questions, the debate between multiculturalists and Liberals are still going on.

Citizenship in the Colonial and Post-Colonial Countries

Marshall's account of citizenship is not only challenged by the 'identity issues' but also criticized for Eurocentricism as it was silent on the rights of the colonized. The history of the citizenship in 'Third World Countries', which were colonized by the European powers, had a very different trajectory to follow. Relationships between different imperial powers and their colonized subjects had differences as well as similarities. Mamdani's explained this, as "the colonial state was in every instance a historical formation...yet its structure everywhere came to share certain fundamental

features...because everywhere the organization and reorganization of the colonial state was a response to a central and overriding question: the native question. Briefly put, how can a tiny and foreign minority rule over an indigenous majority?" (Mamdani 1996:16)

The answer to the above question is that the colonial powers drew on a variety of sources, including their own experiences and those of others. For instance, Hailey's discussion of a system of law for colonial Africa draws on the experiences of imperial Rome as well as of the British in India (cited in Mamdani 1996: 49). As he argued – "expressed in the briefest of terms, the chief problem of Rome was one of assimilation, and in this respect the Latin mind tended to regard identity of legal rights as a more important element than the equality of political powers...the problem of the British in India was primarily to find a system of law which would avoid emphasizing the fact that the country was passing under the domination of a Power professing an alien faith" (Ibid.).

They found their answer in the principle of association or indirect rule rather than in the policy of assimilation, that became the hallmark of colonial rule. Even the French, who began by granting citizenship to the inhabitants of its colonies, as part of a policy of assimilation, soon found that native cultural assimilation led to the resurgence, rather than subordination, of native political demands. French experiences in Indo-China and the British experiences in India taught them the value of association or indirect rule. As argued by Austin and Tordoff that "non- metropolitan, non-white, Frenchman were able to take part a little in the government of empire...but not very much since...France itself had no intention to becoming a colony of its colonies" (cited in Kabeer 2002: 10; Autin and Tordoff 1972: 267). However, as Mamdani points out, it was the British who were first to realize the "authoritarian possibilities in indigenous culture for attaining hegemonic domination of their subjects" (Mamdani 1996: 49). They constructed the colonial edifice on pre-existing arrangements, institutions and identities, but in ways that promoted their goal of hegemony (cited in Kabeer 2002: 10; Bose & Jalal, 1998). Customary law and traditional authority may have been invoked to support the hierarchical ordering of society, but these customs and traditions were reinterpreted to suit the imperial interests.

Prior to colonialism, there was a considerable amount of heterogeneity in political, economic and cultural arrangements of both regions of India and Africa. There was no central state, and authority was dispersed within the community and legitimated

by customs of caste, clan, kinship and so on. Thus, the colonial project, in each region, was to codify, and in the process, to re-interpret and reify, customs and practices, which had hitherto been fluid, and capable of accommodating a diversity of local circumstances and needs. The purpose was to set up separate ‘communities’, each governed by its own customs and traditions, alongside a civil society, with a modicum of civil rights, in which selected representatives of the colonized groups interacted on unequal terms with the representatives of the colonial powers. (Kabeer 2002: 11). In each context, the centralized state apparatus of colonial rule had replaced the diffuse and diversified political arrangements that had existed earlier.

The British in India, were able to use various classification and codification practices to construct economic, religious and caste categories. On the basis of these categories they distributed differential patronage. Land was privatized through the Permanent Settlement Act of 1793 that also created a powerful landlord class loyal to the British interests. British scholars and officials, also, with the aid of native experts, started codifying the religious laws of the different communities to provide the basis for governing their personal lives. The ‘personal laws’ referred to those principles and practices that governed relationships within the private sphere of the family, covering such matters as marriage, divorce, maintenance, and guardianship of children, adoption, succession and inheritance. These personal laws were seen as specific to and separate for different religious communities. The adoption of religious law in the personal sphere was intended to appease conservative opinion within the different religious communities and win their support for the colonial rulers. They also adopted the principle of granting separate electorates to majority and minority religious communities in both local and provincial bodies. The effect of this was to solidify divisions along religious lines and to unify groups who were geographically and culturally dispersed but shared a common religion (Kabeer 2002: 11, Menon 1998: 247).

During the colonial rule, the other category that got politicized was the caste system in India. In principle, Hinduism acknowledges four main castes but in practice, these are sub-divided across the sub-continent into many thousand sub-castes. The lowest rung of the ladder within each local hierarchy is occupied by the untouchables, considered outside the caste system. This had enormous implications because an ideological space was created within which hitherto geographically scattered and culturally differentiated groups could be constituted as a legitimate social category on

the basis of their shared subordinate status, which then became a matter of political concession rather than ideological imagination to treat them as entitled to the kind of advantages bestowed on other groupings (Mendelsohn & Vicziany 1998: 29).

The politicization of this caste identity became evident in the demands of untouchable leaders. They argued for the status of a social minority comparable to the Muslims and provided with reserved seats in legislative bodies. By giving differences within the population far greater significance than they might have required, and constructing artificial and unstable unities, British authorities sought to pre-empt the possibility of a unified resistance to their rule (Kabeer 2002: 11). These different communities became the basis on which political claims were made and recognized. Through such measures the British conceded first nominated, and later elected, representation by Indians to local legislative councils. The basis of representation was that of group or community, rather than individual interests, initially of the landlord classes and later of religious and caste communities. Thus, when the Indian National Congress fought for independence, liberty was understood not as an individual right, but as a nation's collective right to self-determination (Khilnani, 1998).

The same divisive strategies were also evident in the very different context of sub-Saharan Africa. The earlier experience in India served to shape colonial rule in Africa. European rule in Africa "came to be defined by a single minded and overriding emphasis on the customary...for in the development of a colonial customary law, India was really a halfway house...whereas in India, the core of customary law was limited to matters of personal law, in Africa it was stretched to include land...just as matters like marriage and inheritance were said to be customarily governed, so procuring basic sustenance required getting customary access to communal land ...with this development, there was to be no exit for the African from the world of the customary" (Mamdani, 1996:50). The imperative to keep colonized subjects within the close world of custom, traditions rather than exposed to the more open possibilities associated with urban society where a different civil code prevailed became the main concern of the Colonial master. In the course of time this invented customs and traditions and imagined boundaries became real for the colonial people. They were assimilated into the worldviews of their members and became the basis on which they acted politically, which continues to shape state-citizen relationships in the post-colonial era.

The experiences of the colonized countries form a marked contrast to the Western scenario. The modern nation-state in post-colonial society was founded in the context

of colonial rule and committed to its defence and prosperity and thus less concerned to the development of the local economy or social redistribution. The practice of citizenship by the colonial powers at home had very little relationship to their practice in their colonies. Accordingly, they did not challenge pre-existing hierarchies based on tradition, custom and moral economy. On the contrary, they actively strengthened and reified them through the defining powers of a modern state apparatus and a codified system of law. As a result, when colonized populations achieved national independence, they were organized as religious, ethnic and tribal communities with immutable interests and collective rights, apparently eternal and enduring elements of their societies, rather than as individual and free citizens (kabeer 2002: 11).

Liberal notions of citizenship were not part and parcel of the struggle for independence, although it was hoped that independence would bring about an expansion in material prosperity and political freedoms. As Khilnani points out, the constitutional right to universal suffrage did not emerge from popular pressure within Indian society rather it was upheld by a small intellectual elite who hoped that the different processes that had unfolded in slow sequence, often over centuries in the West, and which had formed the material conditions for their prosperity and freedoms could be condensed into a rapid simultaneity in India (Khilnani 1998: 65). This did not happen because in post-colonial societies, a modern state and universal franchise were put in place but the social and economic changes that had given rise to these political institutions in the West occurred only unevenly. Limited industrialization, the gradual spread of market relations, the difference between urban and rural life, the incapacity of the state to provide for the social welfare of the majority of its citizens, and its capture by powerful elites, all meant many of these pre-existing social relationships and the inequalities which they embodied, survived intact, or marginally transformed, in the post-independence era. The idea of citizenship, which recognizes individuals as bearer of rights that are prior to, and independent of their association with caste, class, ethnicity, status, hierarchy, has only limited roots in these societies. It is not the individual rather kinship and community relations which remained a central organizing institution in structuring politics, religion, economy and social relationships (kabeer 2002: 11).

As market relations spread, and the role of the state expanded, kinship may have been partially displaced from the centre of all social relationships, but the boundaries between public and private remained weak and fluid. Moreover, where the state

remained weak and socio-economic rights were either missing or had little relevance to major sections of society, kinship and community relations continued to provide the anchor for security for individuals (Joseph, 1994). This is the situation that continues to prevail in many post-colonial states. Certain formal rights which were given to citizens with neither the commitment to the obligations which correspond to these rights, or the institutional machinery which would give them substance, make such rights formal, rather than real, and thus enjoyed with varying degrees of certainty by the population. As such, the notion of citizenship are highly partial, incomplete and fragmented, which “result often, serve to reproduce, rather than disrupt, the socially ascribed statuses of kinship, religion, ethnicity, race, caste gender and so on in the public domain” (kabeer 2002: 11). Thus, it may be argued that these differentiated notions of citizenship are closely linked with the cultural contexts in which they occur than do foreign ideas of universal individual rights.

Conclusion

In the era of Globalization where the debate is taking place on the ethics and efficacy of the citizenship bounded in the legal-territorial system, where a person would like to consider himself or herself as the member of the global society. In such a scenario we have contradictory claims on the nature of citizenship. On the one hand, citizenship is understood in a formal sense that is to say having legal rights – having a specific nationality, possessing certain government documents such as passport, Voter identity card (recently UID), having basic fundamental rights and duties which the constitution of the land has guaranteed and so on. On the other hand counter claims are made whereby a citizen demands special rights based on cultural affinity or identity politics. At the same time earlier ideas of active participation in the political community are also gaining ground through protest movements and so on. Accordingly, it is argued that universal and equal legal-political rights to all the individuals is not sufficient in the modern times. The Marxists and feminists have criticized these trends as exclusionary and insufficient and highlight the structural problems such as capitalism or patriarchy respectively. Similarly, Multiculturalists and civil society theorists have offered an alternative understanding of citizenship suitable to modern contexts that is again not accepted by many theorists on various grounds. Thus, what constitutes citizenship remains complex and confusing, making it more interesting and provides ample

opportunity to scholars to explore its various dimensions and reflect on the manners in which it suits a particular society.

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