

1

Key Elements of the Concept

When Herr Händel, the composer of music for King George I, was made into Mr. Handel in 1727, naturalizations were uncommon. Handel was admitted into the subjecthood of the British king by a special Act of Parliament, which was the only procedure available at the time. However rare, naturalization stories are well known from the past. Another composer, signor Giovanni Battista Lulli, a subject of the Grand Duke of Florence, in 1661 became the powerful French nobleman Jean-Baptiste de Lully, in recognition of his friendship with and music making for the Sun King. The most exceptional were the kings and queens themselves, for whom subjecthood could not exist as such, of course. George I is a perfect example: he was an illustrious German Elector of Hannover until several years prior to Händel's naturalization and was known to not be a lover of all things English.

The absolute majority of others—those not boasting royal blood—were definitely much less fortunate: as the official story goes, citizenship, the status of fully belonging to any community, used to be assigned strictly and for life. The cases where citizenship was changed were thus very few. However counterintuitive this might sound in the context of today's globalized world, 350 years after the Florentine Lulli received his French papers, the deep exceptionalism of status change remains. Even though many of us know a naturalized American, have heard of an Olympian switching countries, or of a millionaire taking up the citizenship of St Kitts and Nevis, all the cases of naturalization in the world combined would still amount to less than 2 percent of the world's population.¹ These are thus almost within a negligible margin of error and, although telling, cannot possibly supply a solid basis for a full story.

This book will take a bigger picture, looking at the status of citizenship enjoyed by all, including those—an overwhelming majority—who never changed it. We will consider how and why the status of citizenship is extended, which functions it serves, and who is left behind when such statuses are distributed. We then move on to the rights the status of citizenship is usually associated with, putting emphasis on the most important rights present in all states all over the world. We will especially focus on the right to enter the state issuing the status of citizenship and the right to work and reside there, as well as other rights and freedoms, which are more context-specific and less universal, including social entitlements, and meaningful participation in elections. From rights we will move to duties, which the holders of the status of citizenship are usually expected to perform, such as, especially, the obligation

to be a “good citizen” and to love the motherland, however wanting it is. The final chapter covers the politics of citizenship, coupled with the analysis of the role that political rights play in the story of the assignment and enjoyment of the status of citizenship. The remaining pages of the introduction explain very briefly how all these elements of the citizenship puzzle—status, rights, duties, politics—interconnect and evolve. A concise aside delves into the relationship between the status of citizenship and identity, aiming to caution against reading too much into this tandem, which could be a false friend, although composed of really solemn words, seemingly ripe with meaning.

Let us look at each of these building blocks in more detail before we turn to each of the four essential parts of citizenship in specific chapters that follow. As a result of this exercise, citizenship will emerge as a somewhat whimsical and totalitarian—but also deeply utilitarian—legal fiction devoid of moral and ethical *contenu* and ready to be very harsh in punishing the critics of the inequitable in the world it has evolved to perpetuate.

Status

For most people, unlike for Handel and de Lully, citizenship is not chosen and will remain unchanged for life. It is assigned at birth, requiring no intervention whatsoever of the bearer, and whether it ever comes to the bearer’s attention at all usually depends on the circumstances. An ordinary American or Dutchman, for example, can live their whole life without thinking about it much. Indeed, while those states style themselves as built by and for their citizens, having the status is precisely invisible and seemingly—but mistakenly—irrelevant to daily life, because citizens are officially “in.” Everything changes if you turn to societies where citizens are a minuscule minority, as in ancient Athens or contemporary Qatar.² In societies such as these, the vastly outnumbered tyrant citizens surrounded by the deplorable and deportable rightless become acutely aware that their citizenship distinguishes them from this majority of others they happen to be living among. The rightless see this difference very well too—probably much better than the citizens themselves. Such societies base the oppression of the majority by using citizenship (or the lack thereof) as the core justification of the status quo. More subtle variations on the same theme are omnipresent.

Another example, perhaps closer to American hearts, is when you discover that the status you would normally not notice is simply not there. Imagine Juan—he has always thought of himself as an American—who lived in Minnesota, indeed, never left the country, until the moment he discovered he was brought to the United States at the age of three months illegally and had no right to remain, in contrast with his younger sisters born in the country. Similar stories are much more frequent than you

would expect (affecting an estimated 2.3 million young people under the age of 24 in 2014 in the United States alone³). Examples of similar discoveries from around the world abound. Often-reported stories include Dutch ladies marrying “colonial natives” (*inlanders*) in the East Indies being denied any possibility to return home to Delft or Haarlem since the citizenship status of a married woman had followed that of her husband in the Netherlands since 1898 and colonial natives had no right to move to the Netherlands.⁴ Another story concerns the Slovenian “erased”: those individuals who failed to notify the authorities that they were taking the citizenship of the newly proclaimed Slovenian state in the wake of the Yugoslav wars, and therefore were left stateless even if born there.⁵ In these and countless other examples, which we will be discussing throughout the book, unsuspecting citizens find themselves suddenly plunged into statelessness and illegality. A derailed life is typically the result.

All these examples point in one direction: the formal status of citizenship is of overwhelming importance to everyone’s life. Not having it is not the only instance when the status becomes noticeable, however. Indeed, it is only invisible when the one you have is the best available. What if you have citizenship, but its “quality” is dubious? Thinking beyond basic freedoms, such as not caring about who your king or official God is or should be, citizenship sometimes *de facto* injures lives. *De facto* it comes with genital mutilation, as in Egypt, where 87 percent of women and girls have been subjected to the procedure;⁶ with almost ritual beheadings practiced elsewhere in the Islamic world in punishment for offenses too esoteric for the majority of foreigners to comprehend;⁷ or with an absolute prohibition to see the world—think of Turkmenistan, where “exit visas” are virtually never granted.⁸ This book will show throughout how much depends on the status of citizenship in theory and also in fact—a reality applicable to all the parts of the world, no matter which citizenship status you hold. Once granted at birth, your citizenship—either Kyrgyz, Modegasque, or Panamanian, it does not matter—determines the treatment, in law and in fact, you will receive *anywhere* in the world. Distributed locally by states, the status of citizenship in each particular case has global implications.

Crucially, although presented as an equally distributed given, citizenship is never and has never been neutral. The status quo it upholds always favors particular interests in a society. Historically, any citizenship status has always played a crucial role in policing strict arbitrary boundaries of exclusion, particularly on the basis of race and sex: although proclaimed equals, women until very recently often neither enjoyed an autonomous citizenship status nor the rights stemming from it, as the colonial Dutch example hinted. Moreover, to claim that non-white colonial subjects were accorded citizenship, either *de jure* or *de facto* comparable to that of the “whites” would be an aberration. The neutral status of equals is a powerful tool to instill racist and sexist exclusion. Indeed, doing this has traditionally been one of the core functions of citizenship, as we will see.

Citizenship is never and has never been neutral.

It is not necessary to go into the extremes to become aware of the limitations of one's own citizenship. Living the specific nightmare of trying to enter the United Kingdom with a Somali passport is not required. Many high school students in the Netherlands travel around the world upon graduation: the airfares are cheap and seeing many countries in one long trip is a great way to spend a year before going to college—backpack, wash some dishes, wander, compare pot quality, make love—in short, see the world. Once you have the free time and the little money needed to go, all is set for a successful stint of “bumming around,” as an English judge once put it.⁹ Yet if your citizenship is not Dutch, but say, Moroccan or Kazakhstani, such a trip isn't possible. Needing a separate visa for every stop on the itinerary, there is no point for the kids with such nationalities, however permanent their permit to reside in the Netherlands may be, to buy a round-the-world ticket: their citizenship quality is below the “minimum” the airlines would presume their customers should have. Moroccans, Kazakhstanis, and countless others will thus remain at home—no matter which country in the world that is—because the citizenship status assigned to them at birth is not “good enough” to travel around the world and, more importantly, to do countless other things too, as we shall discover. The trouble is, a brief glance at the world's citizenship law and practice demonstrates with clarity that the *majority* of citizenships out there are not good enough, negatively affecting the lives of their holders both within and also *outside* the countries of citizenship.

Citizenships assigned at birth without our control remain with us for life in the absolute majority of cases. Beyond travel freedom, they drastically differ in quality: education, prosperity, the mere prospect of living a long and healthy life very much depend on the status you are assigned. Ayelet Shachar has insightfully called this the birthright lottery.¹⁰ The object of the lottery is the status you receive: a ticket to life that can place you in first class, business, or economy light—or indeed, outside the plane. Given the drastic discrepancies and the random assignment of citizenship status—you will never be asked which one you want—it is *this status* that lies at citizenship's core. In the basic hierarchy of opportunities, or indeed the chances of physical survival, being an American is radically more privileged than being a Costa Rican, and being a Costa Rican is incomparably better than attachment to Madagascar, as has been measured, for instance, by the Quality of Nationality Index (QNI).¹¹ The QNI measures comparative quality of all the world's nationalities based on a handful of scientific data points, ranking citizenships based on the freedom of travel, work and residence rights abroad, as well as the human development as reflected in the Human Development Index (HDI), peacefulness, and economic achievements of the issuing country. Differences in the quality of the

world's nationalities go much further than whether someone can enter the United States without a visa or work in France without burdensome administrative formalities. Legal statuses matter in the most direct sense. Can you be with the one you love?¹² Can you decide what to believe in or will you be beheaded for apostasy? Will the medical procedure necessary to save your life be available to you? Can you have as many children as you want (or none)? Will your talent let you prosper or will it guarantee that you are impoverished? Crucial aspects of our lives overwhelmingly—and sometimes totally—depend on where we are in the world and which citizenship we hold. The legal status of citizenship formally conferred by the competent authorities in charge of the particular territory is where any story of citizenship is bound to start, to give an accurate account of the concept. That is the basis of the first chapter of this book, which will look at the legal status of citizenship: its assignment, evolution, and prospects for the future.

Rights

Based on the result of the lottery of status distribution, humans who are assigned a legal status obtain rights: indeed, it is the rights accrued via the status that allow distinguishing between the “good” and the “bad” ones. Some statuses (for example, Swiss) can be so advantageous that they nearly guarantee the fortune of a healthy life, good education, freedom of international travel—and also come with options to opt out. Should Switzerland seem too rich or too boring, any Swiss citizen enjoys the right to be admitted, no questions asked, to more than forty other highly developed countries and territories around the world for work and residence, and with strong protections against discrimination on the ground of being “foreign.” Other statuses—a bit more, roughly, than half of world citizenships in fact—are a *liability* for each and every holder, compared with what the most highly developed jurisdictions including Switzerland, New Zealand, Ireland, and Luxembourg grant their citizens. Such citizenships undermine lifetime opportunities set glass ceilings, and make dreams unattainable. The popular assumption that the rights citizenships are associated with are comparable, from jurisdiction to jurisdiction, will thus never hold: better statuses grant better rights and more of them; worse statuses create liabilities, sometimes deadly liabilities in fact, instead of granting rights. Dozens of citizenships around the world make living a worthwhile life difficult to impossible. In a world where citizenships play a key role in the spatial ascription of individuals through tying them to the territory of a particular country and where core global inequalities are precisely spatial in nature, as Branko Milanovic has brilliantly demonstrated, citizenships emerge as a key force behind the preservation of the status quo where the poor are poor (the Congolese) and the rich are rich (the Swiss),¹³ as we will discuss in further detail. It is crucial to realize that it is citizenship, first of all, as opposed to talent,

hard work, and intelligence, that plays the crucial role in our economic well-being, thus emerging as the key tool for the preservation of global inequality.

Economic analysis of global inequality demonstrates that “Our world today is still a world in which the place where we were born or where we live matters enormously, determining perhaps as much as two-thirds of our lifetime income.”¹⁴ Only a microperspective of the world population swapping countries throughout their lifetime escapes the initial ascription of predetermined well-being or ruin. Even more: as a key instrument of the preservation of the global inequality, citizenship wields huge biopower by locking the world’s poor in the places where their economic power is nil and life expectancy extremely short. In the crudest example, the chances of reaching the age of five are from twenty-five to fifty times higher among Finnish children than among Congolese children—pick your favorite Congo¹⁵—but the Finns also have a freedom to reside in dozens of other extremely rich, very high HDI countries,¹⁶ while the Congolese de facto cannot improve their lives via legal migration: their citizenship effectively locks them in. When anyone says “she has her own country and should go back there” about a citizen of any of the world’s jurisdictions that offers painful liabilities instead of rights, it is thus not merely unkind, it is also deeply hypocritical, thoughtlessly accepting the mantra of the sovereign equality of states and presenting randomness as justice while regarding dispossession as equality. As we will see throughout the book, the presentation of citizenship in a positive light is virtually always directly connected to the fallacy of assuming that all citizenships are more or less of the same quality and are all connected with more or less usable rights. One of the main goals of this book is to demonstrate that this could not be further from the truth today just as in the past.

Such cozy misrepresentations are enabled through political narratives of self-determination, which are oblivious of the global distribution of economic, political, and cultural power. Numerous popular accounts would insist on political rights as being the only possible starting point for discussion of the essential content of citizenship, granting political rights priority over status. It is sweet to be idealistic, especially if you are a holder of one of the most elite statuses currently available. This is true of the majority of citizenship theorists with the notable exception of Aristotle, a *metic* in the Athenian Republic,¹⁷ tolerated yet forever an alien from Macedon, unlike all North Americans and Western Europeans scribbling textbooks today. Acknowledging one’s random privilege is essential to avoid bias against those who are less fortunate and for whom all the political talk is either an annoying irrelevance or an outright pretense, especially when it is invoked as an argument to limit access to a better citizenship—an issue we will turn to in the chapter on the politics of citizenship. In the modern world—as was true 50 or 150 years ago—sanctification of the political rights is one of the pillars supporting the edifice of hypocrisy that makes citizenship, a random status, so appealing and has

ensured that it works so effectively, as we will see. Not all of the world's citizenship-conferring jurisdictions today are democracies, not by far. "The Economist Intelligence Unit's Democracy Index" claims that only 4.5 percent of the world's population lives in "Full Democracies." As many as ninety-one countries have "Hybrid" or "Authoritarian" regimes.¹⁸ Democracies are, globally, in retreat.¹⁹ Moreover, all the jurisdictions of the world were sham democracies in a modern sense, in the golden age of nationalist citizenship, when the grand narrative of citizenship as political emancipation was identical to that of today. One should of course be very careful with such decontextualization of democracies. Daniele Archibugi makes this point excellently: "In [Switzerland], voting rights for women (that is, for the majority of the population) were granted only in 1971, much later, for example, than in India. Yet, it would not be correct to conclude that Switzerland was not a democratic system prior to 1971, or that India in 1952 was more democratic than Switzerland."²⁰

The core point stands, however: there is infinitely more to citizenship in theory and also in fact than the reproduction of an idea of democratic self-governance. The question arises: Is citizenship dependent on democracy at all then? And if democracies are in retreat, does citizenship follow along? It seems fair to conclude that equating citizenship with democracy has little bearing on its actual functioning in the modern world, outside of a tiny elite group of Western nations, as this book will explain. Overwhelming focus on political participation undermines pretty much all of the core aspects of citizenship as a legal status of attachment to a polity and the crucial rights stemming from this status, in particular the rights of residence and work, as we will discuss in chapter 3. Aristotle was deeply aware of the problem: in his time citizenship existed in the non-democratic societies too, just as it does now—from Qatar to Venezuela and the Central African Republic.²¹ The legalistic, Roman conception of citizenship emphasizing the legal status with no relation to how the polity issuing such a status actually governed itself, as analyzed by Michael Oakeshott and Christian Joppke, helps solve this puzzle, while accounting for the citizenship of the majority of the world's states where no democracy is to be found.²² Indeed, both theory and practice of citizenship considered, points in the direction of a simple fact that fetishization of one particular group of rights only befogs the issue of analyzing citizenship. We will return to this discussion in chapter 5.

Those who notice their citizenship are able to peek beyond the mantras of "sovereign equality," "political participation," and "self-government." The core rights of citizenship include the possibility of living in one's country without the risk of deportation, freedom from constant humiliation and discrimination on the grounds of being "foreign," as well as, crucially, the right to work in the country.

These rights are omnipresent in all the jurisdictions where citizenship exists—from the Greek democracy to the Venezuelan—and should not be exclusive, of course. The fact that Greece allows

the Swiss to work in its territory, no questions asked,²³ while providing a Greek bonus on top of the already superb quality of Swiss citizenship, does not necessarily undermine the value of Greek citizenship. Once again: while political rights are important, they are not indispensable to speak of citizenship in practice—an issue Aristotle struggled with as well, as mentioned earlier. It is unquestionable that Sparta, Putin's Russia, Qatar, the Kingdom of the Two Sicilies, and Victorian England, which are equally antidemocratic in that they do not allow the majority of the population to govern itself, nevertheless boast(ed) their own citizenry.

Putting political rights at the forefront, popular as it is, serves some other purpose besides attempting, halfheartedly, to define citizenship. T. H. Marshall, one of the most iconic thinkers in the field, explained the reasons behind this quite vividly as early as just after World War II.²⁴ Citizenship is about governability and crucially concerns the equal dignity promised to the bearers of the status. In a world where citizenship is an abstraction and equality is its key outcome, individuals' wealth, wit, and capacity to succeed still vary greatly. One person, one vote becomes the core selling point underpinning the mobilization of the populace in support of the status quo as offered by the governing elites—something that the Russian tsar hoped to achieve in 1905: proclaim political rights and by doing so, stop the incipient revolution. Sometimes this works, as T. H. Marshall showed in the example of England; sometimes it does not, as is clear from Russian history.²⁵ Whether a fiction or reality—usually a blend of the two—citizenship and its rights always come as a package. The third chapter of this book will thus delve into the rights of citizenship, focusing especially on what matters most: in particular residence, work, and settlement rights and their possible exclusivity, evolution, and future trends.

Equality emerges as a bridge between status and rights. Indeed, while being treated without discrimination usually is presented as a right, it also is unquestionably a core element of the status of citizenship as currently understood. Societies can function smoothly, no doubt, with inequality as their foundational ideal. Think of Athenian democracy for instance, under which only a minuscule minority were the bearers of citizenship and the equal worth of human beings was not at all presumed. Indeed, all the day-to-day running of the democratic process was the responsibility of high-ranking slaves owned by the polity.²⁶ Only the axiomatic presumption of equality based on the equal worth of every person makes contemporary citizenship possible. This can be connected to the articulation of individualism in Christian soteriology—a process splendidly analyzed by Larry Siedentop.²⁷ The promise of *individual salvation* reversed the classical assumption of justice as a clear apportionment of liberty among nonequals in a “naturally” unequal world. Equality, however empirically problematic, thus emerged as the starting assumption and a powerful normative tool in modern

theorizing, which underlies what citizenship, as a status premised on the equal worth of all individuals, means today.

It is individualism that modern citizenship enhances and upholds. The proclamation of the individual's equality, in law, among all citizens is thus a natural device to allow talking about the status of citizenship and the rights connected therewith in the same breath. The ideological baseline of citizenship is the equal worth of every person holding the status—not a family, not a group of people. Of course it is a well-known secret that *de facto*, unequal citizenship or “semi-citizenship” is thus not only possible but is always the norm in practice, as Elizabeth Cohen has convincingly argued.²⁸ Yet, from a purely normative perspective, a citizenship of unequals by law as a starting point is not a logical possibility at all.

It is important to realize that the equality we are talking about is not a self-evident or in any sense natural or neutral starting point. It is just a normative position that makes citizenship possible. Sir Isaiah Berlin was right in recalling that “equality is one value among many: the degree to which it is compatible with other ends depends on the concrete situation, and cannot be deduced from general laws of any kind; it is neither more nor less rational than any other ultimate principle; indeed it is difficult to see what is meant by considering it either rational or non-rational.”²⁹

The idea of equality—first made available according to St. Paul to those who believe—was transposed onto the community of those subjected to a sovereign, first as a prince, then as “the people” following the normative vesting of sovereignty in the latter. That everyone is equal thus came to mean that anyone under the same Prince is equal, and is still based, once the belief is dissected, on a religious dogma. The promise of equality—equal dignity, equal worth—that is so important in the organization of any society, affecting not only our citizenship, but also the basis of morality, is thus not only empirically absent from a world where there are more sovereigns (read: states, peoples) than one. It could ultimately be baseless, if we believe Louis Pojman: “The question is whether the kind of democratic ideals that egalitarians espouse can do without a religious tradition. If it cannot, then egalitarians may be living off the borrowed interest of a religious metaphysic, which (in their eyes) has gone bankrupt.”³⁰

Baseless should not be read as useless: equality is a crucial normative choice we take. Free from religion or not, egalitarianism is very much alive in the textbooks and official foundational documents every state without any exception produces. Equality is among the key tools to attain legitimacy of power in any democracy. Citizenship both reinforces egalitarianism rhetorically by adopting it as a starting point and necessarily makes it unattainable in practice by confining it within the boundaries of the citizenry. Since the configuration of such boundaries is never neutral—just as the distribution of

the actual rights is not—citizenship comes in handy to justify exclusion and to normalize discrimination, not only between but also within societies. This is the reason why the equality claims of any citizenship always fail to convince: precisely by attempting to localize a universal ideal of equality, citizenship is bound to undermine it.

Duties

Any account of citizenship is incomplete without focusing on the duties of citizens, following the old belief that its rights and duties are correlative to each other. Duties consist of a mixed bag of what citizens are expected to perform and the lists are as well known as they are long. “Good citizens” are said to pay taxes, live worthy lives as good members of society, faithfully love their motherland, enlist in the military if required, and be the bearers of the values of their society. Chapter 4 provides a closer inspection of all this. Unlike rights, which may or may not be exclusive to one’s status, duties appear to function differently: exclusivity is a requirement here. So, if every resident with an income—or even without any, as in Belarus, where not earning is against the law and taxed at a flat annual rate³¹—is obliged to pay taxes, it is not a duty of citizenship, but rather one of residence: citizenship simply does not apply. The absolute majority of the textbook citizenship duties, quite astonishingly, fail this simple test, but there are usually a couple of exceptions.

Precisely by attempting to localize a universal ideal of equality, citizenship is bound to undermine it.

With regard to loving the motherland and fighting its wars, for instance, the picture is much more interesting: the rhetoric of duties has consistently been used throughout citizenship’s history to infuse phony logic into the deprivation of citizenship rights endured by women, minorities, conscientious objectors, and the indifferent, strengthening the core functions of citizenship—exclusion and complacency. All over the world the picture was the same: women, proclaimed too weak to die for the motherland in any useful way, would thus not receive voting rights or sometimes, de facto, no citizenship rights at all. Citizenship traditionally has always been a masculine status and duties have played the key role in keeping it so.³² Probably the most interesting aspect of the duties of citizenship story is thus the co-evolution of duties and the contemporary idea of liberty: once the majority of states reinvented themselves away from being hell-bent on destroying minorities and humiliating women, duties started effectively to disappear, as we will discuss in chapter 4. This is not surprising: with duties’ core function consisting in the destruction of individuality and the justification of the

suspension of the idea of equality—the main underlying principle of citizenship—there is no place for such duties in a context where states start admitting the complexity of the societies they work with. The degree of conflict between the social and the legal reality has been diminishing. Yet, significantly, the historical importance of the duties of citizenship is towering: why should any authority bother to create a citizen in the first place if not to tax him and send him to war? The diminution of duties is thus a story of irony: if duties are not of relevance anymore—a historical pillar underlying the creation of citizenship—what would fill their prominent place on citizenship’s façade, saving the concept from further questioning?

Politics

Above all, however, citizenship has always been a political tool wielded by the powers that be, through exclusion, to forge an ephemeral public of their liking: the *demos*. If you need more conscripts, introduce an element of *ius soli* into the otherwise *ius sanguinis* system, as the French did in the late nineteenth century. The French-born children of resident foreigners, themselves born in France, were expected to serve in the military then. As we will see throughout the book, if you dislike a certain ethnic group in your society, pretend that they are not there by defining your citizenry religiously, as the Saudis have done, or ethnically, which will exclude the guys you happen to dislike, as the Latvians and the Estonians have done,³³ deploying the doctrine of state and citizenship continuity and the restoration of sovereignty.³⁴ If you dislike a political ideology, such as communism, take away communists’ passports and citizenship: this was U.S. practice until well into the twentieth century, as brilliantly analyzed by Patrick Weil.³⁵ The focus has traditionally been on the voting rights of citizens, yet even beyond these rights, the politics of citizenship consists in shaping the population recognized by the state through the claims of political empowerment and “protection,” if not “defense” of the body politic from threatening outsiders next door and within. “Who are the *demos*”—a popular issue for political scientists³⁶—is thus not a question at all, let alone a relevant question, since the answer is almost too straightforward to be interesting: those whom an authority happened to decide to proclaim citizens and eventually enfranchise some of them in some way in a given context. Ironically, as Daniele Archibugi has perceptively observed, only democracies are interested in the problematization of exclusion through this lens. Indeed, “paradoxically, the all-time enemy of democracy, despotism, has not had to face the problem [of] whom to include: obedience is expected of all individuals.”³⁷ The historical analysis of nation-building worldwide proves this simple point abundantly well. One of the most crucial tools of nation-building is defining its people—citizens or not—from the debates surrounding who is a “German” at the famous 1846 Frankfurt “Germanists

Assembly,” described so well by Jürgen Habermas,³⁸ to who is a “Russian” for the first Imperial census,³⁹ to turning peasants into Frenchmen,⁴⁰ to the articulation of all the other “imagined communities”⁴¹ of the world. History strongly cautions against any romanticizations here: citizenship is an effective tool to instill complacency in any society and thus improve its uniformity and governability, no matter who is proclaimed to be in charge—the “people” or Saddam Hussein—as I will demonstrate throughout the book. Democracies, like totalitarian regimes, have been equally effective on this count, ensuring citizenship’s universalism in the contemporary world.

Once the law is clear, good citizens—the main product and the main evil of citizenship at work—will report their neighbors who are “Jews” sullyng “Aryan maidens,” in the words of Hitler’s *Mein Kampf*, or who are “Aryans” but dating “Jewish” women—both perversions against the honor of the nation policed exclusively by well-meaning neighbors, family members, and friends. As Patricia Szobar and colleagues have shown: “The majority of race-defilement cases were initiated by a denunciation rather than through the Gestapo’s own investigative efforts.”⁴² Creating categories in law brings these to life and social conventions, practices, and prejudices follow. Different U.S. states had different approaches, for instance, to defining who was a “negro”; race of a person thus changes by moving from one state to another. A “negro” in Louisiana was someone with more than $\frac{1}{32}$ of African American blood, while in Oregon—more than $\frac{1}{4}$. Utah law spoke of “mulattoes,” “quadroons,” and “octoroons.”⁴³ That in each case who is a “negro,” who is an “octoroon,” and who is “white” was supposed to be treated by the locals as “objective reality”⁴⁴ is as good an example of how the law and political discourse shapes society as American racial profiling today: “Hispanics” is a well-understood category in the United States, which does not exist elsewhere in the world—outside of the Americas that is—and is bound to leave your Basque and Catalan friends puzzled. Purely legal truths thus spill into the imaginary real life and affect and inform social reality. Legal “world-making” in Pierre Bourdieu’s terminology,⁴⁵ or, similarly, the production of “legal truths” in the words of Jack Balkin,⁴⁶ probably belongs to one of the most fascinating aspects of the practical functioning of the law. Indeed, setting ideas in law that make and remake our world and citizenship—both abstract and disconnected in the majority of cases from personal choices and desires, is one of the most telling examples of such “world-making.” In the “state of nature” there are, obviously, no citizens.

The politics of citizenship is thus not so much how and when citizens use political rights to elect representatives, but more to the point, why such rights are reserved for citizens and who the citizens actually are at any given moment as their body fluctuates constantly in every polity. It is not who votes—it is who is a citizen. The politics of citizenship is the politics of access to the status and rights of citizenship. Naturalizations, denaturalizations, expatriations, playing with the intergenerational

transfer of citizenship rules, the enfranchisement and disenfranchisement of different classes of citizens abroad and inside a country, the recourse to the rhetoric of duties to exclude huge vulnerable populations—these are just some ingredients of the politics of citizenship, as chapter 5 of this book shows.

Identity: A Disclaimer

Before we turn to examining the status, rights, duties, and politics of citizenship in detail, a small disclaimer about identity is in order. The static totalitarianism of “good citizenship” is best reflected in the identitarian element of the status, which some would even regard as part of the very definition of the concept. Certainly, citizenship is about belonging to a big family of friends, sticking together in this hostile world! Identity goes to the core of the idea of the self, yet it is doubly irrelevant in the world of citizenship. First, citizenship is about a status assigned by law, which is not chosen, since only about 2 percent of the world’s population would actually change their citizenship throughout their lifetime, 98 percent thus relying on whatever legal status they were assigned at birth. The story of Maria Toet documented by Betty de Hart is a good illustration of how identity works: Maria married a Polish man in 1940 and thereby lost her Dutch citizenship. When the marriage collapsed—the man was an abusive alcoholic—and Poland slid into a new, Soviet-style dictatorship following Marshall Piłsudski and the occupation—the Dutch state absolutely refused to give her a residency permit. Having overstayed her visa and been a fugitive from Dutch law enforcement, and having escaped an abusive husband at home, Maria presumably had sufficient Dutch identity, but it is not identity that makes citizenship. Certainly, identity cannot defeat the sexist core of the notion. The law was only changed to enable Dutch women to retain their citizenship upon marriage to a foreigner in 1985—effectively the first year women could be regarded as “real” citizens in the Netherlands.⁴⁷

Identity does not work the other way around either. Imagine you are ashamed of your country and believe it to be an aberration of justice: take Apartheid South Africa, for instance. Whatever you may feel and no matter how much you may refuse to share the ideals the country stands for, this does not affect your citizenship at all. A second example, corresponding to the racist grain in citizenship, might include the majority population rejecting your identity. As a Jewish convert to Christianity, Hernando de Talavera was so Spanish and such a fervent Catholic that he rose to become archbishop of Granada and the confessor of Queen Isabel herself. This did not prevent him from dying at the hands of the Inquisition, who deeply distrusted “new Christians,” as Antonio Feros reports.⁴⁸ “You speak German well for a Turk” is something we hear every day in the streets of Hamburg and Berlin, where it is

usually addressed to a third-generation German. The examples of identity failing to help because it contradicts the law and the law failing to help in the face of overwhelming prejudice both argue for strong reservations about including identity as a part of the definition of citizenship. To try to define “citizenship” through any kind of cultural-linguistic affinity to a nation is thus entirely beside the point: whatever you think your identity is, citizenship can—and often will—be denied by law. The reverse is equally true: anyone holding a citizenship status who does not boast the expected identity remains a citizen no matter what—be it an Uruguayan who was born and grew up in the United States; a hippie fleeing the draft; or a dual German-Israeli citizen pulling out a German passport at a U. S. border-crossing point, however many reservations she would have against the status provided by that particular state and however little association she has with Germany (an Israeli passport does not give visa-free travel to America, so the choice here is quite obvious, whether one speaks German and knows the Chancellor’s name, or not). To connect citizenship with identity is thus nothing but intellectual laziness. Identity only matters when the people on the street and the powers that be want to *exclude* you from equality and other rights no matter what status you may think you have. However, a particular identity in itself is of course not required—it is indeed irrelevant—in order to hold the status and possibly enjoy the rights of citizenship, where such rights are provided at all.

To connect citizenship with identity is thus nothing but intellectual laziness.

Constant Evolution

Crucially, citizenship status, rights, duties, and politics—all the elements of citizenship outlined previously—are in a state of constant dynamic co-evolution, which affects their weight and importance in the context of citizens’ lives and state governance. The starting point of every citizenship debate—the Aristotelian account—is so intellectually removed from us that any allusion to it must indispensably be made with a grain of salt. Predating individualism, in Aristotle’s society each citizen stood for a tightly knit clan cemented by a home religion that put the family and its ancestors at the center.⁴⁹ Moreover, rather than holding equality as its main value, inequality, perceived of as absolutely natural, was the ideal of justice.⁵⁰ We are a long way from that approach to the world, as both core ideals have flipped: men now stand for themselves and have individual equal moral worth (and women now finally count, too): that is what citizenship today is said to promote. Besides, from regarding ordinary work as unfit for a citizen in the anti-just society of Aristotle (from our perspective at least), work is now, alongside residence, among the core rights of citizens. Let us therefore be scrupulously careful when mentioning Aristotle in relation to citizenship.

The core ideas of citizenship have changed just as drastically over the last 100 years, however: one does not need to travel to ancient Athens. The general line of development, as we shall see throughout this book, is to extend the status of citizenship increasingly to those who are part of the society in question but are excluded and, similarly, to extend the rights that used to be uniquely citizenship rights to those who do not hold the status. In the same vein, there are increasingly fewer citizens without rights: women now vote, the remaining communists can have passports, and the speakers of minority languages generally are not harassed into forgetting their culture under the banner of good citizenship.⁵¹ Increasingly many citizenships can be cumulated: the previously implicit exclusivity of the status is waning. As the rights and the scope of their application expand, so does the territory of their application. Increasingly, many countries grant foreign citizens full equality and access to crucial citizenship rights in their own territories—either reciprocally, such as in the European Union, MERCOSUR, the Gulf Cooperation Council, the Eurasian Economic Union, or unilaterally. The mantra “one *demos*—one state—one territory of rights” no longer holds in the world, with the exception of a handful of particularly old-fashioned countries, such as Canada and Madagascar, as we will see in chapter 3. A Norwegian can settle, work, and stay as long as he pleases in the forty-one richest and highest developed countries and territories around the globe without being discriminated against on the grounds of being precisely that—a Norwegian. For a citizen of Cape Verde the figure is fourteen; for the United Arab Emirates (UAE) it is six; for Belarus, five. Exceptions can also be observed. Both Pakistanis and the Chinese belong to just under half of the world’s nationalities not welcome to settle anywhere outside their own state, as discussed in detail in chapter 3 and illustrated by figure 6.

Some foundational and historical pillars of citizenship are slowly crumbling, depriving citizenship of its core function and purpose. Indeed, all the key current citizenship trends render exclusion and the randomness of assignment of rights and privileges extremely difficult to justify. Citizenship’s sexism, its racism, and its abuse of individuality through appeals to the ideals of good citizenship and especially the duty to be “good” are in retreat, making contemporary citizenship differ even more from what it was only fifty years ago. Yet all the advances of recent evolution could not erase the gradations in the levels of enjoyment of rights, of course: equal citizenship is as mythical today as it ever was before, notwithstanding all the fundamental changes that make it more equal, more tolerant, and less totalitarian.

A critical *parcours* through citizenship via the status, rights, duties, and politics as key elements is bound to produce a picture of citizenship that is very far from the optimistically glossy popular one, thus exposing the poisonous ideology underpinning the concept. Citizenship is an official celebration

of equality, yet its main function is random exclusion. Citizenship is an official trope for political empowerment, yet the natural effect of its successful operation is complacency. Citizenship is about celebrating an identity, yet identity is not a necessary element of the citizenship package as we have seen. Moreover, citizenship's recent evolution points toward discrediting the "good citizen" mythology. Citizenship is about rights in the sovereign territory, yet current trends in rights and the evolution of territoriality make sustaining this correlation truly untenable for numerous nations around the world.