

# **Liberal Democracy and Citizenship: A Study of Contemporary Debates**

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**DOCTOR OF PHILOSOPHY**

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DECLARATION


I declare that the thesis entitled "Liberal Democracy and Citizenship: A Study of Contemporary Debates" submitted by me is in partial fulfilment of the requirements for the degree of **DOCTOR OF PHILOSOPHY** of Jawaharlal Nehru University, New Delhi – 110067. This is my original work and has not been previously submitted, in part or full, to award any other degree in this university or any other university.


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## **List of Abbreviations and Acronyms**

B.J.P.	Bharatiya Janata Party
B.S.F.	Border Security Force
C.A.A.	Citizenship Amendment Act
D.A.C.A.	Deferred Action for Childhood Arrivals
E.C.	European Commission
E.E.G.	Europe Middle and East
E.P.	European Parliament
E.U.	European Union
et al.	et alia
G.A.T.T.	General Agreement on Tariffs and Trade
G.D.P.	Gross Domestic Product
I.C.C.P.R.	International Covenant on Civil and Political Rights
I.D.	Identity
I.G.Os.	Inter-Governmental Organisations
I.M.F.	International Monetary Fund
I.O.M.	International Organisation for Migration
K.F.C.	Kentucky Fried Chicken
M.E.A.	Ministry of External Affairs

M.N.Cs.	Multinational Companies
N.A.F.T.A.	North Atlantic Treaty Organisation
n.d.	No Date
N.D.A.	National Democratic Alliance
N.G.Os.	Non-Governmental Organisations
N.H.R.C.	National Human Rights Commission
N.R.I.C.	National Register of Indian Citizens
O.C.H.A.	Office for the Coordination of Humanitarian Affairs
O.E.C.D.	Organisation for Economic Cooperation and Development
Retd.	Retired
T.I.P.P.	Transatlantic Trade and Investment Partnership
T.N.Cs.	Transnational Companies
T.P.P	Trans-Pacific Trade Partnership
U.I.D.	Unique Identification
U.K.	United Kingdom
U.N.	United Nations
U.O.I.	Union of India
U.S.A	United States of America
UNHRC	United Nations Human Rights Commission
W.T.O.	World Trade Organisation



## Introduction

The quotidian nature of citizenship that permeates everyday life has pushed it to the sombre peripheries hatched out of familiarity. As citizens of the nation-state, we enjoy a bundle of advantages that comprises many ‘rights’ and privileges. Consequently, there is a general tendency to overlook the significance of citizenship. However, throughout history, full citizenship rights and recognition have been denied to people on multiple grounds premised upon the fault lines of religion, gender, race, and sexuality- amongst a host of many. Colonised and indigenous people have been denied citizenship rights, and innumerable political struggles have been fuelled by the ideas of citizenship. At the present juncture, the rising graphs of migration and the brimming category of refugees have triggered a newfound interest in migration and its many bearings on citizenship. This is an age in which migration is widespread and therefore that identity is increasingly overlapping, complex and fragmented.

The primary question that this research engages with is whether modern theories of citizenship have been falling short of paying attention to the crisis in liberal democratic nations created by large scale human migration? The immigrants are allegedly the fountain of multiple antagonisms in many liberal democratic nations today, and the problems that they face in the migrated country are primarily a product of culture and identity differences. –Exploring the relationship between citizenship and migration helps us to understand the category of 'citizenship' better” (Mhurchu 2014: 8). Thus, the study has taken up the case of this critical category of immigrants. The influx of migration and its reaction in today’s liberal democratic nations have raised variegated questions related to status, belongingness, rights, participation, recognition and security. Therefore, this study investigates the various difficulties confronted in accommodating immigrants in recent theories of citizenship and in the process of its substantive exercise in a liberal democratic nation. While doing so, this study examines how far the recent theorisations of citizenship are able to address the new challenges and concerns that have emerged in the context of globalisation and increasing diversity due to large scale migration.

To answer this, one has to first engage with the conceptual history of citizenship, as many issues that confront us today around the theory and practice of citizenship have

significant echoes in the past. Aristotle, for example, points to the peripheral categories such as the resident aliens, the disenfranchised citizens, the young and the old that 'complicate the search for a universally acceptable working definition of citizenship'. It is interesting to note that even after two-and-a-half millennia, we could not surpass Aristotle in dealing with the status of peripheral categories, especially the resident aliens, in our efforts to formulate a modern definition of citizenship. Similarly, the recent attempt of securitisation of citizenship in many countries prompts us to look into the citizenship practice in Sparta. Sparta provides a classic example of the inextricable link between security and citizenship. Further, the Stoic notion of citizenship is throwing the possibility of citizenship which can operate well beyond the boundaries of one's own community. This is obvious in the context of globalisation, where the traditional boundaries of nation-states are becoming irrelevant. The transformation of citizenship from an activity in the classical era to an entitlement of rights in the modern liberal state highlights the internal tensions of liberal democratic citizenship. Finally, the ethnocentric characteristics of citizenship is a recurring issue in the theory and practice of citizenship in many nations even today.

Therefore, the following questions will set up the background for such an enquiry-

- How has the concept of citizenship evolved over the century?
- What are the challenges the concept of citizenship has confronted in such a long evolutionary process?
- While unravelling the history of citizenship, what are the changes it has undergone in terms of its form and content?
- How far are the classical ideals of citizenship helpful in addressing the recent predicaments around the contemporary notion of citizenship?
- Also, the study sympathises with a large number of stateless people across the world. In other words, the primary concern of the study is to ensure reasonable accommodation of immigrants in the conceptualisation of citizenship.

## **Changing Conceptions of Citizenship**

The modern conception of citizenship that is defined as an active membership of a political community finds its origin in Greece between 700 and 600 BC, a conception

derived from the principles of equality and freedom. At that time, wealth and status were the parameters to classify the citizens, and this also determined their influence on the affairs of the government. The nature of classical Greek citizenship was inherently exclusive. —Ancient Greece was essentially an agrarian, slave society, and inequality had been naturalised: citizenship was valued in part because of its exclusive nature and as a mark of superiority over non-citizens whether they be women, slaves or „barbarians” (Faulks 2000: 18). Citizenship status was considered a matter of privilege and even a symbol of pride during this period. The boundary between the citizen and non-citizen was very rigid and clear. The Ethnocentric characteristic of citizenship was a common feature throughout the Greek city-states.

Subsequently, under the Roman Empire, citizenship came to be associated with legal status apart from political status. Though, this conception of citizenship diminished with the decline of the Roman Empire because the following feudal system failed to accommodate such a conception and only survived within particular social groups. Hence, there are not much evidences for any serious discussions on citizenship in the medieval world. Derek Heater, a well-known authority on citizenship, unravels the conceptual history of citizenship from the time of Greek city-states to the most modern days (Heater 2004). His book *A Brief History of Citizenship* gives a detailed account of the different models of citizenship that have evolved through history.

With the establishment of parliamentary sovereignty, citizenship started to come towards broad and inclusive directions, involving a broader spectrum of groups. This expansion process came to be at the heart of the highly influential „theory of citizenship” of T. H. Marshall, an English sociologist who is popular for his work *Citizenship and Social Class* (1950). The central question of Marshall's analysis of citizenship is whether "basic equality, when enriched in substance and embodied in the formal rights of citizenship, is consistent with the inequalities of social class" (Marshall 1950: 6). It was assumed, in mid-twentieth-century British society, that the two were compatible, "so much so that citizenship has itself become, in certain respects, the architect of a legitimate social inequality" (Marshall 1950: 7).

Marshall famously distinguished between three elements of citizenship: —the civil element (the rights necessary for individual freedom), the political element (the right to participate in the exercise of political power) and the social element”, which he

defined as "the whole range from the right to a modicum of economic welfare and security to the right to share to the full in the social heritage and to live the life of a civilised being according to the standards prevailing in the society" (Marshall 1950: 8). These included rights to public healthcare, education, housing and legal aid (Marshall 1950: 27-38). To date, this remains the lineage of the idea of social citizenship.

Throughout the modern period, the liberal theory of citizenship has been the most predominant perspective in Western political thought. Even though democracy is not a necessary condition for citizenship practice, for the complete realisation of the status of a citizen envisaged by the modern liberal notion of citizenship, democracy becomes a necessary condition. This is precisely the reason for all contemporary debates and discussions on citizenship is essentially located within a liberal democratic framework. The ongoing debates between this liberal tradition and other contrary standpoints have made an immense contribution to the advancement of the modern notion of citizenship, and apart from this, most modern political theoretical debates can also be situated under the umbrella of the liberal tradition. Varied perceptions of late-modern society have built the Contemporary perspectives on citizenship. They are deeply rooted in reflection on the changed and changing nature of modern society and its impact on the nature and status of citizenship. The dominant liberal idea of citizenship could not really cope with newly emerged concerns like cultural diversity and identity politics. This lacuna of liberal citizenship was replaced by the notion of multicultural citizenship.

The liberal idea of citizenship, which contends that "citizens can enjoy rights independent of the context to which they belong" (Young 1990), has been the prime object of work of Iris Marion Young (1990), a feminist scholar, and has subsequently been expanded in the theory of multicultural citizenship. Cultural diversity and minority rights have emerged as the rallying point for giving credence to democratic values by enhancing the monolithic version of citizenship and including the vast minorities and cultural groups into the mainstream, which modern citizenship fails to reflect. This prominent strand within the citizenship theory supported a society where different communities forge a common identity and at the same time retain their cultural touch. Multiculturalism demanded a refashioning of political philosophy:

culture had begun to complicate politics in ways that political philosophy seemed unable to answer. The idea of cultural citizenship is often associated with the present-day context of multiculturalism and seen as a novel issue for political philosophy. Within political philosophy, it has been mainly conceptualised within a liberal tradition focusing on the (cultural) rights of certain minority groups in a liberal democratic nation” (Young 1990: 250).

Similarly, the defence of group rights by Will Kymlicka, a famous scholar on the liberal theory of multiculturalism, is embedded in a liberal conception of citizenship. –In support of this statement, he has developed a multiculturalist perspective that requires social institutions to be reformed in a manner that allows for the accommodation of the cultural distinctiveness of multiple ethnic groups in a single state” (Beckett 2006: 46). This perspective advocates that the rights given to individuals under liberalism should also be given to groups which, according to Kymlicka, would result in ‘differentiated citizenship’ and should not be seen as a threat to the liberal conception of citizenship but its extension. Kymlicka talks about five categories of ethnic groups in a liberal democratic nation and suggests ways to accommodate them in a majority nation (Kymlicka 2002). He proposes three types of differentiated citizenship: in particular, he states that –it is important to distinguish between the closely related representation rights and poly-ethnicity and the altogether different self-government rights” (Kymlicka 1998: 169). For Kymlicka, group representation rights generally take the form of a demand for inclusion by disadvantaged groups: such as ethnic minorities, disabled people, sexual minority etc. A drawback in Kymlicka’s approach is that –he does not adequately handle the problem posed by complex identities and cultures” (Beckett 2006). Kymlicka suggests that the existence of cultural groups does not indicate that all are diverse and uniform. –The culture itself may show differences according to such factors as class or gender” (Beckett 2006: 47).

Like Kymlicka, Young (1990) also celebrates differences in terms of identity and therefore criticise the liberal notion of universal citizenship, but she rejects the entire idea of liberal citizenship and thus defers from Kymlicka. According to her, –the liberal idea of universal is actually the disguised particular of the dominant group” (Young 1990: 165). She proposes the solution of celebrating the ‘politics of

difference'. This new politics would, she argues, ~~take~~ take the form of a rejection of the appropriation of a universal subject position by socially privileged groups by which they force those they define as different, outside the definition of full humanity and citizenship' (Young 1990: 169).

In short, one can observe that even though cultural factors have a major role to play in the theory and practise of citizenship, multicultural citizenship engages only a restricted view of culture. The main concern of multicultural citizenship is the protection of minority rights in a diverse state.

### **Migration and Changing Conceptions of Citizenship**

Migration and accompanying cultural differences have further complicated the conditions of citizenship, and it has become more challenging and demanding in the post-9/11 world. According to Niraja Gopal Jayal, an eminent political scientist, ~~Historically~~ Historically mature and well-established states, confident of their place in the world, have begun to search fanatically for the means of defining their national values and national identities to better cement ties among its citizens. These nations are also trying to ensure that new citizens adduce sufficient proof of subscribing to the accomplished values of the nation. One measure adopted toward this end is the citizenship tests" (Jayal 2013).

The citizenship tests that have been implemented (between 2005 and 2008) in various democratic nations like the United States of America, the United Kingdom, the Netherlands and Australia are clear-cut examples of the intersection between legal and cultural citizenship. ~~These~~ These affirm popular misgivings about the discriminatory effect of these tests against immigrants who are poor and have not had much education" (Jayal 2013: 8). The US government conducted a pilot citizenship examination to create a meaningful citizenship test for immigrants. The main focus of the questions was on American civic ideals rather than history, democracy, and politics. These new initiatives conveyed a message across the West that subscribing to a set of shared national values is an essential component of citizenship. The citizenship test in the United Kingdom called the ~~Life in the UK~~ "Life in the UK" test had garnered criticism since very few British-born Britons could answer all the test questions. The test, which concentrates more on national trivia, would create two classes of citizens,

—those who did not need to know their country's history because they were born there, and those who did simply because they were born elsewhere” (Jayal 2013: 9). In Australia, the government was forced to review the citizenship test within a few months of its introduction as concerns mounted about its high "failure" rate. The review committee confirmed that the new test had been "flawed, intimidating to some and discriminatory" (Jayal 2013: 12).

Jayal points out that citizenship tests introduced in the Netherlands and in two states of Germany (Hesse and Baden-Wurttemberg) were gendered and anti-Muslim. Both of these tests asked questions about women's freedom and homosexuality. In the Netherlands, videos of gay men and naked bathers were shown to potential citizens to show that this is an acceptable and legal practice there. This was termed by Human Rights Watch as 'Discrimination in the Name of Integration' (Jayal 2013). She also cites examples of governments trying to make existing citizens more civic, like in the case of a bill passed by Japan requiring schools to invoke patriotism in children by teaching them ways of "respecting tradition and culture and loving the nation and homeland" as well the British proposal to introduce compulsory civil service to mitigate unemployment in a recessionary economy (Jayal 2013: 14).

—The recent developments in many states show that the conservative turn in citizenship practices is unmistakably related to the debacle of multiculturalism in Western societies, and in particular, its inability to cope with the challenges of immigrants' claims to cultural rights” (Jayal 2013: 14). Rethinking the impact of multiculturalism, theorists have argued that while seeking to promote tolerance and inclusion, multicultural policies may have unwittingly created institutional structures within communities that become easy prey for capture by fundamentalist groups who use these to undermine the liberal-democratic order (Banting; Kymlicka 2006: 3).

Beyond minority rights, immigration raises other important questions before contemporary liberal democratic nations. The rift between native nationals and immigrants in many democratic states created new policy concerns regarding border and security.

## **Immigration: The Moral and Political Dilemma**

In her article titled *Transformations of Citizenship: The Case of Contemporary Europe* (2002), feminist scholar Seyla Benhabib tries to explore the theoretical implications of political incorporation of citizenship through immigration. She argued that “there is an inherent tension at the core of the norms and practices of liberal democracies” (Benhabib 2002: 450) across the globe with regards to politically incorporating immigrants or granting them citizenship. This tension or contradiction can be seen as “the commitments of liberal democracies to universal human rights on the one hand and sovereign self-determination claims on the other; the latter is invoked to control borders as well as to monitor the quality and quantity of those who are admitted across these borders” (Benhabib 2002: 443).

In the first part, the author takes a normative stand to examine political membership, and in the second part, she develops a sociological model of citizenship, and in the light of normative concerns, within the contemporary European Union she examines the ‘disaggregation’ of citizenship. Benhabib suggests that citizenship can only be transformed into a cosmopolitan outlook by extending the rights to individuals by considering their virtue of residency rather than their cultural identity. At the same time, existing political practices are treating these migrants as criminals. There is a strong need to decriminalise migration and treat each person with dignity. This indicates the acceptance of the fact that it is not a criminal act to cross a border and seek entry into different polities but “an expression of human freedom and the search for human betterment in a world which we have to share with our fellow human beings” (Benhabib 2002: 464-465).

Similarly, in the context of United States immigration policy, Stephen Macedo, an American liberal political philosopher, raises important questions highlighting the moral dilemma of many western democracies. He asks, "If US immigration policies appear to be liberal and generous to the less well-off abroad (or at least some of them), does this generosity involve injustice toward poorer native-born Americans, including - or especially - African Americans? If we have special obligations to our poorer fellow citizens - obligations that are sufficiently urgent and weighty, then US immigration policy may be hard or impossible to defend from the standpoint of justice?" (Macedo 2008: 70).



Again, from a cosmopolitan perspective, Thomas Christiano, a famous political philosopher in *Immigration, Political Community, and Cosmopolitanism* (2008), investigates if there is any good reason within moral cosmopolitanism to restrict immigration into political societies? Trying to answer this puzzling question, he argues that establishing a global political community in the near future existence of liberal democracies is really important (Christiano 2008). They are the only political ideology that upholds a vision for the building up of a global political community. Thus, he justifies liberal democracies attempts towards limiting global migration.

This article starts from the observation that ~~the~~ modern liberal democratic state represents an essential achievement in the attempts by human beings to realise justice and the common good among themselves. Its achievements are not all we want them to be, and they are limited to the scope of people brought into its jurisdiction” (Christiano 2008: 934). He continues to argue that ~~the~~ development of global political institutions and ultimately the development of a global political community is essential to the realisation of the aims of the moral cosmopolitan, the modern liberal democratic state must play a central role” (Christiano 2008: 934). In the short term, it is essential to safeguard liberal democratic states from forces which can hamper their democratic character and the normal functioning of their political systems, such as large-scale immigration. He argues that ~~if~~ open borders would undermine the existence of normal functioning of liberal democratic states, such a policy should be rejected from a cosmopolitan standpoint because it derails the very institutions that give us some hope for realising cosmopolitan justice in the future” (Christiano 2008: 935).

In an article titled *Illiberal Immigrants and Liberalism's Commitment to its Own Demise*, Daniel Weltman (2020), a famous scholar on political philosophy and ethics, raises the important question, can a liberal state exclude illiberal immigrants in order to preserve its liberal status? He argues that ~~liberalism~~ is committed to its own demise in certain circumstances, is merely a reflection of the fact that it must take into account the rights of outsiders, not just the rights of existing citizens, and of the fact that circumstances of injustice can sometimes leave liberal societies with no correct choice” (Weltman 2020: 271).

He uses the argument of Hrishikesh Joshi, an eminent political philosopher, to show how scholars tried to support the view that liberalism is compatible with restricted borders. According to Joshi, it is important for a liberal state to limit the right to immigrate in order to preserve the state in its liberal form (Joshi 2008). ~~He~~ claims that the liberal state may prevent immigration if doing so is necessary to prevent immigrants who hold and act on illiberal norms and beliefs from changing the nature of the state from liberal to illiberal” (Weltman 2020: 272).

Joshi made this observation in opposition to Christopher Freiman and Javier Hidalgo’s (2016) argument that liberalism is not compatible with limitations on immigration. He uses Freiman and Hidalgo’s argument as the proponents of open borders. They argue that ~~freedom~~ of movement is plausibly on par with other liberal freedoms, and so if a state’s right to self-determination grounds a prima facie right to restrict immigration, then it also grounds a prima facie right to restrict liberal freedoms such as speech, religion, sexual choice and more” (Freiman; Hidalgo 2016). They argue that ~~a~~ liberal state cannot justify restricting freedom of movement by limiting immigration because it would be infringing on individual freedom...Immigration restrictions have no such justification and thus are incompatible with a liberal society. A state can be liberal or restrict immigration, but it cannot do both” (Freiman & Hidalgo 2016). Therefore, Weltman highlights the difficulty for liberal democratic nations to make a choice between opening borders and restricting borders.

Apart from moral questions, migration also poses some serious security threats. The deleterious impact of migration on borders and citizenship has always stood out as the ~~ultimate~~ security threat” (Leonard 2010). The proliferation of fences and walls to fortify borders in nearly every part of the world shows the growing accentuation of national boundaries and the associated policy investments to oppose migration and the production of new citizenship’ (Cinalli 2017). This renewed interest in nationalism and national sentiments across the world can be seen as a reaction to the influx of migration induced by globalisation. Strong anti-migration sentiments oblige western democracies to reconsider sovereignty over borders and citizenship. "The migration crisis’ has prompted a large body of literature dealing with the emergence of Trumpism, Brexit and various neo-nationalist movements, on the mismatch between a

transnational legal framework and the expression of identities that remain territorially bounded" (Ambrosini et al. 2020).

There are worldwide implications of the Trump phenomenon and the resurgence of right-wing nationalism for the immigration policies of various liberal democratic nations. India's response towards Rohingya immigrants substantiates this fact. An endangered project of multiculturalism, renewed contentiousness of legal aspects of citizenship, and the new challenges around global migration and the politics of the border suggest a rethinking of the normative theory of citizenship.

Till the end of the 20th century, scholarship on citizenship largely remained an exegesis on the socio-economic-cultural and political dimensions of the idea. With the normative charm of multicultural citizenship and the de-territorial concept of citizenship failing to provide room for substantive challenges induced by hyper-mobility, migration and the fences erected by the borders, it seems imperative to explore a better inclusive approach in deciphering the ever-challenging and elusive concept of citizenship. In this context, the thesis looks at the existing literature on the debates pertaining to the idea of citizenship, which unfolds an intense academic vacuum in the security and border moorings of the concept.

## **Research Problem**

Recent theories of citizenship have failed to capture the terrain of plural anxieties navigated by citizens and immigrants, whose interactions are often coloured by varying shades of antagonism. The study argues that the dual commitment of liberal democratic citizenship between universal human rights on the one hand and the membership of a nation-state on the other resulted in the failure of liberal democratic theories in addressing the crisis of migration in the context of globalisation.

## **Research Questions**

1. Are the basic material and normative structures of liberal democracy sufficient and open to self-reform to resolve the immigration crisis from within?
2. How do globalisation and migration give rise to more challenges to the classical notion of citizenship and influence in re-conceptualising citizenship in accordance with the new changing needs of the time?

3. To what extent have recent theories of citizenship been able to address the demands raised by immigrants and native citizens?
4. How far have contemporary debates on citizenship been able to refashion in accordance with the requirements of newly emerged concerns about national security and the closing of borders?
5. Is a liberal democracy morally obligated to include immigrants in order to remain liberal?
6. What are the major anxieties and worries of native citizens of host nations towards immigration? Can liberal democratic nations ignore those concerns?
7. How far the Indian state policy towards Rohingyas has entangled between concerns of border and security on the one hand and the larger humanitarian aspects on the other.

## **Methodology**

Given the kind of thematic focus, the methodology invoked is mainly theoretical and analytical. India's response to the 'Rohingyan crisis' is selected as a case study to analyse the recent developments and dilemmas concerning the notion of citizenship in the contemporary world. This investigation was carried out in order to engage with a major conceptual crisis prevalent in the notion of citizenship today, which is a significant development in contemporary liberal theory and in liberal democratic nations. It occurred in the context of mass migration of people from 'non-liberal' countries to the Western liberal democratic countries due to various reasons. To explore this arena, this study uses both primary and secondary works including newspaper articles, parliamentary debates and government sources.

In order to trace the history of liberalism and democracy, the study specifically looks into the works of philosophers such as Hobbes, Locke, Rousseau, J.S Mill, and Kant. The writings of both John Rawls and Habermas are also being used. Apart from classical liberal thought, this study engages also with the works of contemporary thinkers such as Derek Heater, T.H. Marshall, Will Kymlicka, and Iris Marion Young. The works of Yascha Mounk, Manuel Castells, Patrick Deneen, William Galston, Jason Brennan, Roberto Stefan Foa, Roger Eatwell and Mathew Goodwin have immensely contributed to this study. In addition to that, the available literature discussing the notion of citizenship, liberal democracy, globalisation as well as

migration in the present context are engaged with. Finally, the Indian state's response towards Rohingya immigrants is taken as one of the most appropriate cases to examine the theoretical problem under consideration of this research. Case studies of speeches, the acts of the ruling elite, parliamentary debates/questions on this issue, circulars and statutes calling for deportation, reactions of major national parties, statements or bulletins of relevant government officials on the Rohingya problem and various judicial decisions are utilized in the study.

## **Structure of the Thesis**

### **Introduction**

#### **Chapter 1 The Rediscovery of Citizenship: A Conceptual Exploration from Ancient City/States to Modern Liberal Democracies**

This chapter attempts to explore the conceptual history of citizenship from ancient Greek city-states to the most modern society; in doing so it tries to understand the various meanings and status it acquired throughout its development as a concept. Firstly, the chapter starts with an introduction to the idea and subsequently deals with a detailed discussion on the classical notion of citizenship. Secondly, it also engages with the nuances of the process through which the concept of citizenship evolved during the medieval and early modern world. Finally, it unravels the evolution of the modern notion of citizenship with a particular emphasis on the liberal tradition of citizenship and while concluding, it highlights the various challenges and concerns faced by the theory of citizenship under the influence of post-modernisation and globalisation. The chapter argues that the transformation of citizenship from the notion of ‘active participation’ in the classical era to just a ‘passive entity’ in the modern time resulted in the rupture between citizenship and government in recent liberal democratic nations across the world.

#### **Chapter 2 The Liberal Democracy: A Terrain of Contradictions and Challenges**

This chapter explores the theoretical foundations of modern liberal democracy and its various features. It examines how liberal democracy has become the most appropriate terrain for the reconceptualisation of modern citizenship. The first part of the chapter unfolds the history of both liberalism and democracy individually. Secondly, it

highlights the internal contradictions between liberalism and democracy in the liberal democratic tradition. The third part focuses on the core idea of liberal democracy and its basic norms and values. The concluding segment of the chapter will discuss the significance of liberal democracy in recent times as a terrain for the successful reconceptualisation of the idea of modern citizenship, especially in the context of globalisation and the influx of migrants. Finally, this chapter argues that there are inherent tensions at the heart of the norms and practices of liberal democracy that surround the concept of citizenship around the world. This is a tension, and sometimes an open contradiction, between liberal commitments to universal human rights on the one hand and democratic sovereign self-determination claims on the other. The latter is used for border control and for monitoring the quality and quantity of people entering these borders.

### **Chapter 3 Migration and its Discontents: Reconceptualising Citizenship in the Context of Globalisation**

This chapter explores the impact of globalisation and migration on the concept of citizenship. It engages with the status of immigrants in recent citizenship debates and thereby explores various theoretical alternatives such as multicultural citizenship, denationalised-post-national citizenship, and cosmopolitan citizenship. Finally, the chapter will also explore the fallout of these theories of citizenship in dealing with international migration and its various repercussions in contemporary liberal democratic nations.

### **Chapter 4 Revisiting Citizenship: The Crisis of Migration and the Politics of Security**

This chapter examines the new concerns around security and tightening borders and their impact on the theorisation of citizenship. It also discusses the rise of right-wing political parties. Brexit, and the anti-migration policies adopted by various nation-states, and the chapter will also examine the ways in which such policies influenced the notion of citizenship.

### **Chapter 5 The Liberal Democratic Dilemma: the case of Rohingya Immigrants in India**

The chapter is basically an enquiry into the theoretical dilemma of the liberal democratic notion of citizenship through a case study of the responses of the state of India towards Rohingya immigrants. Firstly, this chapter explains the history of the Rohingyas as well as the circumstances in which they have been forced to leave their own country. It also elucidates a brief account of India's approach to refugees in the past. The next part of this chapter shall be an attempt to unravel India's stands to Rohingya refugees through case studies of speeches, the acts of the ruling elite, parliamentary debates, circulars and statutes calling for deportation, reactions of major national parties, statements or bulletins of relevant government officials on the Rohingya issue and various judiciary decisions. Finally, the chapter examines India's treatment of Rohingya immigrants and how it has been influenced by the concerns of security and borders.

## **Conclusion**

## **CHAPTER ONE**

### **The Rediscovery of Citizenship: A Conceptual Exploration from Ancient City/States to Modern Liberal Democracies**

#### **Introduction**

Anchoring the idea of citizenship on a universal and all-encompassing definition has been one of the daunting challenges faced by political scientists and philosophers alike. The ‘membership in a common society’ has been decided as the notion of citizenship since the earliest of human civilisations. It is an explicitly political enterprise. However, an appreciation of only the political dimensions is insufficient for a proper understanding of it. Even though a multiplicity of definitions of citizenship are available, each falls short of satisfactory clarity or comprehensiveness. Citizenship, whether defined as membership, status, performance or practice, entails already accepted concepts of politics, sociality, temporality, spatiality and culture. This indeterminacy about the form and content of citizenship makes it one of the highly debated topics even in the second decade of the twenty-first century. It can be seen that the term 'citizenship' is open to a wide variety of interpretations and lacks a uniform, concrete, structure and definition. There was a rekindling of interest in the term in the 1990s, sparked by a confluence of events such as lack of voter interest and participation, and the onset of globalisation, as seen through high worker migration and the increasingly diverse demographic composition of states. All this prompted political thinkers to revisit the original connotations of 'citizenship' as its meaning has evolved steadily along with history.

This chapter attempts to explore the conceptual history of citizenship from ancient Greek city-states to the most modern society; in doing so it tries to understand the various meanings and status it acquired throughout its development as a concept. Firstly, the chapter begins with an introduction to the idea and subsequently deals with a detailed discussion on the classical notion of citizenship. Secondly, it also engages with the nuances of the process through which the concept of citizenship evolved during the medieval and early modern world. Finally, it unravels the evolution of the modern notion of citizenship with a particular emphasis on the liberal



tradition of citizenship and while concluding it highlights the various challenges and concerns faced by the theory of citizenship under the influence of post-modernisation and globalisation. The chapter argues that the transformation of citizenship from the notion of ‘active participation’ in the classical era<sup>1</sup> to just a ‘passive entity’ in the modern time resulted in the rupture between citizenship and government in recent liberal democratic nations across the world.

## What is Citizenship?

–Citizenship is the status of a person recognised under the law of a state that makes him or her eligible for the rights and privileges of the state” (Leydet; Dominique 2017). The emergence of the study of citizenship as a critical focus of political philosophy dates back to the fifth century B.C. Greece. Despite being grounded in the particular context of the Athenian city-state, much of the writings of Plato and Aristotle remain widely influential today. Aristotle observed that citizenship “refers to a person whose parents are the citizens of the particular country and holds an office or participate in the deliberative or judicial administration of the state” (Aristotle 1962). According to him, citizenship can be gained (through naturalisation) or lost (through denaturalisation). Citizenship, therefore, is generally defined as “membership to a political community” (Kymlicka 1995). It originally referred to such membership concerning a small city-state or town, but in modern times it has come to refer to a larger unit such as a nation-state. The key characteristic of citizenship is the claim of political participation that comes with it. A citizen is entitled to all civil, political, and certain socio-economic rights. According to T.H Marshall, citizenship can be seen in those rights and duties which have determined the legal status of its members (Marshall 1973). In return, a citizen must execute certain duties towards the state, which contribute to its development and progress. Citizenship is often interchangeably used with the term ‘nationality’, though citizenship distinctly implies political inclusion, while nationality does not do so.

Citizenship can be conferred on individuals based on different principles, such as *jus soli* (given to any individual born within the geographic territory of the state) and *jus*

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<sup>1</sup> It was the particular period in history that in turn refers to the ancient civilisation, especially to Athens in the fifth and fourth centuries B.C. and later to that of Rome

*sanguinis* (given to any individual whose parents are citizens of the state), depending upon the laws of the state concerned. In modern times, ‘supranational citizenship’ has also come into being with intergovernmental organisations extending the concept of citizenship to international levels (such as the European Union and Commonwealth of Nations). Therefore, one of the most compelling questions about modern political philosophy centres on the contemporary understanding of what it means to be a citizen. While it is certainly true that the meaning of citizenship rights and responsibilities cannot be divorced from particular socio-political contexts, the significance of citizenship status can differ widely under different forms of government, and therefore, it may mean very different things to be a citizen in European and non-European contexts.

–The contestation regarding citizenship is not only limited to its content, context, nature, and depth of the framework, giving rise to different and diverse formulations but remains spread over its meaning and definition as well” (Shklar 1991). Among others, citizenship has been regarded as a status, a relationship, a standing, an activity, an engagement, and a political category. The notion of a citizen may change across time and space but the importance of citizenship remains significant as long as individuals continue to live in communities with overarching structures of governance. According to Seyla Benhabib, "Citizenship in the modern world has meant membership in a bounded political community, which was either a nation-state, a multinational-state or a federation of states" (Benhabib 2002: 440).

Three broad dimensions of citizenship are discernible. The first is –citizenship as a legal status”– subsumed under this idea is the equality of all citizens before the law, the availability of civil, political, and social rights, and the right to the protection of the law. The second dimension envisages –citizens as active political agents”, participating in the shaping of political structures and institutions that govern them. The third dimension of citizenship furnishes a distinct source of identity, –the feeling of belonging to a larger social identity” (Cohen 1999; Carens 2000: 166). The tenuous association between citizenship as a political identity and a nationality, which seeks to have members of nation-states identify on cultural markers with a larger sociological entity, is one of the several interesting debates that stem from the study of each of these facets of citizenship. The differences of opinion on the relative importance of

each of these dimensions is another provocative reason for debate and discussion among political theorists. It is also important to understand that these three dimensions are intrinsically linked, with meaningful strands of association tying different aspects of citizenship together. The grant of rights itself defines the range of political activities available to citizens and explains how citizenship can be a source of identity that enhances a person's self-esteem. A strong civic identity can also help citizens to negotiate broader rights. The complex modern nation-state also throws up new challenges, with different sections of society having different strengths of civic association. The relationship between the third and first dimensions can be evocatively captured in the various struggles for self-determination and the demand for differentiated cultural rights by minority communities in nation-states across the world.

## **Two Models of Citizenship**

Stemming from this understanding of various dimensions to citizenship, we are now well placed to examine two major models of citizenship – the Republican Model and the Liberal Model. The Republican tradition had among its proponents Aristotle, Cicero, Machiavelli, and Rousseau, all of whom believed in citizenship as a form of ‘civic self-rule’ (Rousseau 1978: 56). They believed that citizens should share in the holding of office, and function as active political agents who are important, contributing parts of the framework they are governed by. This understanding of citizenship focused firmly on the second dimension of citizen identity. In contrast, the liberal model of citizenship is focused on the first dimension of citizenship. Being a citizen was a ‘legal status’, and occasional identity, rather than a political office. Citizenship meant being protected by a certain law, rather than working towards formulating it. With the complexity of social structure visible in modern nation-states and the size and scale of contemporary polities, it is the liberal model of citizenship that has greater relevance today.

## **Then and Now: A Comparative Contrast**

As said above, today the Greek understanding of citizenship has come to be almost given up. The obvious question arises, then, of what has changed so significantly from Aristotle's vision of an ‘actively participatory political citizen’ – so much so that the

Greeks used the term 'idiot' to characterise a private person who did not participate in public affairs – to the more reluctant, uninvolved figure we observe today in our modern democracies.

Here, I would like to focus on two broad concerns that play a significant role in shaping modern ideas of citizenship. First, with the rise of the nation-state, as opposed to the city-state structure of Aristotle's era. The polity has grown to a size and diversity inconceivable in the fifth century BC Athens. With the complexity of the modern nation-state and the highly differentiated and unequal societies encompassed within a territorial national identity, several pressures arise that make the operation of a Republican model difficult, if not impossible. There exist both pragmatic concerns of having vast and diverse populations rule themselves through civic participation, as well as the absence of any 'moral unity' among citizens of a state who are often in conflict over highly differentiated interests and identities. Second, a significant factor to consider while forming an understanding of modern-day citizenship is the process of globalisation. Globalisation has done much to erode the significance of borders and national citizenship in the first place, with massive flows of information, human resources, capital, and cultural transmissions taking place across national borders. In an era where many people identify with a larger global identity, the conventional understandings of citizenship and loyalty to a state have been thrown into some confusion. Citizenship has often been thought of as a tool to promote social cohesion, and also as a means of exclusion. Both these facets of citizenship have come under fire from this worldwide process of increased communication and contact.

### **Citizenship: A Historical Survey**

Citizenship as a concept has evolved over a period spanning several centuries, each version being somewhat different from the other, depending on the time and the historical context. The idea of citizenship has thus had a long and eventful journey, and although there is no definite historical marker for when the notion of the citizen came into existence, several scholars agree that it is in the city-states of ancient Greece- Sparta and Athens, that some of the earliest forms of citizenship can be located. In the centuries that followed the dominance of ancient Greece, the Roman Empire also initiated several adaptations of the concept of citizenship. Together, Greece and Rome represent the classical era in which many developments concerning

citizenship occurred, under the aegis of Pericles, Plato, Aristotle, Cicero, Marcus Aurelius, and several other thinkers. Citizenship was an important theme in the classical era. According to Pocock, a historian of political thought from New Zealand, "the term 'classical' comes with a double bind first, something which denotes ideal or authoritative and is hence worthy of serious attention; and second, it has reference to a particular period in history that in turn refers to the ancient civilisation, especially to Athens in the fifth and fourth centuries B.C. and later to that of Rome" (Pocock 1995: 29).

Several features were common to citizenship at different periods in the classical era. For one, there was a strong emphasis on political participation and the duties required to be performed by the citizen in the political sphere, rather than on any benefits or "rights", which is what is commonly associated with modern citizenship. The duties of a citizen in the classical era ranged from serving in public office, contributing to military service, and, more generally, a commitment to striving for the common good where private interests were subordinate to public welfare. In Sparta, for example, the citizenry comprised of a military elite responsible for the governance and defence of the state, for which they were trained under an extraordinarily strict program (*agoge*). Citizenship involved other features such as the taking meals in common messes and complete disengagement from economic production. Athenian citizenship, on the other hand, was based on citizens' obligations to the community, mostly in terms of the responsibility of citizens in the formation and enforcement of laws, where governance was carried out in rotation; a citizen was both the ruler and the ruled, in turn. In Rome, citizenship underwent a series of changes starting with the extension of citizenship to towns outside of the Empire (in sharp contrast to Greek citizenship, where neighbouring Greek cities' residents were treated as aliens), and ending with the great simplification of citizenship under Marcus Aurelius from a privilege to that of legal status. Thus, it becomes clear that the notion of citizenship has evolved substantially and that each period in its history has marked differences.

Plato and Aristotle were prominent voices in the discourse on citizenship in the classical era, but Aristotle's work on the subject is widely considered to be more authoritative. The following is a discussion on attributes of Greek citizenship with the

focusing on two of its city-states: Sparta and Athens, as well as the views propagated by Aristotle and Plato.

## **Citizenship in Classical Era**

### **Citizenship in Sparta: The Origin of a Concept**

In contrast to many other concepts in politics, some thinkers believe that the concept of citizenship emerged in Ancient Sparta, not in Athens. Derek Heater explains that –Spartan citizenship was based on the principle of equality among the ruling military elite called ‘*Spartiates*’” (Heater 2004: 8). In other Greek city-states, free citizens were part-time soldiers. The Spartan men were full-time soldiers, so they could not do physical labour and relied on the work of a captive slave called *Helots* (Heater 2004: 6). "Firmly embedded in Greek tradition was the belief that a great law-giver Lycurgus framed a body of constitutional, social and economic reforms in the early eighth century BC" (Heater 2004: 6). Above all, Lycurgus is known for formulating a class of privileged and submissive citizens that likely already existed.

Not all residents of Sparta were considered citizens. Only those who had experienced the Spartan education process (*agoge*) were eligible to become citizens of Sparta.

Others in the state were known as *Perioikoi* - free residents of Sparta's territory, but non-citizens, and state-owned serfs *Helots*. Descendants of non-Spartan citizens were not able to follow *agoge*. Additionally Spartan citizens who could not afford to pay for *agoge* could lose their citizenship. The *Spartiate*<sup>2</sup> model of citizenship had several interlocking features. These were: "the principle of equality; ownership of a portion of public land; economic reliance on the work of the helots; a rigorous regime of upbringing and training; the taking of meals in common messes; military service; the attribute of civic virtue; and participation in the government of the state" (Heater 2004: 8). The Spartiates named to each other *Homoioi* which means 'Equals.' The Spartiates had parcels of public land hence they earned at least a minimum income from agricultural produce. The *helots* farmed the lands. On the other hand, the State was defended and governed by the Spartans.

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<sup>2</sup> An elite full-citizen male of Sparta.

*Agoge* was a detained training program that trained and prepared Spartans for citizenship. Heister writes that "they underwent a rigorous training called *agoge*" (Heister 2004: 7). At the age of 7, each Spartan boy was assigned to a group where he lived and was trained until he was 20. In their twenties, young men became quasi-citizens. Being a quasi-citizen meant that they had to do military duties but without any civic rights and duties. When the young man was ready to be incorporated into the body of citizens, he had to get elected to a mess, and be able to pay his mess duties which he could meet from his land. –Both election and payment of dues were important for becoming and remaining as a citizen, failing which he would be expelled and as a consequence would lose his citizenship status" (Heister 2004). At the same time it was imperative that the Spartans engage in constant training to keep their bodies in top condition. They also had to complete their martial arts training. A conscientious citizen also had to fulfil his civic duties in good faith. This included complying with the law and participating in meetings. The stress by the authorities was on the penalties for loss of citizenship for those who failed to meet the expectations. Cowardice was even worse; they were not only punished but continuously humiliated.

Sparta developed a mixed governmental state. "The state was ruled by two hereditary kings whose duties were primarily religious, judicial and military" (Heister 2004: 8). –Civil and criminal issues were resolved by a group of officials known as the *ephors*, as well as a council of elders known as the *Gerousia*. High state policy decisions were discussed by this council, who could then propose action alternatives to the *Damos*, the collective body of Spartan citizenry, who would select one of the alternatives by voting" (Cartledge 1979). One important problem with this model of citizenship was that the gap between the rich and the poor widened. As the poor could not pay their mess dues, they were degraded from their citizenship status. For such reasons, citizenship numbers steadily declined. On the other hand, the *hoplite* unit had to maintain its strength. They recruited non-Spartiates as well and there is evidence that timidity was being exonerated to prevent deviations. Nevertheless, the dilution of citizenship was not the only problem; there were inherent problems with the citizenship system. The civil class was in a very privileged position maintained on the basis of the exploitation of Helots. Distress was cruel by humanitarian standards. The *agoge* was savage, and the emphasis on military training as a key feature of

citizenship was a distortion of what was supposed to be accompanied by citizenship status. However, the Lycurgus constitution did establish what has become a perennial principle of citizenship and which still carries huge significance. From a contemporary perspective what is important in Sparta was its emphasis on the security; after all the Spartan modal was completely centred on it. However, the priority of security in the conceptualisation of citizenship gradually declined after Sparta. But recently, especially after 9/11, there has been a reinventing of the relationship between security and the citizenship.

The following is a discussion on the Athenian concept of citizenship.

### **Athenian Citizenship: A Matter of Privilege**

Aristotle favoured the mixed form of the constitution: a mixture of oligarchy (rule by the wealthy few), a little aristocracy (rule by the experienced best), topped up with some democracy (rule by the masses) and he credited Solon with furnishing Athens with such a constitution” (Heater 2004: 21). Solon was the great law-giver of Athens, in a sense he is equivalent of Sparta's Lycurgus. In Athens, “only adult male Athenian citizens, the one who had completed their military training as *Ephebes* had the right to vote” (Rothchild 2007). Whereas women were given limited rights and privileges, they were excluded from the status of citizens. Citizens whose rights were suspended (usually because they did not pay the city debt) were also not allowed. For some Athenians, this was a permanent (and inheritable) disqualification. However, unlike oligarchy, there were no property requirements to restrict access. Given the exclusive and traditional view of Greek city-state citizenship, a relatively large proportion of the population participated in the Athenian government and other radical democracies such as this. In Athens, some citizens were much more active than others, but the system needed a lot to work proving the participation of qualified people far beyond modern democracy. After the reforms of Pericles and Cimon in 450 BC, Athenian citizens were required to be from families of citizens on both sides; thus prohibiting children of Athenian men and foreign women to be part of Athenian citizenship. Citizenship could be extended assembly and sometimes to large groups, but in the 4th century it was conferred only to individuals and by a special vote with a quorum of 6000. This was done as a reward for some service to the state. In a century, the number of participants had grown to hundreds, not thousands. In Ancient Greece,



Draco was the first Athenian legislator who replaced the conventional system of oral law and blood feud with a written code to be enforced only by a court. This code also gave rise to the term "draconian" due to its harshness.

Kleisthenes introduced one major change which affected only males of citizen status and because of that they had to register with the *deme* - an egalitarian institution, rather than the *phratry* - an institution with religious connotations, to enter the citizen body. However, in 451 B.C., ~~the~~ first significant change in the definition of the family under the democratic constitution came in, when a law introduced by Pericles stated that only the offspring of two Athenian citizens could be citizens" (Heater 2004: 24). In recent years, the actual content and intent of the law has been subject of intense debate. But Aristotle was probably right when he said "Pericles wanted to reduce the number of Athenian citizens" (Aristotle 1986: 86). Whatever the intent of this particular law, its impact on family life was widespread. First, it effectively restricted the marriage options of men of Athens to women of Athens. In less than a century, in the first quarter of the fourth century B.C., 'The Law of Pericles' formally recognised women born in Athens as independent citizens and endorsed their role in the continuation of citizenship (Kapparis 2003: 4).

Solon wrote and introduced a new constitution in which citizenship was not based on origin but on wealth. All members in the polity had some political rights. "Laws and the application of justice became a matter of public concern and control, and all Athenians could expect the same justice" (Manville 1991). The 'Solonian constitution' divided citizens into four political classes, determined according to their valued wealth. Most scholars, except those who romanticise the Athenian model, argue that the participation of ordinary citizens in the *Ekklesia* and *Boule* was more or less compromised by the domination of citizens from aristocratic and wealthy backgrounds, besides the presence of the demagogues who dominated proceedings.

In 'Solon's mixed constitution' of the sixth century BC, where power was shared between the oligarchs, aristocrats, and ordinary people (or the many who were poor, referred to as the *kakoi*), "the principle of democracy was introduced not in the Council or the political offices, but the courts" (Sabine 1963: 31). From then on, the role of the courts had assumed a profound significance in Athenian democracy. Jurors were paid for their service, which allowed poorer citizens to participate in the

governance of their city. According to Heater, "the ideal of equality, the enjoyment of liberty, and the belief in participation are three basic principles which underlay Athenian democracy" (Heater 2004: 25). While Aristotle was highly influenced by Athenian theory and practice of citizenship, his master, Plato had shown no real interest in them. This leads us to a discussion on Plato's ideas on the subject.

## **Plato and the Idea of Citizenship**

Plato was born in 428 BC and died in 347 BC. To his mind, the 'Spartan system' had a lot to be admired. Plato approved a division of labour in which the upper classes of citizens did not engage in manual labour. He touches upon the notion of an 'ideal state' in his book *The Republic*. In Plato's state, citizenship is divided into three classes. These are "guardians" to control, "soldier" to protect and "producer". This last element includes all professionals, businessmen and workers who are citizens but passive second-class citizens and they are not expected to participate in public affairs. Plato's unattainable vision of perfection is the state that emerges from the *Republic*. The serfs cultivate the land, whereas industry and business are in the hands of non-resident foreigners. Citizenship status is transferred through both lines of descent. The "citizens are not equal; they are divided into four classes according to their wealth" (Heater 2004: 13). Plato provides a representative council in which a quarter of the delegates are elected by each class of citizens.

Plato proposed an 'elimination test', wherein, at the age of twenty, those who fail shall be put in the working class. At the age of thirty, there will be a second elimination test, and those who fail here would be recruited into the military. His prime objective was a stable and peaceful polity. He wanted to achieve that through friendly and credible relationships between citizens whose social connections would be achieved through the institution of *Spartiate* style messes. Good citizens are those who are loyal to the social and political system, obey the law, and exercise self-control. Public schools have encouraged these qualities. But in contrast to Sparta, the virtues that Plato wanted to nurture were the virtues needed for the unity of its citizens, not simply a successful prosecution of war.

## Aristotle's Concept of Citizenship

Aristotle, a pupil of Plato, shared Plato's distaste for Spartan militarism as well as his acceptance of the Spartan provision of public education and not the usual private family arrangements. –On the other hand, in *Politics*, he presents a formidable list of criticisms of the Spartan constitution, customs, and practices. In doing so, he disagrees with Plato on the issue of the communistic features of Spartan life” (Heater 2004: 16). Writing a long time after Plato, and in contrary to his teacher, Aristotle disliked Sparta's commune-oriented approach. He believed that Sparta's land distribution system and shared meals brought about a polarised world of rich and poor. At the very least, Aristotle provided one of the earliest commentaries on citizenship in his *Politika*, and this serves as an important point of reference in the evolution of the concept of citizenship (Heater 2004: 16).

For Aristotle, participation in politics was superior and more virtuous than seeking private pleasures and professions. His widely quoted statement "man is a political animal", is, in fact, more closely translated as "man is an animal impelled by his nature to live in a *polis*" (Aristotle 1948). This reflects Aristotle's view that man by nature has the potential to participate in the affairs of the *polis*, and that an isolated man is either a beast or a god. –A beast was animal-like, without self-control over passions and unable to coordinate with other beasts, and therefore could not be a citizen. Moreover, a god was so powerful and immortal that he or she did not need help from others” (Heater 2004: 17).

Aristotle's *Polis* was a form of political community. In effect, it took the form of a city-state which would ideally be small in size; compact, in that it constitutes an urban core and surrounding agricultural land; and intimate, in that all its inhabitants shall be known to each other. He was critical of Plato's 5000-strong city-state, for he believed that such a state would necessarily be widely spread making the direct participation of individuals in the affairs of the *polis* (the underlying principle of Aristotle's definitions) difficult, if not impossible. The *polis* had to be small, for it was only when citizens were aware of each other's characters, could the best possible decisions be taken, and mutual goodwill ensured. Moreover, the particular kind of civic friendship that Aristotle believed came from the community tightly knit, making the *polis* then "an association of friends", which was something that would ensure harmony.

In Aristotle's view, ~~the~~ the most important task for the politician is in the role of the lawgiver (*nomothetês*), to frame the appropriate constitution for the city-state. This involves enduring laws, and customs for citizens. Once the constitution is in place, the politician needs to take appropriate measures to maintain it, introduce reforms when he finds them necessary, and prevent developments that might subvert the political system. This is the province of legislative science, which Aristotle regards as more important than politics as exercised in everyday political activity, such as the passing of decrees" (Miller 1988).

Aristotle attaches a great deal of significance to the *polis*, which he conceives as the final goal in the life of the individual. Following his use of teleology, in which all things strive towards an end goal, the polis can be broken down into its material cause: the family and village-the people who live in the territory of the *polis*; the effective cause: the livelihood of individuals and their security; the formal cause: the constitution of the state; and the final cause: moral development. The *polis*, therefore, had an even more profound significance since it was the means to achieve the highest moral development of individuals.

It is perhaps for this reason that participation in the affairs of the *polis* was seen as supreme, and not necessarily fit for everyone. This can be viewed as a point of departure to understand Aristotle's conception of what characterises the citizen - if the *polis* and its affairs were so crucial, then citizenship must be a privilege and a status to be inherited. Who then, qualified as a citizen in Aristotle's conception of the *polis*?

Aristotle admitted that "the nature of citizenship, like that of the state, is a question which is often disputed: there is no general agreement on a single definition" (Aristotle 1948). He believed that the definition of a citizen, especially of a good citizen, would differ depending on the kind of constitution in effect (Aristotle 1948: 1275a). For example, a good citizen in an oligarchy would aid in perpetuating the wealth and status of the oligarch, which differs significantly from the description of the ideal citizen in the Athenian state.

Nonetheless, even under this paradigm, two quotations from his *Politika* provide insight into his definition of the citizen: "Citizens, in the common sense of that term, are all other who share in the civic life of ruling and being ruled in turn" (Aristotle

1948: 1283b), he further stated that "[He] who enjoys the right of sharing in deliberative and judicial office ... attains thereby the status of a citizen of his state."

This makes clear that Aristotle's notion of citizenship is not based on residence, for slaves and resident aliens also share residence with citizens but are not granted citizenship. Also, unlike today, citizenship did not merely involve voting every few years, but rather carried with it the responsibility of direct participation in governance. The above quotation reflects his emphasis on direct participation where citizens rule by turn. A citizen has the intelligence and the ability both to rule and be ruled (Ramaswamy 2015: 210). It was "a legally guaranteed role in creation and conduct of government" (Taylor 1994: 151).

The deliberations Aristotle referred to had four dimensions: foreign policy (the making and unmaking of alliances), law-making, decisions regarding punishment, and appointments to judicial offices. Thus, according to him, citizenship had a commanding role in society, with citizens ruling over non-citizens. —At the same time, there could not be a permanent barrier between the rulers and the ruled, according to Aristotle's conception, and if there was such a barrier, citizenship could not exist" (Taylor 1994: 151)

Aristotle's sense of citizenship depended on a "rigorous separation of public from private, of *polis* from Oikos, of persons and actions from things" (Pocock 1998: 31). This allowed the people to interact politically with equals. Good citizens were able to live according to the constitution that reflected their citizenship obligations and responsibilities and the need for ample free time to attend to them. Associated with the idea of the good citizen is that of civic virtue, which Aristotle again found difficult to define universally.

Civic virtue corresponds to a deference to the requirements of the state, and the modification of one's behaviour to comply with those requirements. Aristotle expounds four components of virtue: "temperance, self-control and the avoidance of extremes; justice; courage; and wisdom, including the capacity of judgment. A man possessed of these qualities will be a good citizen" (Heater 2004: 19). And ultimately, if the purpose of the *polis* is moral development, a good citizen must also possess

"moral goodness, that would help in realising a selfless and cooperative civic life" (Ramaswamy 2015: 210).

Thus, for Aristotle, a citizen commanded power in the *polis*, and to his mind, this was a privilege that did not accrue to everyone. Citizens are distinguished from other inhabitants. Many people were simply excluded from citizenship status. The young and the old were not considered citizens as the young were immature, "underdeveloped", and the old were infirm, "superannuated" (Heater 2004: 17). Aristotle did not see women as fit to be granted the status of a citizen because he believed they lacked deliberative faculties, and due to their responsibilities in the domestic sphere, did not have the leisure to understand the workings of politics. He considered them incomplete, defective, and possessing inferior reason. For the working class, Aristotle believed that although some states made them citizens, their involvement in production did not give them the time to shoulder the responsibilities of civic life and therefore could not display true excellence in this regard. Slaves were also excluded from citizenship. Finally, he admits that the classification of the status of resident aliens is complicated, as they have access to civic rights such as being entitled to access the courts of law, and yet were not citizens.

In summary, Aristotle's conception of citizenship was rooted neither in a shared residence nor in the individual's access to certain rights, which are the two most common features of modern citizenship. Instead, he conceived citizenship as comprising the responsibility to govern the *polis*, and in turn to be governed by one's peers in the *polis*. To this was attached the notion of civic virtue, and the "good citizen". Citizenship was seen as the manifestation of man's natural political bent and was a non-inclusive concept that was best put into practice in a city-state small enough to ensure that inhabitants were familiar with each other and could engage in direct rule.

### ***Criticism of Aristotle's Theory of Citizenship***

What makes Aristotle's theory of citizenship so fascinating to some is precisely what has been the target of criticism for others. Issues of exclusivity, the realistic existence of the *polis*, and the relevance of Aristotle's ideas to any time other than his own are all major questions that have been raised in the critique of his theory of citizenship.

Aristotle's idea of citizenship received a mixed response, with many scholars finding it inaccessible, and especially contemporary scholars, who found his ideas surrounding the *polis* inapplicable to modern political life.

"The political entity that Aristotle viewed as the final and perfect form of political life, the *polis*, was small city together with its surrounding territory, more or less independent from other city-states, and nothing like a nation-state" (Deslauriers; Destree 2013: 1). Direct democracy was perceived to be an inherently elitist idea wherein only a few were considered fit to engage in the affairs of the *polis* and therefore fit to be granted the status of citizen. He failed to recognise the possibility of a representative government in which all citizens were not legislators, and yet the political system functioned efficiently.

Further, an idea that critics find even more deplorable and difficult to accept is how Aristotle completely ignored the agency of women in the politics of the state. In fact, at an even more general level, because the capacity to govern was seen as existing only for certain individuals, Aristotle defended patriarchy, slavery, and cultural and linguistic dominance. To preserve the constitution, Aristotle also seems to advocate ostracism, wherein even law-abiding and morally virtuous citizens could be excluded from the civic community for purely political reasons. His exclusion of the working class meant that they are reduced to merely the means for the rest of the *polis* to survive and sustain itself, rather than having any more meaningful role to play in the affairs of the state. In this sense, the producing classes have extractive value but are themselves denied a truly meaningful place in society. This sense of exclusion ultimately implies that only a very few privileged achieved the ultimate moral development which is the final cause of the *polis* and led to a large disenfranchised and discontented class. The existence of this class takes away the solidarity of the city-state and interferes with the relationship of mutual goodwill that must exist for there to be concord and harmony in the *polis* as Aristotle defines.

The criticism of Aristotle's notion of citizenship is carried out at varied fronts, but what remains is that he is to be credited with one of the earliest cogent attempts to define the relationship between the individual, and the "state", and to establish a set of guidelines under which the idea of citizenship could be defined and understood. Although many more modern scholars, from Hobbes to modern feminists, have

reservations about the exclusionary and elitist nature of his citizenship, what is also true is that perhaps it is important to locate Aristotle's ideas in the context of his time, rather than try and draw justifications from his theories that will hold up to the demands and priorities of the modern socio-political context. The value of his concept of citizenship remains in providing an authoritative framework for understanding the implications of modern citizenship. For example, we read Aristotle to understand what kind of arguments could be made for modern-day limitations on citizenship, to ask ourselves whether we agree with the premises of his arguments, and to consider the implications of imposing or lifting such restrictions. His treatment towards the category of resident aliens, for instance, is quite important when we consider the citizenship crisis faced by contemporary liberal democratic nations in accommodating the migrants. "The Aristotelian tradition became almost moribund with the success of modern liberalism and of attacks such as those of Hobbes on the many 'absurdities' of the 'old Moral Philosophers,' Aristotle, chief among them. Yet today Aristotle's thought enjoys a remarkable renaissance. Against the orthodox liberal concept of the state as an association of 'rights-bearing free agents' who contract with one another for the sake of peace and the pursuit of happiness, scholars are again taking seriously the idea articulated most fully by Aristotle that human beings are 'political animals'" (Collins 2006: 2). Therefore, Aristotle's ideas remain an essential point of reference in the evolution of the concept of citizenship, and thus can never fully be discarded, whatever its criticisms may be. Moreover, the idea of civic virtue, where citizens actively take part in the affairs and governance of the state and cultivate habits that promote collective wellbeing, remains a relevant concept, even today. Undoubtedly, Aristotle remains one of the most critical voices in citizenship's historical narrative. –His concept of citizenship was transmitted via adherents of Stoic philosophy into Roman thinking on the subject, notably by Cicero. Although these ideas were submerged following the collapse of the Roman Empire, Aristotle's great corpus of works was rediscovered and revered in the Middle Ages, with the result that his ideas on citizenship shaped the writings of several political philosophers, including Thomas Aquinas and Marsilius of Padua" (Heater 2004: 20).



## Stoicism and its Contemporary Significance

Zeno, a well-known philosopher of ancient times, who was from Cyprus but settled in Athens used to attract students to his house for the purpose of expounding his philosophy. This is how he founded the “long lived school of philosophy” known as Stoicism.<sup>3</sup> Stoicism taught that an individual is a member of both the *polis* (the constitutionally existent state) and the *cosmopolis* (the world city). Here, then, arises three important ideas or issues- “duty to the state, commitment to the universal moral idea, and the problem of their reconciliation” (Heater 2004: 39).

In his book *A Brief History of Citizenship* (2004), Heater takes up three famous exponents of Stoicism- Seneca, Marcus Aurelius, and Cicero- in order to highlight three important issues, raised by philosophy regarding citizenship. First, regarding the issue of civic duty. Cicero says “men who live private lives are traitors to social life” (Heater 2004: 39). In an essay, *On Duty*, he writes:

...a worthy and truly brave citizen, and one who deserves to hold the reins of the government...will give himself so to the service of the public, as to aim at no riches or power for himself; and will so take care of the whole community, as not to pass over any part of it (Clarke 1994) cited in (Heater 2004: 37).

The second issue is regarding the idea of ‘world citizenship’. Stoics like Marcus Aurelius, regarded themselves to be citizens of the world, but they would not have found it considered defending the need for a world state of which they would be citizens. In his *Meditations*, Aurelius “logically 'proved' that a *cosmopolis*, a city of the universe, exists as one of the Stoic principles” (Heater 2004: 41). He “connects the concepts of rationality, and of the world as a kind of community, with law, in this chain of inferences”:

If intelligence is something we share, so too is the rationality that makes us rational beings. If so, we also share the reasoning that prescribes what should or should not be done. If so, we also share the law. If so, we are citizens. If so, we participate in a commonwealth. If so, the world is a kind of community; for in what other shared commonwealth could one say that the entire human race participates? It is thence, then, from this shared community, that we derive our intelligence and rationality and legality (Long 2007).

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<sup>3</sup> The root of this word can be traced back to the place of seminars held by Zeno. He used to hold seminars on his philosophy in a painted porch, in Greek it is called *stoa poikile*.

Marcus considered himself to belong to Rome when thinking of himself as a citizen, and to the universe when thinking as a man. Undoubtedly, a fundamental internal contradiction contained in this Stoic political thinking. Seneca addresses this dichotomy between the two kinds of citizenships and thus addresses the third issue regarding citizenship. As he argues:

...there are two commonwealths- the one, a vast and truly common state, which embraces alike gods and men... the other, the one to which we have been assigned by the accident of birth'. Men owe duties to both; however, 'Some yield service to both commonwealths at the same time -to the greater and to the lesser- some only to the lesser, some only to the greater'...Yet, although individuals may choose a priority, there is no serious contradiction. The reason for this judgment is that service to the *cosmopolis* is of a contemplative, self-educative kind. 'This greater commonwealth,' he wrote, 'we are able to serve even in leisure - nay, I am inclined to think, even better in leisure - so that we may inquire what virtue is' (Seneca 1958) cited in (Heater 2004: 41).

If one wonders what is the relevance of the age-old ideas of Stoicism, then one must keep in mind that –according to community intrinsic value, as distinct from instrumental value, Stoic theorists offer thoughts that can probably resonate more strongly for ourselves than they could for persons chosen randomly in antiquity” (Long 2007: 255). What we find throughout democracies, at present, is that the majority of the people regard the state and citizenship as instrumentally valuable (for serving their needs and desires) and not as intrinsic goods. Thus, it can be said that, –Stoicism challenges us to consider that rationality and mutual reverence are not only values of a categorically higher order but are also integral to our sheer survival as a civilised race” (Long 2007: 256). The present world demands that our actions and goals should be based on ‘reason’ and ‘mutual respect’ of not only so-called citizens of our countries but people world over, regardless of religions and political systems. Stoicism enlightens our path as for this philosophy: –citizenship is not, in the first instance, a legal right or residential entitlement or actual capacity to participate in government or judicial practice, but simply one’s commitment to the principle that community life is the most essential implication of what it means to be a rational being”. Probably, Stoicism is the philosophy which liberal democracies need to think and reflect upon as they are facing contradiction regarding the issue of citizenship. This study primarily focuses upon this very issue, especially on commitments between the little commonwealth, the state and the larger commonwealth, the

universe. This precisely is the ambiguity faced by liberal democratic states today, both morally and theoretically, in accommodating immigrants.

### **Citizenship in Rome: From a Privilege to Just a Legal status**

Roman citizenship constitutes an important part of the earliest forms of citizenship. It inherited some characteristics of the ‘Greek model’ but also differed from it in certain aspects. Talking about the similarities between both the models, Geoffrey Hosking, a British historian of Russia, argues that the Roman world carried forward the Greek ideas of citizenship in the city-state like civic participation in government, equality under the law, and the idea that no one citizen should have too much power for longer period of the time (Hosking 2005). Further, Derek Heater finds ideal of civic virtue of Rome that specified the obligations of citizenship, to be somewhat similar to the Greek concept of *arête* (goodness) (Heater 2004: 30).

Many Scholars have also pointed out the difference in the model of citizenship of Greek and Rome. For instance, Heater considers the origin of citizenship in Rome to be more ambiguous than Greek as there were no great law-giver like Solon and semi-mythical figure like Lycurgus (Heater 2004: 30). According to Hosking, unlike the Greek city-state that enslaved those captured after the war, Rome offered prisoners relatively generous conditions, including the possibility of acquiring a "second category of Roman citizenship" (Hosking 2005). The defeated people were not allowed to vote in the Roman assembly, but they were fully legally protected, could enter into economic contracts, and even marry Roman citizens. They mixed with Romans in a culture sometimes described as *Romanitas* ceremonies, public baths, games, and a common culture that helped unite diverse groups within the empire (Hosking 2005). In a way,

Greek sense of citizenship was an ‘emancipation from the world of things’ in which citizens essentially acted upon other citizens; material things were left back in the private domestic world of the *Oikos* (household) (Pocock 1998: 31).

However, Roman sensibilities took greater consideration that citizens can affect both material and other citizens in the sense that they buy and sell property, titles and commodities. Therefore, citizens often met other citizens on the basis of trade which often required regulation. It brought a new level of complexity with respect to the

concept of citizenship. Another deviation from the Greek model was that the Roman government played the interests of the upper class patrician in a dynamic arrangement against a lower working group known as the *Plebeian* class. Through worker discontent, the *plebs* threatened to set up a rival city to Rome, and through negotiations around 494 BCE, won the right to have their interests represented in government by officers known as tribunes (Heater 2004: 30). According to Hosking,

[The Roman Republic] tried to find a balance between the upper and lower classes. In the Roman Empire, *polis* citizenship expanded from a small community to the entire empire. In the early days of the Roman Republic, citizenship was an important relationship that was not widespread. (Hosking 2005)

“The enjoyment and protection of rights and the creation of institutions for the voicing of opinions and demands are signs of embryonic citizenship” (Heater 2004: 30). But a Roman citizen was distinguished from a man who was of more lowly status, or unfree, illegitimate, or a foreigner. Later, Romans came to realise that giving citizenship to people from all over the empire legitimised Roman rule over conquered areas. As a result, with the passing centuries, “citizenship was no longer the status of political agency, but it had been reduced to a judicial safeguard and the expression of rule and law” (Pocock 1998: 31). The Roman conception of citizenship was comparatively more nuanced and complex than the earlier Athenian conception, and it usually excluded political participation. Citizens had many roles which could lead to ‘contradictory obligations’. Roman citizenship was not a single “black-and-white category” of citizens versus non-citizens, but could be associated with more degrees. And women were given a safer and more respected position than what Hosking calls a “subsidiary citizen” (Hosking 2005).

However, citizenship rules generally had the effect of invoking loyalty among the highly diverse populations of the entire empire. While promoting political participation, Roman politician Cicero recognised that too much public involvement could have dangerous and devastating consequences. David Burchell, a famous Australian historian, argued that “in Cicero's time, there were too many citizens pushing to enhance their *Dignitas*, and the result of a political stage with too many actors all wanting to play a leading role, was discord” (Burchell 1998). The issue of extreme inequality in land tenure led to a decline in civil and military order and was

one of many reasons for the dissolution of the republic and dictatorship. The Roman Empire gradually broadened the sphere of those considered 'citizens' as people's economic power declined and fewer men wanted to serve in the army. According to one report, giving citizenship to the majority of 'non-Roman groups' diminished its meaning (Pocock 1998).

'Roman citizenship' was reduced to a judicial safeguard instead of a status that indicated political agency. The concept was stretched to breaking point, and citizenship became little more than an expression of the rule of law. In terms of the definition outlined above, Roman imperial citizenship was citizenship in name only. Heister considers that the 'elasticity' in terms of providing citizenship to diverse population of the entire empire was the ultimate cause behind decline in the importance of the ideal of citizenship (Heister 1980).

After the collapse of the Roman Empire, citizenship became even less important. In the middle Ages, the pursuit of honour by exercising citizenship was replaced by the quest for personal salvation. The church became the centre of loyalty and moral leadership replacing the political community. However, the practice of citizenship was expressed in the middle Ages in the context of some Italian urban republics such as Florence and Venice. Such cities were inspired by the Greek, especially 'Roman republic model'. In particular, it included an ethic of participation that was not found in other forms of the political community at that time.

## **Citizenship in the Medieval Era**

Citizenship as a concept and a practice faced a significant setback during the middle Ages. It had been a cardinal principle throughout the classical era. But in medieval times, it was relegated to the margins. In the fifth century AD, the Roman Empire collapsed and was replaced by 'barbarian' kingdoms of Anglo-Saxons, Vandals, and Goths. In the east, the empire survived in some sense in the form of Byzantine autocracy. This essentially meant that the great Roman Empire no longer existed. The basic concept of the state as a unit of political governance invented by Greeks and Romans was completely absent during this time. The medieval world increasingly slipped into political anarchy. At the same time, as a religion, Christianity was spreading its faith across Europe.

Derek Heater identifies three important features of medieval citizenship. First was the relationship of citizenship to the unquestioned and effectively unquestionable pre-eminence and pervasiveness of Christianity. Secondly, the classical idea was not forever lost; indeed, it was powerfully revived with a deep interest in Aristotle. Thirdly, in the Middle Ages, citizenship in practice meant a privileged status in a city or a town, not a state” (Heater 2004: 42).

Any discussion on citizenship during the medieval era is closely associated with Christianity. Christianity and Roman citizenship were incompatible with each other. Christians could not adapt to the Roman civil religion because citizens had to pay at least lip service to civil religion. In 391 AD Theodosius declared Christianity the official religion of the Roman Empire. Thereafter, the Christian church was expanded and consolidated throughout the world. According to Heater, "indeed, Christianity and citizenship have not always been easy bedfellows because Christianity is not, in essence, a religion of this world” (Heater 2004: 43)

The first major explanation in this context is given by an eminent Christian scholar and a bishop in North Africa, Saint Augustine. His fifteenth-century masterpiece, *City of God*, was premised on the idea that "the saved are 'citizens of the heavenly City', rather than simply citizens of earthly cities or indeed of 'the world community" (Augustine 1958: 320). In this work, he expounded the doctrine that "the temporal world was irretrievably corrupt: the good life on this earth can be only a very inadequate and approximate preparation for the good life hereafter, in the Kingdom of Heaven" (Augustine 1958). According to him, the mark of a good man is not necessarily the performance of the civic duty, but participation in prayer. This trend continued till the thirteenth century. However, a serious attempt to revive the classical idea of citizenship came from the holy scholar St. Thomas Aquinas. He tried to accommodate citizenship in the Christian world. Aquinas thought that "all life is the expression of God's purpose. This is true of political affairs as much as any other facet of worldly life" (Koritansky 2007). Aquinas also praised the excellent consideration of this subject.

Aristotle's *Politics* was reintroduced into Christian Europe from Arab and Jewish sources during this period. Therefore, Aquinas firmly placed Aristotle in his plan for the Christian universe. However, the association of citizenship with Christianity was

not a perfect amalgam. "Aquinas was primarily a theologian, and the utter commitment of 'The Angelic doctor' (as he was called) to the accepted interpretation of the Christian doctrine could never be doubted. It is unthinkable, therefore, that he could consciously have wished to detach citizenship from a Christian context" (Heater 2000: 50).

Another Italian scholar Marsilius of Padua, who was born 16 years after Aquinas' death took up this task. The significance of Marsilius lies in his effort to restore citizenship in its secular Aristotelean explanation. Having studied at the University of Padua which is known for its interest in Aristotle, Marsilius was also highly influenced by Aristotle. As the title of his famous book, *Defender of Peace* indicates the main purpose of Marsilius was to discuss international affairs. Nevertheless, he takes citizenship on his agenda. Marsilius categorically argued that his views on citizenship are derived directly from Aristotle. His work was basically 'against the interest of the Church'. Therefore, he was castigated as 'the sons of *Belial*'.<sup>4</sup>

Marsilius rejected "any notion of citizens in their secular civic role needing guidance from God or being answerable to Him" (Clarke 1994: 70). Since most the fourteenth-century, European states were markedly different from the ancient Greek *polis* in size and character, the entire citizenry turned out to be too large to participate directly. Therefore, Marsilius was compelled to depart from Aristotle and acknowledge the need for representation. However, "central to his discussion is his assertion and logical 'proof that laws should derive from the will of the citizens'" (Heater 2004: 48).

Marsilius explained that:

...the primary human authority to make or establish human laws belongs only to those men from whom alone the best laws can emerge. But these are the whole body of the citizens, or the weightier part thereof, which represents that whole body ... a defect in some proposed law can be better noted by the greater number than by any part thereof, since every whole, or at least every corporeal whole, is greater in mass and virtue than any part of it taken separately. A law made by the hearing or consent of the whole multitude would be readily observed and endured by every one of the citizens because then each would seem to have set the law upon himself, and hence would have no protest against it, but rather tolerate it with equanimity (Clarke 1994: 71).

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<sup>4</sup> It is a Hebrew word "used to characterize the wicked or worthless."

Marsilius believed that the feeling of personal involvement in public affairs should be there with all citizens. This gives a very modern tone to his concept of citizenship. Hence, he extended the device of representation to not only legislation; but also to the holders of executive and judicial offices. He asserted that all these posts should be elected. Since he made serious attempts for 'secularisation and modernisation of Aristotle's concept of citizenship', Marsilius became a key figure in the medieval history of citizenship.

Marsilius was followed by another Italian scholar Bartolus of Sassoferrato who was an eminent jurist and an expert of Roman law. He argued that if people are to be truly free, sovereign power should be held by people as a whole. As a lawyer, Bartolus defined who was eligible for citizen status. In doing so "he made a distinction between citizenship by birth and by legal conferment" (Heater 2004: 47). Like Marsilius, Bartolus emphasised the importance of a representative system over direct participation. All these intellectual developments were confined only to Italy. This shows the high standard of scholarship that Italy had. And similarly, this shows that citizenship practices were most developed in that part of Europe.

The world outside Italy was deprived of any significant political establishment. Societies outside Italy were divided into small social groups or towns and cities. These were predominantly under ecclesiastical control which seriously limited the possibility of a rich tradition of citizenship practice. This did not mean that citizenship was completely absent. According to Heater, "By the eleventh century, citizenship was starting to blossom in some towns. Interestingly, as a pre-echo of Marsilius, the process started as a rejection of ecclesiastical control in the episcopal cities" (Heater 2004: 47). Initially, the movement began in the economically developed regions of Northern Italy, Provence, Western and Northern France, Flanders, and Southern Germany where the merchants, for commercial reasons, demanded more freedom. "By the thirteen and fourteenth centuries, town life was flourishing in several parts of Europe, while enjoying and developing the twin features of urban civic life that had by then become fully established" (Heater 2004: 47).

The next section engages with the further developments in the citizenship debates in the modern era.



## Early Modern Citizenship

The transition from medieval to early modern citizenship is marked by the liberation of concepts from the complexities and prohibitions of Christianity. One of the remarkable contributions to citizenship in this period came from Niccolò V Machiavelli, the renowned Italian political thinker. The Florentine wrote the history of his city (Skinner 1981). Central ideas to his idea of the citizen are courage, loyalty, and virtues such as the ability and will to act for the city in the military and civilian areas. Despite the influence of political instability in Florence, Machiavelli stressed the military duties of the citizen. Machiavelli was highly influenced by the military nature of Spartan citizenship. He acknowledged Sparta for the political stability it accomplished. The key question was how to teach citizens these virtues along with a sense of responsibility. In Heater's words, "Machiavelli was hardly the sort of person to harbour any romantic ideas about the natural goodness of mankind. No: he believed in a soldier's discipline and the tenets of a civically devised religion to achieve this necessary objective" (Heater 2004: 57). "He firmly believed that 'men [sic] had to be kept constantly alert to their performance of civic obligations, which could be achieved by education, religion, and a fear of consequences in case of dereliction of citizenship duties'" (Roy 2005). A body of citizenry; based on the principles of virtue is necessary for having a successful republic. According to him, "a state based on freedom is impossible without an active citizenry, and citizenship is impossible without a republican form of government" (Machiavelli 1998). In other words, "they swam or sank together" (Machiavelli 1998).

Machiavelli prioritised military discipline for citizens over religious education. He argued categorically, that 'the "security of all states is based on good military discipline, and ... where it does not exist, there can neither be good laws nor anything else that is good" (Machiavelli 1998: 491). "An apt religious education, he asserted, was just as vital. But it had to be of the correct kind. He claims that, whereas Christianity was not on the right track, the Romans were: their religion identified 'man's highest good . . . with magnanimity, bodily strength, and everything else that conduces to make men very bold" (Machiavelli 1998: 278). Undoubtedly, theory of citizenship of Machiavelli was shaped by the time in which he lived. However, its relevance was not limited to the Italian Renaissance. In the Age of Enlightenment, a

new wave of interest in the classical world had arrived; there, his ideas enjoyed renewed importance.

By the early sixteenth century, Europe saw the emergence of 'nation-states' such as England, France, Sweden, Poland, and Spain. However, they were hardly homogeneous ethnically and linguistically. About this time, the notion of citizenship as a legal status, which was part of the late Roman Empire, especially during the time of Caracalla, became one of the common features of the European political scene. "The concerns of absolutist states with imposing their authority over heterogeneous populations provided the context in which a citizen came to be defined by Jean Bodin, the sixteenth-century jurist, as 'one who enjoys the common liberty and protection of authority'" (Roy 2005: 6).

Bodin focuses on the social and legal dimensions of citizenship'. In his view, the basis for acquiring citizenship can be birth, enfranchisement, or adoption. He also highlights "the cohesive quality of citizenship when the whole body of citizens submit to a single sovereign despite the existence of diverse laws, customs, language, religion, and race" (Ramaswamy 2015). He rejects the idea of equal citizenship as it is almost impossible since states hardly ever acknowledge all their citizens as equal in privileges and rights. According to this concept, unlike Roman tradition, the citizen was not an authority himself but a person under the protection of the state. Unlike classical traditions, this modern view of citizenship was essentially a passive or 'negative' idea.

The 'commonly (shared) liberty' became the key feature of citizenship in this period and thereby ignored the significance of civic virtue and commonly (shared) public responsibilities' as associated with the classical tradition. This notion of citizenship implies an orientation towards 'protection' or security that needs to be ensured by the authorities. "For the early liberals, what was to be protected was one's physical life (as in Hobbes), the family and home (as in Bodin and Montesquieu), or conscience and property (as in Locke)" (Roy 2005: 7). The modification of the concept of citizenship just as a legal status in the modern era entails the protection of freedom in the private domain. So a citizen is no longer a public person; rather someone who always pursues private pleasure and personal liberty. However, nostalgia for classical

Greece and Roman values of citizenship as an activity with an emphasis on public duty and civic virtue persisted.

## **Liberal Citizenship and the Contemporary Challenges**

The liberal theory of citizenship has dominated the Western world for the last two centuries, and it continues to be so even today. "Liberal citizenship was the offspring of the liaison between revolutionary upheaval and contractarian natural rights theory" (Heater 1999: 4). 'The English civil war' and its impact on the political theory of John Locke, 'The French revolution', the capturing of independence by the American colonies all were very crucial in the development of the liberal theory of citizenship. The emergence of the capitalist economy along with a bourgeois class has also contributed to the growth of liberal citizenship.

Even though liberalism is considered to be one of the most influential theoretical traditions in the nineteenth and twentieth centuries, the concept of citizenship did not have any prominence in the history of this particular theory. The idea is mainly subsumed under the large theoretical formulations of eminent liberal scholars. However, a significant shift in this trend is brought by the contributions of T.H Marshall. Every contemporary discussion of theory of citizenship starts with studying the path-breaking account of the 'historical development of citizenship' provided by Marshall in his essay, *Citizenship and Social Class*, which was based on a 1949 lecture delivered by him at Cambridge in commemoration of his namesake Alfred Marshall. Marshall perceived in the development of the capitalist-welfare state a historical expansion of citizenship rights which was consistent with class divisions and the market mechanism. The expansion of these citizenship rights did what Karl Marx never believed possible - providing basic equality of membership to all, despite inequalities created by capitalism.

Based on this analysis Marshall argues that "citizenship, which is based on the principle of equality, blunts many of the sharp edges that the market induces, which are based on inequality. The class structure gets significantly modified with the advancements of citizenship. The process of modification in the capitalistic market does not mean the abolition of classes. The class structure remains but the rise of citizenship minimises its disadvantages" (Ramaswamy 2015: 213). To substantiate his

theory, Marshall discusses the evolution of the welfare state in post-war Britain. He distinguishes between three categories of citizenship rights and assigns an approximate period for the development of each in England. The first, the 'civil rights', that emerged in the 18th century, were essential for individual freedom and consisted of the right to freedom of speech, belief, and religion, the right to own property, etc. These rights were indispensable to the development of a market economy as they enabled individuals to operate as autonomous bargaining units. These rights undermined the usual privileges of the feudal class and solidified the relationship of the early capitalist class.

The second, the 'political rights', which developed in the 19th century were the rights necessary to participate in the political process and to share in sovereignty. They consisted of the right to vote, form political parties, hold public office, etc. Marshall himself was most interested in the third category of citizen rights, the 'social rights', for he was interested in exploring citizenship's impact on social equality.

The addition of these rights in the twentieth century made the situation more complicated but interesting. There emerged a conflict between citizenship and capitalism. The extension of social rights was a commitment to redistribute wealth on more equitable terms and to narrow disparities between the different classes through means like progressive taxation. Social citizenship sought to reform capitalism through the legislature. Part of this process was the gradual development of universal primary education, health and social security provision. Legislation on minimum wages, hours of work, and working conditions made the working class less vulnerable to the capitalist class. Marshall also talks about a secondary notion of citizenship that he describes as 'industrial citizenship'. He says that "the method of collective bargaining, which trade unionism facilitates, has led to the enhancement of the economic and social status of the organised workers" (Marshall 1950: 67).

Marshall identified the citizenship paradox as a status with different eligibility status. This also causes status inequality. Claims of status in the bureaucratic welfare system encourage competition for status over scarce resources. Marshall understood this issue in his analysis of the relationship between equal opportunity and equality of condition in his perspective on the level of education and social mobility. –Social mobility based on educational certification was intended to remove hereditary privilege, but in

practice, educational certificates meant the 'right to display and develop differences.' Citizenship as a principle of social membership and inclusion must at the same time, function through social struggles over entitlements as the basis of social exclusion" (Marshall 1950: 67). An important example is from the United Kingdom on the current debate over the criteria to define refugees, asylum seekers, and migrants. Marshall recognised three factors that have affected social structure: "[Compression at both ends, of the] scale of the income distribution...Great extension of the area of common culture and experience...Enrichment of the universal nature of citizenship combined with the recognition and stabilisation of certain status differences through the linked systems of education and occupation" (Marshall 1950).

Marshall concludes by saying that such differences are compatible with citizenship so long as they do not cut too deep and are not hereditary (Marshall 1950: 75). Citizenship has caused modifications in the class structure. Overall, it combines the egalitarian expansion of the right to citizenship with persistent inequalities in terms of class, status and power. His two principles of citizenship were simple and insightful, which included three elements of rights and the idea that social citizenship was the central basis of the other two. His theory is said to be the 'most influential exposition of post-war conception on citizenship rights. However, his theory is not without its critique.

The Marshall paradigm has been attacked primarily by the critics from the left. They firmly believe that citizenship has not changed the basic structure of inequality in capitalism. Citizenship does not cause significant damage to property rights, so citizenship is at best a reformist and, at worst, a working class integration strategy. Feminists too offer a similar argument. Modern citizenship has done relatively little, they argue, to improve the position of women in society (Marshall's theory is centred on the achievements of male citizenship. His pattern falls apart if the experience of women is incorporated. He describes the position of women in the nineteenth century concerning civil rights as 'somewhat peculiar'). These criticisms refer to empirical evidence of permanent inequality in modern capitalism. Therefore they argue that citizenship does not change the balance between market and society. In the UK, demographic and epidemiological evidence suggests little change. The focus of this

discussion was on the results of the Black Report<sup>5</sup> on social class and community-related health inequality.

–First, the theory failed to produce a coherent and consistent analysis of the causal mechanisms that produced an expansion of citizenship” (Titmuss 1962). Jeffrey Alexander, an American sociologist, and one of the world's leading social theorists, notes correctly that "Marshall relied 'on the mechanisms of social evolution - which must, perforce, be shrouded in obscurity - to explain why solidarity must develop and justice prevail'. One possible causal explanation of the growth of social rights in the nineteenth and twentieth centuries is the consequence of working-class struggles over economic rights relating to employment such as the right to form unions and to strike, sickness benefits, and retirement. In these respects, there have been substantial differences between the American and British historical experience" (Alexander 2006). At the same time, class inequality and lack of access to basic resources such as education, housing and social security were the main social factors behind the growth of British civil rights. The ethnic diversity, racial segregation, widespread migration, and the pursuit of social improvement have shaped The American experience. U.S experience circled around the failure and success of citizens' principles in the context of distrust and separation. In his *Income distribution and social change*, Richard Titmuss, a pioneering British social researcher, argued that "mass warfare stimulated critical social inquiry and weakened the values and institutions that were resistant to social change, forcing society into a period of self-reflection" (Titmuss 1962).

The second major criticism of Marshall was that he explained the idea of citizenship as a coherent and unified concept and revealed no real interest in comparing different forms of citizenship in terms of different historical trajectories. He was not thinking about the future need to promote society in the position of a citizen, not to mention protecting it from regression. In Europe, for example, citizenship takes very different forms and patterns following capitalist development. There is also the broader and more pressing issue regarding the relevance of Western concept of citizenship to

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<sup>5</sup> It was published by the Department of Health and Social Security in the United Kingdom in under chairmanship of Sir Douglas Black. The report found the differences in mortality rates across the social groups.

China, Japan and Southeast Asia. Revolutionary struggles and the devastating consequences of war often resulted in active participation, but when the nature of the fight changed, we needed to develop new means of national self-inspection and citizenship formation. Victims of modern violence are generally civilians, and genocide is unlikely to have the positive effects described by Titmuss. Modern low-intensity wars, or 'new wars' often accompanied by the use of child soldiers, are unlikely to have the positive effects associated with war with fascism in the 20th century (Titmuss 1962).

Another major drawback in Marshall's British depiction is the lack of understanding of the racial and ethnic differences associated with national citizenship. In general, his theory was as blind to ethnicity and race as to culture. Marshall envisioned a more or less homogeneous society in which regional, cultural, and ethnic divisions played no role compared to social class divisions.

However, Marshall's theory placed the concept of citizenship at the centre of many academic debates and discussions. In doing so, he firmly locates the idea within a liberal democratic paradigm. Despite various limitations, his attempt is considered to be a sincere effort to conceptualise citizenship in the context of the welfare state and capitalist economy. He identifies the contradiction between equality-based citizenship and the underlying inequality of capitalism. To Marshall, "in the twentieth century, citizenship and the capitalist class system have been at war" (Marshall 1950: 84). Without any doubt, one may say that after Aristotle, it was Marshall who formulated one of the most systematic theories of citizenship. Citizenship is now seen as full membership of a political community with all the necessary rights. Although this idea of modern citizenship was based on egalitarian norms, some people are still abstained from complete citizenship rights including women, along with coloured and colonised people. Thus, the conflict between equality-driven citizenship rights and capitalism with its characteristic inequality became the main ground for criticism of liberal citizenship.

John Rawls, the most celebrated political philosopher of our time, has tried to address these contradictory impulses in the liberal capitalist society. In his famous 1971 work, *Theory of Justice*, Rawls argues that "citizens are free and equal members of constitutional democracy, each with his/her distinctive conception of the good. To

pursue these goods, they need the same primary goods, that is, the same basic rights, liberties, and opportunities as well as the same all-purpose means such as income and wealth and some social basis of self-respect..." (Rawls 1971). People agree on a conception of justice since it ensures the availability of primary goods such as liberty and opportunity, income and wealth, and the basis of self-respect to all. Unequal distributions of 'primary goods'— liberty and opportunity, income and wealth, and the bases of self-respect are justified only if it favours the least advantaged of the society. In his view, all distributive questions are to be settled by the state. The state is the key agency to perform distributive tasks in such a way that the worst-off gets the best deal. Any theory of citizenship is meaningless unless it provides for social empowerment. He advocates a re-arrangement of social and economic inequalities in such a way that the deprived ones get the larger share of the cake. Hence, in Rawls' view, for worst-off section social and economic rights must be the chief component of the citizenship project. Rawls' "two principles of justice" laid the foundation through which liberal democratic citizenship could now be practiced. In short, the liberal model of citizenship has placed the individual at its core, and citizenship is construed as a legal status, indicating the entitlement of rights.

So far, in this section, I have tried to provide a brief outline of citizenship according to the liberal tradition. It is clear that throughout the twentieth century, the liberal model of citizenship has mainly placed the individual at its core and citizenship has been construed as a legal status indicating the entitlement of rights. This liberal approach towards the conceptualisation of citizenship has invited several criticisms from various quarters. These criticisms have widened the scope of citizenship studies beyond the traditional liberal framework.

The world witnessed profound transformations during the late 1960s and early 1970s. The cities in advanced capitalist states saw unprecedented movements of different groups of people such as students, women, and environmentalists as well as identity-based movements of ethnicity sexuality, and gender. The hitherto marginalised identities began asserting themselves and established new categories. These changes have made a significant impact on the conceptualisation of citizenship. "A significant terrain of contestation opened up in the 1980s in citizenship theory, with multiculturalism, plurality, diversity, and difference having become significant terms



of reference for retheorising citizenship" (Roy 2005: 20). Moreover, the process of globalisation and its impact on the nation-state deeply altered the landscape of twentieth-century citizenship debates. The dominant notion that citizenship is an individual's membership in a nation-state has become completely obsolete under various forms of globalisation. Terms such as world-citizenship, global-citizenship, cosmopolitan-citizenship, and denationalised-citizenship have become quite common in the globalised world. All these developments have generated a renewed interest in citizenship debates among scholars belonging to different theoretical perspectives. Hence, citizenship has become a buzzword for all academic discussions of our times.

Feminist scholars have always led the charge against the modern conception of citizenship. Citizenship is generally conceived of as an egalitarian idea that provides rights to individuals and groups and reduces difference, discrimination, and subordination. However, since its inception and development, citizenship as a concept has remained highly discriminatory in its practice. Many sections of the society have traditionally been considered ineligible for citizenship, and hence have been deprived of rights. These include slaves, workers, aliens, and women. Feminism considers both classical and modern concepts of citizenship as hostile to the interest of women. Communitarians, Marxists, and feminists have criticised citizenship's promise of equality, which does not take into account the practical ability to exercise rights.

Feminists of all kinds have criticised the dominant notion of citizenship mainly on two grounds. They argue, firstly, that "citizenship is gender blind. By focusing on the uniform and equal application, it fails to take cognisance of the fact that modern societies are steeped in patriarchal traditions, which make for male domination and privileges" (Roy 2005: 28). The policies and programs legitimised by the framework of formal equality have successfully sustained the various forms of inequalities existing in our society. Most importantly, close observation of the historical conceptualisation of this notion reveals that citizenship is completely dependent upon the dichotomy between members and non-members. The discourses around the idea of citizenship have created division in which the space of citizenship is always identified with public and male activities. The generality and universality associated with the public sphere necessitated that all particularities are to be pushed into the private sphere. The well-known distinction between public and private within the

liberal practice of citizenship is essential for making its citizen an autonomous individual. This demarcation has resulted in the identification of the domestic with private. According to feminists, this has played a significant role in the marginalisation and exclusion of women from mainstream society. Historically speaking, one can argue that well-celebrated events like the 'American Revolution'<sup>6</sup>, the 'French Revolution'<sup>7</sup>, and the "Declaration of the Rights of Man and Citizen"<sup>8</sup> (1789) were also instances of exclusion and subordination of women. Modern citizenship, though not completely excluding women, included them on the basis of their socially useful and dependent roles as mothers and wives, keeping them, thereby, outside the political sphere and distancing them from resources and opportunities such as education, property, etc. Therefore, feminists have rightly pointed out that both the classical and modern traditions of citizenship have been indifferent to women, either by excluding them from citizenship completely as in the ancient Greek tradition or by accommodating women indirectly as citizen-consorts, as in the revolutionary tradition of France. Feminist scholars have adopted different paths to overcome this problem of subordination and exclusion of women from membership in a political community.

One of the early attempts in this regard can be traced to the works of Mary Wollstonecraft when she argued that education is necessary for women not only for achieving self-respect but also to perform their role as citizens. J.S. Mill, a liberal thinker, highly encouraged women's public involvement. However, women's active participation in the public sphere can be guaranteed only when they can come out of the confinement of the household. In this regard, Susan M. Okin, a liberal feminist political philosopher, argued that a woman can truly be an equal citizen in the public sphere if there is sexual equality within the private domain. Carole Hanisch, a radical feminist, described it as 'Personal is Political' and Kate Millet, an American feminist, popularised it in the 1950s (Hanisch 2000). They argue that without restructuring the

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<sup>6</sup> It was fought between 1775 and 1783, through which 13 North American colonies of Great Britain threw off British rule to establish the sovereign United States of America.

<sup>7</sup> It aimed at completely changing the relationship between the rulers and ruled and to redefine the nature of political power.

<sup>8</sup> It was a fundamental document of the French Revolution passed by France's National Constituent Assembly in August 1789. It provided civil rights to some commoners, although it excluded a significant segment of the French population.

private domain in terms of gender equality, women will not be able to exercise their citizenship rights even though it is nominally provided to them in the public sphere. Thus, it can be observed that there are different strands of feminism. As such, feminists have taken different paths to political inclusion subscribing to different views on politics and the political community. One of the strands of feminism approached citizenship as an aspect of public/political activity. They worked towards women's inclusion in the public sphere as equals, emphasising democratisation of the public sphere –through communication, speech, and action, which are seen as empowering, and through alliances for a shared common objective” (Mouffe 1992). On the other hand, another strands of feminism argued against this mere 'add women' approach without questioning the 'maleness' of the public sphere.

As a result, this led to two different arguments. The first is that ‘personal is political’ as power progresses between the state and the private sphere and, the second one is the idea of maternalist citizenship, which advocates the re-imagination of citizenship and the public sphere to encompass 'feminine' values instead of merely entering the bastions of male-defined politics of the public sphere. It emphasised the superiority of maternal qualities like compassion, caring, and responsibility as key elements of citizenship, and –in the process, the maternalists dissolve the distinction between male/public and female/private facets of life” (Elshtain 1981; Gilligan 1982). Thus, feminist politics continues to be burdened internally, but at the same time, differences in race, gender, ethnicity, religion, class, etc. are important in determining women's access to the political community. This context-based analysis highlights the differential lived experiences of women because of their different social positioning. However, there is strong evidence that claims about "difference" reinforce women's central and powerless role in perpetuating difference itself. Multiculturalist theory is therefore regarded as not taking into account the specifics of the deprivation of women when conceptualising ‘citizenship’.

To summarise, the modern concept of citizenship as an active member of a political community is believed to have originated in Greece between 800 and 600 BC, and is based on the principles of equality and freedom. Until then, citizens were classified according to their wealth and status to determine their influence on government. In the later Roman Empire, citizenship was expanded, conferring legal and not just political

status. However, as the Roman Empire declined, so did the idea of citizenship. The subsequent feudal system was unable to accommodate such a concept, and in certain social group only fragments of the Roman and Greek concepts of citizenship survived.

Only after the establishment of parliamentary sovereignty in Europe did the evolution of citizenship begin to move in an increasingly broad and inclusive direction, expanding and extending membership to a wider range of groups. This escalation process remains at the heart of Marshall's highly influential but controversial "Theory of Citizenship Development." Throughout modern times, the most dominant view in Western political thought was the theory of liberalism. Advances in political theory have been made thanks to the ongoing debate between this and other opposing viewpoints. Consequently, most modern political theoretical debates can be situated within a broad liberal tradition" (Freedman 2006). All major theoretical traditions other than liberalism have their point of reference to the liberal tradition itself. Many of these alternative traditions like multiculturalism, feminism, etc. are being accommodated liberal framework itself.

Contemporary perspectives of citizenship are based on different perceptions of late modern society. Deeply rooted in this is a profound reflection on the changing nature of this society and its consequent impact on the nature and position of citizenship. Multicultural Citizenship, transnational citizenship, cosmopolitan citizenship, and radical democratic citizenship are some of the few contemporary theories of citizenship try to overcome the limitations of liberal notion of citizenship.

## **Conclusion**

The prolonged journey of citizenship through the different periods of history shows that citizenship is an essentially contested concept in which the meaning, form, content, and values of citizenship have kept changing. While exploring the unfolding of citizenship from ancient time to modern, one can see that instead of taking a linear trajectory the form and content of citizenship have been subject to constant modification under the changing context of history. Today most of the debates and discussions of citizenship can rightly be placed in the context of liberal democracy. During this process, the liberal notion of passive citizenship has completely

dominated theory and practice of citizenship, while ignoring the classical republican ideals.

The modern conceptualisation of citizenship which contends that citizens can enjoy rights independent of the backgrounds to which they belong has been considered to be a significant development and has subsequently been included to in the theory of multicultural citizenship and others. Above all, globalisation and the influx of immigration have also opened up new challenges before most of the liberal democratic nations. All these concerns and dilemmas associated with the recent conceptualisation of citizenship in addressing the various issues faced by the liberal democratic nations today are opening up a significant terrain of contestation. Moreover, the prioritisation of liberal citizenship values over the republican values actually created a huge disconnect between the citizens and government. This divide between the rulers and ruled in contemporary liberal democratic nations resulted in the resurrections of right wing populism that poses a serious threat to democracies across the world. Populism has deeply disturbed the delicate balance between the liberal and democratic principles in recent liberal democracies. The next chapter is a discussion of the internal contradiction of liberal democracies existing between the logic of liberalism and the logic of democracy.

## CHAPTER TWO

### **The Liberal Democracy: A Terrain of Contradictions and Challenges**

#### **Introduction**

Liberal democracy has become one of the most popular and legitimate forms of government in the 21<sup>st</sup> century. The liberal and the democratic principles dominate both modern political theories and political systems. They have effectively permeated across the warp and weft of political institutions in the contemporary world. The representative system of democracy is now widely recognised as the strongest expression of the democratic ideal in many parts of the world. These historical changes occurred simultaneously with the dominance of capitalism over 'state socialism' and the waning influence of Marxist ideas. The "victory" of democracy in the 1990s pushed the ideas and institutions of liberal democracy to the fore, while renewing support for free market capitalism. Despite of all its virtues, however, liberal democracy continues to create disagreements between both its advocates and its critics. Many scholars have begun to critically dissect the alleged primacy of liberal democracy and its corresponding political institutions. Widespread social disintegration and increasing voter alienation in the western milieu seem to have triggered the introspection. Nodal concerns raised by these unravelling of events have prompted questions about the philosophical foundations of liberal democracy. However, factors like globalisation, the deepening impact of variegated identities, the effects of multiculturalism, the chronic mobility of people, and the changing nature of citizenship have further complicated the case of liberal democratic states and institutions. Above all, the internal contradiction of liberal democracy between the mutually opposing principles of liberalism and democracy are more visible than ever. These tensions have been further escalated by the rise of right-wing populism across the world. This chapter explores the theoretical foundations of modern liberal democracy and its inherent tensions constituted by contradictory values of liberalism and democracy. The first part of the chapter unfolds the history of both liberalism and

democracy individually. Secondly, it highlights internal contradictions between liberalism and democracy in the liberal democratic tradition. The third part of the chapter focuses on the core idea of liberal democracy and its basic norms and values. The next segment of the chapter discusses the significance of liberal democracy in recent times as a terrain for a successful re-conceptualisation of the idea of modern citizenship. Finally, the concluding piece of the chapter contends that there is an intrinsic pressure at the core of the standards and practices of liberal democracies around the idea of citizenship across the world. This strain makes a logical inconsistency, between the commitments of liberalism to universal human rights on the one hand and sovereign self-determination claims of democracies on the other. The latter are called upon to control borders and also to control the quality and quantity of immigrants crossing the borders.

### **Origin of Liberal Democracy**

The emergence of liberal democracy can be traced back to the European Enlightenment of the 18<sup>th</sup> century. At that time, most of the countries in Europe, either had a monarchy or an aristocracy. The democratic system was considered least preferable because of wide distrust about its stability and due to the idea of human nature, which considered human beings as inherently violent and evil-minded. Also, it was believed that the power of the monarch was from God, in which he was God's representative on earth (Ryan 2014).

By the late 18<sup>th</sup> century, the 'French revolution'<sup>9</sup> and subsequent expansion of liberalism led to increased dependence on democratic ideals in political institutions. Although liberalism was considered a radical and fringe idea, gradually it dominated every political institution. Political ideas and thoughts of John Locke, Thomas Paine and Levellers and documents like the 'American Declaration of Independence (1776)', and the 'French Declarations of the Rights of Man (1789)' paved the way for the evolution of liberal democracy as a political system for Europe, America and then across the world (Freedman 2015). Therefore, democracy theory began to be applied in practice, emphasizing the concept of liberty rather than the idea of equality.

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<sup>9</sup> The French Revolution (1789) aimed to radically change the relationship between those in power and the people they ruled and defined the nature of political power.

Towards the end of the twentieth century, especially the last decades of it, academic discussions were mainly dominated by the reasons for the failure of Marxism as an ideology. Scholars on the left were in search of a viable alternative in these changed circumstances. Whatever alternatives they had; these scholars euphemistically stated that liberal democracy is the only realm through which they can realize their new left alternative project. Meanwhile, on the liberal front, scholars were celebrating the victory of liberal democracy after the disintegration of the Soviet Union. The most prominent manifestation of this optimism was Francis Fukuyama's thesis of the end of history" (Mounk 2020: 22). The confidence on the success of liberal democracy expressed by Fukuyama no longer exists today, rather it is undergoing a severe crisis. The crisis in liberal democracy is deeply rooted in the very constitution of the idea itself. The term liberal democracy has never been a cohesive concept; instead, it has been constituted by two mutually opposing logics, that of liberalism on one hand, and democracy on the other. As Alan Ryan, an eminent British philosopher, points out: "Even though the roots of liberal democracy lie in Enlightenment, the relationship between liberalism and democracy was subject to controversy since inception and it was problematised in 20th century" (Ryan 2014). To get a deeper understanding of this crisis, in the next part we will be discussing the evolution of both traditions of liberalism and democracy separately.

## **The Idea of Liberalism**

Liberalism has an older history than most other political ideologies. It evolved through various movements and struggles which resisted hierarchically organised, social and political relations. The historical changes responsible for the emergence of modern liberal thought were very complex. "Liberalism has brought people freedom and a level of prosperity that has never existed before. It is true for both rich western countries and Asian countries and countries that were previously poor. It is a long-term positive development that has always had to deal with the setbacks" (Meyer 2020: 25).

David Held, a famous British political scientist, narrates that the "Struggles between monarchs and estates over the domain of rightful authority, peasant rebellions against the weight of excessive taxation and social obligation, the spread of trade, commerce and market relations, changes in technology, particularly military technology,



consolidation of national monarchies (notably in England, France and Spain), the growing influence of Renaissance culture, religious strife and the challenge to the universal claims of Catholicism, struggle between the church and state - all played a part in making of liberalism” (Held 2006: 74).

In the last three centuries, most of the political and social movements were largely influenced by the ideology of liberalism in many ways. It has provided a platform for facilitating change and requires people to respond to it. “Freedom of opinion and expression has enabled people to break away from medieval dogmas and pursue new ideas without fear of repercussion” (Meyer 2020: 13). It promoted all kinds of resistance and revolution against absolute political authority including fascist, communist, and autocratic political ideals. Thomas Hobbes (1588-1679) and John Locke (1632-1704) were the first two exponents of the liberal tradition. Hobbes can be identified as a point of the shift from a commitment to absolutism to the resistance of liberalism against tyranny. But, John Locke, was perfectly the starting point of a ‘liberal constitutionalism’, which later turned out to be the major source of inspiration in the advancement of European and American politics from the 18<sup>th</sup> century (Freedman 2015: 8).

As an idea, liberalism can be divided into two streams, ‘Classical liberalism’ and ‘modern liberalism’. John Locke, Adam Smith, and Thomas Paine can be highlighted as the major exponents of classical liberalism (Butler 2015). Political theorists like Friedrich von Hayek, Robert Nozick, and Milton Friedman later expanded classical liberal theories. Major ideas advocated by them include rule of law, limited government, and freedom to enter into and maintain contracts; inviolability of private property, and the acceptance by individuals of their fates. In its 20th-century variant, classical liberalism as defended by Hayek, Nozick, and Friedman is distrustful of progressive doctrines, including those inspired by democratic means, values such as distributive justice and all political arrangements, including the welfare state, where, the government acquires more power than required (Ryan 2014).

Many scholars, like Thomas Hill Green, John Stuart Mill and Hobhouse have explained liberalism in different ways.

Modern liberalism is explained at its best in the views of Thomas Hill Green, John

Stuart Mill, Kant, and Hobhouse. As Michael Freedman, a famous political scientist, points out –In very distinct ways, modern liberalism establishes an affirmative relationship between liberty (specifically, positive liberty) and human progress. Modern liberalism believes the man to be a progressive being with unlimited potential for self-development and as one who does not intervene in the similar potential of others” (Freedman 2015). He argues that –It celebrates the sanctity of private property by admitting the necessity of state intervention in resolving certain social and economic ills. For that purpose, it grants more power to the state than proposed by advocates of classical liberalism” (Freedman 2015: 43). This approach supports and justifies the value of distributive justice and experimentation, such as the welfare state. It aims for the advancement of human beings and the liberal state, by using reason and conviction. The significance of reason was more highlighted in the Enlightenment. Jeremy Waldron, New Zealand philosopher, says that –The Enlightenment was characterised by flourishing confidence in the human ability to make sense of the world, to grasp its regularities and fundamental principles, to predict its future, and to manipulate its powers for the benefit of mankind. After millennia of ignorance, terror, and superstition, cowering before forces it could neither understand nor control, mankind faced the prospect of being able to at least build a human world, a world in which it might feel safely and securely at home” (Waldron 1993: 43). Liberalism recognizes individuals as being able to make meaningful choices and as being responsible. The importance that liberalism attaches to the "individual" received the strongest intellectual protection from Immanuel Kant, who, influenced by Rousseau, formulated the clearest claims of individual autonomy. Modern liberalism departs from its classical version mainly by its stringent opposition against absolute power and political authority. It strongly advocates freedom and individual autonomy as something valued over anything (Rawls 2005).

Liberalism has been a controversial concept from historic times. Held says that –It is important to be clear about the meaning of 'liberalism'. While it is a controversial concept, and its meaning has shifted historically, it is used here to signify the attempt to uphold the values of freedom of choice, reason and toleration in the face of tyranny, the absolutist system and religious intolerance” (Held 2006: 74). Liberalism challenged the two major political power centres of medieval times. One, the church was dominated by clerics and second despotic monarchies were supported by

feudalism. It sought to bring up individual freedom out of both these power centres. The major aims of this movement were to make the polity free from the interference of the church and to make personal and social life free from the dominance of absolute political power (Freeden 2015).

Held continues that –Gradually, liberalism became associated with the doctrine that individuals should be free to pursue their preferences in religious, economic and political affairs - in fact, in most matters that affected daily life. While different 'variants' of liberalism interpreted this objective in different ways, they were all united around the advocacy of a constitutional state, private property and the competitive market economy as the central mechanisms for coordinating individuals' interests" (Held 2006: 74). In the earliest liberal doctrines, it is important to stress, –individuals were conceived as \_free and equal' with \_natural rights' with inalienable rights endowed upon them at birth. However, it should also be noted from the outset that these 'individuals' were regarded (once again) as men" (Pateman 1988). Generally, property-owning middle-class men were the major focus of liberal ideas. Because they were the foremost beneficiaries of the advancement of the market economy. Major thinkers rarely questioned the dominance of men in public and private life.

Locke, Kant, and Mill are three major political thinkers who have shaped modern liberal tradition. Along with them, John Rawls is the one who has taken liberalism forward to the present stage. Two major works, *A Theory of Justice* (1971) and *Political Liberalism* (1993) have reshaped contemporary liberal theory in many ways. Rawls redefined the \_social contract'<sup>10</sup> tradition of Locke, Rousseau, and Kant and severely criticised utilitarian theory which treated individuals as means to achieve collective good. According to Rawls, a –liberal state should ensure equality in basic liberty rights, like freedom of speech, voting and religion". Along with these things, he argued that the –state must arrange social and economic inequalities to the greatest benefit of the least advantaged" (Rawls 1971: 61). He asserted that individual freedom should not be abandoned at the cost of material well-being. This is why he considers the equal right to liberty over the welfare of the least well-off to be taken care of (the difference principle) (Rawls 1971: 62).

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<sup>10</sup> A real or hypothetical agreement between a subject or subjects and their rulers, defining each of its rights and responsibilities.

According to Rawls, a major feature of liberalism is that individuals are entitled to live freely and as per values and ends by their choice. Individuals are free to choose their concepts of what makes a good life. In a way, individual concepts about ways of the good life should be freely chosen and not imposed by the state or society. In that sense, the state should be neutral within several ideas about good life among different individuals. Hence, neither state nor society should not finalize or impose some kind of values or methods of the good life or any religion to believe to achieve an individual's good life. Rawls' idea of liberalism can be summarised that an individual has the right to choose what is good for his life. This is what makes Rawls unique from the utilitarian theory of recognizing individuals as means, not ends (Rawls 2005).

Finally, liberalism can't be confined to a monolithic tradition. Also, the richness of liberalism lies in being able to draw upon multiple perspectives. However, all of them try to have a set of values that have something in common. John Gray, an English political philosopher, suggests that "what is common to all variants of the liberal tradition is a distinctively modern conception of man and society, which has several elements to it. In asserting the moral primacy of the person against the claims of any social collectivity, liberalism is an individualist. It purports to be egalitarian by conferring on all individuals the same moral status. In affirming the moral unity of the human species, liberalism is universalistic. Finally, it meliorates in pronouncing those social institutions and political arrangements improvable" (Gray 1998: 48). In recent times, liberal values mostly exist in association with democratic practice.

### **The Idea of Democracy**

Democracy has been described as one of the "characteristic institutions of modernity", and it was formulated after various social, economic, political and ideological changes. Those changes were driven by the industrial revolution in Britain, which started in the middle of the eighteenth century, whereas in America and France, it was driven by political revolution. The documents of American and French revolutions and thinkers like Locke, Paine and Levellers are major sources and advocates of modern democracy. The same documents and ideas are seen as the foundations of liberalism. Hence, the democratic theory has always been built upon a principle that gives more importance to individual liberty than equality (Birch 2002).

Even though the history of democracy can be traced back to ancient Greece, no record of any major theory supporting or analysing democracy existed from that era. During the 4<sup>th</sup> and the 5<sup>th</sup> centuries B.C, the Athenian city-state of Greece was known for practising the first forms of direct democracy. There were common assemblies in which everybody joined together to make decisions over issues related to citizens. Citizens were also meant to sit on juries and adjudicate on disputes. Although office bearers were selected either by election or draw, nobody enjoyed office for a lifetime, to ensure maximum participation. The separation between state and society didn't exist there; instead, the common good was given more importance than private interests. And being part of the collective affairs of the community was considered essential for the rational self-development of the citizens. However, Athenian democracy didn't recognize slaves, foreigners, women, and men under 20 years of age as citizens (Davies 1977: 105).

Later Republican Rome also followed some of the characteristics of democracy. For instance, the importance of common good over individual interests, the notion of popular participation in civic life and a strong sense of duty to the community. Even though the system that prevailed in Rome contributed a lot to democracy, as an idea, it excluded most of its population from citizenship. Hence, power always remained with noble and wealthy families. Modern democracy has more similarities with the Roman Republic model than the Greek model. Between 1450 and 1600 AD, the Iroquois Nation in America also had a system of democracy (Stockwell 2010: 109). This indicates that the history of democracy can't be confined to one region or time, but has existed all along with the world in different forms and characteristics.

In the middle Ages, most of the regions in Europe were dominated by landlords and Church. However, there existed some elements of democracy in many of them, like assemblies and elections. There were rebellious voices against feudal social structure, as in the 'Jacquerie' in Paris (1358), 'the uprising of the Ciompi' in Florence (1378); and 'the Peasants' Revolt' in England (1381). However, during this period one would not find any democratic theory, or any demand for a democratic franchise, rather, those popular uprisings were against immediate injustices and exploitation. They were neither for electoral franchise nor power through elected bodies. They wanted either a classless communist society, as indicated in the sentiment attributed to John Ball,

“Things cannot go well in England, or ever will, until all goods are held in common, and until there will be neither serfs nor gentlemen, and we shall all be equal, or a levelled society where all might have property” (Jackson; Carrington 2011: 151). There is no record that any of these movements produced a systematic theory or devised a democratic political structure. However, the emergence of a democratic system in medieval Europe, along with the presence of aristocrats and religious elites, resulted from urbanisation and the emergence of new classes.

We can find two democratic theories in the 16<sup>th</sup> and 17<sup>th</sup> centuries. One of them has a classless base, the other a one-class base. The democratic Utopias of those centuries, the best-known of which are Thomas More's *Utopia* (1516) and Winstanley's *The Law of Freedom* (1652). Both of them imagined classless societies. To eliminate class oppression and the class system of power, they proposed the abolition of private property and the establishment of communal property.

From the 17<sup>th</sup> century onwards, European countries witnessed various movements which finally ended up in the emergence of modern liberal democracy. “Liberal market economy is linked to a genuine democracy that also includes freedom of press and freedom of information” (Meyer 2020: 8). Britain is regarded as the first modern democracy because absolute royal power ended after the civil war in the 17th century. Ruling powers were transferred to the parliament, i.e. House of Commons, which was an elected chamber. ‘Magna Carta’ (1215), which protected individual freedom and other personal rights of the citizens, including the right to appeal against unjust imprisonment, led to the formation of the Parliament in England. Even though parliament became an early institution of democracy, it had only limited powers. Especially right to call parliament was with the monarch. The move of the English Parliament to grant more civil rights and freedom to citizens led to conflict between King and Parliament. It consequently led to the ‘English Civil War’ (1642-1651). ‘Glorious Revolution’ (1688) and ‘Bill of Rights’ (1791) enacted elections at regular intervals and limited the power of the monarch. These acts led to the establishment of modern democracy and the subsequent demolition of royal absolutism (Dunn 2005). The idea of democracy flourished in the 18th and 19th centuries. Britain established Parliament in 1707, the first time in its history. France declared universal male suffrage in 1848, which was very crucial for modern democracy. In 1755, Corsican

Republic adopted a democratic constitution, which was the first instance in modern history. The oldest surviving codified constitution was enacted as a result of the ‘American Revolution’ in 1787. It neither granted voting rights to all nor demolished slavery, but endorsed civil liberties and individual freedom. After the ‘French Revolution’, France adopted the ‘Declaration of the Rights of Man and the Citizen’, and the ‘National Convention’ was elected by all men in 1792 (Dunn 2005).

Leading exponents of democratic theory in the 18<sup>th</sup> century were Jean-Jacques Rousseau and Thomas Jefferson. Their democratic ideas have been more influential, more carried over into the next centuries than any others of that time.<sup>11</sup> Much as Rousseau's and Jefferson's positions differed in other respects, both of them required a society where everyone could have enough property to work on or work with, a society of independent producers (peasants or farmers, and craftsmen). They opposed a society divided into dependent wage-earners and landowners on whom they were dependent.

Rousseau recognised private property as an undeniable right of each individual. He argued in *Discourse on the Origins of Inequality* (1755), “an unlimited property right as the source and the continuing means of exploitation and unfreedom” (Rousseau 1998). He reasserted this position in *The Social Contract* (1762), “The original right to land, the right of the first occupier, was limited in two ways. A man must occupy only the amount he needs for his subsistence and possession must be taken, not by any empty ceremony, but by labour and cultivation” (Rousseau 1998: 21). Rousseau found a basis in natural rights for his insistence on limited property. He needed such a limited property right for another reason, which he also made explicitly, only such a limited right was consistent with the sovereignty of the general will. “A truly democratic society, a society that would be governed by the general will, requires such an equality of property that no citizen shall ever be wealthy enough to buy another, and none shall be poor enough to be forced to sell himself” (Rousseau 1998: 45). The reference to buying and selling persons is not a reference to slavery. Instead,

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<sup>11</sup> James Madison has been at least as influential as Jefferson, in America. Robert Dahl for instance, builds his twentieth-century model of democracy largely on Madison. And Madison appears to be an exception to my generalisation; for he recognised a class-divided society in the 1780s, and tried to fit a system of government to it. But the system he proposed can scarcely be called democratic.

it is a prohibition on the purchase and sale of free wage labour. Again, “laws are always of use to those who possess and harmful to those who have nothing, from which it follows that the social state is advantageous to men only when all have something and none too much” (Rousseau 1998: 25).

Rousseau's reason for requiring such equality was clear enough. It followed directly from his insistence on the sovereignty of the general will. The property inequality can create mutually opposing classes and class interests will be the guiding factor for the people rather than the whole interest of the society. Therefore, men are inept to participate the general will for the sake of a common good. The one class society hence becomes the necessary condition for the advent and stable functioning of the general will. Such a social order has to be accomplished through the action of government. therefore, “one of the most important functions of government to prevent extreme inequality of fortunes, not by taking away wealth from its possessors, but by depriving all men of means to accumulate it, not by building hospitals for the poor, but by securing the citizens from becoming poor” (Rousseau 1998: 267).

When we turn to theorists who are often accounted for like the first great American proponents of democracy, we find a similar, though less systematic, argument. Thomas Jefferson treated the common people as trustworthy to an extent unlike most subsequent Presidents of the United States. It would be unduly cynical to think that this was because he was without the temptations afforded by modern techniques of presidential public relations. In any case, he made it clear, both in his public statements and his private letters, that his trust in the people was trust in the independent worker-proprietor, whom he saw as the backbone of American society. In his most substantial published work, the *Notes on Virginia* (1791), he was clear that his favourable estimate of human nature was confined to those who had substantial economic independence, “Dependence begets subservience and venality, suffocates the germ of virtue, and prepares fit tools for the designs of ambition. Generally speaking, the proportion which the aggregate of the other classes of citizens bears in any State to that of its husbandmen, is the proportion of its unsound to its healthy parts and is a good enough barometer whereby to measure the degree of its corruption. The mobs of great cities add just so much to the support of the pure government, as sores do to the strength of the human body” (Jefferson 1943: 678).



The same principle is expressed in a letter to John Adams in 1813,

Here every one may have land to labour for himself if he chooses or preferring the exercise of any other industry, may exact for it such compensation as not only to afford a comfortable subsistence but wherewith to provide for a cessation from labour in old age. Every one, by his property or by his satisfactory situation, is interested in the support of law and order. And such men may safely and advantageously reserve to themselves a wholesome control over their public affairs, and a degree of freedom, which, in the hands of the canaille of the cities of Europe, would be instantly perverted to the demolition and destruction of everything public and private (Jefferson 1943: 285-6).

Democracy, for Jefferson, required a society in which everyone was economically independent. As per the American situation, Jefferson did not require that everyone should be a worker-proprietor but meant only that everyone could be one if he wished so. He had no objection to wage labour. In the circumstances which Jefferson saw prevailing in America, and which he considered a prerequisite for democracy anywhere there was no fundamental class division. He allowed the existence of wage relations only because it did not make for a class-divided society in those circumstances. Jefferson's prerequisite for democracy was, like Rousseau's, a one-class society. Moreover, as we have seen, the emphasis of opponents of a class-divided society was that any class without productive property is dependent on and exploited by the class owning productive property. It may be argued that women were not in that position, and certainly, the early democratic writers didn't take any stand against it. Rousseau indeed, thought that women ought to be kept dependent. Until the nineteenth century, women were commonly considered not full members of society. This is the reason by which democracy could have a class society without women (Jefferson 1943).

From the seventeenth century onwards, capitalist market relations replaced feudal or other status relations as the means by which owners benefited from the work of non-owners. It was understood that the only permissible arrangement for such a benefit was the relation between free wage-earners and owners of the capital which employed them. The wage relation, a strictly market relation, became the criterion of class. In the eighteenth century, when Rousseau and Jefferson were stipulating a one-class society, women were not a class by that criterion. In so far as class was determined by capitalist market relations, women as such were not a class. Therefore, we can still

refer to the pre-nineteenth-century democratic theorists as advocates of a one-class (or classless) society.

Jeremy Bentham, while being a reluctant democrat, justified democratic institutions. At the same time, Mill, who was a strong exponent of democracy, advocated individual liberty as primary in all spheres of life. He supported representative government and liberal democracy mainly because it ensured individual development in all senses. As per Mill, participating in politics like voting was very much important to take interest in government. He argued that democracy in politics is a vital mechanism for self-development since it ensures the highest expansion of individual capacities (Macpherson 2010).

According to Mill, the idea of polis in ancient Greece could not be practicable in a society of the modern time. So, the idea of government by open meeting or self-government is complete foolishness for any community surpassing a lonely small town. People cannot participate in any of the public business if their number exceed beyond a small populations (Mill 1989: 217-18). He again pointed out that other than the problem of huge population, there are apparent physical and geographical limits for meeting people around the question of where and when. These restrictions are difficult to overcome even in a community of small size, then needless to say that in a large community they cannot really be overcome. The problems of regulation and coordination in a thickly populated nation are inextricably complex for any concept of direct or classical democracy (Mill 1989: 175-80). He says that “Moreover when the government is by all citizens, there is the constant danger that the wisest and ablest will be overshadowed by the lack of knowledge, skill and experience of the majority. This danger can be slowly countered by experience in public affairs (voting, jury service, extensive involvement in local government), but only to a limited extent. Hence, the ‘ideally best polity’ in modern conditions comprises a representative democratic system in which people exercise through deputies periodically elected by themselves the ultimate controlling power” (Mill 1989: 228). He argues that “A representative system, along with freedom of speech, the press and assembly, has distinct advantages. It provides the mechanism whereby central powers can be watched and controlled. It establishes a forum (parliament) to act as a watchdog of liberty and as the centre of reason and debate. And it harnesses, through electoral

competition, leadership qualities with intellect for the maximum benefit of all” (Mill 1989: 239-40). Mill was concerned about the adverse effects of representative democracy. But he found no suitable alternative which could accommodate all its features. Rather, he argued for a plural voting system through which the more talented could be elected where the less able would lose in the election. Thus, the idea of representative democracy made radical changes in democratic thought. Representative democracy turned out to be predominant over all other forms of modern systems by its features like feasibility, stability, and accountability (Dahl 1989: 28-30). Mill described it as the “grand discovery of modern times, and a solution to most of the practical and speculative difficulties of modern-day democracy” (Sabine 1963).

In his work, *On Liberty* (1859) and *Considerations on Representative Government* (1861), Mill put forward the systematic defence of liberal democracy. As a pro democrat, Mill welcomed the progress inequality about which Tocqueville was anxious; yet in a review of *Democracy in America* (1835), he still enthusiastically recommended the work to his fellow Britons, among other reasons because he found Tocqueville's warnings about the tyranny of the majority well taken (Mill 1989: 213-19). J S Mill supports the argument that mass culture leads to the oppression of the majority over the minority. In a way, Mill's ideas can be considered as an attempt to overcome this problem by joining liberalism and democracy altogether. Earlier, he pointed out that “tyranny was something experienced by the majority of a nation's people at the hands of a minority. So, there was no danger of the majority tyrannizing over itself. But with the emergence of large democratic nations, (he cites, in particular, the US) a need was created for the people to limit their power over themselves” (Mill 1989: 7). His essay intended to identify ideas by which people could protect this limitation. Most of the essay is devoted to explication and defence of Mill's claim that “the only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others” (Mill 1989: 14). The major liberties which Mill specified as sacred are “freedoms of conscience, thought and feeling, holding and expressing opinions, pursuing one's life plans, and combining with others for any (non-malicious) purpose. Because these civil liberties typically and directly affect only those who enjoy them” (Mill 1989: 23). He has given no more details of how individual liberties can be protected in a political system. Even then, he believed that certain areas of civil rights

are left to the people and even an elected government can't intervene in it. That is, he supported the distinction between public and private spheres and the rule of law. According to Mill, "direct citizen participation in the affairs of democratic government is, to be encouraged primarily for its functions of engendering confidence in people about their ability to govern themselves and of developing intellectual talents and communal, moral values" (Mill 1989: 87). Although direct participation of each member of a large political society is not practical, he advocated representative forms of government as ideal (Mill 1989: 256). David Held says that "the theory and practice of popular government broke away from its traditional association with small states and cities, opening itself to become the legitimating creed of the emerging world of nation-states. But who exactly was to count as a legitimate participant, or a citizen or individual, and what his or her exact role was to be in this new order, remained either unclear or unsettled in the leading theories of both protective and developmental democracy? And thus, aspirations of equal political participation and equal representation remained unfulfilled. It was only with the actual achievement of citizenship for all adult men and women, liberal democracy took on its distinctively contemporary form" (Held 2006: 94). From the end of the 19<sup>th</sup> century onwards, democracy has always been associated with liberalism. A major contribution to the growth of democracy in the 20<sup>th</sup> century came from the famous political scientist Joseph Schumpeter.

Joseph Schumpeter's book titled *Capitalism, Socialism and Democracy* (1942) is one of the prominent works of modern democratic theory. He radically narrowed down the idea of democracy and described it as a method of politics for reaching at legislative, political and administrative decisions. Schumpeter concluded that "the classical ideal of government by the people was not only impossible but also undesirable on account of the proven ignorance, irrationality and apathy of the people. Furthermore, the traditional theory of democracy didn't allow for proper recognition of the vital fact of leadership" (Schumpeter 1942: 270). Given all these considerations, Schumpeter concluded that "the proper role of the people was to choose their rulers through competitive elections, and then leave them to get on with the business of governing. The voters must understand that, once they have elected an individual, political action is his business and not theirs. This means that they must refrain from instructing him about what he is to do" (Schumpeter 1942: 295). He

considered democracy to be a mechanism for choosing public officials and described it as “institutional arrangement for arriving at political decisions in which individuals acquire the power to decide to utilise a competitive struggle for the people's vote” (Schumpeter 1942: 269). Scholars of the 1950s, who supported Schumpeter's ideas, went forward in reducing the role of people in a democratic system. Seymour Martin Lipset, an American sociologist, refers to it “The distinctive and most valuable element of democracy is the formation of a political elite in the competitive struggle for the vote of a mainly passive electorate” (Lipset 1968: 33).

In his renowned work *On Democracy* (1998), Robert Dahl, a famous political scientist, puts forth the concept of polyarchy<sup>12</sup>. He uses that term to denote the features of modern democracies in western countries. He identifies certain elements which formulate polyarchy, “constitutionally elected officials in government, frequent and fairly conducted elections, voting rights for practically all adults and the right to stand for elections, almost universal right to express oneself without the threat of violence, the right to seek alternative sources of information, freedom to form associations and organisations, including parties, and inclusive citizenship” (Dahl 2000: 85-6).

John Rawls characterises liberal democracy as a system in which citizens are free and equal. According to Rawls, “a properly ordered liberal-democratic state is that in which all citizens, whatever their economic or social position, must be sufficiently equal, in the sense that all have a fair opportunity to hold public office and to affect the outcome of elections. Those who have the same level of talent and ability and the same willingness to use these gifts should have the same prospects of success regardless of their social class of origin, the class into which they are born and develop until the age of reason. In all parts of society, there are to be roughly the same prospects of culture and achievement for those similarly endowed” (Rawls 1971: 40). German political philosopher Jurgen Habermas conceives liberal democracy, not just institutionally, but experientially as the “promise of a self-organising community of free and equal citizens” (Habermas 1995). Likewise, for Martha Nussbaum, an

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<sup>12</sup> The term polyarchy (poly "many", arkhe "rule") was used by Robert Dahl to explain a type of government in which power is held by multiple people but it is neither like a dictatorship nor like a democracy.

American philosopher, liberal democracy is “the idea of the citizen as a free and dignified human being is no mere presupposition, but the very quality of life within a just liberal- democratic order” (Nussbaum 2002). For Ronald Dworkin, a prominent American philosopher, liberal democracy is not simply the institutions that differentiate it from authoritarian and non-democratic regimes, but the capacity of these institutions to generate a feeling among the citizenry that they live in a society that “respects each individual’s status as a free and equal member of the community” (Dworkin 2006: 130). While affirming free and equal citizenship as something citizens in a just liberal-democratic polity are supposed to feel, these preeminent liberal-democratic philosophers are only elaborating on the ideology of the founding documents of the liberal-democratic experiment. From this long history, we can conclude that democracy is an idea more than a fact, and since it is an idea, there is a single apt meaning to it. In its long history, it got various meanings and definitions at different times in history.

Due to an endless number of classifications and models, democracy is often called an adjectival concept. According to Anthony Arblaster, a popular scholar on democracy, “Democracy is a situation where power and authority ultimately rest with the people. A democratic government is contrasted with an authoritarian one where decisions are imposed on the people and exercised without their consent. Democracy ensures the accountability of those holding power to the people who are the ultimate source of that power. It is the consent of the people which makes government authority legitimate” (Arblaster 1994). Democracy is formed based on the idea that each individual has an equal stake in collective decision-making. “One person one vote” denotes this equal value of each citizen in a democracy and doesn’t agree with the exclusion of anyone from the political process. In other words, democracy is an ideal that is against any kind of hierarchy, inherited privileges and discrimination. Thus, in its prolonged journey, democracy has acquired different meanings and contents, however, by the second half of the twentieth century onwards, democracy finds its finest expression in the association of liberalism that has constituted contemporary liberal democracy. Hence, thereafter, the entire discussion and debate on democracy have effectively become the discussion on liberal democracy.

## **Liberal Democracy: A Terrain of Contradiction**

The idea of liberal democracy got attention from the second half of the nineteenth century, which gradually turned to a practical political system joining principles of both democracy and liberalism. This transformation of liberal democracy is mainly the influence of a capitalist market system. Thus, principles of liberalism and democracy have grown together since then with ups and downs. Many scholars have highlighted the essence of liberal democracy. C. B. Macpherson, a Canadian political scientist, says that

...the main stipulations of liberal democracy, Governments and legislatures are chosen directly or indirectly by periodic elections with the universal equal franchise, the voters' choice being normally a choice between political parties. There is a sufficient degree of civil liberties (freedom of speech, publication, and association, and freedom from arbitrary arrest and imprisonment) to make the right to choose effectively. There is formal equality before the law. There is some protection for minorities. And there is general acceptance of a principle of maximum individual freedom consistent with equal freedom for others (Macpherson 2010: 78).

For Nicholas Wolterstorff, a famous political philosopher from America, there are two main components of liberal democracies. The first component is that “all adult citizens have an equal right to full political voice” and the second component is that “the exercise by citizens of political voice takes place within a distinctive constitutional and legal context” (Wolterstorff 2012: 128). Similarly, according to Takis Pappas, a prominent scholar on liberal democracy, “a liberal democracy is the polity that acknowledges, and is built upon, the following principles: Society comprises a plurality of conflicting interests which, lest the polity regress to a Hobbesian nightmare of polarisation and generalised social strife, must be subject to overarching commonly agreed institutions, the rule of law, and the protection of minority rights” (Pappas 2019: 4).

The internal contradictions of liberal democracy around the logic of liberalism and the logic of democracy have been highly discussed by scholars within the liberal democratic tradition and from outside. On the economic front, “Global economic trouble in the 1960s and 1970s paved the way for challenging the legitimacy of western democratic model” (Toplisek 2018: 23). The vigour and scope of these critiques suggest that arguments about democracy remain crucial to both politics and

political theory. However, the central theme in this regard is the connection between liberalism and democracy. Since its inception, there has been tension and at times contradiction exist between principles of democracy and ideals of liberalism within a liberal democratic regime. Classical liberalism focuses on the rights of the individual and the rights of minorities, the limits of government power, and the rule of law (Dahl 1989: 11).

One of the major principles of liberalism is the division between State and Church and the affairs of public and private. At the same time, major ideals of democracy are equality, popular sovereignty and the identity between the ruled and rulers, also rendering power to the people is a central concept of democracy. Dahl points out that ~~the~~ growth of authoritarian mass movements of the 1930s and the rise of totalitarian regimes were often attributed in part to the excesses of democracy. Liberal distrust of majorities, or passionate minorities claiming to represent the popular will, has often provided the rationale for elitist interpretations of representative democracy. Liberalism strongly emphasises the values of individualism, universal human rights and rule of law” (Dahl 1989: 62).

There are a wide variety of arguments on the relationship between liberalism and contemporary democracy. According to Chantal Mouffe, one of the major exponents of radical plural democracy, ~~there~~ is no necessary relation between those two distinct traditions of liberalism and democracy but only a contingent historical articulation” (Mouffe 2000: 3). C. B Macpherson rightly pointed out that ~~Liberalism~~ was democratised and democracy was liberalised” (Macpherson 2010: 87). Scholars supporting liberalism and democracy are well aware of the inherent contradictions implied in the convergence of both these ideas. Carl Schmitt, a strong critique of liberal democracy, argues that ~~liberalism~~ negates democracy and democracy negates liberalism. Both liberalists and democrats try to protect their values by setting one free from the influence of the other’s logic” (Schmitt 1985).

Liberal democratic thinkers highlight various priorities of democracy and liberalism. Benjamin Constant, who made one of the early defences of democracy, argued that ~~we~~ can no longer enjoy the liberty of the ancients, which consisted in active and constant participation in collective power. Our freedom must consist of peaceful enjoyment and private independence, which he called the liberty of the moderns”



(Todorov 2007: 313). For Constant, ~~the~~ ancient and modern liberties both included political liberties: the modern liberties include everyone's right to exercise some influence on the administration of government, either by electing all or particular officials, whereas the ancient liberties include exercising collectively, but directly, several parts of the complete sovereignty" (Todorov 2007: 311). In other words, the major difference between the ancient and the modern is not public autonomy, but rather political representation.

Friedrich Hayek, one of the most sophisticated theorists of individualism and constitutional liberalism in the 20th century articulates, ~~Democracy~~ is essentially a means, a utilitarian device for safeguarding internal peace and individual freedom. Liberal democratic procedures are the best way to secure other goods. Democracy is thus a decision procedure which allows for peaceful change" (Hayek 1980: 106). In adopting this lukewarm attitude towards democracy Hayek's idea is to distance himself from those he describes as 'doctrinaire democrats', for whom democracy means popular sovereignty and, so, the unlimited and unlimited rule of the majority. For Hayek, ~~democracy~~ is not the fundamental or master value in politics, since it is not the value which holds the political community together. A group of men normally become a society not by giving themselves laws but by obeying the same rules of conduct. A free society exists when people accept common principles of conduct, and when majorities agree to submit to these principles even when it may be in their immediate interest to violate them" (Hayek 1980: 106-7). Democracy is no more than a decision procedure. Despite these reservations, Hayek thinks that democracy can be justified by three arguments, each of which is conclusive. The first is that, ~~when~~ opinions conflict, it is less wasteful to determine which should prevail by counting numbers than by fighting. The second is that democracy is an important safeguard (though not a guarantee) of individual liberty. The third is that democracy has the power to educate the majority, which learns by participation in the process of rule and thereby also makes available a wider range of able people to be selected for office" (Hayek 1980: 107-8). In *The Road to Serfdom* (1944), he warns against the risks of considering democracy as the core value, endangered by the upsurge of totalitarianism. In *The Constitution of Liberty* (1960), he cautions against the idea of a government guided by majority opinion. First, he argues, ~~it~~ is important that the opinion be independent of government, emerging from a spontaneous process rather

than as the product of government direction. And this condition, he insists, also requires the existence of a large sphere, independent of majority control in which the opinions of the individual are formed” (Hayek 2012: 52). In *The Constitution of Liberty* (1960), he cautions against the idea of a government guided by majority opinion. First, he argues, ~~it~~ is important that the opinion be independent of government, emerging from a spontaneous process rather than as the product of government direction. And this condition, he insists, also requires the existence of a large sphere, independent of majority control in which the opinions of the individual are formed” (Hayek 2012: 52).

Another formidable defence of liberalism offered by one of the most celebrated theoreticians of liberty in twentieth-century political thinking, Isaiah Berlin. He argues that ~~the~~ 'autonomist' conception of freedom should be shunned as a dangerous precursor to totalitarianism”, and he recommended in its place a 'negative' conception according to which ~~political~~ liberty (or freedom, terms used interchangeably by him) is nothing but the absence of impediments deliberately placed by some people in the way of other people's efforts to pursue their chosen goals” (Berlin 1969: 122). He contrasted it to ~~the~~ positive notion of self-mastery motivated by a desire of people to conceive of and act on their own goals” (Berlin 1969: 131).

An alternative reaction to Berlin was expressed by Charles Taylor, one of the famous communitarian thinkers. He argued that ~~it~~ cannot be supported for allowing no qualitative comparison among negative freedoms since merely quantitative comparisons lead to ridiculous conclusions such as people in (the former) communist Albania are freer than people in England because the impediments to religious and political freedoms in Albania are proportionally fewer in number like impediments to a free flow of traffic in England, due to there being more traffic lights there” (Taylor 1979: 183). Such examples illustrate that 'freedom requires a background conception of what is significant, but this equally applies, Taylor notes, to people's purposes, some of which (to engage in political or religious practices) are more important than others (to drive quickly through city streets). Taylor says that it is difficult to bring an alternative to a positive conception of liberty. But he is not desperate for this because he believes that political theorists should integrate conceptions of freedom and policies to achieve it, with considerations about what makes human lives worthwhile.

One of the major criticisms against Berlin's conception was that he excludes poverty and structural features of society from counting as impediments to freedom. Macpherson articulates two possible alternatives to Berlin's ideas of liberty and freedom. The first one, which he names "developmental liberty, is the ability of an individual to use and develop his capacities under his conscious control for his human purposes" (Macpherson 2010: 119). The other sense of positive liberty for Macpherson is the "democratic concept of liberty as a share in the controlling authority" (Macpherson 2010: 109). Macpherson did not support Berlin, instead argued that this conception of democracy could retrieve contemporary democratic theory and practice, just as he thought that the notion of freedom as the development of human potentials could be retrieved from traditions stretching from philosophers like Aristotle to liberal democrats like Mill. Macpherson and Taylor were supporters of democracy and defenders of standard liberal rights. Macpherson argues that "democratic freedom is a prerequisite for developmental freedom, participating in collective decisions is one exercise of developmental freedom, and no political movement to secure social and economic conditions conducive to general developmental freedom could succeed unless it is strongly and effectively democratic" (Macpherson 2010: 109).

In the 1980s, Giovanni Sartori, a famous Italian political scientist on democracy, recognised liberalism with individual freedom and democracy with equality. And he argues for social and economic equality along with political equality. According to him "In the nineteenth century, the liberal element prevailed over the democratic, while in the twentieth, the pendulum has swung and today it is the democratic component that prevails over the liberal" (Sartori 1987: 386). Here Sartori stresses the relation between democracy and liberalism, and he is not focusing on components of liberal democracy. He shares the view put forth by many scholars that liberalism works by controlling democratic state interventions and by limiting the scope of permissible actions. This relation of containment is the major component that connects liberal ideals with the practice of democracy. The same is the case of other political liberties like the right to vote, the right to form political parties, which stabilise democracy. Various arguments by several political theoreticians substantiated the complexity in the association of these different traditions of liberalism and democracy.

After examining both traditions in detail, the chapter argues that although gradual advancement of liberalism and democracy was all together, it was never an easy process. Two major scholars of contemporary times, Jurgen Habermas and Rawls, support the argument that liberalism and democracy are two equivalent concepts while diverging at different times in history. Habermas put forth the co-originality thesis in his renowned book *Between Facts and Norms* (2015). In this book, he rightly points out that liberalism and democracy are connected internally and mutually supporting. John Rawls supports this concept of co-originality, in his reply to Habermas. *End of History and the Last Man* (1992) of Fukuyama glorified liberal democracy as a perfect concept. Even though, increased threats to both liberalism and democracy, the emergence of illiberal democracies, increasing disparity in neoliberal market nations, emerging threats to inclusive citizenship, and shifting character of democracies to exclusive nature have made both the concepts more debatable. However, the in-built tension of liberal democracy between the logic of liberalism and the logic of democracy has permeated in both its norms and practices.

### **The Contemporary Liberal Democracy: An Analysis**

Despite being formed out of two mutually opposing logics, liberal democracy did well to strike a balance between the principles of liberalism and democracy, which makes it one of the most successful forms of government in a post-world war scenario. –The system built after the devastations of fascism and Nazism was based on several broadly shared liberal values. In addition to increased systemic cross-border state cooperation and pooling of sovereignty, they also included, for example, the rule of law, firm division of power, free trade across borders, respect for human rights, wide-reaching civil rights, unbiased and professional administration, and a free and independent media” (Bergmann 2020: 5). These basic rules of Western liberal democracy are respected throughout the left-to-right political spectrum. The ideal combination of the liberal institutional framework along with well-established democratic procedures helped the modern liberal democracy in consolidating its foundations not only in the west but all over the world. According to Manuel Castells, a famous Spanish sociologist and a leading scholar on liberalism,

the model of liberal democracy purports to offer us, namely: respect for people’s basic rights and the political rights of citizens, including the freedoms

of association, assembly and speech, through the rule of law protected by the courts; the separation of powers between the executive, legislative and judiciary; free, periodic and verified choice over who holds the decision-making duties in each of those powers; submission of the state and all its machinery to those to whom the citizens have delegated power; the opportunity to revise and update the constitution in which the principles of democratic institutions are enshrined – and, of course, preventing economic or ideological powers from running public affairs by way of the hidden influence they have on the political system (Castells 2019: 1).

The new post-war liberal democratic order is not only reinvigorated on democracy but also liberal rights especially, civil liberties and human rights. These two value traditions have constituted ‘the pillars of contemporary liberal democratic system’. ‘The liberal aspect was built in to protect individuals and minorities from oppression from the majority. Liberal democracy therefore not only insists on majority rule but, equally—and indispensably—on minority protection’ (Bergmann 2020: 5).

By the 1990s, three-fourth of nations across the world had undergone certain standard political reforms by which they established mechanisms to elect governments through adult franchise. Rather, most of them assured civil rights and political freedom. For the last three decades, liberal democratic states have been increasing in number day by day. “Between 1974 and 2006, electoral democracies rose from 29 per cent to 61 percent of governments around the world, and liberal democracies from 21 per cent to 41 percent” (Galston 2018: 8). This trend of transformation started in later years of the 1970s from southern European states which gradually expanded to Latin America, Asian Countries, Africa, East Europe and parts of the Soviet Union which turned to be independent nations (Held 2006: 19).

Francis Fukuyama (1992) depicts this resurgence of liberal democracy as the ‘end of history’. Francis Fukuyama argues that ‘with the fall of communism in Europe and withering of grand ideological contests, history has ended, maintaining that Western liberal democracy has become the final form of human government’ (Fukuyama 1989: 13). Putting aside his claims over the end of history theory, his idea of the dominance of liberal democracy gets proved day by day. ‘The period from the early 1970s through the mid-2000s witnessed what Samuel Huntington labelled the ‘third wave’ of democratisation as the number of countries that could be classified as electoral democracies increased from about 35 to more than 110. In this period, liberal democracy became the default form of government for much of the world, at least in

aspiration if not in practice” (Huntington 1991) cited in (Fukuyama 2018: 1). At the same time, contemporary liberal democracies deal with a lot of challenges which makes their future unpredictable. Liberal democracy, which had been established through blood, sweat and tears over the last two centuries as the antidote to authoritarian states and institutional despotism. Whether in the United States, Spain, Greece, Italy, Brazil, South Korea or many other countries, in recent years we have seen extensive grassroots mobilisations against the current system of party politics and parliamentary democracy under the slogan “they don’t represent us” (Castells 2019: 7). All these movements in contemporary liberal democratic nations are not really against democracy, rather interestingly these movements have been organised in the name of ‘Real democracy’.

### **The Crisis of Liberal Democracy**

Contemporary liberal democracy faces challenges from the stability of institutions to the protection of individual liberty. Yascha Mounk, a prominent German-American political scientist, in his book *The People versus Democracy* (2018), gives a deeper understanding of the crisis of contemporary liberal democracy. As per his idea, stability of democracy depends upon three premises. First, economic growth and relative economic equality. Till the emergence of liberal democracy, there was no conception of shared economic growth and relative economic equality. Second, the citizenry had a relatively similar worldview because broadcast news, newspapers, radio, and the like were all one-to-many forms of communication in which gatekeepers ensured that news and information remained within the mainstream. Finally, liberal democracy has largely depended upon social homogeneity and national identity” (Mounk 2018: 72). Mounk argues that “all three assumptions have come under severe stress. Social media has turned any individual into a broadcaster and allowed people to hear only the news, facts, and opinions they want to hear. This in turn has expanded the reach of radical and fringe ideas and conspiracy theories. Growth has become stagnant and less beneficial to common people. Finally, globalisation, flexible international migration and open borders have made cultural homogeneity a past thing” (Mounk 2018: 90). The consequence, Mounk argues, is that “liberal democracy is coming apart. On the one side, we see the rise of ‘illiberal democracies’ – governments that claim to represent the ‘real’ people of the nation but

have little regard for individual rights or constitutional norms. Many refer to these movements as populist” (Mounk 2018: 94). What Mounk calls the current style of governance is “undemocratic liberalism”, which supports rights, but sacrifices democratic involvement and accountability. The answers Mounk offers to save liberal democracy are, firstly, reforming the economic system to alleviate unequal distribution of wealth. Secondly, he calls for imagining an inclusive nationalism instead of opposing rising nationalist tendencies, through which we can unite people for good. Finally, he wants to restore civic faith, to bring back public trust in political institutions.

Similarly, Roger Eatwell and Matthew Goodwin, famous scholars on populism , identify four types of deep-seated societal changes which they call ‘Four Ds’, causing great concern in contemporary liberal democracies in the west. These challenges are not only evident in the West, but also show a global political trend-

The first is the elitist nature of liberal democracy, which has promoted *distrust* of politicians and institutions and fuelled a sense among large numbers of citizens that they no longer have a voice in their national conversation...The second is how immigration and hyper ethnic change are cultivating strong fears about the possible *destruction* of the national group’s historic identity and established ways of life. These fears are wrapped up in a belief that culturally liberal politicians, transnational organisations and global finance are eroding the nation by encouraging further mass immigration, while ‘politically correct’ agendas seek to silence any opposition...The third is how neoliberal globalised economics has stoked strong feelings of what psychologists call *relative deprivation* as a result of rising inequalities of income and wealth in the West and a loss of faith in a better future. Though many people who support national populism have jobs and live on average or above-average incomes (even if many of these jobs are insecure), the West’s economic transformation has fuelled a strong sense of *relative deprivation* - a belief among certain groups that they are losing out *relative to others*...fourth trend: the weakening bonds between the traditional mainstream parties and the people, or what we refer to as *dealignment*. The classic era of liberal democracy was characterised by relatively stable politics, strong mainstream parties and loyal voters; we have seen it now come to an end (Eatwell; Goodwin 2018: 8-9).

According to them, these trends are going to stay for a longer time, thereby threatening the very survival of liberal democracies themselves.

Again, in the view of Manuel Castells recently, the liberal democratic nations are facing a crisis of democratic legitimacy since the people of these nations are having a

strong feeling that people's representatives are not representing them. "More than two-thirds of people on the planet think that politicians do not represent them, that the parties (all of them) prioritise their interests, that the resulting parliaments are not representative and that governments are corrupt, unjust, bureaucratic and oppressive" (Castells 2019: 3). Therefore, there is a dominant public perception prevailing across the world that the profession of a politician is one of the most poorly viewed jobs.

One of the major criticisms of the failure of liberal democracy is its derailment from the fundamental ideals of liberalism. American political theorist Patrick J. Deneen in his book *Why Liberalism Fails* (2018) analyses various reasons by which liberalism went away from its fundamental ideals. According to him,

...the term liberal democracy is widely used to describe the regime that today is regarded by most as the sole legitimate form of political organisation. Liberalism, thus coexists with the noun democracy, apparently giving pride of place to the more ancient political system in which the people rule. However, the often-used phrase achieves something rather different from its apparent meaning: the adjective not only modifies democracy but proposes a redefinition of the ancient regime into its effective opposite, to one in which the people do not rule but are instead satisfied with the material and martial benefits of living in a liberal *res idiotica*. At the same time, the word democracy affords legitimation to the liberal political system from a group of people whose consent stands in for a more robust form of citizenship. A degraded form of citizenship arises from liberalism's relentless emphasis upon private over public things, self-interest over civic spirit, and aggregation of individual opinion over the common good. Liberalism's defenders won't note the dangers of democracy, particularly the threat of unconstrained majorities over the liberties of minorities (Deneen 2018: 15).

After the rise of nationalist populist movements across the world, many scholars like Fareed Zakaria (Zakaria 2003) and William Galston (Galston 2018) conceive illiberal democracy as the main threat to capitalist political economy, civil liberties, individual rights, and stability of political systems. Galston says that "the most urgent threat to liberal democracy is not autocracy; it is illiberal democracy" (Galston 2018: 14).

Contemporary scholars support democracy only by adjoining it with principles of liberalism. Because liberal ideals control the possibilities of majoritarianism, ensure individual liberties like freedom of speech, and enhance constitutional checks and balances upon democratic government. Also, they uphold a system of open markets and flexible borders which ensures economic mobility. Deneen says that "Democracy is thus an acceptable legitimating tool only as long as its practices exist within, and



are broadly supportive of, liberal assumptions. When democratic majorities reject aspects of liberalism—as electorates throughout Western Europe and America have done in recent years—a growing chorus of leading voices denounce democracy and the unwisdom of the masses. American elites have periodically assayed the possibility of severely limiting democracy, believing that democracy will undermine policies preferred by experts. In particular, those favouring the expansion of liberalism beyond the nation-state, and thus policies that increase economic integration and the effective erasure of borders, have increasingly become proponents of further constraining democracy” (Deneen 2018: 156). Political theorist Jason Brennan in his book *Against Democracy* (2016), argues in such a kind of democracy, “voters are consistently ill-informed and even ignorant, and that democratic government thus will ultimately reflect the deficiencies of the electorate” (Brennan 2016: 30). Many scholars argue that, if the democratic system is unable to or threatens liberal principles, it is better to find ways to demolish democracy (Caplan 2011; Friedman 2006). Brennan went one step ahead and argued for ‘epistocratic rule’, in which a group of elites with enough knowledge, expertise and efficiency would govern the state with a commitment to the prominent principle of liberalism.

Finally, the far-right critique of liberal democracy is that “establishment politicians have failed to live up to their obligation to treat all citizens as equals. In these personalities’ formulation, the liberal elite’s policies are purely hypocritical. In the name of non-existent universal values and unfounded arguments about the natural equality of all persons, its representatives contend that they are applying the same standards to everyone” (Mcadams; Castrillon 2022: 9). They further allege that the liberal democracy is only interested in advancing the interests of minority groups, such as people of colour, religious minorities, and legal and illegal immigrants. Because of this, “their promotion of affirmative action policies and multiculturalism has led to a different type of inequality: The denial of rights to the majority of citizens” (Mcadams; Castrillon 2022: 9).

To summarise, most of the scholars of liberal democracy agree with the representative system of governance, who are elected through legal and systemic procedures. The only guarantee they uphold is that the state should protect political and civil rights and should ensure a private sphere free from state interference. “Liberal-democratic

theorists may be sorted according to stands on various positions: developmentalist/ protectionist, containment of democracy by liberalism/interactive support of liberalism and democracy, autonomist/determinist, positive liberty advocacy/ negative liberty advocacy, political liberalism/comprehensive liberalism, foundationalism/anti-foundationalism. And they differ in their locations on some spectrums where one may be more or less accommodating to informal political participation, flexibility in the political interpretation of basic principles, group rights and group character formation; state neutrality regarding concepts of a good society or life; national diversity, and egalitarian economic policies” (Cunningham 2002). This rich normative foundation makes liberal democracy one of the most appropriate realms for the conceptualisation of the modern notion of citizenship.

### **Citizenship in Liberal Democracy**

Liberalism is defined as a moral and political philosophy, which considers the rule of law, individual liberty, and consent of the governed as its foundation. Even though liberalism has several meanings and definitions, the major ideals it relies upon are individual liberty, personal rights, a free-market economy and trade, freedom of religion, freedom of speech, equality before the law and limited government. From the age of Enlightenment, liberalism has gained a significant place in world politics. Liberal democracy is the most agreed upon foundation of the nation-state in the contemporary world. It destroyed the divine right of kings, monarchy, hereditary privilege, state religion, and traditional conservatism in most of the areas of the globe. Instead, the rule of law based on a liberal democratic constitution and representative democracy led the contemporary world. Liberal democracy also, as a political ideology, offers universal suffrage, elections at regular intervals, political freedom; a market economy with private property, protection of civil liberties, and human rights. Today, the liberal democratic political system is the predominant way of ruling based on written or unwritten constitutions. Contemporary forms of liberal democracy came into existence through various stages of evolution. Earlier, some countries regarded as liberal democracies had a more limited franchise. Some countries like the U.K, have limited franchises even today. For example, those who are serving long term imprisonment can't be part of voting. The constitution is one of the major backbones of liberal democracy. It limits authority, ensures separation of power, supports checks

and balances, supports an independent judiciary, and lessens the threat of authoritarianism.

As a theory of citizenship, liberalism focuses on individual autonomy and liberty, assuring individuals to pursue individual interests without state interference. This is based on the idea that individual conceptions of a good life should not be fixed by the state or external authority. Hence, liberal democracy and the constitution always ensure protection from state interference in the individual pursuit of a good life. For this purpose, liberalism demands all public institutions to abide by ideas of equality for every citizen. As an ideology, it ensures an inclusive policy as they meet standards of equality and non-discrimination. Coleman argues that “This is imperative to lend credibility and legitimacy to the justness of the liberal paradigm and its characterisation as a framework that facilitates the pursuit of various versions of the good life. Therein, however, lies liberalism’s paradox insofar as it seeks to exclude from its framework the accommodation of groups that impose unequal terms on certain members in their groups” (Coleman 1996).

“It has been argued that liberalism supports certain views of the good and as such, equality is conditioned on groups sharing liberal ideals” (Spinner-Halev 1996). One of the major features of liberalism is the dichotomy of private and public. It restrained most of the things like religion, belief and culture as a private affair which can appear in public subject to the principles of equality and non-discrimination. This principle of privatising difference created the notion that the liberal state need not address the cultural difference. However, recent experiences prove that this divide is vague and not under the control of the modern state. In a way to address this challenge, the liberal state has to find alternative approaches in conceptualising religious and cultural differences as something which has an essential stake in public affairs. “Liberalism is particularly sceptical of affording any political or legal status to groups” (Spinner-Halev 1996). Liberal theory preconceived that protection of the individual is possible by recognizing their individual needs, ignoring the inexplicable relationship between individual identity and collective. While considering individuals perfectly, liberalism believes that the group interests of those individuals are also secured. This notion led democracy to the suppression of a group rights-abiding liberal framework. Charles Taylor’s *Sources of the Self* (1992) opposes a liberal

framework that recognizes individual rights, their relationships with society and government, and their needs. He argues that an individual-centred conception of identity fails to address the influence of collective identity on the individual self. Hence, the liberal framework always preferred liberal values over the community, which finally led to the exclusion of minority groups whose world views didn't comply or fit within the ideological boundaries of liberalism. Along with all these, minority groups started struggling without political power, means and resources to represent their political interests in an already established framework that ignores collective rights.

However, some variants of multiculturalism that afford group rights to minorities have finally reached the struggle for political recognition from majority groups and then to conflict among the different minority ethnic groups in society. Because, different groups with no common agenda tend to conflict with each other, which finally ends up in social chaos and political deadlock. Feminist scholars argue that group rights arranged under multicultural settings may result in the supersession of identity groups like that of children and women. Especially under governments that prefer individual rights over collective interests, this leads to the perpetuation of patriarchy and discrimination against women and children.

In recent times, multiculturalism has been criticised for its alleged ignorance of the merits of empowerment through responsibility by zeroing in on the contention between the subject and the public authority as the defender of these privileges. Multiculturalism regularly neglects to perceive minorities in its models of citizenship, which empower the concurrence of various societies having a place with the country inside a person. It calls for a deeper concurrence between civic equality, civil rights, cultural differences, and the practice of multiculturalism. Although, if it had been reformed with certain modifications enabling the participation of minorities, it would have reduced its exclusive nature to a certain extent. Moreover, it might lead to certain policies, frameworks, and more inclusive and just society.

Liberal democracy fixes the status of an individual by blood, birth or descent and sometimes by identity, residence and even achievement. Here most of the marginalised identities get excluded and some others get considered. One of the important contributions on the issue of citizenship in liberal democracies is made by

Alison Brysk and Gershon Shafir who use the term ‘citizenship gap’ to denote this issue. “Although globalisation brings with its new opportunities and forms of intercultural exchange, from a governance perspective, the opportunities merely provide certain ‘access’ rights but without the ‘membership or responsibility’ that comes with citizenship. Whilst some people find themselves in a state of dual citizenship, there are those whose citizenship status is ambiguous or second-class, for example, ethnic groups or tribal and rural inhabitants. These people fall through the citizenship gap” (Brysk; Shafir 2004).

The process of globalisation and subsequent changes is at its peak. Along with the fast ‘cosmopolitanism’ makes a deep impact on the idea of state-centred citizenship. However, the contemporary world and changing boundaries have resulted in immediate demand for a reconceptualisation of citizenship, which includes stateless people and ensures their inclinations sufficiently. Brysk and Shafir appropriately describe the challenge as one “requiring a balance between ‘citizenship deficit’ due to the contraction of political democracy, and ‘citizenship surplus’, created by new avenues of political influence” (Brysk; Shafir 2004).

Recently, a new system of deterritorialised supranational rights has come into existence, but it is unable to outline, attend or inform to this novel concept of citizenship in terms of membership, justice or accountability. As Yasemin Soysal, important scholar on citizenship notes, “we are in a space between ‘post-national citizenship’, an era in which the sovereign-statehood model of citizen rights is transitioning to a realm where (some) rights are conferred internationally. The state-centric model has not as yet been abandoned” (Soysal 1995). But this idea of replacing citizenship rights with universal human rights has been widely challenged. German political sociologist, Christian Joppke argues that “the nation will still be indispensable to the integration of immigrants” (Joppke 1999). It is necessary to critically examine the relationship between local and international citizens in the context of modern liberal democracy in order to clarify the responsibilities and rights of citizens, foreign citizens, immigrants or immigrant citizens and to identify specific places where these identities complement, intersect or overlap each other.

In other words, limitations in definitions of modern identity and the nature of citizenship are one of the prominent reasons for restricting meaningful participation of

immigrants and ethnic minorities in society. –The fact that in many societies, people can be residents, wish to stay where they live and work and yet still be deemed alien, simply indicate that how far we have to travel before a universal citizenship-citizenship as a universal human right- has been achieved” (Hoffman 2004: 39). Even if they are included, it happens only after the strict imposition of some homogeneous value system, which is finally against the core idea of liberalism itself. Finally, this has marginalised participatory governance and the development of related laws and policies. Also, different practices of representative liberal democracy make majoritarian interests deeper and more concrete. Finally, these things raise questions about the effectiveness of the institution of democracy itself. Also, if there arise cases concerning conflicts between cultural ideals, beliefs and ritual practices and liberal values, then it is imperative that these institutions observe the liberal constitutional framework. It then puts to the fore the dual values of equality and non-discrimination, treating it as essential and sacrosanct. These instances points out the importance as well as urgency of the matter of conceptualising citizenship as a political agency. This is in tune with our modern times where every individual has a fluid transcultural identity.

–Citizenship rights as such are reduced to those rights that have an inseparable link to the status of citizen. Since human dignity is the cornerstone of a fundamental right, one should conclude that most fundamental rights are inextricably linked to the human person regardless of citizenship status” (Matias 2016: 154). Developing a systematic and cautious political framework which supports citizenship as a political authority rather than a fixed-attribute membership which may lead to more comprehensive political participation. It can also create new spaces for belonging. This can be a reason to foster a culture of civic activity by recognizing the contributions of multiple groups and the principles of reciprocity and common sense that support meaningful and substantive participation.

Finally, one of the most fundamental problems faced by many democratic nations especially the well-established ones today with respect to citizenship is the democratic deficit<sup>13</sup>. This is mainly due to the liberal prioritisation of a passive notion of citizenship over the republican idea of active participation. The conceptual

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<sup>13</sup> It refers to the insufficiency in level of democracy in comparison to its theoretical ideal form.

history of citizenship indicates this transformation of citizenship as an activity to certain entitlements of rights in contemporary liberal democratic regimes (See chapter 1). This shift of citizenship concept has created a deep-rooted divide between the political elite and the common public, often cited as the main reason for the recent resurgence of right-wing ‘populism’ in the liberal democratic nations across the world. "From Modi’s India to Duterte’s Philippines, from Maduro’s Venezuela to Erdogan’s Turkey, from Italy’s Salvini to Brazil’s Bolsonaro, populism has become a worldwide phenomenon" (Herpen 2021: 4). This upsurge of populism has profoundly shaken the institutional and normative foundations of modern liberal democracy.

## **Conclusion**

This chapter traced the theoretical foundations of modern liberal democracy and its various features. After locating both traditions in an evolutionary history, it explained why the coexistence of liberalism and democracies have serious implications on the functioning of liberal democracies across the world. This internal contradiction within a liberal democracy between liberalism and democracy has significantly influenced the theory and practice of liberal democratic citizenship in recent times. The permeation of this internal tension in a liberal democracy into citizenship is evident in one of its most accepted definitions, “Citizenship is intimately linked to liberal ideas of individual rights and entitlements on the one hand, and communitarian ideas of membership in and attachment to a particular community” (Kymlicka 2002: 377). This re-conceptualisation of modern citizenship as membership in a liberal democratic nation-state has serious repercussions in addressing the challenge of global migration. After all, contemporary liberal democracy faces major challenges from different quarters. Since its inception, liberal democracy presupposes a homogenous community as its subjects to realise a perfect liberal political system. Since 1950s, the emergence of various identity groups and increased calls for group rights, along with the widespread expansion of globalisation policies, have made liberal democracy and its ideals more vulnerable. Also, neoliberal economic policies, citizenship laws, right conceptions and new ‘development’ policies of contemporary liberal states lead to new conflicts, especially between states, ethnic groups, migrant communities and native people. Thus, globalisation and its consequences have profoundly altered the socio, economic, cultural and political configuration of

contemporary liberal democratic order. Although there are multiple factors behind these developments, the study argues that migration is a common thread behind all these numerous factors. To understand this, we have to go deep into the immigration crisis faced by many democratic nations today. Therefore, the next chapter will be addressing this citizenship crisis that emerged out of massive migration created by globalisation in contemporary liberal democratic states.



## CHAPTER THREE

### Migration and its Discontents: Reconceptualising Citizenship in the Context of Globalisation

#### Introduction

If one is to identify a process/phenomenon that has structurally revamped the Spatio-temporal imagination and reality of human existence in the preceding half a century, all trajectories of reason/academic inquiry converge at the signpost of globalisation. The concept of “globalisation finds expression today in all the world’s major languages” (Modelski 1972). It has become the *lingua franca*<sup>14</sup> of the world that sews together the babel of diversity, capturing the imagination of layman and academician alike. Even as globalisation becomes the leitmotif of our times, it remains an extremely “contested concept,” making it difficult for scholars to arrive upon a singular, consensual agreement on the same. Encyclopaedia Britannica defines “globalisation as the process by which the experience of everyday life ... is becoming standardised around the world.” The International Monetary Fund (1997) defines it as “the growing economic interdependence of countries worldwide through increasing volume and variety of cross-border transactions, free international capital flows, and more rapid and widespread diffusion of technology.” As a multi-dimensional process, globalisation has had a critical impact on socio-political, economic, and cultural lives across the globe. This multidimensionality also causes an increase in international migration, thereby fundamentally altering the concept of citizenship as well.

Traditional concepts of citizenship no longer seem to provide a sufficient basis for political belonging in the context of new developments around the world. Nation-states have become increasingly diverse in terms of culture and ethnicity. This ethnic and cultural diversity is an outcome of the process of globalisation and international migration. This becomes further apparent in the contemporary development-displacement discourses across the world. Since the terrorist attacks on 11 September 2001 in New York, there have been intense discussions regarding the end of globalisation, triggered by the currents of extremist nationalism, specific ethnicity,

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<sup>14</sup> A language accepted as a common language by speakers of different native languages.

closure of borders, as well as strong anti-immigration sentiments. These contradictory developments concerning globalisation have profoundly influenced the conceptualisation of citizenship. This chapter intends to explore the impact of globalisation and international immigration on the conceptualisations of citizenship. The first part of this chapter examines how different dimensions of globalisation influence the nation-state and thereby, the concept of citizenship. Secondly, it explains immigration as one of the most significant outcomes of globalisation. Thirdly, the chapter explores various theories of citizenship as a response to immigration in liberal democratic nations. Finally, the chapter argues that recent theories of citizenship that have emerged in the context of globalisation and international migration, are facing serious challenges under the contemporary versions of globalisation.

### **The Salient Features of Globalisation**

Jorge Ritzer, an eminent American sociologist, explains: “Globalisation is a trans-planetary process involving the multidirectional flow of people, ideas, information, objects and places” (Ritzer 2011: 2). Omnipresent as it is, it deals with ever-increasing interdependence among countries. Globalisation has become one of the most significant developments in human history involving changes in the economy, polity, and society. For some, globalisation is a homogenizing and unifying factor, often crushing traditional ways of life. For others, globalisation has facilitated the transportation of tradition and culture beyond national borders, as it helps people travel to distant lands and locations. The individualists view globalisation as a result of the actions done by various social actors such as businessmen, politicians, legislators, etc.; whereas the structuralists’ perspective holds that globalisation is a product of forces embedded in the social order, the state system.

Some scholars argue that globalisation has a long history that has evolved over centuries; a history which can be traced back to the pre-modern period, which included extensive trade carried out by the Indus and the Gupta civilisations, the Roman Empire, along with the voyages of discovery and the slave trade. According to Manfred Steger, a famous Australian scholar on globalisation, “the popular phrase ‘globalisation is happening’ contains three important pieces of information: first, we are slowly leaving behind the condition of modernity that gradually unfolded from the

16th century onwards; second, we are moving toward the new condition of (postmodern) globality; and, third, we have not yet reached it” (Steger 2003: 29).

However, the rapid integration of the world economy resulted in what is widely considered the ‘First Phase of Globalisation (1890-1914). This phase ended when the First World War broke out in 1914, followed by the Great Depression of the 1930s and subsequently World War II (1938-45). As a response to the Great Depression, Keynesianism<sup>15</sup> proposed state intervention in the economy to promote economic efficiency, political freedom and social justice. Based mainly on Keynesianism, the welfare state became the predominant model in a large part of the globe in 1950s.

The economic crisis and the disintegration of the Keynesian paradigm in the late 1970s led to the adoption of free-market policies guided by neo-liberalism. With this, the ‘Second Phase of Globalisation‘ or ‘contemporary globalisation‘ began, which has been continuing till date. “The Washington consensus<sup>16</sup> became the underlying framework for contemporary (economic) globalisation in the 1990s” (Steger 2003: 54). The first phase is known as the widening or extensive phase of globalisation, which implies that it brought the entire world under the influence of the market. Contemporary globalisation is known as the intensive or deepening phase, implying that there is an intensification of the integration between different areas of the world. A series of developments in the second half of the twentieth century led to the emergence of this global interdependence, including the Cold War; technological innovations, especially the information and communication revolution; the expansion of international trade and the transnational nature of modern business organisations; political and ideological factors, like the spread of Western-liberal political values of liberal democracy after the collapse of the socialist states; the emergence of Islam as a transnational political creed; and common political and environmental problems such as terrorism, ozone depletion, acid rain and global warming.

Zygmunt Bauman, a famous sociologist, describes globalisation using certain metaphors. He calls the period before globalisation “solid”, and he named the global

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<sup>15</sup> It is named after British economist John Maynard Keynes (1883–1946), who is considered as the founder of modern macroeconomics and popular for his work, *The General Theory of Employment, Interest and Money* (1936).

<sup>16</sup> It was coined by Economist John Williamson in 1989, referring to a set of 10 market-oriented policies that were widely popular among Washington-based policy institutions, as policy prescriptions for improving economic condition in Latin American countries.

world “liquid” (Bauman 2003). One of the things that characterised people, information, places, and things before the era of globalisation was their greater solidity. These tend to harden over time and thus, lack mobility. People did not move from the place where they were raised, nor did information. Their social connections were limited to the people who were close by. Solidity alludes to a world where hindrances exist and forestall the free development of a wide range of things. Later, the various solid items tend to melt and become liquid. This process eventually increased the mobility of things worldwide. Of course, not all people were solid. The elites of society could move out of restricted places, and reach out to their desired places, breaking all the barriers. This ability increased along with advanced technology. The commodities they wanted, the information they needed, everything acquired mobility with the introduction of new technologies.

“Nowadays liquefied material is turned into gases which means much more mobile. Knowledge and Information, which was heavier in the past, turned out to be light and then became weightless due to globalisation” (Ritzer 2011: 6). With the advance of communication technology, Information started to pass from one source to another in the blink of an eye. Though Globalisation started as an economic phenomenon, now, it has cut across different spheres. Firstly, globalisation denotes “a social condition characterised by tight global economic, political, cultural, and environmental interconnections” (Ritzer 2011: 6), and it has reduced the importance of national boundaries. Still, it should not be assumed that globality is already upon us. Nor does the term suggest a determinate great point that precludes any further development. Secondly, Globalisation suggests a growing awareness of globalisation among people. Finally, we can describe globalisation as a spatial idea. In other words, it refers to a series of social cycles that transform the current social state of a traditional identity into a global one. On the other hand, globalisation tends to be an uneven process, which means that this huge transformation of social structure and cultural zone impacts life of people differently in different parts of the world. So, the significant dimensions of globalisation are understood as political, cultural, economic, technological and environmental - leading to greater integration, interconnection, interaction and interdependence across national boundaries.

—We are at the turning point similar to that of the late 1980s when many people focused on the fall of communism itself and few saw that a bigger trend, globalisation, was about to take hold. In today’s world, what initially appears as isolated events are beginning to form a pattern-breaking down what we might call the old order” (O’Sullivan 2019). Thus, undoubtedly, these different dimensions of globalisation have drastically redefined the role of the nation-state today. This changing nature of the nation-state has serious repercussions on contemporary theory and practice of citizenship as well. According to Steven Slaughter and Wayne Hudson, who have majorly contributed in the area of globalisation and citizenship, —the primary contention is that various political, social and economic processes of globalisation are disrupting and overwhelming the relationship between the citizens and their state” (Slaughter; Hudson 2007: 1).

These processes of globalisation generated a demand for new forms of citizenship and political responsibility beyond the state. To understand the real implication of globalisation on citizenship, one has to look into the transformations undergone by the nation-state, because citizenship ultimately is a membership of a person in a nation-state. —While the idea of citizenship gained its first expression as membership in the polis of ancient Athens, in recent centuries it is the nation-state that has been the main forum for democracy and citizen involvement in public decisions” (Hudson; Slaughter 2007: 6). Before coming to the various influences of globalisation on the nation-state, let us understand the basic features of the modern nation-state.

## **Emergence and Evolution of Nation-State**

The term ‘state’ is used to denote —an internationally recognised, politically organised, populated geographical area that possesses sovereignty” (Shaw 2003: 178). The term nation means a common cultural or ethnic identity. The term nation-state combines two different definitions of nation and state, as it denotes a particular type of state that gives the sovereign territory to a particular nation. Thus, the citizens of a nation-state share a common language, culture and values. A state is not a monolithic structure; rather a set of institutions with a certain level of cohesion with each other. The modern nation-state system is said to have originated from 17th-century political developments in Europe. A —series of religious wars among the major European powers” was concluded by the Peace of Westphalia in 1648 (Held; McGrew 2003: 8).

To quote Steger, “Based on the newly formulated principles of sovereignty and territoriality, the ensuing model of self-contained, impersonal states challenged the medieval mosaic of small polities in which political power tended to be local and personal in focus but still subordinated to a larger imperial authority” (Steger 2003: 57). The Westphalian model<sup>17</sup> gradually strengthened the principle of self-determination that belongs to all states equally, whether ruled by democratic fashion by the constitutional monarchs and the Republican leaders of the Netherlands and England, absolutist kings of Prussia and France. This principle of the right to self-determination became an integral part of the new conceptions of international law.

According to Steger, “The modern nation-state system found its mature expression at the end of World War I in US President Woodrow Wilson’s famous ‘Fourteen Points’ based on the principle of national self-determination” (Steger 2003: 58). Through colonialism, the state system was transplanted into Americas, Australia, Africa and Asia. The development of the state in these areas has been along a trajectory different from that in Europe. The modern states have complete authority over their territory, and the territorial borders of each state are recognised by other states within this system. This perception distinguishes states from other forms of political systems where control is directed at people rather than land and people's loyalty is not determined by territory. Therefore, a person's rights and obligations depend on their position in a hierarchical social order within a tribe or clan, or another form of ethnic organisation.

However, the unlimited power and authority enjoyed by the state are confined only to its territory. It has no authority beyond its boundaries, and it demarcates the people of one state from the other states. Immense restrictions are existing in terms of people's mobility, commodity, and information from one state to another. Within the boundaries of the state, there is a single system of governance, distinct from others that operate externally. The territorial foundations of the state distinguish it from other types of organisations and associations. The state enjoys both internal and external sovereignty within its territory. Sovereignty means that the state is the supreme source of political power in its jurisdiction. Internal sovereignty represents the absence of power over the state within its borders. At the same time, the external sovereignty of a

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<sup>17</sup> Emerged after Westphalian Treaty which was signed in 1648, ending Thirty Years of War. Though some scholars consider this idea as a ‘myth’.

state implies the recognition that other states to a particular state, and the acknowledgement that the state can represent its residents in international relations. External sovereignty refers to the autonomy of a state in the international sphere. All these characteristics of the modern state make it the most powerful political entity in human history. As rightly pointed out by Christopher W. Morris, "It is hard to ignore the state or government \_You may not be interested in the state, but the state is certainly interested in you"(Morris 2004: 196). It is often said that the various forms of globalisation have profoundly challenged the sovereignty of the nation-state. Let us briefly examine the various implications of globalisation on the nation-state.

## **Globalisation and its Implications**

### **Political Globalisation**

Political globalisation refers to "the intensification and expansion of political interrelations across the globe" (Steger 2003: 56). As a political phenomenon, it transcends political boundaries beyond the nation-state to transnational governance in which international governmental organisations dominate, and the government increasingly becomes dependent on bilateral and multilateral agreements. Traditionally, nation-states have been considered to be the only predominant actors in world politics. It is precisely this identity of the nation-state that has been threatened by the various forms of globalisation. As Ritzer stated, "Globalisation has transformed the character of nation-states as one of the many actors in the political sphere, having to compete with non-state actors like Multinational Companies (MNCs), Inter-Governmental Organisations (IGOs), transnational pressure groups, International Non-Governmental Organisations (INGOs) and other global institutions like IMF, World Bank, and WTO" (Ritzer 2011: 110).

In the pre-globalisation period, the "state is considered to be the most important institution which regulates the conditions of life from birth registration to death certification of an individual" (Held; McGrew 2003: 10). However, with the recent development of international organisations and non-governmental organisations, significant changes have occurred in the decision-making structure of world politics. Although ever-decreasing hindrances to international trade and communication are at times seen as possible threats to nation-states, globalisation is a force that has

transformed the way nation-states interact with each other, especially in international trade. As globalisation trends converged in the 1970s, it was obvious that the international society of distinct nations was swiftly transforming into a worldwide network of political interdependencies, posing a threat to national sovereignty. In the era of globalisation, politics started to operate beyond the traditional boundaries of nation-states. New forms of multilateral and multi-national politics have evolved involving individual nation-states like IGOs, INGOs, etc. (Held; McGrew 2003: 11). So, there has been a shift in the nature and form of political organisation that has facilitated economic globalisation. The role of nation-states in a globalised world is highly regulated as it is a major factor in global interdependence. While the internal role of nation-states has not changed significantly, previously isolated states are now forced to interact with each other to shape international trade policies. The economic imbalances resulting from these interactions can reduce the role of some countries and increase the role of others. "Political globalisation is most visible in the rise of super territorial institutions and associations held together by common norms and interests" (Steger 2003: 62).

At this stage of global governance, these structures resemble interconnected power-centric networks such as international organisations, regional blocs, municipal and provincial authorities, and national and international private sector associations. There has been a significant increase in the number of policy initiatives at the municipal and provincial levels and the cross-border links between the various sub-state authorities. Governments have founded a variety of international organisations, including the United Nations, NATO, the World Trade Organisation, and OECD. Only states are allowed full legal participation in these organisations, and representatives from national governments make the decisions. Nation-states are finding it increasingly difficult to control sprawling networks of social interdependence, as seen by the emergence of these trans-world bodies. Finally, 'global civil society,' a sector occupied by hundreds of non-governmental organisations with global reach, is shaping the evolving form of global governance. These changes in the nation-state's nature and function brought by globalisation have severe repercussions for different cultures worldwide.



## **Cultural Globalisation**

Cultural globalisation refers to the global flow of different cultures because of the increased consumption of global goods across the world. Some scholars are arguing that globalisation is leading to a homogenisation of cultures. People today can enjoy Thai food in the US, KFC in Mongolia, and *Idli Sambhar* in Italy. In the most general sense, it is understood as the process of the transfer of cultural products of one society to the other, or as the appropriation of lifestyles, ideas, cultural symbols, and customs from their original societal context to the global world. With globalisation, travel and communication facilities have made economic integration possible. It also brought a significant portion of the world into closer contact with people of different cultures, practising different traditions, following different religions, speaking different languages, and altogether different lifestyles. Thus people acquire new ways of living regardless of the cultural background to which they belong. In other words, “cultural homogenisation reduced cultural diversities and formed a single global culture” (Tomlinson 2007: 356).

However, critics state that “globalisation has not facilitated homogenisation of culture rather its increased westernisation on the rest of the world in support of the global American culture, McDonald's, Coca Cola and fast-food culture as becoming mass-cultural symbols” (Holton 1998: 163). On the other side, cultural polarisation led to the fragmentation of cultures within a society that arises due to gender and income inequalities. The anti-globalisation movements created by consumer societies expressed the view that ‘Manufactured Culture or Popular Culture’ is replacing the Real Culture. Now even the global information scenario, news, cultural expressions, and so on are seemingly controlled by profit-making corporations. Today the primacy has shifted from the production of goods to the processing of information, and as a commodity, a cultural and a social resource. “Globalisation helped the economy to blend the elements of different cultures leading to Cultural Hybridisation” (Cvetkovich; Kellner 1997). Hence, cross-cultural borrowings and intercultural fusion create a mixed cultural form. Fast and cost-effective travel and communication-enabled people's movement into developed and developing countries, thereby increasing global standardisation of cultural goods. Culture is no longer produced by

countries but by big companies. Therefore, cultural globalisation is inextricably linked to economic globalisation.

### **Economic Globalisation**

Globalisation stands for greater integration of the world economy led by a predominant global market. Economic Globalisation is one of the most important dimensions within the broad perspective of Globalisation. According to Gao Shangquan, an eminent Chinese economist, economic globalisation refers to “the increasing interdependence of world economies as a result of the growing scale of cross-border trade of commodities and services, the flow of international capital and wide and rapid spread of technologies” (Shangquan 2000). It is an expansion of market activities across the political boundaries of the state, on the one hand, and “a process of deepening economic integration, growing economic openness and deepening economic interdependence between the countries of the world on the other” (Nayyar 2019). In a more general sense, economic globalisation is synonymous with free trade, liberalisation, privatisation, and the integration of the world economy into one uniform unit.

The contemporary model of economic governance and economic globalisation was shaped around the 1970s by two prominent world leaders, Margaret Thatcher of the United Kingdom and Ronald Reagan of the United States of America. Often called “Thatcherism” and “Reaganomics” (Cayla 2021: 59), these policies were adopted by them to tackle the financial problems in their respective countries which were soon adopted at a global level (Ali 2022). Modern economic globalisation is different from international trade in the sense that nation-states have very little role to play in it. Transnational agencies such as MNCs have come to play a pivotal role in defining what economic globalisation will mean. MNCs and modern corporations are not bound by the laws of a particular country. They make their international policies and often interfere in the domestic policies of many countries within which they function.

Bretton Woods built the institutional groundwork for the formation of three new international economic organisations, resulting in the birth of global economic order (Campbell et al. 2010). The IMF was created to look after the “international monetary system” (Babb 2007: 128). “The International Bank for Reconstruction and

Development later known as the World Bank, was initially designed to provide loans for Europe's post-war reconstruction and then its purpose was expanded to fund various industrial projects in developing countries around the world" (Steger 2003: 37). Finally, "the General Agreement on Tariffs and Trade or GATT was established in 1947 as a global trade organisation charged with fashioning and enforcing multilateral trade agreements" (Hudec 1975). In 1995, GATT was succeeded by the World Trade Organisation. According to Steger,

Existing mechanisms of state control over international capital flows have made possible full employment and the expansion of the welfare state. Rising wages and increased social services followed with the establishment of the golden age of controlled capitalism.<sup>18</sup> Hence, the three most significant developments related to economic globalisation have been the internationalisation of trade and finance, the increasing power of transnational corporations and the enhanced role of international economic institutions like the IMF, The World Bank, and the WTO (Steger 2003: 37).

The economy in a globalised world is marked by the open, liberal, free trade and market with limited regulatory barriers. "The total value of world trade exploded from 57 billion in 1947 to 6 trillion in the late 1990s" (Steger 2003: 41). Through regional and international trade liberalisation accords like NAFTA and GATT, the affluent Northern countries have strengthened their efforts to construct a unified global market. Defenders of free trade ensure the public that eliminating or bringing down existing exchange obstructions between countries will extend buyer decisions, raise worldwide abundance, secure quiet global relations, and advance creative innovation in the technological sphere all over the world. It is undeniable that free trade has boosted productivity in some countries. However, it is less certain if profits coming about because of deregulation have been disseminated reasonably inside and among nations. The internationalisation of trade has gone inseparably with the liberalisation of financial transactions. Its key parts incorporate the liberation of interest rates, the privatisation of state-owned banks and monetary establishments, and the removal of credit controls which expanded more and more investment opportunities.

In contemporary times, the driver of globalisation has been the MNCs that often move to new places and locations searching for cheap labour and raw materials. This has

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<sup>18</sup> The golden age of capitalism continued from the end of World War II in 1945 to the early 1970s when Bretton Woods' monetary system collapsed. It was a period of economic prosperity that achieved economic and productive growth and sustainable growth.

also resulted in the integration of economies. –MNCs constitute about 20% of global production while giving huge employment opportunities and have integrated national and local economies into global and regional production networks” (Perraton et al. 1997). They organize production around the world and distribute resources according to the principle of profit maximisation. And their global expansion is changing the macroeconomic mechanism of the functioning of the world economies. –Another major factor responsible for economic globalisation is the advances in data processing and information technology that have enabled instantaneous communication across vast distances, facilitating the operations of MNCs and smoothed functioning of the transnational financial system” (Held 2000: 21). In an increasingly deregulated global labour market, these multinational businesses have concentrated their global operations. The global south's low-cost labour, resources, and ideal industrial circumstances have boosted company mobility and profitability (Held; McGrew 2003: 26).

However, most critics like (Stiglitz 2002, Harvey 1982) argue that taking advantage of cheap labour and resources in the underdeveloped parts of the globe, the MNCs have consolidated the already existing post-colonial division of labour and is responsible for vast income disparities, corporate insecurity, and volatility of financial capital and for making states powerless. The nation-states‘ role in framing domestic and international policies is declining because market criteria are being determined by the global economy. There is an increase in the influence of IMF, WTO and the World Bank in regulating the monetary and fiscal policies of states (Cayla 2021: 59). –After the fall of Soviet Union, the economic agenda of IMF and World Bank focused on deregulating markets around the world” (Steger 2003: 51). The IMF and the World Bank require that their creditor countries adopt so-called structural adjustment programmes that would restructure debtor governments in developing countries so that they can repay their debts in exchange for much-needed funds. Many countries have gradually removed tariff and non-tariff barriers within the framework of the GATT and WTO. More and more countries are opening current and capital accounts. In addition, the transition from the previously centralised planned economy to a market economy has enabled integration into the entire world economies.

## **Environmental Globalisation**

Environmental globalisation is referred to as the unprecedented rise of environmental problems in different parts of the world. Most of these issues are global, and they also require a global solution, whether it is climate change, global warming or ozone depletion. Deforestation or acid rain in one part of the world will have its effect in other parts of the world as well. Any form of environmental pollution or degradation within a particular nation-state cannot be addressed by that state alone, because the source of that problem may be beyond its boundary. In general, it will be affecting the entire human affairs. All these global environmental problems are related to the question of the long-term survival of every nation-state. Further, it also creates a large chunk of environmental refugees, which pose the threat of solidarity or exclusion on a planetary scale. Globalisation has necessitated a radical reconceptualisation in the way of thinking about the environment. Global thinking and policy-making that contribute to the emergence of a global consciousness can only take up these threats to the entire planet. A series of international conferences and negotiations have been taking place since the 1980s onwards under the supervision of the United Nations Environmental Program to address various environmental concerns.

—The fact that there are so many different conventions, and no overarching regulatory body with the authority to address environmental dumping across industries and countries, has left numerous regional, industry, and product-specific loopholes that industries have exploited for the past 50 years” (Jacoby 2018: 53).

Progress in communication and transportation innovation have driven globalisation forward, permitting us to experience a daily reality such that distances between nations are not a huge barrier. "The forces of globalisation which accelerate the pace of the flow of people, things and ideas from one location to another, increasingly move the focus of political actors away from the familiar worlds of the locality, region, and nation-state" (Mitra 2012: 4). However, we should also note the fact that —globalisation is not working for many of the world’s poor” (Stiglitz 2012: 214). It is also not working for the environment and so is true in the case of stability of the global economy, and as income have plummeted, it has soared poverty.

In this age of globalisation, world economies have become more and more integrated, and it has intensified the disparities between developing and developed nations. In 1990, the proportion of the normal pay of the five most extravagant nations on the planet to the 5-10 least fortunate nations was around 9:1. Today the proportion is 100:1. These variations among nations along with restricted job opportunities that give high wages to care for one's family have made individuals migrate from the developing world to the developed ones. The next part of this chapter will be discussing the impact of globalisation on migration on the conceptualisation of citizenship. Needless to say, different dimensions of globalisation have seriously challenged the significands of the nation-state and thereby influenced immensely the theorisation of citizenship in recent times. Globalisation's effects on citizenship practice and theory are generally acknowledged (Hudson; Slaughter 2007: 5).

Migration being one of the most important manifestations of globalisation, it has significantly challenged the traditional notion of citizenship as membership in a nation-state. "In the era of globalisation and human migration, the state-centric citizenship has been questioned from many quarters. There has been a considerable growth in efforts to envisage forms of citizenship that transcend the state" (Hudson; Slaughter 2007: 5). Before delving into the various theoretical consequences of globalisation and migration on the theory and practice of citizenship, it is important to understand the influence of globalisation on international migration.

## **Globalisation and Human Migration**

Simply put, the movement of humans is the movement of people from one place to another. Migration is a complex process and has been a hallmark of human society for centuries. "We live in the 'age of migration' which is characterised by globalisation, acceleration, differentiation, feminisation, politicisation and a proliferation of migration transition" (Triandafyllidou 2018). Every part of the globe is being impacted by the migratory movement, to say in the words of Castles and Miller, it is "globalisation of migration" (Triandafyllidou 2018).

Over the past few years we have witnessed great globalisation developments with international migration of people; the advent and development of internet and other technologies that permit global communication instantaneously; international finance

having free rein to roam the globe as it pleases; the continued growth of trade; the breaking down of barriers to the marketplace- and so on across the economy, technology, society, politics and art” (Michie 2017).

Statistics suggest that in 1975 around 77 million people were listed under international migration and in 2018, this figure jumps to 260 million (Wenden 2020: 48). Similarly, internal migration has grown to 740 million, and refugees now amount to 67 million in situations of forced migration. But except 26 million of these migrants who have been given the right to enter into safe-haven countries in the form of refugees under international refugee protocols, the rest are receiving hostage under humanitarian or provisional protection of the United Nations (Wenden 2020: 48).

Broadly speaking, migration can be categorised into two types, namely Vagabonds and Tourists. Vagabonds refer to those people who forcefully left their homeland as they were surmounted by the fear of insecurities emerging out of the push factors. Example refugees, asylum seekers. While in the case of tourists, they are on the move voluntarily to explore the world and usually, these people are well-educated and settled (Bauman 1998: 37-49). –This mobility is linked with structural factors and to the interdependency of the world: inequalities of development, skewed demographic structures for local labour markets, gaps between rich and poor, and the growing availability of information about opportunities due to technologies of information and communication” (Wenden 2020: 49). Radio broadcast, television and the internet have played a very crucial role in this regard.

–The history of our world is predominantly a history of migration” (Hack-Poly 2021: 9). The history of migration can be traced back to the practice of slavery in the mid-16th century till the 19th century in Africa. About 15 million of the forceful migration took place until then. During the time of the industrial revolution (1870-1914), the rate of migration was enormous. People started working in factories, leading to international migration. Around 50 million people out of which the majority went to the U.S.A and Australia and the rest went to Canada, South Africa, New Zealand and Brazil. The other types of migrants encompass tourists who went to different localities for a better life and high-paying jobs.

Migration, in which people move from one nation to others with the consent of the host nation in the form of a visa, is called legal migration and movement of people without the consent of the nation is illegal migration. Geographically speaking, Domestic and international are two kinds of migration. In domestic migration, "people move within their homeland, be it from town to next or across the country." This may be the other level of moving form, like urban to rural or (vice-versa). Worldwide migration incorporates "crossing global boundaries." International migration may take place over relatively short distances, for example between member states of the European Union, or it may include movement to a completely different continent, for example from Asia to Africa. Migration is usually considered a permanent activity, but some people migrate to live there for a longer period of time without moving permanently to another place. Their place in some other nation or country is known as "Migration IN." For example, Indian origin people living in Canada and U.S.A. Similarly, when people come back to their home nation is known as "Migration Return." For instance, Jews who returned to Israel from all over the world. "Migration OUT" is a kind of migration in which people migrate from their home nation to some other nation. The former, therefore, is "migration from a foreign country to some other country" (Kritz 2008: 3022).

Migration, being a dynamic phenomenon, involves many twists and reasons. "The geographical span of migration trend is evolving into an ever-complex map where the previous pattern described as 'settler', 'colonial' or 'guest worker' migration gives rise to a new form of legal and irregular migration- co-ethnic and diaspora movements and phenomena such as the feminisation of migration" (Triandafyllidou; Gropas 2014). Migrants may be either permanent, transnational or national between two or more countries. However, since the mid-20th century, the nature of migration has also been greatly influenced by globalisation. Globalisation has increased the interconnectedness of countries, accelerating the flow of goods, services and ideas. Digitalised technology enables people to have access to economic opportunities overseas. Moreover, it is thoroughly connected with their families and friends. In this way, globalisation has transformed migration. Globalisation is also responsible for the contradictory impact on the demand for labour for expertise and technical knowledge. These activities needed labour from different countries and subsequently triggered migration.



Prehistory and human history are periods when humans are known to have travelled widely. Many factors affect migration. The cause of migration can be understood in the light of several push and pull factors that are related to the country from which the person is migrating. Push and pull factors are usually considered as the north and south poles on a magnet. Push factors are those factors that force an individual to leave the place of origin" (Guhathakurta et al. 2007: 205). Lack of employment, education, health, and entertainment opportunities, unhappiness with traditions, poverty and pathetic living standards, religious, ethnic and political discrimination, and other factors, insufficient facilities for sustaining a livelihood, riots, and other catastrophic events, and fear of torture and mistreatment are all examples of push factors. A "pull factor is something concerning the country a person migrates to. It is a generally good thing that attracts people to a certain place" (Guhathakurta et al. 2007: 205). These are the benefits that draw individuals to a certain location, such as better climatic conditions, stable politically, a better social environment and cultural traditions, better work options, better economic opportunities and better educational, health, and security facilities. People migrate to newer places where they can get better services such as health care, education, transportation, and communication, all of which improve their quality of life. Social factors can also in a great way influence migration. Political violence, marital status, and family are all discussed in this section. People do not want to stay in areas suffering with political unrest and violence. The key economic determinant of migration is occupation. People from distant locations frequently migrate to industrial areas in the quest for better opportunities, both in other nations and inside their own country.

Another factor in migration is age. The majority of persons who migrate from one place to another in pursuit of opportunity are those who are younger and more economically active. These organisations' members adapt quickly to their new surroundings. In general, little children and older groups of individuals do not migrate. Migration is a response to the uneven distribution of opportunities over space. Within the context of globalisation, the traditional 'push' and 'pull' factors have been amplified through both the global dispersion of information and increased global-local, or 'glocal', interactions" (Ritzer 2011: 183).

Migration, like any other process, has an impact on a variety of aspects of life. These impacts have both positive and negative perspectives. Change in populace redistribution is one of the fundamental results of the movement. Human movement has significantly affected the geography of the world, adding to the development of separate cultures, the dissemination of cultures, and the mind-boggling blend of cultures and multicultural populaces found in many areas of the world. The blending of various societies and races has regularly prompted negative social practices and strains in the public arena among majorities and minorities, frequently followed by local battles, criminality, bigotry and racial separation. However, the impacts may differ depending on the society. Migration has some good cultural consequences as well. For instance, cultural interchange and the acquisition of new knowledge.

Since migration is particular of specific age brackets, migrants are principally youthful and productive. This can bring about a demographic problem, viz. population ageing, which can prompt economic issues. For instance, a lessening financially dynamic populace should support a growing inert populace. The importance of economic outcomes for a country's development cannot be overstated. Migration can have significant effects on economies. "A major benefit for the source region is the remittance sent by migrants" (Ritzer 2011: 184). Migration can have an impact on politics in both the places in which people leave and those to which they move. –States, faced with increasingly polyculture populations, which are similarly making claims based on (transnational) human rights rhetoric, found themselves mediating myriad social claims” (Ritzer 2011: 186). Environmental consequences like the overcrowding of people due to other countries have put pressure on existing social and physical infrastructure. People act as agents of social change. New ideas related to new technologies, families, sanitation and solid waste disposal. The power of multiculturalism, globalisation and labour migration is mutually strengthened through a dynamic network of relationships that relentlessly connect to a more globalised world (Ritzer 2011: 186).

–People from all over the world and with vastly diverse social backgrounds are said to be moving and migrating increasingly around the globe. About the developed countries, fears and concerns are growing among the general public due to the perception of foreigners pouring into their national homelands. As a consequence, the

legal concept of citizenship has recently become one of the key issues for political debates revolving around immigration policies” (Pohlmann et al. 2013: 59). Thus, with globalisation, the opportunity and inclination to move is greater, and it is estimated that migration-related challenges would be the defining issues of twenty-first-century politics and citizenship.

### **Multicultural Citizenship as a Response to Human Migration**

One of the fundamental theoretical and practical conundrums of our time is the problem of hiding the aspiration for political equality behind the fact of social and cultural differences within liberal democracies. "Cultural diversity in modern society is frequently understood in terms of 'multiculturalism', a word that has been closely aligned with the 'identity politics' that has reshaped political conflicts and debates over the last four decades" (Soutphommasane 2012: 44). Normatively, multiculturalism refers to ~~an~~ ideology that attaches positive value to cultural diversity, calls for the equal recognition of different cultural groups, and calls upon the state to support such groups in various ways” (Miller 2006: 326-27). In multicultural literature, the most common contrast is between ~~descriptive~~ and normative uses of the term” (Bloemraad et al. 2008; Barry 2001; Joppke 2004). Multiculturalism refers to the demographic fact that, as a result of immigration, Western countries have become more racially, religiously and ethnically diverse. According to theories of multiculturalism, real equality is ensured by giving importance and keeping in mind their socio-cultural location and not through uniformity of treatment’.

Within the present citizenship debate, multicultural citizenship is one of the prominent nationalist theories that emerged as a consequence of human migration. Cultural diversity and minority rights have emerged as the rallying point for giving credence to democratic values by enhancing the monolithic version of citizenship and including the vast minorities and cultural groups into the mainstream, which modern citizenship fails to reflect. This ~~influential~~ strand of citizenship theory” has attempted to engage in multiculturalism as a basic feature of democratic citizenship, which supports and celebrates cultural diversity and envisions a society in which diverse cultures build a single identity while maintaining their cultural touch.

## **Multiculturalism: A Conceptual Analysis**

–The word multiculturalism was an American invention, one subsequently adopted in Britain and some of its former settler colonies such as Canada and Australia” (Chin 2017: 8). Individual people can be multicultural in three different (albeit inter-related) ways: they can have deep knowledge of, they can identify with, and they can have [internalised] more than one culture (Fitzsimmons et al. 2019).

As a social truth or fact, multiculturalism means the demographic state of contemporary societies, which incorporates two or more ethnic groups with sufficiently unique cultural qualities to allow the formation and maintenance of distinct cultural identities and communities. Multiculturalism resists and challenges the facts and values of a single-culture society promoted by modern theory. Multiculturalism addresses the issue of discrimination against minorities by prioritizing the protection of minority cultures. The promotion of cultural diversity is the central focus of multiculturalism and is seen as an essential precondition for the equality of cultures.

Contemporary multiculturalism exhorts the ideas of difference and heterogeneity inherent in a diverse cultural environment. It puts forth three elements important to its conception. Firstly, multiculturalism places diversity within the boundaries of the nation-state. Secondly, it concentrates on the presence of heterogeneous communities within the state while locating diversity. Thirdly, it differentiates between the majority community and the minority community. The states are usually identified with the majority community and side-line the minorities. Multiculturalism seeks to protect the rights and identities of these communities.

Multiculturalism can be considered as a normative critique of institutional functioning within society that deprives cultural minority groups of their rights on a broad basis. The concept of multiculturalism appeared at a time when the market economy and democracy could not dissolve the stable national identity despite the formation of immigration policies aimed at assimilation. This has reignited debate over the nature of democratic institutions in ethnically diverse cultures. Multiculturalism as a theoretical subject arose as a response to these issues. Liberal multiculturalists explain –respect for cultural groups in instrumental terms -that is, cultural groups are

respected because doing so helps secure the liberal goal of individual autonomy" (Halev 2006: 547). On contrary, non-liberals often argue that "cultures deserve respect because they are intrinsically valuable" (Halev 2006: 547).

Multicultural citizenship combines concerns for universal rights and membership in liberal democratic nation-states with those challenges posed by ethnic plurality. Though many liberal theorists believe that citizenship provides individuals with universal rights that protect their cultural participation, theorists in this school of thought feel that vulnerable minority groups require additional rights to survive in the face of dominant cultures. One of the most celebrated multicultural scholars of our time, Will Kymlicka, defines multiculturalism as "Ideas about the legal and political accommodation of ethnic diversity commonly termed 'multiculturalism', emerged in the West as a vehicle for replacing older forms of ethnic and racial hierarchy with new relations of democratic citizenship" (Kymlicka 2012: 1).

Contemporary multicultural theories emphasise the concerns of minorities and indigenous peoples, arguing for greater sensitivity and respect for these groups' cultural identities. Numerous supporters of group rights for ethnic and national minorities argue that it is necessary to ensure genuine equality with all citizens. According to this view, adaptation to differences is the essence of true equality, and adaptation to our differences requires the rights of differentiated groups. Theorists such as Will Kymlicka advocate that "these minority groups should at least be provided with a sense of involvement in the wider societies in which they exist and that this can be achieved through a system of group rights" (Mahajan 2002). Individual rights advocates responded that individual rights are already able to accommodate differences and that true equality requires equal rights for [all people], regardless of race or ethnicity. [But] some minority [rights] eliminate, [rather than create] inequalities" (Halev 2006: 547). In the "cultural marketplace", some groups are unfairly disadvantaged, and political recognition and assistance help to alleviate this disadvantage. From the multiculturalist viewpoint, "the ideal society values diversity and encourages and supports the preservation of a healthy dialogue between cultural groups" (Parekh 1997: 54-62).

Multiculturalism has raised important questions about the status of minorities within nation-states. They exposed the shortcomings of liberal democracy's so-called neutral

politics with prejudice against minorities. Above all, it has compelled liberal democracies to analyse the implications of their socio-cultural policies to see if they discriminate against minorities. Multiculturalism, like postmodernism, has raised questions about universality. It has raised a finger on the standardisation of social norms. Multiculturalists argue that a society with strong collective aims can be liberal if it is also capable of accepting variety, particularly when dealing with people who do not share its common goals and provides enough fundamental rights protections. There will surely be tensions and challenges in achieving such aims, but they are not insurmountable. The current argument about diversity has a lot to do with the imposition of some cultures on others; they want to stop forced assimilation. There are two general variations of this perspective, ~~both~~ of which reflect different conceptualisations of the link between multicultural and universal citizenship. These two versions are radical, and liberal” (Joppke 2002: 246). The radical theory of multicultural citizenship debases the liberal idea of universal citizenship, arguing that the concept of universal citizenship attempts to assimilate different cultures within one dominant culture. Radical supporters are calling for differentiated citizenship, which gives oppressed communities special privileges. They argue that members of certain groups should be embraced individually and through groups, and ~~their~~ rights would partially depend on their group membership” (Young 1989). This idea of a ‘differentiated citizenship’ was propagated by Iris Marion Young and revolved around the theme of ‘oppression’.

Similarly, Kymlicka explains in detail how the rights of minorities coexist with human rights, and how they are constrained by the principles of individual freedom, democracy and justice. His contribution is very crucial in presenting a liberal theory of minority rights because liberalism is also known for its commitment to universality and homogeneity.

### **Kymlicka’s Theory of Multicultural Citizenship**

Will Kymlicka makes the following criticism against the dominant liberal approaches towards minorities.

1. ~~Western~~ liberal-democratic states are not, and cannot be, ethno culturally neutral.”

2. ~~In~~ practice, they have favoured the majority nation's language, history, calendar and conceptions of public culture and public space."
3. ~~This~~ bias has been hidden/obscured by liberals' self-understanding of core liberal values or concepts such as impartiality, colour-blind, equality, anti-discrimination, secularism, citizenship, civic nationalism, constitutional patriotism."
4. ~~These~~ concepts/values have been interpreted selectively in a way that impugns minority claims as always already sectarian/partial/exceptional while rendering majority claims as always already universal, impartial, and normal."
5. "The proper remedy to this bias is not to reject these core liberal values, but to reinterpret them in a more even-handed way" (Kymlicka 2019: 3). "This does not require stripping public institutions of any traces of majority culture/identity, nor replacing nation-states with either anarchism or supra-nationalism. Rather the remedy is to ensure the even-handed or fair recognition of minorities - to level up, not level down" (Kymlicka 2019: 3).

Will Kymlicka proposes a representation and membership structure that integrates cultural and group diversity in such a way that an individual's membership in a group and membership in a cultural community is not disadvantageous to him.

Kymlicka identifies "three important stages in the evolution of multicultural citizenship within liberalism" (Kymlicka 2002: 337).

1. Minority rights as communitarianism are the first stage.

The first stage was a debate that took place before 1989. Individual liberty is at the centre of the liberal-communitarian dispute. Liberals say that the individual is ethically superior to the group and that the community primarily exists to benefit the individuals who make it up. Communitarians, on the other hand, reject this notion of the "independent individual." People are seen as being enmeshed in specific social roles and relationships. "Privileging individual autonomy is seen as destructive of communities" (Kymlicka 2002: 337). So, in the first stage of the debate, the position in the liberal-communitarian tug-of-war would determine a person's take on minority rights. Personal autonomy is prized by liberals, who consider minority rights a needless diversion from the rightful focus on the individual. Minority rights, on the other hand, are seen by communitarians as a suitable way of preserving communities

from the corrosive effects of individual autonomy and confirming the community's importance.

2. The second stage is about minorities' rights in a liberal context.

The second stage questions the scope of minority rights within the liberal theory. The issue is whether minority communities that share basic liberal principles nonetheless need rights. "This sort of question is answered by Joseph Raz, who argues that autonomy of individuals is intimately tied with the access to their cultures...Minority rights help [to] ensure [culture] flourishing and mutual respect" (Kymlicka 2002: 339). However, there is a clear distinction to be made here between bad minority rights that limit individual liberty and good minority rights that can be considered as complementing individual rights. Kymlicka recommends two rights for a minority group to assert: a right of the group against its members, aimed to prevent destabilising internal dissent, and a right of the group against the greater society, designed to shield the group from external pressures. Therefore, the second stage reflects that some minority rights do enhance liberal progress.

3. The third stage is the recognition of minorities' rights as a response to nation-building.

A liberal state is assumed to follow the idea of ethnocultural neutrality, which means that the state is unconcerned about people's ethnic and cultural identity. Kymlicka, however, argues that "the idea of a liberal democratic state being ethno culturally neutral is manifestly false, wherein he takes the case of the United States" (Kymlicka 2002: 345). Current legal requirements also make English-speaking mandatory. If a contemporary civilisation has ~~an~~ 'official' language in the [full] sense of the term, that is, a state-sponsored, inculcated, and [codified] language and culture in which both the economy and the state function" (McKim; McMahan 1997: 34).

Policies like these have all been undertaken to promote integration into a societal culture. According to Kymlicka, "a societal culture, means a territorially concentrated culture, centred on a shared language which is used in a wide range of societal institutions, in both public and private life (schools, media, law, economy, government, etc." (Kymlicka 2002: 346). The societal culture involves social institutions and a common language, rather than personal lifestyles, family customs, or common religious beliefs. Thus, the ethnocultural neutral state concept must be



replaced with a new liberal democratic state model, which Kymlicka refers to as the "nation-building model." As a result, states have engaged in nation-building to spread a specific culture throughout society.

Kymlicka seeks to find a common ground between cultural communities, the right to self-preservation and the rights of individuals as defined in terms of civil and political rights. He suggests the following ways to facilitate the accommodation of minority communities: a) by protecting the common rights of all citizens; b) by taking extra-legal and constitutional measures to accommodate cultural diversity, with members of distinct groups receiving group-specific rights.

Will Kymlicka talks about five types of cultural groups. Among those, the most important category is that of national minorities. According to Kymlicka, "national minorities, mean groups that formed complete and functioning societies in their historic homeland before being incorporated into a larger state" (Kymlicka 2002: 349). He further classifies national minorities into two subgroups as "sub-state nations" and "indigenous people." Sub-state nations are those nations that are not able to form a state currently despite having a majority of their own. Generally, these nations have been sharing the state with another nation. Either by force or voluntarily. "Indigenous peoples are peoples whose traditional lands have been overrun by settlers, and who have then been forcibly, or through treaties, incorporated into states run by people" (Kymlicka 2002: 349). National minority groups have the desire of constituting themselves as part of the state with a similar political and economic institution. At the same time, indigenous peoples want to protect traditional ways of life and beliefs. They also seek respect and recognition from mainstream society. In doing so, they are trying to overcome hundreds of years of discrimination and marginalisation. "both sub-state nations and indigenous peoples have typically resisted state nation-building, and have fought to maintain or regain their self-governing institutions, often operating in their language, to be able to live and work in their own culture" (Kymlicka 2002: 350). The national minorities have always resisted the majority nation-building process and tried to protect their societal culture throughout their traditional territory. While doing so, they sought autonomy and the right to self-governance from the majority nation. In the view of Kymlicka, "historically, liberal democracies have tried to suppress minority nationalisms, often

ruthlessly at various points" (Kymlicka 2002: 351). However, liberal countries' attitudes regarding minority nationalism have shifted considerably in recent decades. For both normative and empirical reasons, it is widely accepted that suppressing minority nationalism would be a mistake.

The second major category which Kymlicka discusses is immigrant groups. These are groups formed by the decision of families and individuals to leave their homeland to migrate to some other nation. They have decided to relocate to a democratic country, possibly for economic or political reasons. Following generations born in the new country of residence have gradually formed a new ethnic community with varying degrees of internal cohesiveness and structure. "Immigrants, are people who arrive under an immigration policy which gives them the right to become citizens after a relatively short period—say, three to five years—subject only to minimal conditions (e.g., learning the official language, and knowing something about the country's history and political institutions)" (Kymlicka 2002: 353). The three major "countries of immigration"—namely, Australia, the United States and Canada have adopted this traditional policy of immigration. Immigrant groups, unlike national minorities, have responded very positively, towards the nation-building process in the majority nation and trying to integrate into the larger societal culture. They are completely conscious that their life probabilities, and in particular the life probabilities in their children, will rely upon participation in mainstream institutions working in the majority language. Instead of resisting majority nation-building campaigns, immigrants have attempted to renegotiate phrases of integration. What is needed is a greater tolerant and 'multicultural' technique to integration that might allow and help immigrants to preserve diverse factors in their ethnic background, while simultaneously participating in majority institutions and languages. "Immigrants insist that they should be free to maintain some of their old customs regarding food, dress, recreation, religion, and to associate with each other to maintain these practices. This should not be seen as unpatriotic, or 'un-American'" (Kymlicka 2002: 354). Liberal democracies have opposed these demands historically. However, in the 1960s, all three prominent immigrant friendly countries followed the "Anglo-conformity" immigration model. In other words, immigrants were forced to assimilate into majority cultural norms and eventually became indistinguishable from local citizens.

Thirdly, ethnoreligious groups have happily accepted their marginalisation from the majority community. These small immigrant groups avoid participating in civil society or politics. "This option of voluntary marginalisation is only likely to be attractive to ethnoreligious groups whose theology requires them to avoid all contact with the modern world, such as Hutterites, Amish, or Hasidic Jews, all of whom emigrated to escape persecution for their religious beliefs" (Kymlicka 2002: 355). For advertising publicity to the contemporary-day world, and to defend their conventional culture, these groups are looking for an exemption from diverse laws. For instance, they call for exemption from obligatory education and military service or jury duty. Historically, many democracies have been quite accommodating of these demands. Since these groups often lack any loyalty to the state, it is quite surprising in their admission to a liberal democratic state.

Moreover, these groups have often been pursued internally in illiberal values. In general, however, many democratic nations continue to authorise these groups until they do not specifically harm people within the community. National minorities, ethnoreligious sects and immigrants have always been on the majority formation agenda. Will Kymlicka's theory of multicultural citizenship tries to address all these concerns of different immigrant groups separately.

To accommodate these groups in a larger liberal democratic nation Kymlicka expounds "three forms of group-differentiated rights" (Kymlicka 1998: 169).

1. Self-government rights: Self-government rights apprehend a few sorts of political autonomy or territorial jurisdiction of countrywide minorities, which they declared had been now no longer relinquished with the aid of using their (frequently involuntary) incorporation into the bigger state. Such rights can also additionally take place in federal systems wherein the bounds of federal sub-units provide a few autonomies.
2. Poly-ethnic rights: These rights challenge themselves with the precise rights of immigrant groups and constitute an undertaking to the Anglo-conformity model, which undertakes that they have to leave all elements of ethnic history and be absorbed to the prevailing cultural norms and practices. These rights are intended to help minority communities express their cultural particularity. Poly-ethnic rights, unlike self-government rights, are aimed at promoting

incorporation into a larger society.

3. Special representation rights: Special representative rights have induced interest ~~among~~ national and ethnic groups as well as non-ethnic categories” such as women, the poor and people with disabilities. It interprets into democratizing institutional systems through making them extra consultants. For example, making legislatures extra consultants through the inclusion of contributors from minority communities. The demand for special representative rights is to correct the present democratic process, which is seen as inhibiting cultural diversity.

For Kymlicka, "cultural membership is central to human freedom and autonomy" (Kymlicka 1998: 173). He identifies two kinds of minorities: national and ethnic. According to him, "the right to full cultural membership belongs only to the national minorities since they are territorially concentrated, has a complete cultural structure and is often protected by treaties" (Kymlicka 1998: 173).

Kymlicka draws distinction between external protection and internal restrictions in order to support group-specific rights for minorities (Kymlicka 2002: 339). He argues that external protections between groups can be justified to promote equality (though oppression or exploitation should not be tolerated, as in South Africa's apartheid). However, internal restrictions cannot be justified from a liberal point of view because they limit individual autonomy, but in some cases, they may be acceptable in the case of national minorities. The final two categories which Kymlicka talks about, namely ~~metics~~ and racial caste groups like African-Americans”, are very different from the other three categories. The first three groups were being forced to integrate into mainstream society, while *metics* and racial caste groups have been forcibly kept apart, even if they wanted to be assimilated. This history of discrimination posed many challenges before western liberal democracies.

*Metics* are generally irregular and illegal migrants. They are people who have migrated illegally or overstayed their visas. Hence, not domiciled legally. For example, North Africans in Italy, Mexicans in California and Turks in Germany. These irregular migrants somehow managed to settle down in different countries. However, they have constantly been facing the threat of deportation if they are found guilty by state officials. Borrowing a term from ancient Greece, Michael Walzer, a

prominent communitarian political theorist from America, calls these groups '*metics*'— that is, "long-term residents who are nonetheless [deluded] from the polis" (Walzer 1983). Usually, the most basic demand of *metics* is to regularize their permanent residents, status and to avail the provision of citizenship. Liberal democracies have responded quite differently to this particular claim of *metics*. The conventional immigrant friendly countries have reluctantly accepted those demands. Guest-employees who live past their authentic agreement are frequently capable of benefit everlasting residence. Long-settled metrics are frequently taken into consideration as though they had been criminal immigrants, and are authorised and endorsed to comply with the immigrant route to integration.

Finally, an important category, especially in today's American context, would be African-Americans, descendants of former slaves brought from Africa to the United States from the seventeenth century onwards. During slavery, black people were not considered citizens, or even as human. "Although slavery was abolished in the 1860s, and blacks were granted citizenship, they were still subject to segregation of laws which required that they attend separate schools, serve in separate army units sit in separate train, cars, etc., until the 1950s and 1960s" (Kymlicka 2002: 361). Over time U. S government has struck down, all those discriminatory laws against black people. However, the evidence shows that blacks have still been undergoing pervasive informal discrimination in every sphere of life. Despite being of native origin, African-Americans have traditionally been excluded from turning into active member communities of the nation. According to Kymlicka, "African-Americans are unlike other ethnocultural groups in the West. They do not fit the voluntary immigrant pattern, not only because they were brought to America involuntarily as slaves, but also because they were prevented (rather than encouraged) from integrating into the institutions of the majority culture (through racial segregation, and laws against miscegenation and the teaching of literacy)" (Kymlicka, 2002: 361). Thus, African-Americans represent a virtually unique case, and they face the greatest injustices than any other group. The various forms of exploitation and the oppressions against this community are continuing in America. The murder of African-American youth by a white policeman in the year 2020 sparked a lot of protests across the world.

Kymlicka gives a detailed account of the status of the various cultural groups which

are invariably seen in liberal democratic societies. The most significant aspect of Kymlicka's theory of multicultural citizenship is that its special emphasis is on the protection of the rights of immigrants and thereby ensuring their equal status in the migrated nation. Out of his five modalities of multicultural groups, four of them are exclusively looking at different variants of immigrants. While accommodating the claims of the first three groups, Kymlicka offers specific groups differentiated rights to each category. However, he is not able to provide any concrete policy to address concerns of the last two groups, namely metics and African-Americans.

Kymlicka's theory of citizenship has received criticism from various quarters. For one, Kymlicka proposes his theory in the context of a liberal society, but cohesion between liberalism and multiculturalism is not always possible, as all multicultural societies are not always liberal. Then again, giving self-government rights to minorities with secessionist tendencies would mean attacking the very roots of the integrity of the nation. Michael Walzer argues that in cases where the state wishes to remain neutral, there is no point in granting minority rights.

Christian Joppke (2004) notes that "Will Kymlicka has claimed that 'multiculturalists have won the day in making their case for a difference-conscious notion of justice and concomitant laws and policies in the liberal state'" (Joppke 2004). To which one liberal theorist responded that "those who do not take this position tend not to write about it" (Barry 2001:6). In this context, many liberal thinkers and political philosophers have greatly criticised the assumptions and premises of multiculturalism, especially the association between multiculturalism and liberalism that have been established in the claims of Kymlicka.

Brian Barry advocates the liberal distinction of private and public for resolving cultural conflict, which relegates all differences to the private sphere. According to Giovanni Sartori, "pluralism in the political realm—next to difference-blind laws and institutions the second of liberalism's historical inventions—is emphatically not multiculturalism, pluralism requires voluntary group memberships, multiple affiliations in the context of cross-cutting cleavages, and 'a reciprocal recognition' between conflict parties, all conditions that are systematically denied by multicultural politics" (Sartori 2000: 86) cited in (Joppke 2004). Here Sartori attempts to restore the rejected ideas of universal citizenship and state neutrality: "citizenship requires the

postulate of neutrality...of the state Vis a vis the cultural or ethnic identity of its demos" (Sartori 2000: 87) cited in (Joppke 2004). Finally, Jacob Levy, an American political theorist, suggests that ~~to~~ take diversity as an inevitable fact of life, not as a goal to be furthered by means of state policy, difference-conscious policies may still be the best way to deal with a culturally and ethnically diverse reality, but it depends on the circumstances" (Levy 2000).

Feminists have also lashed out at the discrimination meted out at the female populace in certain cultures, and thus one place within the culture.

### **Radical Multiculturalism**

The radical formulation of multicultural citizenship advocates a fundamental change in the understanding of citizenship. They criticize the liberal idea of Universal Citizenship while alleging that the concept of Universal Citizenship seeks to assimilate other cultures within a single dominant culture. Proponents of the radical version advocate "differentiated citizenship," which reserves special rights for the "repressed" minority. Many theorists argue that various groups can be assimilated under common citizenship only by approving what Iris Marion Young calls "group differentiated citizenship" (Young 1990: 254), which signifies that ~~m~~embers of certain groups should be accommodated not only as individuals but also through their group, and their rights would partially depend upon their group membership." Iris Marion Young<sup>6</sup> rejects the universal in "universal citizenship as the disguised particularism of the dominant group(s)" (Young 1990: 254). Oppression is key to her scenario: "society is seen as composed of social groups,<sup>6</sup> which are either dominant or oppressed. Not much is said about the dominant groups despite the occasional reference to white middle-class men" (Young 1990: 268). Young argues in opposition to a society wherein a few groups are privileged at the same time as others are oppressed, insisting that as citizens, people ought to depart at the back of their precise affiliations and stories and undertake a trendy factor of view. Reinforcing the attitude of the privileged will generally tend to dominate this unified public, marginalizing or silencing the ones of different groups.

Some theorists believed that the right to common citizenship, originally defined by whites in a class-segregated society, raise the claim of differentiated citizenship.

According to them, it did not meet the needs of many racial, religious, and linguistic groups. They emphasised that these differences in the distribution of rights should not be obscured, but rather that the peculiarities of the different living conditions of citizens should be taken into account. An eminent political philosopher of the twentieth century, Charles Taylor strikes at the idea of liberalism as a procedural doctrine, as untenable. Liberalism cannot claim cultural neutrality. And the contention over Salman Rushdie's *The Satanic Verses* (1988) only confirms this view because mainstream Islam rejects the separation of religion and politics. Liberalism is a political expression of various cultures and not a potential meeting point of all cultures and is completely incompatible with other cultures. According to Taylor, "liberalism is unsympathetic and inhospitable to difference" (Taylor 1992: 11).

An Indian Origin British well known political thinker of our time, Bhikhu Parekh criticizes Kymlicka's liberal conception of minority rights. He argues that "most societies today are multicultural, and not all of them are liberal" (Parekh 1997: 54-62). A liberal theory of multicultural citizenship has no pertinence with regards to multiculturalism. Kymlicka is, along these lines, incapable to show why they should regard and respect minority rights. A part of his trouble emerges from the presumption that each society has a single societal cultural or national culture, which drives him to force a solitary and homogeneous identity on Western society and to turn liberalism into their national culture. Parekh underscores his understanding of multiculturalism, called the 'dialogical or conversational approach', which embraces the idea that cultural diversity is educational and is a cause for celebration, and conversation between people of radically different worldviews is different from other approaches. Both radical and liberal attempts to define multicultural citizenship have several problems. Radical theory's focus on oppression poses many difficulties and is a vague concept. On the other hand, the more concise definition of social culture narrows down the range of legitimate multicultural elements. Cultural differences cannot be a source of discrimination or marginalisation. Multiculturalism has to find ways to create a form of citizenship that is neither marked by universalism and homogeneity, nor the particularism of closed communities having self-identities of their own. The argument in favour of multiculturalism is rooted in the belief that communities have much to offer to the political community. Thus, the concept of multicultural citizenship offers a formidable alternative to many western liberal



democratic nations in accommodating the immigrant population. However, these policies have invited severe criticism from many quarters.

‘All cultures are equal’ is one of the most heard mantras of recent decades. The manifestation of cultural relativism in social policy and multiculturalism is omnipresent. The differences in terms of ethnic diversity are persistently celebrated in several fields like literature, films, academia, museums, television, and politics. A report of the British Department of Trade and Industry (2002) summarised this dogma: ‘We want to see a Britain where there is increasing empowerment; where attitudes and biases that hinder the progress of individuals and groups are tackled; where cultural, racial, and social diversity are respected and celebrated. It has also become one of the most contested issues of contemporary times. Since its emergence as a doctrine of social policy in the 1960s, multiculturalism could arouse strong emotions from its apologists and detractors alike.’ Its defenders contend that ‘we must ‘celebrate difference’ and pluralism; that it is vital for the health and wellbeing of a liberal society to embrace a ‘live-and-let-live’ attitude that accepts and embraces the value of difference’ (West 2005: 159). ‘Multiculturalism is perceived as the greatest safeguard against cultural conformity that leads to racism, fascism and totalitarianism’ (West 2005: 159). Conversely, multiculturalism’s critics have argued that ‘it has been a malevolent force, that its promotion has been divisive. They maintain that state-sponsored multiculturalism patronizes ethnic minorities, that it has pitted ethnic groups against each other, that it has unfairly denigrated the culture of the indigenous population, and, ironically, actually served to exacerbate racism’ (West 2005: 161). State-sponsored multiculturalism has been proven to be counter-productive and has adversely impacted race relations in many liberal democratic nations.

The idea that minorities should not be unfairly discriminated against and that different cultures and customs of a society should be tolerated is a beneficial force. But what might be called ‘Hard Multiculturalism’, the idea that no culture can be considered superior to another and that countries should actively encourage difference financially is counterproductive. In *Rethinking Multiculturalism* (2000), Bhikhu Parekh highlights the popularity of various ends in exchanges of thoughts and philosophical enrichment: ‘Different artistic, literary, musical, moral and other traditions

interrogate, challenge and probe each other's ideas, and often throw up wholly new ideas and sensibilities that none of them could have generated on their own" (Parekh 2000: 168).

This does not mean that we can speak of culture as a monolithic entity that does not mutate, combine or adapt aspects of one another. By the twenty-first century, criticism against multiculturalism had reached its peak in many western liberal democratic nations. However, "Since the 1970s when multicultural policies were increasingly operationalised in various nation-states, criticism has never been lacking." (Vertovec; Wessendorf 2010: 4). In Britain, the Rushdie (*Satanic Verses*) affair, the 'Swann Report' (1985)<sup>19</sup> and 'Honeyford affair' (1984-85) are some of the few incidents that have created a serious public debate on multicultural initiatives and policies. Again, in the 1990s in the Netherlands, "there have also been political attacks on dominant Dutch policies meant to assist ethnic minorities" (Prins; Saharso 2010: 72). In Canada during the 1990s, "some representatives of ethnic minorities themselves increasingly expressed criticism against multiculturalism, emphasizing concerns of marginalisation and the reproduction of cultural difference" (Ley 2010: 191). Situation was not much different in other countries also which have directly or indirectly endorsed multicultural policies. In the words of Steven Vertovec and Susanne Wessendorf, famous scholars on multiculturalism "Yet beginning around the turn of the millennium, sporadic critical voices seemingly became harmonised into a chorus" (Vertovec; Wessendorf 2010: 4). The 9/11 incident may be a major reason for a flurry of debates in TV talk shows, radio phone-in programs, newspapers, journals, and government assemblies. Multiculturalism, Muslims and immigrants were at the centre of these discussions.

A well-known journalist in the Netherlands, Paul Scheffer publishes an article titled as *The multicultural drama*, where he highlights that "ethnic minorities are overrepresented in statistics concerning unemployment, poverty, criminal activity and school drop-outs" (Scheffer 2000: 29). This is considered to be one of the first major criticisms from the Left. According to Scheffer, multicultural strategy has made politicians incognizant in regards to these real factors. After the May 2001 uproars,

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<sup>19</sup> Report of the Committee of Inquiry into the Education of Children from Ethnic Minority Groups, Chaired by Lord Swann.

between British Bangladeshi and Pakistani young people against White youths, occurred in three northern British urban communities, an authority report was submitted on this (known as the Cattle Report) and it noted:

"Separate educational arrangements, community and voluntary bodies, employment, places of worship, language, social and cultural networks mean that many communities operate based on a series of parallel lives. These lives often do not seem to touch at any point, let alone overlap and promote any meaningful interchanges" (Home Office 2001: 9). Editor of Prospect magazine, David Goodhart publishes an article in (2004) titled *Too Diverse?* again from a left-of-centre perspective, which contentiously suggests that "collective attitudes toward welfare are threatened by ethnic diversity"(Goodhart 2004: 5). Also, in the same month, the French parliament passed a law in favour of banning Islamic headscarves in schools in April 2004. "In yet another critique from the Left, the chair of the Commission for Racial Equality, Trevor Phillips, proclaims that 'multiculturalism' should be ditched as it suggests separatism when there is an increased need for common British identity" (Vertovec; Wessendorf 2010: 4).

The filmmaker Theo van Gogh was murdered by a Muslim extremist in 2004. November sparks more public debates about intolerant Muslim minorities, free speech, and tolerance. "July 2005 London terrorist bombings. Especially because the perpetrators were British-born and bred Muslims, there is much public comment on how such a condition could have arisen, and what should be done about it" (Vertovec; Wessendorf 2010: 5).

In Denmark, the Jyllands-Posten published notorious Muhammad cartoons in 2005 September, creating controversy which in many places across Europe created a divide between Destem/ 'host' country open-mindedness vs Islamic/ migrant intolerance. –October-November 2005, riots in Paris suburbs and other localities throughout France are depicted as troubles wrought by migrant youths (despite considerable activity among White French youths too); some reports even portray the disturbances as caused by Muslim youth. [Similarly, in] October 2006 British Cabinet Minister Jack Straw says he would prefer Muslim women not to wear veils which cover the face" (Vertovec; Wessendorf 2010: 6).

In October 2010, German Chancellor Angela Merkel described *–Multikulti* is a naive attempt to live happily side by side, and be happy to be living with each other. [According to her, this approach] has failed, and failed utterly” (Koopmans 2013: 148). In his television interview, French President Nicolas Sarkozy was asked what he thought of Meres assessment of multiculturalism and to this, he replied, *–Yes, clearly, it is a failure”* (Sarkozy 2011). Similarly, British Prime Minister David Cameron during his 2011 speech said, *–Under the doctrine of state multiculturalism we have encouraged different cultures to live separate lives, apart from each other and apart from the mainstream”* (Koopmans 2013: 2). One of the most celebrated multicultural states, Canada’s Immigration Minister Jason Kenney (2011) defended "the measure proclaiming to segregate one group of Canadians or allow them to hide their faces, to hide their identity from us precisely when they are joining our community is contrary to Canada’s proud commitment to openness and social cohesion" (Koopmans 2013: 19). This agreement on the multiculturalism of the heads of state and government of four countries known for their different approaches to the integration of immigrants is remarkable. The sentiments against multiculturalism from various quarters indicate the fallout of the multicultural conception of citizenship. This has forced many scholars to search for a new theoretical alternative that can accommodate the diversity produced by cross-border migration in the context of globalisation.

### **Post-national Citizenship: A New Alternative Citizenship in the Era of Globalisation**

The setback of multiculturalism in various western democratic nations raises the critical question of the inclusion of migrants in citizenship in the era of globalisation, at both empirical and theoretical levels. In the context of contemporary mass immigration, "we witness large-scale migrations of people to all parts of the world" (Ambrosini et al. 2020). The traditional idea of citizenship as membership of a nation-state and its relation to nationhood has been seriously challenged. The question here is that what would be the identity of a citizen who has migrated and settled in one nation-state without abandoning his/her cultural belonging to another homeland? This question becomes important as a citizen is perceived as a person belonging to a nation-state, both politically and culturally.

Usually, citizenship is based on the distinction between one who is inside ('us') and one who is outside (them). The non-citizen is often identified as the other, the enemy. The migrant has always been regarded as the other side of the nation. The very identity of a nation and belonging is constituted based on the exclusion of the external other. However, "the permanent presence of collective others in present-day nation-states and the increasing number of people with transnational identities marked by familial, social and economic connections in more than one state demand a radical rethinking about what it means, and what it ought to mean, to belong to a nation-state" (Brubaker 1998: 132).

Although the concept of citizenship demands the inclusion of new groups within states, the notion of national belonging necessitates exclusion. The principle of active citizenship calls for providing minorities with the social and economic rights required for full participation; however, "the current decline in the welfare state makes it difficult to include new groups and provide them with full societal membership through social rights. Admitting the other into the national community through citizenship appears as a challenge to national cohesion and identity" (Sassan 2002: 288). This problem gets aggravated since the other is largely from Islamic nations that have been identified as a threat to national security and culture, especially after the 9/11 attack. Moreover, "in a situation of economic recession and decreasing job opportunities, migrants are perceived as a threat to the local working-class" (OECD 2014)." In a globalizing world, where self and others have to coexist permanently in the same society, new modes of inclusion have to be devised for the citizen who does not belong" (Castles 2005: 302). Nevertheless, this process of accommodation of immigrants is marked by many difficulties and contradictions.

However, when we look at concrete practices, we find that as the other becomes a part of national populations and societies, it is followed by a steady and perceptible expansion in citizenship and legal rights to more and more migrants in immigrant friendly countries, especially in Western Europe, the USA, Canada and Australia. This breaks down the sharp distinction between the citizen and the other. States are taking recourse to several new forms of citizenship to provide migrants with formal access to citizenship. These new forms are multiple/dual citizenship, just domicile quasi-citizenship and informal citizenship.

## **New Forms of Citizenship**

The recent decades have witnessed a proliferation of ‘dual or multiple citizenship accords’, underpinned by the blurry notions of belonging and origin of the sovereign. “Today the terms citizenship and nationality both refer to the national state” (Sassen 2002). Traditionally, the permanent bond of the subject and sovereign was seen as insoluble or exclusive because of the fear of treason during wars and conflicts. Hence, “dual nationality was incompatible with the absolute authority of the state over its territory and its nationals” (Brubaker 1989) cited in (Sassen 2002).

However, transformations in the last few decades have modified perceptions about dual citizenship, and it is now selectively accepted. According to some legal scholars (Rubenstein; Adler 2000), the future will see dual and multiple nationalities as a norm. “Today more people than ever before hold dual nationality” (Spiro 1997: 147). The allegiance to more than one nation suggests that the role of nation-states may not be as important now as it used to be. States that have been reluctant to recognize such status due to fears of divided loyalties, for instance, the USA and many South Asian states such as India and Bangladesh, have begun to permit dual citizenship.

Thus, in the age of globalisation and migration, citizenship is becoming a transnational matter. Immigration, the movement of refugees and stateless persons, the formation of supranational and transnational bodies like the European Union, the codification of international human rights norms, and the emergence of global civil society are undermining the very basis of national citizenship and setting the conditions for a reformulation of the idea of citizenship as membership in a nation-state. Thus, it can be said that regardless of how one perceives the current and upcoming trends of globalisation, it has certainly impacted the whole concept of citizenship; the response shown by states regarding this and the further emergence of non-state actors and institutions such as INGOs with new roles in new scenario (Langran; Birk 2016).

The development of these new organisations and their role in citizenship cannot be accommodated in the national concept of citizenship. The alternative interpretation is to “suspend national and to posit that the issue of where citizenship is enacted is one to be determined in light of developing social practice” (Soysal 1994; Jacobson 1996)

cited in (Sassen 2002). For instance, the multiple diasporas created by globalisation concerning labour and other migratory movements build complex relationships between homeland and host societies. While opening their economies to the world, nation-states cannot overlook the rights of people migrating to their territory. The increasing concept of dual citizenship indicates that states would have to accommodate changes in their national concepts of citizenship.

This plurality of citizenship is contributing immensely to the decline of national boundaries and making them more porous. The enjoyment of rights within the nation-state, being crucial to our understanding of citizenship, is now expanding. ‘National grip’ on citizenship has been weakened with the expansion of citizens’ rights. It is now becoming clear that the institution of citizenship has [many] dimensions, only [a few] of which [can] be [closely] linked to the state... [these] orientations of citizenship may not necessarily be [recognised as] new” (Sassen 2002); they are a result of long gestations which might have been present since the formation of citizenship but are evident now because of current developments. The possibility of post-national forms of citizenship can be seen as one of the implications of these developments. (Soysal 1994; Jacobson 1996) cited in (Sassen 2002).

There is a need to distinguish ‘denationalised citizenship’ from ‘post-nationalised citizenship’ as it has either been overlooked or is interpreted as ‘post-national citizenship’ in most of the scholarships. According to Saskia Sassen, a Dutch-American sociologist denationalised citizenship refers to transformations in the traditional concepts of citizenship within the territorial boundaries of nation-states. Sassen has conceptualised these trends as a “denationalizing of particular aspects of citizenship” (Sassen 1996: 203). It points to “impacts on citizenship that take place inside formal institutions of the national state” (Sassen 2002). On the other hand, post-national mainly refers to transformations of citizenship outside the confines of national. It is a much broader term which, according to some scholars, includes a denationalised form of citizenship (Turner 1993; Bosniak 2000).

Many scholars have noted the simultaneous emergence of the human rights regime, which is also posited in the post-national conception and is also establishing the concept of denationalisation (Caren 1989; Kratochwil 1994). However, Sassen adds two more elements to show the loosening of this grip. First, the strengthening of civil

rights, which enables citizens to assert their claims to the state and exercise a degree of autonomy. Second, it grants a full range of rights to foreign players, in particular economic actors, foreign companies, investors, and so on. The two elements were added by her as it is mainly the concept of awarding rights to non-national people, which is resulting in the transformations in the national institutions of citizenship. Recent changes involving the increasing weight of the human rights regime in the rule of law and [increasing] use of human rights instruments in national courts” (Sassen 2002) are cases of denationalisation as far as internal state matters are concerned. The older notions of international bodies having no role in the internal affairs of a sovereign state are being redefined. The internal matters of the states are no longer solely determined by them.

To conclude, many scholars are increasingly being drawn to an exploration of a conception of citizenship that would transcend national boundaries, or what they call 'post-national citizenship'. Post-national citizenship highlights the emergence of locations for citizenship outside the boundaries of the nation-state” (Sassen 2002). It aims at the democratisation of citizenship—an expansion of individual rights, and maximisation of inclusion. As we can see, it is becoming increasingly apparent that the nation-state model cannot offer an adequate basis for citizenship, identity, rights and duties, and justice in the globalizing age. Here we must address ourselves to an urgent question—how can a new system, which would accommodate the emerging dominant practices and beliefs—multiple and transnational identities and citizenships, global rights and duties, and global justice—be devised? The concept of cosmopolitan citizenship beyond the nation-state attempts to provide an adequate response to this.

## **Cosmopolitan Citizenship**

“Today, global citizenship is the recognition that individual in the twenty-first century has rights, duties, identity and potential for representation on a global scale” (Langran et al. 2009). The idea of cosmopolitan citizenship emerged with “Diogenes’ calling himself a citizen of the world” (Nussbaum 2002: 28). Etymologically, the word "cosmopolitan" comes from the Greek kosmopolitēs ("citizen of the world") and has been used to describe a wide range of important views in moral and socio-political philosophy. “For many, cosmopolitanism is an ancient Greek concept that has been rediscovered by modern thinkers trying to develop conceptual tools capable of



managing our shrinking globe” (Kent; Tomsy 2017:1). The basic idea common to all cosmopolitan views is that everyone, irrespective of political affiliation, is a citizen of a single community.

Political loyalty and ethical obligations should be directed to the community of all human beings is the principle on which the cosmopolitan idea is based upon. Greek and stoic Roman philosophers were the first to propound this in the ancient world and it was later taken up by the neo-stoics of the renaissance (see chapter 1). The base of cosmopolitanism lies at the “idea of the oneness of humankind and the existence of a universal natural law.” This idea was revived during the enlightenment, by intellectuals like Franklin, Voltaire and Paine (Heater 1999: 135). One of the greatest philosophers of 18<sup>th</sup> century, Immanuel Kant gave a positive meaning to the term while associating it with the moral obligations of citizens towards other sovereign nation-states.

Increasing awareness regarding global problems, like extreme poverty, degradation of the environment, and infringement on human rights, has led to a revival of the cosmopolitan view in the present time. This requires greater unity among human beings, despite their local attachments. Thus, “cosmopolitanism can be understood as a response to current circumstances” (Kartal 2012: 123), including the expansion of markets, the emergence of global media, the increasing inequality of the global economy and the threat posed by global warming. In other words, cosmopolitan citizenship has also been looked upon as the answer to global poverty, inequality, ecological degradation, and human rights violations, especially after the Second World War.

Today, cosmopolitan citizenship has taken on different meanings, addressing different concerns. One such concern embodies universal rights and obligations towards fellow human beings, and another one is the democratic participation of the entire human population in the world government). Some scholars have focused on “enhancing the development of regional democracy - a project spurred on by the actual but delimited development of European citizenship” (Bellamy; Warleigh 1998) cited in (Slaughter; Hudson 2007: 6). Other thinkers attempted to expand existing international institutions or establish NGO networks as an impetus for new forms of global citizenship. As a result of this, in international relations and political theory literature,

–the idea of 'cosmopolitan democracy' has become a significant conjectural alternative to contemporary globalisation” (Falk 1995; Held 1995) cited in (Slaughter; Hudson 2007: 7). Contemporary scholars like Richard Falk, Anthony McGrew and David Held have argued that –we need to institutionalize the idea that people are 'citizens of the world'.” Since the various forms of globalisation have seriously delimited the sovereign capacity of the nation-state, the cosmopolitans strongly argue for global political institutions and a single global democratic field. While, in its modest sense, cosmopolitanism refers to a –set of moral principles that should be extended to all people” (Hudson; Slaughter 2007: 5). According to cosmopolitans, global democracy is the only way to ensure effective participation and citizenship under the conditions of globalisation. In pursuing this alternative and extending democracy globally across state borders, global laws and standards define the action of the state and other actors such as transnational corporations (Held 1995: 234-35); furthermore, individuals become the primary moral agents in world politics.

David Held claims that –the idea of a political community of fate - of a self-determining collectivity which forms its agenda and life conditions - can no longer meaningfully be located within the boundaries of a single nation-state alone” (Held 1998: 21). Therefore, nowadays, people are regularly affected by decisions that are taken beyond the boundaries of the traditional nation-state.

Gerard Delanty, a famous British sociologist, identifies four components of citizenship, such as rights and duties (formal dimensions), citizenship and participation (informal/substantive dimensions). In the 1980s, with the rise of radical democracy and communitarianism, there was a shift towards participation acceptance; and in the 1990s, because of cosmopolitanism and communitarianism, there was a shift towards identity. Consequentially, a cultural dimension was introduced in the debate on citizenship and it became a decisive factor. Till nearly the late 1980s, citizenship and multiculturalism were performing different functions. While citizenship was generally defined by birth or descent in an established polity, multicultural policies used to protect and control migrant groups. Today, the migrant groups are increasingly becoming a part of the mainstream population, and the native population is becoming culturally plural due to ethnic mixing and the postmodern, post-industrial culture. This cultural pluralism has received two broad responses. The

first one expresses anxiety. A great example of this would be the American culture wars debate. There, huge tension, approximately militant nationalisms and religious extremism, particularly after the 9/11 terror attack, has brought to fears of a brand-new age of way of life wars (‘the conflict of civilisations’) fought out on a global level resulting in a resurgence of a Hobbesian order. The second response is based on the notion of cultural citizenship and views cultural pluralism as an enriching experience rather than a threat.

The majority of the literature on cultural citizenship can be divided into two groups. –The first approach that is influenced by sociology” (Turner 1993; Somers 1995; Stevenson 2001; Cowan et al. 2001; Urry 2000) and –the second approach that remains heavily influenced by political theory” (Kymlicka; Norman 2000). The sociological method attempts to result in inclusion to the sphere of identification and belonging. Political theory talks about extending the established framework to include excluded or marginalised groups. Delanty terms the sociological idea as ‘cosmopolitan citizenship’. He writes, “The version of cultural citizenship I call ‘cosmopolitan citizenship’ refers to a different dimension of culture than that of political theory, namely the wider cognitive dimension of culture in the sense of the creative, constructivist dimension of culture” (Delanty 2007: 20).

### **Cosmopolitanism and Globalisation**

As mentioned above, cosmopolitanism today means that all human beings are or should be a part of a common world community. According to David Held, –cosmopolitanism is an ethical approach to political life which champions self-determination and freedom from domination and arbitrary power” (Held 2010: 25).

However, there are different versions of this community political, social, and even economic, in the sense of global markets. Hence, at present, the concept is inextricably associated with the relatively recent phenomenon of globalisation.

Thomas Pfister (2005), a scholar on globalisation, describes three important aspects of globalisation that are relevant to citizenship: first, the economic dimension; second, the cultural dimension; and lastly, the migration factor. The fact that economic dynamics have crossed the borders of nation-states, and have gone out of control of governments, calls their autonomy into question. A common distinctive culture is the

backbone of any nation-state, but an increasing diffusion of a global culture and ethnicity on a sub-state level has questioned this autonomy of a nation-state as well. Finally, the biggest reason for this renewed interest in cosmopolitan citizenship is due to the influx of migration—large-scale mobility of human beings from their states to new ones for a variety of reasons.

The profound transformations caused by globalisation and human migration foster a conducive context for the cosmopolitan view. Firstly, to ensure that “nation-states do not have absolute autonomy” (Turner 2002), national sovereignty has been eroded, in the field of politics, economy, and social issues which are supposed to be national. Secondly, the development of the labour market at the global level has resulted in “an expansion of migrant labour seeking citizenship and has given rise to diasporic cultures” (Turner 2002: 58). Thirdly, the emergence of globalisation has resulted in a reduction in the relative autonomous status of national culture because of up-gradation in “transportation and communication and through the global cultural industry and media, which prepares a homogeneous ground for a new cosmopolitan global culture to emerge” (Smith 1995: 17). Fourthly, an alternative discourse of universal human rights is challenging the traditional language of nation-state citizenship, which is “offered as a normatively superior paradigm of political loyalty” (Turner 1994: 157). And finally, with the rise of transnational social movements in the field of human rights, environment, women’s and other movements, a global public sphere is emerging. A new orientation in political identity and community has been generated in these networks of transnational activity, which is “defined by this global civil society” (Falk 1994: 138) cited in (Kartal 2012).

### **Cosmopolitanism and the Nation-state**

Different scholars have given different interpretations of this notion of cosmopolitanism. According to Bryan S. Turner, a prominent Australian sociologist, “cosmopolitanism does not exclude local identifications” (Turner 2002). It is not that after giving up his/her special affections and identifications, someone would-be citizen of the world. “To respect others, one needs a certain distance from one’s own culture” (Turner 2002). Turner calls this “an ironic distance” which means that to understand other cultures one needs to keep a “distance from his/her own national or local culture” (Turner 2002: 57). For some cosmopolitans, “patriotism is compatible

with both the capacity for ironic distance and regard for others and nationalistic commitments would be incompatible with the same” (Turner 2002: 55).

Similarly, Kwame Appiah, a British-Ghanaian philosopher, writes about the possibility of becoming a “cosmopolitan patriot” who is “attached to a home of his or her own, with its cultural particularities, but taking pleasure from the presence of other, different, places that are home to other, different, people” (Appiah 1996: 22). Although respect for non-nationals is not hindered by the patriotic love of country, “many cosmopolitans [reject] patriotism as a simple sentiment that is readily discarded” (Appiah 1996).

Those who envision a cosmopolitan world and support it with the argument of globalisation essentially assume the fall of nation-states as a consequence of globalisation. However, the early 21st century has witnessed states “flexing their growing power of coercion and surveillance” (Brodie 2004: 330). National boundaries have been reinforced through stringent citizenship, visa, and migration rules. More recent approaches adopted by nation-states, such as Trump’s America First policy and India’s *Atmanirbhar Bharat* serve as cases in point. Similarly, the current trends in countering globalisation by different nations; for example, Brexit pose a different picture of the future of cosmopolitan citizenship.

The traditional approach to citizenship argues that the call for cosmopolitan citizenship is nothing more than the practice of moral exhortations by the nation-state as the dominant form of political community. “They contend that the idea of world citizenship may have considerable moral force, but, on any strict definition of citizenship, the term is self-evidently and unalterably oxymoronic” (Robertson; White 2003: 108).

“Traditional perspectives maintain that modern conceptions of citizenship are anchored in the world of the bounded community; they contend that it loses its precise meaning when divorced from territoriality, sovereignty, and shared nationality” (Miller 1995). “From their point of view, being a citizen means having concrete rights and obligations to a particular sovereign state rather than voluntary and inaccurate obligations to other human beings; it means belonging to a limited political community that enjoys the right to collectively determine its destiny and that can

decide who can join its ranks and who can be dismissed” (Linklater 1999). To sum up, cosmopolitan citizenship, defined as a combination of universal rights, duties and political participation is not feasible in today’s conditions or the near future either, especially in a time in which there has been a lot of debate and discussion about the trend of ‘deglobalisation’.

## **Citizenship and the Crisis of Globalisation**

This chapter has discussed the various aspects of globalisation and its influence on the theory of citizenship. However, a new trend has been visible in the West, against the process of globalisation, especially after 9/11. The experience of the world shows that globalisation can be viewed as a confluence of forces embodying dynamic tensions. It does not have to follow one pre-determined trajectory or logic. “It pushes and pulls societies in different directions, simultaneously [engendering] cooperation as well as conflict, integration as well as fragmentation, exclusion and inclusion, convergence and divergence, [order] and disorder” (Held; McGrew 2003). Therefore, it encourages an open-ended conception of global change. However, globalisation is facing an unprecedented crisis in the recent decade, what some scholars call ‘deglobalisation’. In this context, it is equally valid to talk about the process of ‘deglobalisation’. “Deglobalisation is the process of diminishing interdependence and integration between certain units around the world, typically nation-states” (Bello 2002) cited in (Lambin 2014: 129). It is often used to describe a period of history in which economic trade and investment between countries declined sharply. It is thus contrary to the concept of globalisation, in which units become more and more integrated over time

The term ‘deglobalisation’ emerged in the scenario of profound changes witnessed by many developed nations, wherein trade as a proportion of total economic activity went down between 1914 and the 1970s. This means that despite the deepening scope of economic globalisation their economies became less integrated with the rest of the world's economies. This was the first wave of ‘deglobalisation’.

Geoffrey G. Jones, a scholar on globalisation, observes that Brexit and the rise of Donald Trump show that the world is in the second wave of ‘deglobalisation’. Jones says, “I think we are in a ‘deglobalisation’ period. We are in the second wave now. The first one was the Wall Street crash that lasted until the 1970s. There was

Communism, extreme regulation and controls that we had seen in that period. Think we are probably repeating that now” (Jones 2017). ‘Deglobalisation’ is driven by the policies of many advanced capitalist states. Globalisation has intensified the disparity between and within nations. Among nations, it has increased the rift between developed and developing nations. Similarly, within countries, the gap between the rich and the poor has widened. –So, in the first global economy in the early 20th century, the world [became very wealthy]. But there was a huge gap between the winners and the losers” (Jones 2017).

Undoubtedly, ‘deglobalisation’ is a loser's revolt. –In the first wave, the colonised people revolted against that. There was a huge wave of extreme Muslim uprisings and jihadist movements. We are seeing a repeat of that now. This time it’s not colonized people, but the blue collared, the white workers, the middle class due to the rising disparity in incomes and we are seeing that across geographies from the US to China” (Jones 2017). We can notice an exceptionally close similitude between these two 'deglobalisation' periods. Our story, however as yet beginning, is moving in particular toward this direction.

Concerning globalisation, one can measure economic ‘deglobalisation’ in different ways. These are centred on four main economic flows:

Goods and services, e.g., exports plus imports as a proportion of national income or per head of population...Labour/people, e.g.; net migration rates; inward, or outward migration flows, weighted by population (and resultant remittances in per cent of GDP)...Capital, e.g., inward or outward direct investment as a proportion of national income or per head of population (Ortiz-Ospina; Beltekian 2014).

In most cases, it is impossible to quantify –deglobalisation” through the fourth mainstream, lack of innovation and technology transfer. The quantifiable area offers other potential measures, including: –Average tariffs, Border restrictions on labour, Restrictions on foreign direct investment or outward direct investment” (Ortiz-Ospina; Beltekian 2014).

The ‘deglobalisation’ process is seen as an interesting comparison with other periods such as 1850-1914 and 1950-2007 when globalisation was the norm, for most people and therefore, periods of stagnant international interactions are more common than the

‘deglobalisation’ phases. In 2009, a clear break for economic globalisation can be seen in the ‘Globalisation Index’ of KOF Swiss Economic Institute: “The bursting of the dot com bubble and the events of 9/11 merely slowed down the pace of globalisation; the latest economic and financial crisis has, however, created a severe setback for the globalisation process” (KOF index 2012: 3-16). In 2010, the slowdown in the globalisation process continued, but the regional model was different: “The biggest upward movement as a region occurred in South Asia (albeit a minor increase) while Latin America and Sub-Saharan Africa saw a minor decrease in their regional average. High-income countries and in particular, OECD countries continue their trend of stagnation which has started even before the current crisis” (KOF 2013).

One can see ‘deglobalisation’ movement in United States of America as among the most striking examples, where the Bush and Obama administration instituted ‘Buy American Act’ (The Buy American Act passed in 1933 by Congress and signed by President Hoover on his last full day in office (March 3, 1933) required the United States government to prefer the U.S. made products in its purchases) clause as part of the massive stimulus package” (Hoover 1933), which was designed to favour products made in the United States over traded products. Similarly, the EU has introduced new subsidies to protect the agricultural sector. These steps to “deglobalisation” can be seen as an example of how developed countries responded to the 2008 crisis, resulting in massive unemployment, which made people question the neo-liberal principles of capitalism and globalisation for the first time since 1980. The inability of the government to provide people with jobs has led to dissatisfaction which has fuelled the rise of right-wing economic nationalism in the form of protectionism, which is essentially anti-globalist (Hoover 1933).

'Brexit' can be considered another major manifestation of ‘deglobalisation’. Needless to say, globalisation has become the most decisive ground in shaping citizenship debates in recent decades.

## **Conclusion**

From an evolutionary perspective, globalisation represents an important transitional phase in the entire history of citizenship. It also completely disturbed liberal



democratic presuppositions about a homogenous society, and it was replaced by notions like diversity and identities. New groups are being formed, new identities have emerged, and new demands and concerns have arisen. These developments have posed real challenges before the nation-building process in western liberal democratic states. Moreover, globalisation has escalated the influx of migration in many advanced nations. Managing immigrants has become a huge challenge before many liberal democratic nations. All these factors together constitute the terrain for a reconceptualisation of the liberal democratic notion of citizenship today. The study acknowledges the concept of multicultural citizenship as a direct response to the challenge of migration. However, an in-depth analysis of different variants of multicultural theories of citizenship reveals, that this particular theoretical tradition has not succeeded in providing a real alternative to the traditional liberal democratic notion of citizenship.

The liberal theory of multicultural citizenship has made a serious attempt to address the various demands raised by different cultural groups, especially immigrants. The radical versions of this theory have shifted the emphasis of citizenship debates from the identity of an individual to the perspective of a group. This can be considered a significant departure from the dominant understanding of citizenship concepts. Theories in this field are clueless about the most fundamental problem faced by the majority of western democratic nations today; that is, the conflict between native nationals and the migrant people. The retreat of multiculturalism in many western liberal democratic nations necessitated a radical rethinking of the conceptualisation of citizenship. Even though concepts like denationalised citizenship, post-national citizenship and cosmopolitan citizenship appear to be some promising alternatives, the crisis of globalisation has made those transnational concepts of citizenship irrelevant. The following chapter will discuss the impact of the migration crisis and retreat of globalisation on the theory and practice of citizenship, primarily in liberal democratic nations today.

## CHAPTER FOUR

# Revisiting Citizenship: The Crisis of Migration and the Politics of Security

### Introduction

International migration has been one of the most debated topics in twenty-first century world politics. In spite of being a phenomenon accompanying human history itself, the advance of globalisation has really intensified the scale of migration in recent times. The masses in motion have profoundly altered the socio, cultural, ethnic, political and economic landscape of the world. “Migrants are reaching out beyond the frontiers of their legal status for their immediate needs and interests as well as for social and political citizenship” (Schwenken; Russ-Sattar 2014). The ascendancy of migration in liberal democratic nations today in the west has resulted in huge repercussions on the politics of these countries. In this context, migrants have really become both subjects and objects of politics. In many countries immigrants have been projected as a threat to national security and have fashioned public sentiments. “Immigrants are not only perceived as a threat to Western identity, but also as a security threat” (Herpen 2021: 250). These nations have been forced to adopt many measures to restrict migration as well as closing the borders. “Migrants embody the experience of borders and security as they relate to people within the receiving state” (Innes 2015: 5). Hence, both security and borders have become important factors in the conceptualisation of citizenship.

“Waves of immigration have aroused fears that national identities will be irreversibly altered. As demography shifts, ‘old stock’ citizens fear a loss of status and cultural centrality” (Galston 2018: 11).

The resurgence of right-wing political parties and neo-nationalist forces within these countries are the result of this unsettling domestic turmoil. They have propagated anti-immigration sentiments and evoked nativist nationalism. It unfolded new debates and discussions within the liberal political tradition which have raised serious questions about the conceptualisation of citizenship in liberal democratic nations today.

This chapter discusses how the responses and strategies of liberal democratic nations have evolved with the emerging migration crisis and tries to explore various key security measures taken by host countries in the West. It also examines new concerns around national security and borders and its impact on the conceptualisation of citizenship. Firstly, the chapter starts with some of the moral and theoretical questions on liberalism and migration, by analysing the different theoretical debates within the liberal tradition. Secondly, it explores the post 9/11 security responses of the liberal democratic nations and their policy changes and security measures which affect the notion of citizenship, such as the documentation of citizens and exclusion of selective countries from immigration. Further, it looks into the emergence and resurgence of neo-nationalism and right-wing parties in the Liberal Democracies in the light of the ongoing migration crisis. The Last part of the chapter examines how liberal democracies have responded to the global financial and migration crisis through protectionist and anti-immigration policies. It also explores the political repercussions of these crises, such as the rise of right-wing parties to power and their anti-liberal and anti-globalisation policies and its impact on the theorisation of citizenship.

Finally, the chapter argues that the recent theorisation of citizenship within the liberal democratic political tradition has not been able to accommodate the challenges posed by the global migration crisis and therefore, the contemporary liberal democratic nations have ended up in prioritizing the security concerns while overlooking the long cherished liberal values like the protection of universal human rights.

### **The Liberal Democratic States and the Immigration Crisis**

In his now legendary Berlin speech of 1987, President Ronald Reagan of the United States called upon Soviet leader Mikhail Gorbachev, to tear down this wall! and after just three decades, another American president, Donald Trump—who claims to adore Reagan—promised to build a brand-new wall, running along the entire US border with Mexico” (Bergmann 2020: 11). The crowds at Trump rallies in the US chanted, build that wall! converse to Reagan in Berlin.

In the late spring of 2019, the boat ‘Sea Watch’ moored in Italy after having saved forty Africans from the ocean close to Libya. Its young commander, Carola Rakete, didn't get a legend's welcome for her philanthropic endeavours. She was taken to

prison where she would anticipate preliminary charges for carrying unlawful transients to port. —In a stream of angry tweets, Italy’s nativist populist Interior Minister, Matteo Salvini, called Rakete a pirate and an outlaw” (Bergmann 2020: 7).

Most recently, the early month of November 2021, has witnessed presence of thousands of migrants along the border with Poland who are forced to live in camps. They are mostly from the Middle East, who travelled recently to Belarus in hopes of reaching the European Union, but have been prevented by Poland and Lithuania, E.U. member countries, from entering. —The standoff over migrants camped along the European Union’s eastern flank grew more precarious, with political leaders on both sides of the razor wire fence using more belligerent language” (The New York Times 2021).

The three recent political instances point to the similar political crisis faced by liberal democratic states around the globe, namely, the migration crisis. The first instance shows how US liberal politics has transformed from the earlier policy of opening up borders in 1987 at the end of the cold war to closing the border by building a wall across the Mexican border in order to prevent migration. Thus, the question that arises is, how they ended up with these two contradictory policies within a short span of thirty years. What are the major factors which led to this political situation in the US? In the Italian case, a humanitarian act of a captain which involved the rescuing of forty African migrants and landing them safely was seen as a grave security threat by the government official. In the third instance, the response of European Union countries and consequently escalation of border tension in eastern EU border on the issue of migrants clearly shows that these countries are giving priority to their border security and the issue of migration is playing a central role in this. Surprisingly, this kind of response from a liberal democratic state makes one wonder whether the ideals of humanity and justice, said to be at the core of liberal democratic states, exist only for so-called citizens? How far have the liberal democracies travelled from upholding human rights and natural rights to life and dignity? How did the refugees and political asylum seekers from politically unstable African and Asian countries become a threat to the national security of the liberal democratic nations of Western Europe?

While coming directly to human migration, which is the common factor in these cases, we can plainly see a new pattern emerging in worldwide human relocation,

where the world is currently going through another immense rush of human movement with huge scope. This new wave of an enormous part of the total populace is a blend comprising both wilful and constrained movement. In this trend, individuals are not just migrating to different parts of the world looking for a better life, but a significant portion of people are also moving to newly developing regions. Many people are internally displaced because of restrictive migrant receiving policies imposed by many liberal democratic states across the globe. They are forced to live within their respective countries as internally displaced migrants even though they have lost their homes and occupation due to war, violent struggles or catastrophic events. As a result, a growing relevance for international migration in ‘scope, complexity, and impact’. The continuous worldwide migration has additionally represented a few ‘critical policy challenges to the receiving states, from border control mechanism to national integration process.’ It has often become the significant reason for the ‘populist upsurge’ in most of the ‘migration-receiving liberal countries.’ The rise of neo-nationalism in liberal democratic countries of the West, resulted in political mobilisation against immigration based on the projection of the apparent, stereotyped, adverse consequences that migrants might have on their built ‘native culture.’ As a result, populist parties have come to power in some countries and emerged as major pressure groups in others. They have also had strong influence in shaping exclusionary immigration policies and border control mechanisms and challenged the protection and integration of migrants, through xenophobic nationalism.

Many people were forced to leave their homes in the Middle East due to political turmoil and civil wars, and have thus become refugees, which has resulted in a renewed upsurge in nationalism in most parts of Europe and North America. The influx of migrants has created a deep-rooted divide in these nations between natives and migrants. Therefore, the issue of migration has generated several theoretical debates within the liberal political tradition.

### **Liberalism and Migration: Some Moral and Theoretical Questions**

The mid-twentieth century witnessed an increase in immigration and it has triggered racial and cultural anxieties in nations which have experienced rapid increases in diversity. According to the World Migration Report, ‘the number of international

migrants is estimated to be almost 272 million globally” (IOM 2020). Of course, there had been intervening periods of largescale migration in the past. But the worldwide scope, diversity, and sustained quantity of modern migratory developments are unprecedented. Liberal democratic states have faced various challenges, both ideologically and practically, as migratory pressures have grown. Some of this stress has come from asylum seekers, pushed out of their nations owing to strife, warfare or oppression. The key trouble is whether, or not it is legitimate for governments to restrict growing needs from this second group (Bellamy 2008: 76). Through various ways, wealthy, liberal democratic countries have put limits on immigration, by imposing provisions like home prerequisites for three to four years, language test, and tests on history, customs, and foundations, and supported talented migrants like doctors and professionals.

These exclusionary immigration policies and controlling migration through border controls are against the basic principles of liberalism, like- all human beings are born free and thus entitled to be treated with a degree of concern and respect. The moral responsibility of the citizens of the developed world towards the world’s poor for benefitting from the fruits of globalisation through exploiting the least developed nations also arose. It went beyond the mere distribution of humanitarian aid. There emerged a crisis in the liberal democratic states on whether to accommodate the needs of migrants at the expense of their own citizens by neglecting emerging domestic demands to control the migration and closing the borders. In other words, liberal democracy across the globe faced a moral dilemma, whether to accommodate the global poor over the interests of the least well-off people within the country or vice versa. Governments and people in liberal democracies got the opportunity with the refugee crisis of 2015, to rethink what kind of immigration policies and ideals they should strive for.

There is a wide variety of theoretical stands on the question of liberalism and migration within the liberal theoretical tradition. It varies from one extreme to another on whether borders should be open or restricted or closed for migrants. These debates also deal with the moral aspects of the same question. In this part, we engage with the writings of Stephan Macedo, Daniel Weltman, Seyla Benhabib and Thomas Christiano as instances of how liberal tradition is theoretically engaging with the

rising concerns of international migration. It also critically analyses their basic arguments, similarities and differences.

Stephan Macedo, in his article, *The moral dilemma of US immigration policy: open borders versus social justice?* tries to find a possible solution for the moral dilemma which we were discussing above, that is, the liberal ethical conflict between ~~the~~ cosmopolitan humanitarian impulse to admit less well-off persons from abroad who wish to immigrate to the United States and the special obligations we have to less well-off Americans, including or especially African Americans?" (Macedo 2007: 64). To answer this moral cum theoretical question, he draws insights from the distributive theory of John Rawls and compares it with the present situation of the US in relation to immigration policy.

Macedo raises some serious questions about U.S. immigration policy from a procedural justice perspective, which includes their obligations to the least benefited. Is a defensible immigration policy guided (in part) by recognition that we have particular obligations to "our own" poor, our less fortunate citizens? Or, on the other hand, are our moral duties nothing but defending the interests of the world's poorest, not placing any particular weight on the interests of the less affluent Americans?" (Macedo 2007: 64). He describes the different positions taken by various scholars on this particular question. Where those with liberal sensibilities stood for ~~humanitarian~~ concern for the world's poor, an openness to an ever-widening social diversity, and concern for distributive justice within our political community – necessarily go together", where there are favourable conditions (Macedo 2007: 64). Although, he argued that the state has special obligations to its fellow citizens, who are part and parcel of their political community. Therefore, the state has to choose its own citizens over non-members from outside. He acknowledges the moral responsibility towards poor people from abroad. Still, the obligation which the state and government owe its fellow citizens is much higher than the former. He is also aware of the fact that a tightening up of the border can do more harm than good. Hence, he has suggested that suitable policies could control the high levels of immigration by low-skilled workers, so as to ~~fulfil~~ moral obligations to the poorest Americans" (Macedo 2007). In other words, immigration policy should be seen through its distributive impact.

He analyses American immigration policies for the last 40 years and concludes that it

was more accommodating to the less well-off abroad and that it had “a significant cost in terms of social justice at home” (Macedo 2007: 65). While economic inequality in the US increased sharply from the 1970 onwards, there is no equivalent public funding to support social welfare and redistributive programs. Therefore, U.S. immigration policies appear to be tilted towards the less well-off abroad (or at least some of them) which has resulted in injustice towards poorer native-born Americans, especially towards African Americans. He observed that the state had “special obligations” to their poorer fellow citizens. From this position, it is hard or impossible to defend U.S. immigration policy. He considered the first moral obligation of the state to help the least well-off citizens and then helping or protecting the least well-off in the world. Special obligation to the world’s poor at the cost of their fellow citizens is injustice. “The question is whether, and if so, how, national borders matter with respect to our fundamental moral obligations to one another” (Macedo 2007: 70). Broadly, there are two different lines of thought in this question. They are:

One emphasizes the moral arbitrariness of borders and the universality of our obligations to the less well-off. The other argues that borders are morally significant; that we have special obligations to poorer fellow citizens, and that obligations of distributive justice in particular apply only among citizens. The first position is often called a form of ‘moral cosmopolitanism’ (Macedo 2007: 71).

According to Macedo, the second position what he calls is the “civic view” (Macedo 2007).

Like Michael Walzer, he rejected the cosmopolitan obligations of distributive justice and argues that “common values are shared within the particular political communities but not across them” if it goes against their own members or is causing injustice against them. But he is not completely against “limiting obligations of distributive justice to particular political communities” and he considered it to be non-moral. For Macedo, since borders are a “bound system of collective self-governance”, thus they are “morally significant.” For Michael Blake, borders can be of “great moral significance” even if it is arbitrarily located (Macedo 2007: 73). He classified moral duties towards non-citizens into three.

First, societies have general duties of fair-dealing with one another, and this would include non-exploitation, the avoidance of force and fraud, and the duty to curb the capacity of one’s citizens or corporations to harm or exploit others.



Second, societies have specific obligations to other countries or groups growing out of particular relations of exploitation, oppression, or domination, which give rise to specific obligations of rectification and redress. Finally, it seems right to say that well-off societies have general humanitarian duties to relieve those in destitution or distress and to respond to gross and systematic violations of human rights. Our duty is to do what we can to relieve distress, to end suffering, to stop gross violations of human rights, and to get a society on its feet so that it can look after its own affairs (Macedo 2007: 74).

Thus, he argued that the state had special obligations to fellow citizens, as they were members of this self-governing community. So, while shaping immigration policies, it is quite important to keep an eye on the notion of distributive justice. Policies have to be inward-looking rather than cosmopolitan, and it should emphasize special obligations towards poor fellow citizens. He suggested a few methods to curb and limit the illegal migration of poor workers to U.S by instituting national identification cards, increasing penalties for forging identification papers, and vigorously [punishing the] employers who hire undocumented people” (Macedo 2007).

In *Immigration, Political Community, and Cosmopolitanism* (2008), Thomas Christiano investigates if there is any good reason from within moral cosmopolitanism to limit immigration into political societies?” (Christiano 2008). From a moral cosmopolitan standpoint, he tries to answer this puzzling question. He argues that there is a moral cosmopolitan for the sake of time and not a political cosmopolitan, and he advocates for a global political community in the near future. For establishing this, the existence of liberal democracies is really important, as they are the only political ideology which upholds a vision for the creation of a global political community. Therefore, he supports the responses of liberal democracies towards the global migration crisis, by limiting immigration.

Christiano puts forth the proposition that liberal democratic states have played a significant role in the realization of justice and ideals of common good for humanity, however, its scope has remained limited in terms of its jurisdiction. Therefore, in order to realize the goal of moral cosmopolitan, the establishment of global institutions and eventually a political community at the global level is indispensable in which the liberal democratic states shall have a pivotal role to exercise (Christiano 2008). In the short term, it is important to ensure that forces which could undermine the democratic character of liberal democratic states and the normal functioning of

their political systems, such as large-scale immigration, should not win.

He asserts that immigration policies should be assessed as to whether they undermine the political reality in terms of the existence and the various practices associated with the liberal democratic states. Hence, evaluating from the vantage point of cosmopolitanism, immigration policies having a detrimental impact on the functioning of liberal democracies must be dismissed as they seek to derail the hopes of realization of cosmopolitan justice in the near future through these liberal institutions across nation states (Christiano 2008). There are some important reasons behind limiting immigration such as the fear of living with “uncomprehending strangers,” losing control over the community and even leaving the task of “social justice to their own society” (Christiano 2008: 934).

He also discusses two recent contractualist arguments which “defend the constitutive conception of the relation between political community and distributive justice” and the resulting right of political communities to participate in the limited marginalisation of poor immigrants in their societies. He critiqued the political contractualist defense of a non-cosmopolitan political community argued by Macedo. The moral obligation is not restricted towards fellow citizens, but it also extends to all human beings in general for him. The functional conception of distributive justice is also not limited to any particular political community which we are part of. It is extended to all, and he holds to the idea of global distributive justice. According to him, the creation of a global political community is a time-consuming process and “democratic societies are the key to the creation of a global political community” (Macedo 2005). Hence, it becomes important to protect liberal democracies from threats for maintenance and proper functioning.

According to him, liberal egalitarians or classical liberal cosmopolitans hold a position that political societies or the state have no right to limit or control immigration into their political communities. The cosmopolitan thought is that if all persons could participate in the wealthy economies and stable political societies of the world, then justice could be attained. The conception of the political community which he wishes to defend accepts the moral principles of the cosmopolitan international order. “It also accepts that modern democratic states are the institutional lynchpin in the development of a just cosmopolitan political order” (Christiano 2008: 945).

The main argument he proposes for protecting democracy is based on:

The importance of democracies to the long run establishment of a just cosmopolitan order. To put the argument in the crudest possible form, the idea is that if democracies are essential to the long-term realisation of a just cosmopolitan order, and if open immigration would threaten democracies either in constitutional structure or proper functioning, then open immigration amounts at most to a short-term gain at the expense of much greater long-term gains. It amounts to killing the goose that will lay the golden egg in the long run (Christiano 2008: 956).

Immigration can increase the level of distrust as the result of “very large influx of persons into a society from a different society with different traditions” (Christiano 2008: 957). This is the result, not necessarily of xenophobia, but of uncertainty and misunderstandings regarding the willingness of the new groups to participate in society.

To summarise, Christiano argues that moral cosmopolitans ought to accept that if open immigration undermines the proper functioning of liberal democratic states, we will have to accept implementing limiting immigration policies for the short term, to achieve the long-term goal of establishing “cosmopolitan political community which can fully implement the global distributive justice” (Christiano 2008).

Seyla Benhabib (2002), in her article, *Transformations of Citizenship: The Case of Contemporary Europe*, tries to explore the theoretical implications of political incorporation of citizenship through immigration. She argues that there is an inherent tension at the core of “norms and practices of liberal democracies” across the globe regarding politically involving immigrants or granting them citizenship. This tension or contradiction can be seen as “the commitments of liberal democracies to universal human rights on the one hand and sovereign self-determination claims on the other; the latter is invoked to control borders as well as to monitor the quality and quantity of those who are admitted across these borders” (Benhabib 2002: 443). In the first part, the author takes the standpoint of normative theory to examine political membership, and in the second part, she develops a “sociological model of citizenship and examines the ‘disaggregation’ of citizenship within the contemporary European Union in the light of these normative concerns” (Benhabib 2002).

According to her, political membership or citizenship is the principle of incorporating

aliens, immigrants and newcomers into existing policies. She classified the existing approaches to citizenship, which grant citizenship to immigrants into three. They are moral cosmopolitanism, deterritorialised and post-national citizenship, and the decline of citizenship. Her argument differed from these three dominant theoretical standpoints. Moral cosmopolitanism, advocates open borders and a vision of a world without borders. They had a moral vision of incorporating immigrants. In her words, this group was unclear about the corresponding political practices and institutions. Whereas, the advocates of post-national citizenship like Rosenau, Soysal argued that ~~the~~ nation-state is waning; the line between human rights and citizens' rights is being corroded and new modalities of deterritorialised citizenship are emerging" (Benhabib 2002: 447-448). They argued that citizenship is no longer identified in state-centric terms. The third standpoint, namely, decline of citizenship school, has consisted of both civic republicans and communitarians like Michael Sandel, David Jacobson and Michael Walzer. They focussed on how the rise of international human rights norms or the spread of attitudes of cosmopolitan politics is diminishing the nature of the nation-state. Because of this, citizenship as an institution and practice has diminished.

Benhabib critiqued all three approaches on citizenship as they avoided or had not considered the paradox of democratic legitimacy. In other words, ~~the~~ tension between universal human rights claims and particularistic cultural and national identities is constitutive of democratic legitimacy. Modern democracies act in the name of universal rights which are then circumscribed within a particular civic community" (Benhabib 2002: 450). Although international human rights norms and decisions have been transformed recently, decisions regarding the incorporation of immigrants into liberal democracies are still confined by this democratic paradox. To face new challenges posed to the democratic sovereignty of the state by worldwide migration, democratic institutional developments and policy changes are necessary.

Benhabib while upholding the idea of a universal humanity through the recognition of the intrinsic worth of every human being affirms her belief in cosmopolitan rights by associating the same with membership within political boundaries and their democratic attachments. Therefore, moving towards the same, she seeks to respect the claims of various human communities towards forging democratic diversity through their distinct cultural, constitutional and legal understanding of their selves while

simultaneously augmenting their commitment to norms and values of cosmopolitan justice. This would eventually culminate in the emergence of regimes of differential rights for various socio cultural groups and realization of the idea of disaggregated citizenship. Therefore, the institution and practice of citizenship would unravel and manifest through elements of collective identity, benefits of political membership and various social rights (Benhabib 2002). She notes that the present citizenship and immigration practices in liberal democracies are ready to grant social benefits to all, but they have blocked the transition of political rights and privileges of membership from the residents to the legal aliens. Even in the EU, implementing uniform immigration policies granting political membership to the immigrants is becoming difficult.

Even after the treaty of Amsterdam, which tried to make a uniform immigration and asylum policy framework throughout the EU, the member states retained their sovereign discretion over these policies. Immigration and asylum are the “time-bombs”, as can be seen through the political changes since 2000 in Italy, Austria, Spain, Denmark, the Netherlands and Portugal, “in the hands of demagogues and right-wing politicians, ready to explode upon very short notice” (Benhabib 2002: 458). The resurgence of right-wing politics and anti-immigration sentiments retarded developing institutions of the EU by the revitalisation of “right-wing politics and anti-immigration sentiments” (Benhabib 2002). Thus, the present is not projecting the ideals of cosmopolitan citizenship, but “herald a swing of the pendulum back from human rights commitment to the assertion of political sovereignty, be this at the national, inter-governmental, or supranational level” (Benhabib 2002: 459).

Thus, current developments within the European Union have shown the breakdown of different dimensions of citizenship. Benhabib suggests that citizenship can only be transformed into a cosmopolitan outlook, through extending rights to individuals by considering their virtue of residency rather than their cultural identity. Whereas existing political practices are treating these migrants as criminals, there is a strong need to decriminalize migration and treat each person with dignity. “This implies [recognizing] that the right to cross borders and to quest for entry into different polities is not a criminal act, but an expression of human freedom and the search for human betterment in a world which we have to share with our fellow human beings”

(Benhabib 2002: 464-465).

Daniel Weltman, in his article titled, *Illiberal Immigrants and Liberalism's Commitment to Its Own Demise*, revolves around the question, "can a liberal state exclude illiberal immigrants in order to preserve its liberal status?" He argues that liberalism is destined for its own downfall under certain circumstances, and this simply reflects the fact that "it must take into account the rights of outsiders, not just the rights of existing citizens", and that situations of injustice may at times leave liberal societies without the right choice (Weltman 2020: 271).

He analyses two different streams of thoughts based on whether liberalism is compatible with restricted borders or not. He uses the argument of Hrishikesh Joshi to show how scholars have tried to support the view that liberalism is compatible with restricted borders. According to Joshi, to protect and maintain the existence of the liberal state, it is lawful to prohibit the right to immigrate. He claims that to prevent the degeneration of the liberal state from liberal to illiberal because of immigrants who hold and act in accordance with illiberal standards and beliefs, the Liberal state can inhibit immigration (Joshi 2018). Joshi takes this stand to attempt to demonstrate the contestability of the argument that "liberalism is incompatible with restrictions on immigration" (Joshi 2018), as put forward by the likes of Christopher Freiman and Javier Hidalgo.

He uses Freiman and Hidalgo's argument as the proponents of open borders. Freiman and Hidalgo argue, "the freedom of movement is plausibly on a par with other liberal freedoms...so if a state's right to self-determination grounds prima facie the right to restrict immigration, then it also grounds prima facie the right to restrict liberal freedoms such as speech, religion, sexual choice and more" (Freiman; Hidalgo 2016: 2). They also argue that it cannot be a justification, which is offered by liberal states, regarding restricting freedom of movement by limiting immigration as it infringes upon individual freedom. "Thus, a society which restricts immigration is an illiberal society. A state can be liberal or restrict immigration, but it cannot do both" (Freiman; Hidalgo 2016).

Freiman and Hidalgo give a strict interpretation of negative liberty and limitations that are not inconsistent with liberalism; "the libertarian conception of freedom of

movement” (Freiman; Hidalgo 2016).

Joshi provides two reasons to believe that “liberalism cannot commit itself to policies that are foreseeable leading to its own demise” (Joshi 2018) and that therefore it is not true that liberalism advocates the opening of frontiers or any other immigration policy that could signify the end of a liberal state. His first argument is that:

Liberal societies are intrinsically valuable given the relationships between coresidents that they embody. Liberal societies are also instrumentally valuable insofar as they promote certain kinds of cultural and scientific achievements, given the ability of individuals to speak, think, and associate in a relatively free way. They also stand as a model for other, less liberal societies to emulate (Joshi 2018).

Joshi’s second, and more compelling, argument is that:

...there seems to be liberty- based reasons to restrict the freedom of movement of people from theocracy seeking to migrate to liberal democracy—namely that doing so will preserve the liberties that citizens of liberal democracy enjoy. The aim of maintaining and promoting the existence of liberal polities is a liberty-based aim (Joshi 2018).

Hence, he aims to show that the commitment to the demise of liberalism is not a reaction against liberals who advocate open borders. Assumptions should not be made in advance that a liberal society cannot commit itself to self-destruction and “a liberal society could face insurmountable challenges” (Weltman 2020: 303). It is difficult to make a choice between opening borders and restricting borders.

In these debates, so far this chapter has analysed the divergent theoretical and moral dilemmas within the liberal political tradition through the views of Macedo, Christiano, Benhabib, and Weltman. Although these four scholars were somewhat engaged with the same question, whether liberal democracies have to be open to migration or not, there was no scholarly consensus over this. Still, they all agreed to have some restrictions on immigration in varying degrees through different standpoints within the liberal tradition. As there is a commonly agreed theoretical framework to deal with growing migration within liberal traditions, these liberal democratic nations see migration as a crisis and also a security threat. These academic theoretical debates became more active in the post 9/11 period and grew even further after the economic crisis of 2008 and finally reached its peak during 2015 refugee crisis. The emergence of anti-migration sentiments and the recent escalation of

security concerns in liberal democratic states have multiplied the layers of these discussions. Needless to say, these discussions and debates have serious policy implications on the liberal democratic nations across the world.

## **The Securitisation of Citizenship and its Implications**

Security and citizenship have been closely connected in modern-day politics. From Hobbes to Rawls almost all liberal political philosophers opined that providing security for citizens and citizens demanding security has been one of the organizing principles of modern states and politics.

Migration poses a key challenge for security studies because of the reliance of security studies on the unit of the sovereign state. Migrants, specifically people who migrate to seek security expose the sovereign state as an inadequate security provider. When states portray migrants as a threat to the state a further weakness in the analytical unit of security studies emerges whereby people who have migrated to seek security (the threatened) become the threat (Innes 2015: 2).

Traditionally, security was defined as the “absence of threats” (Booth 1991: 319). In which, the state provides protection from external threats by using military power. Linklater observes that traditional “security studies is concerned with how states interact with one another, and not with the ways they treat their national citizens” (Linklater 2005: 118), although during the post-cold war period, approach to security studies took a shift “from its traditional state-centric approach and broadened and widened the definition of security” (Linklater 2005). Barry Buzan, a leading scholar for developing the theory of securitisation, argues that “security studies should not only focus on the military sector, but should be further developed to encompass societal, environmental, economic, and political security” (Peoples; Williams 2010) cited in (Tallmeister 2013). By expanding the concept of security, multiple issues such as the environment, poverty and international migration came under the category of security issues.

After expanding the concerns of security studies, cross-border movements of the people were also considered as security threats to concerned states such as European countries and North America. “The perception of immigration as a threat to security has developed alongside the rapid increase in the number of immigrants worldwide” (Tallmeister 2013). “This disparity in identity is emblematic of a world in which



security is the domain of the sovereign state and those without membership within a state are either excluded from access to security provisions or are construed as a threat to the security of others” (Innes 2015: 2). While there were “191 million persons living outside their countries of origin in 2005, by 2010 this number had increased to an estimated 214 million” (IOM 2010) cited in (Tallmeister 2013). In this context, migration emerged as a security issue, “marked both by the geopolitical dislocation associated with the end of the Cold War and also by wider social and political shifts associated with globalisation” (Huysmans; Squire 2009: 1).

Reactions to incidents such as the 9/11 terrorist attack, November 2015 Paris attack, Berlin Christmas market attack in 2016, Manchester arena bombing in 2017, Terrorist attacks in France in 2020, etc. have greatly contributed to the recent securitisation of citizenship, particularly in North America and Europe. Also, the war on terror mission of the US government and its allies has also instrumentalised citizenship. The increasing importance which the notion of security gets in the recent conceptualisation of citizenship takes us way back to the citizenship practice of ancient Greek city-state Sparta. In Sparta, citizenship was predominantly security centric and the right to citizenship was bestowed only to the Spartans the non-Spartans were being excluded from this privilege and being considered as ‘\_hdots’ (See chapter 1).

Notable changes can be observed such as identity becoming a marker for granting citizenship and other rights and protection, securitisation of migration and borders. Particularly, in the context of the European Union, the United States of America and Canada, much has been written about the governance of migration and borders as a security question and how this is tied in with citizenship in complex ways (Muller 2004; Salter 2007; Guild 2009; Nyers 2009).

There are some complex sets of issues connecting security to the rights of men and citizens. Clearly, security is a right of citizenship, but security presides over citizenship at many times. "Security can be understood not as a stable and objective concept but as something that is enacted in the process of seeking it" (Innes 2015: 6).

Citizenship emerges as an instrument of government which is increasingly connected with security imperatives and reinforcing exclusionary practices of security policies.

For example, on 29 November 2009, the Swiss population accepted by a large majority (almost 58 per cent in a poll that mobilised about 53 per cent of the electorate) a constitutional ban on the building of new minarets in Switzerland (Guillaume; Huysmans 2013: 7). This shows how Swiss society and democracy see Muslims in general and Muslim immigration in particular as security threats through this securitizing move. In the European Union this interlinking of security and migration, and its bearing on citizenship, goes back further than 2001 and is strongly connected to the abolition of internal border control (Bigo 1996; Lahav 2004; Huysmans 2006). Although identity control, rights deprivation and migration and border policies define some of the most pertinent sites where security meets citizenship, they are not the only ones.

This section explores how global migration has emerged as a security issue for liberal democratic states in Europe and North America. It examines how liberal states responded to immigration, especially in the post 9/11 world. In addition to this, it also analyses the changing immigration policies of liberal states, such as the documentation of citizenship and the exclusion of selective countries from immigration.

### **9/11 and Other Security Issues Related to Terrorism**

Generally, terrorism can be defined –as the attempts to further political ends by using violence to create a climate of fear, apprehension and uncertainty” (Heywood 2014: 290). The most common acts of terrorism include assassination, bombing, hostage taking and hijacking of aircraft. The term is a highly debated and contentious one, as its definition differs from person to person. State actors portray terrorism as an anti-governmental act, but governments, with their enormous force, also employ terror against their own citizens, and others. –Fear is the most powerful of human emotions. Indiscriminate terrorism taps into this, the kind of terrorism that kills, maims, injures, kidnaps and alienates anywhere and at any time, sowing seeds of fear in people’s minds” (Castles 2019: 22).

The 9/11 attacks has persuaded a considerable number of people that terrorism had acquired a novel and more lethal form that sought to threaten international peace and raise security concerns. It proved to be an extremely costly attack by terrorists in the

history of mankind directed towards the World Trade Center, the US defense headquarters at Pentagon, and the flight of United Airlines culminating in a death toll nearing 3000 people. The borderless world created through the process of globalization has rendered various non state actors viz. terrorist's organizations to consolidate, organize and increase their influence (Heywood 2014).

The Liberal democracy-based societies protect individual rights and freedoms and therefore, are particularly critical to the threat posed by terrorism. The subsequent terrorist attacks after 9/11 in major cities like Bali, Madrid, Paris and London have prompted many states to revise, strengthen and enact new arrangements related to provisions in their national security. Owing to this, the security apparatus of the state was augmented through extension of various legal powers. It has been demonstrated through reassertion of the control over financial flows globally; rigorous immigration processes, enhanced control and surveillance of people at a domestic level specifically the terrorist sympathizers and members associated with extremist groups. Besides, legal provisions of detention for the terrorist suspects have been made more stringent.

For instance, in the UK a person suspected to be a terrorist can be held for 28 days without charges, whereas in the USA the Patriot Act (2001) permits the detention of immigrants indefinitely. However, two limitations and contradictions can be seen in such kind of measures against terrorism. Firstly, ~~they~~ "endanger the very liberal-democratic freedoms that attempt to combat terrorism which they are supposedly designed to defend" (Heywood 2014). Due to this, impassioned debates in many democratic countries have been provoked. Secondly, since they target particular groups (often youth and male Muslims) which can be counter-productive, as they become more dissatisfied and thus more likely to support, or indulge in, terrorist activity.

~~G~~rowing evidence suggests that the foreigners — particularly asylum seekers, refugees and members of ethnic minority groups — are subject to discourses of criminalisation in government policy and legislation, in the media, and in public and community discussions" (Bosworth; Guild 2008: 703). Post-9/11, the anti-terrorism legislations added a potential tool to make immigrants appear as likely terrorist suspects. Terrorist suspects are subject to many of the similar exclusionary strategies used for asylum seekers, most notably detention.

After 9/11, asylum and economic migration were commonly seen as possible routes taken by foreign terrorists to get into the countries. Liberal states like the USA, introduced advanced technology in order to enhance border security.

...advances in biometric technologies based on facial recognition; increases in deployment of biometric technologies in the public and private sectors; enactments of federal laws directly or indirectly requiring biometric functionality in certain circumstances; and, perhaps most importantly, changes in public attitudes towards identification, surveillance, and biometrics in the wake of the catastrophe of 9/11. An overview of what has not changed (much) includes: technological limits of biometrics technologies; human field use problems associated with biometric devices; unsupported public expectations regarding efficacy of biometric technologies; and policy considerations of whether an approach based solely on technology will really solve the problems we face – both before and after 9/11 (Bender 2002: 1).

–Although terrorism, fear and politics have always formed a sinister ménage à trois, over the last two decades they have come to occupy the forefront of daily life to such an extent that many countries find themselves in a world where children are raised in a climate of fear, and one where citizens accept being watched and monitored electronically, searches when travelling, preventative detentions and the militarisation of their public spaces” (Castles 2019:22). Thus, these liberal democratic states have amended their anti-terrorist laws and introduced various security measures to prevent these kinds of unlawful activities. They also started to connect terrorism with large-scale immigration from the Gulf countries due to political turmoil. They even, monitored the actions of Muslim population within the state and controlled Muslim immigration into these countries.

### **The Response of Liberal Democratic Nations**

This part explores the response of liberal democratic states, as the politics of security and citizenship changed, especially after 9/11. –Citizenship is being remade and remoulded” (McGhee 2010) around the question of security to adjust with the growing tension of global terrorism on the one hand and migration, on the other. One cannot deny that –all of the profiling, surveillance and dataveillance in these new border controls amount to what Judith Butler calls an ‘amorphous racism’ associated with a heightened post-9/11 surveillance of what she calls ‘Arab peoples’ and anyone who looks vaguely Arab according to the dominant racial imaginary” (Butler 2006) cited in (McGhee 2010: 13).

Along with growing terrorism and other related security threats, native populations of European countries are opposing the flow of refugees from the Middle East and North Africa. It is contrary to the duty of liberal states to ensure the safety and effective access of refugees under the international human rights regime. Apart from Europe, in the USA, a nation which has been a nation of migrants, the attitude towards immigration is changing, especially after the victory of Donald Trump as president in 2016. As a result, security agencies have scaled up the requirements for migration and it has led to a high number of arrests and evacuations of unapproved migrants. In 2017, the United States reduced the admission of migrants. Referring to security as a major agenda, Trump government only admitted 53,715 outcasts in 2017 and cut the figure down to 45,000 for 2018 (Rose 2017).

Liberal democratic states, through a series of national security measures, have started limiting immigration. In the US, Trump himself called the migrants from Central America to the US ‘criminal aliens’ and termed their migration as an attack on the US’ sovereignty in 2018. Similarly, in Western Europe, several leaders and administrations have projected the migrants as a threat to the state and its integrity. They used increasing migration as a political tool for winning elections and securing power. This way, native-migrant animosity is also increasing because of mass migration.

In addition to security threats posed by terrorism and migration, the global financial crisis of 2008 also affected liberal democracies adversely. When Northern European states like Germany recovered quickly from the financial crisis of 2008, southern Europe has still not recovered and its recovery has been hindered by the north. The confidence which the nations of Europe held in each other was in massive decline. In Europe, EU member states had two options –with regard to the incorporation of the EU Common Position and Framework Decision issued by the European Commission (EC) after 9/11. Some states, like UK had introduced state of emergency legislation and new anti-terrorist laws while other EU member states, for example Spain, amended existing public order, criminal justice and legislation and extended police powers” (Fekete 2004) cited in (McGhee 2010: 14).

Liberal states responded to the migration crisis and increasing security concerns with border control. Borders, sovereignty and citizenship had been the main tenets of

western democracies. Debates over migration have resulted in an unsettling impact over the border. During this period, the interdependent relationship between migration, borders and citizenship has become more prominent. The impact of migration on borders and citizenship has turned out to be an ultimate security threat, and it has resulted in growing demands for national security. Border surveillance, the spotting of migrants and the selection of those admitted to the national community have gained public attention. Recent scholarship has emphasised the ~~–~~“multiplication and complexification of borders” (Balibar 2012) cited in (Ambrosini et al., 2020: 2); ~~–~~“their relocation, dissemination and modification” (Agier 2014) cited in (Ambrosini et al. 2020: 2); ~~–~~“their denaturalisation‘ through the endowment with technological apparatus” (Dijstelbloem; Broeders 2015) cited in (Ambrosini et al. 2020: 2); ~~–~~and their evolution towards remote and virtual forms of control” (Tsianos; Karakayali 2010) cited in (Ambrosini et al. 2020: 2). Borders are seen as the last redoubt for national sovereignty, while ~~–~~“neo-nationalism” increasingly informs international relations, improving the capacity of states to govern migration (Opeskin 2012: 551). The proliferation of fences and partitions to toughen borders in almost each part of the sector suggests the developing accentuation of countrywide obstacles and the related coverage investments to migration and the production of new citizenship‘ (Cinalli 2017). Borders function as a tool which, by separating migrants from the territory of the state and its citizens, reinforces national sovereignty (Balibar 2003).

Along with all these, neo-nationalist and populist right-wing parties are constructing strong in-group identities within the nation using ethnic, linguistic, religious or racial commonalities. They also incite differences between them and migrants as a ~~–~~“major instrument of political mobilisation” (Swain 2019). The native-migrant hostility can be seen as an ~~–~~“expression of the feeling of insecurity among the native and migrant communities and an attempt to protect their interests against migrants” (Swain 2019). The European refugee crisis of 2015 exposed this hostility prevailing in the public domain. The unrest and hatred that followed the 2011 Arab Spring and the brutal civil war in Syria have forced millions of people to flee their countries.

Migration remained ~~–~~“central to the politics of Europe”’; it raises fundamental questions about the societies of Europe and questions the legitimacy of the liberal democratic system. The far right and neo-nationalists got politically strengthened

across the continent. As an old continent of migrants and migration, flight and arrival, Europe has fallen into a [deep] identity crisis that has [unleashed great] political [upheaval]. In Western Europe, [this has ranged] from ‘Brexit’ in the UK to the rise of far-right parties in Germany, France, Italy and even Spain. In the eastern part of the continent, the right-wing governments of Hungary and Poland are propagating increasingly xenophobic and authoritarian policies that have brought the European Union to the brink of disintegration” (Diez 2019).

Thus, we can see that almost all liberal states are responding to the growing threat posed by migration and terrorism by extending their immigration policies and adopting documentation of citizens and the exclusion of selective countries from immigration, especially Muslim migrants. Besides, native-nationalist parties are projecting migrants as an immediate threat to their identity and national security and injecting hostility for their political gains. It has also led to the introduction of new laws and security measures to control terrorism by enhancing high-technology border control systems and surveillance. There are several new security measures adopted by Liberal states, like the documentation of citizens and the exclusion of selective countries from immigration as they fight back against global terrorism and the refugee crisis.

### **Documentation of Citizens and Exclusion of Selective Countries from Immigration**

The documentation of citizenship comes as a response to a contemporary global context of growing insecurity. We can see a global pattern emerging as the notion of citizenship is transforming more or less into a documented notion of citizenship. It is a manifestation of how newly emerging security concerns are affecting the conceptualisation of citizenship. Most important causes of this being large-scale cross-border movement of people and the state responses to 9/11 and subsequent terror attacks. These two developments have increasingly led to the tightening of security and restricting immigration. Another disquieting consequence of the failure of multiculturalism is its post-9/11 convergence with security, taking the form of heightened anxieties about the documentation and identification of citizens. In many societies these have come to be seen as two faces of the same, frequently unnamed, phenomenon of immigration (Jayal 2013: 10).

The first decade of the twenty-first century witnessed a veritable explosion of new national ID card initiatives all over the world. The idea of having a biometric ID card associated with a national registry database has quickly been globalised, although how many national schemes take off remains to be seen. Ironically, though, many of the devices being globalised are a means of maintaining national identities (Lyon 2010: 607).

States claim that documentation of citizenship through the national ID card system is a step towards preventing crime, at national and international levels. The documentation of citizens in a national registry has been undertaken in many countries of the global North; the presumed connection between immigration and terrorism has created a further impetus for identification through ID cards of various types, containing a range of personal data, including biometric data (Jayal 2013: 10). Not only the western nations, but countries in the global south, like India have also introduced biometric unique national ID card systems.

In the Indian case, the Unique Identification Number (UID) scheme named Aadhaar was set up in 2009 with the government claiming its initiation for providing basic rights and amenities to its permanent residents. The government of India presages a new model of biological citizenship, to solve problems in the public distribution system and the primary health services (Nayar 2012: 17). This “UID database is intended to hold information including the name, address and biometrics of the person” (Ramanathan 2010: 10). More than providing social security measures, one of the prime reasons for launching this National ID system was national security concerns. But, national security concerns behind the UID scheme were missing from its documents. It was also a part of the government’s way of extending its surveillance towards its whole citizens through collecting their biometric data. Along with this UID scheme, the Indian government came up with the National Population Register by amending the citizenship act of 2003.

The recent amendment of the Citizenship Act 2019 in India has given rise to heated debates around citizenship as the government led by the Hindu Nationalist Bharatiya Janata Party tried to put an exclusionary clause to it. This amendment assured citizenship for religiously persecuted minorities who migrated from neighbouring states such as Pakistan, Afghanistan, and Bangladesh. While providing citizenship for Hindus, Sikhs, Buddhists, Jains and Christians on the list, the government denied the same to persecuted Muslims by excluding them from the list of eligible communities.



It resulted in wide-scale anti-CAA protests across the country and was criticised for being fundamentally discriminatory against Muslims and against the founding principles of the Indian constitution.

Whereas in Britain, the British Identity Cards Act of 2006, which provided for National Identity Cards for citizens linked to a National Identity Register, was opposed by human rights lawyers and activists, and repealed in January 2011 (Jayal 2013: 10). –During the period 2002-2010, the UK government of the time attempted to relate the rights and entitlements of citizenship with a standard identifier for all British citizens and its representation in a national identity smartcard” (Davies 2011: 12). Misgivings about state surveillance and invasion of citizens’ rights to privacy were not persuasively allayed by state-constructed anxieties about terror (Jayal 2013: 10). It was finally withdrawn by the government after serious concerns were raised regarding data privacy and protection and infringement of civil liberties.

On the one hand, globalisation and transnational migration are rendering mono-cultural visions of society obsolete and steadily replacing them with new political understandings of human diversity (Baker; Shryock 2009: 10). On the other hand, after the attack on the World Trade Center in New York in September 2001, the conflict reached the heart of the West. Islam has been portrayed as the enemy of the West and Muslim populations in European countries are increasingly marginalised. –Both eastern and western European states perceive threats from non-western, particularly Islamic cultures, which they believe will eventually undermine western liberal cultures and values” (Hafner 2016: 21). It led to restrictions on immigration in European countries, especially for Muslim migrants. Predominantly, there were difficulties with immigration and the integration of Muslim immigrants to the West. They have been key sources for the rise in right-wing extremist activity in the West. Indeed, the devastating killings in Norway at the end of July 2011 were only the bloodiest in a string of events that highlight the difficulty that Western countries are facing while integrating mostly Muslim minorities.

For example, in the UK, the government introduced the latest "preventive" strategies to fight terrorism, which focus on local Muslim communities and the management of the migration point system. The intention of the government was to –make sure that the highly selectively managed migration points system works in tandem with the new

tougher citizenship-testing regime” (McGhee 2010). They used both the high-tech border control system and the low-tech system to monitor internal Muslim communities in the UK. New border controls have also been introduced to keep 'dangerous' people out of the UK through extraterritorial border controls reported through a transnational data surveillance system (Hafner 2016: 24).

In the US, government initiatives since 9/11 are sure to have a profoundly negative impact on already alienated communities in the United States.

Of the roughly 20 rule changes, executive orders and laws affecting immigrants or non-immigrant visitors, 15 predominantly target Arabs...The initiative announced on August 12, 2002 [to fingerprint and register people from selected] Arab and Muslim countries is [just] the latest in a [series] of actions against Muslim and Arab communities resulting in the arrest of more than 1,200 citizens and non-nationals, most of them, of Middle Eastern descent, [that started right] after the 9/11 attacks (Cainkar 2002: 26-27).

So far, we have examined growing security and border concerns as a response to large-scale global migration in liberal democratic states. Particularly after 9/11, liberal states enhanced their security measures and introduced new immigration controlling strategies and border protection mechanisms. They also implemented new national citizenship documentation and also excluded selective countries, especially Arab-Muslim natives, from immigration. The large-scale migration to liberal democratic nations in the west has given rise to a huge anti-immigration sentiment among the native population of these countries. The next section will examine how large-scale global migration, and increasing security concerns related to it, have paved the path for the emergence of neo-nationalist forces inside liberal democratic states.

## **The Emergence of Neo-nationalism**

From the late half of the twentieth century onwards, the nativist populist political parties moved from the margins to the mainstream of European and American politics. "The first prominent post-world-war movements tapping into nationalist thought in Western Europe had arisen in opposition to over-taxation and multiculturalism in the wake of the OPEC Oil Crisis in the 1970s” (Bergmann 2020: 209). The first major initiative in this regard came from France, the colourful demagogue Jean-Marie Le Pen, the father of Marine Le Pen founded the National Front (Front National—FN) in 1972, aiming to unify a variety of French nationalist

movements. Contemporary nativist populist parties achieved significant success in Western Europe, such as France, Denmark, and Norway. These parties projected a new kind of nationalism which has been different from the nationalism of the past. They transformed the post-cold war period into a neo-nationalist era. It was during the period of the financial crisis of 2008 and the global refugee crisis in 2015, that populist movements gained their popular base in liberal democratic states. A time of global financial and economic uncertainty likely goes together with political radicalisation, as those who see parallels between the present developments and those of the late 1920s are eager to point out (Mering; McCarty 2013: 4). Globalisation and the rise of Islamophobia, especially after 9/11, across the world, also acted as a catalyst for the growth of neo-nationalist movements.

Populist politics has changed in different ways in different parts of Europe. In recent decades, they have witnessed the rise of nationalism in the West.

Contrary to Fukuyama's predictions, nativist populism was only to grow stronger and spread further. Its transmission was further fuelled by the emergence of the 24-hour broadcast news media. In addition to that, the proliferation of online media, especially social media, windswept the gatekeeping role of the mainstream media of the twentieth century. Populist rhetoric spiked once again in the wake of the financial crisis starting in 2008 (Bergmann 2020: 10).

In the year 2014, right-wing populist parties obtained a record number of votes in elections to the European Parliament (EP). They rose further in the 2019 elections. The time ~~in~~ between [was] when neo-nationalists really [dictated] much of the political agenda in the West. The year of [2016] brought a double shock with the Brexit vote in [Britain] and the election of Donald Trump to the White House in Washington" (Bergmann 2020: 10). Anti-immigrant parties in Western Europe are no longer campaigning for a small state with neoliberal spending and fiscal policy, but have focused more on social spending and welfare state security since the mid-1990s. Also, we note that contemporary parties and their supporters are generally against the EU, against immigration and pro-social welfare spending on ethnic groups. Together, these political positions form a coherent political ideology which we call neo-nationalism. In the context of the 2020 coronavirus crisis, several nativist populist leaders in power took steps to strengthen their authority at the national level, for example, in Poland, Russia, and Hungary. Russia seized the opportunity to introduce a

controversial ~~–~~massive facial recognition system, and China's authoritarian government also enhanced surveillance of its citizens” (Bergmann 2020: 11).

This section discusses the rise of neo-nationalism in the liberal democratic states of Europe and America.

### **Nationalism: The Renewed Interest**

~~–~~The revival of Nationalist order of our time culminated when three torrents coincided at a common confluence, fusing into a single channel of much greater velocity: the surge of populist politics, the spread of conspiracy theories, and the avalanche of misinformation boosted by changes in the media” (Bergman 2020: 210).

In this period, we have experienced a revival of nationalism in the West. Nativist-nationalism grew stronger and spread further through an overflow of misinformation and propaganda. Neo-nationalist movements widely built on the basic principles of classical nationalism. It was developed as a nativist reaction against the political, economic and socio-cultural changes brought about by globalisation, especially after the 1990s. There is no unanimously agreed definition for neo-nationalism. It is associated with several political ideologies such as right-wing populism, nativist nationalism, anti-globalisation movements, anti-immigration movements, protectionist movements, Islamophobia, and Xenophobia. Neo-nationalists perceive that with globalisation, national boundaries are eroding, which is a threat to their common cultural and ethnic identities. These movements try to project themselves as protectors of their cultural heritage. The ~~–~~political framing of collective threats is a central aspect” of neo-nationalism. The role of framing shows the ideational side of populism, which is ~~–~~not a coherent ideology but a type of discourse through which perceived threats are strategically framed to both exacerbate collective insecurity and gather popular support by promising to shield citizens against these threats” (Beland 2019: 2).

Neo-nationalists, through a fictional invention of nation, emphasize the historical association to a nation as for granting membership to it and making it exclusive to its citizens. It is one of the distinctive features of neo-nationalist movements when compared to its predecessors. By historical association, neo-nationalists try to separate society into two groups which consist of ~~–~~actual natives” and the ~~–~~foreign outsider.”

These neo-nationalist forces project 'us v/s them' distinction and justify restricting the entry of immigrants, asylum seekers, refugees, and foreigners on this basis and mobilize the masses to protect their hearts from external threats and internal traitors. Ruth Wodak (2015), an Austrian linguist, argues that populists support nativist ideas about ownership, presenting themselves as servants of the nation's interests (Bergmann 2020: 36).

Eirikur Bergmann, an Icelandic political philosopher, classified the rise of neo-nationalism into three waves. According to him, the First Wave started during the oil crisis of the 1970s as an opposition to over-taxation and multiculturalism, especially in France and Scandinavian countries. This period laid foundations for the nativist populist movements to emerge in the post-war liberal democratic order. The Second Wave emerged in Western Europe as a popular resentment against workers from Eastern Europe, mainly after the fall of the Berlin Wall in 1989. A climax of this wave occurred after the terrorist attacks in the United States on September 11, 2001. It brought, for example, Jörg Haider to power in Austria; Silvio Berlusconi in Italy, and laid the groundwork for a renewed rise of nationalist moods in Eastern Europe, also in America (Bergmann 2020: 221). The International Financial Crisis of late 2008 led to the development of a third wave. It brought, for example, Donald Trump, Brexit, and illiberal democracy to Eastern Europe as well as populists to power in Italy” (Bergmann 2020). The refugee crisis in 2015 resulted in a fundamental shift in the third wave. The Coronavirus Crisis of 2020 refuelled nationalist sentiments. Hence,

...[the neo-nationalist forces] challenge the legitimate authority of the establishment [and] it questions the rightful location of power in any state, including the role of elected representatives in democratic regimes. [Favourite] targets include the mainstream media (fake news), elections (fraudulent), opposition politicians (treasonous), political parties (dysfunctional), public sector bureaucrats (the deep state)<sup>20</sup>, judges (enemies of the people), protests (paid rent-a-mob), the intelligence services (liars and leakers), lobbyists (corrupt), intellectuals (arrogant liberals), scientists (who needs experts?), interest groups (drain the swamp), the constitution (a rigged system), and international [organisations] like the European Union (Brussels bureaucrats) and the U.N. (a talking club) (Norris; Inglehart 2019: 5).

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<sup>20</sup> Deep State is a form of government consisting of a potentially secret and unauthorised power network that pursues its own agenda and goals, independent of the state's political leadership.

## **Citizenship Test and National Identity**

The recent adoption of citizenship tests by liberal democratic states has a clear global pattern. It has replaced older civic consciousness testing and introduced nationalist inclination and patriotism proving test patterns. With the growing influence of neo-nationalist forces, various nationalist themes are incorporated into these citizenship tests.

After the rise of neo-nationalism, in recent years, we have witnessed growing societal, religious, and cultural tensions in European and North American states. This conflictual situation existed between “the immigrants of non-Western origin or their descendants who already hold citizenship of these states and the ‘native-born’ populations and national governments in the West” (Lowenheim; Gazit 2009: 145). Thus, new immigrants have to face formal citizenship tests introduced by immigration states. These exams generally assess immigrants' mastery of the languages and “their knowledge of civic, historical, cultural, and legal aspects of the [host country]” (Lowenheim; Gazit 2009: 145).

Scholars had three different views on these citizenship tests. The first group of scholars considered it a “means of immigration control” and they emphasised that growing populist and nationalist pressures against immigration in certain countries made the state respond this way by adopting citizenship tests. Scholars like Amitai Etzioni (2007), an American sociologist, support this view. A second view, like Christian Joppke (2007), sees “these tests in the wider context of the tension that exists between civic integration policies and immigrant anti-discrimination measures employed by states” (Joppke 2012). They see testing as an illiberal way for Western countries “to ensure immigrants internalize Western liberal values and acquire the basic skills and knowledge” to become active citizens and participate in host societies and labour markets (Lowenheim; Gazit 2009: 146). In the third perspective, scholars viewed citizenship tests as helping the “thickening of citizenship” and that it strengthens the moral and emotional ties between newly admitted citizens and their new country.

As Citizenship is seen as a device of integration, “major Western European immigrant [states], including Britain, Germany, the Netherlands, Denmark, and Austria, have

recently introduced formal citizenship tests, loyalty requirements, and ceremonies to increase the value and meaning of citizenship for naturalizing immigrants” (Joppke 2012: 2). Through initiating citizenship tests, Europe has become more restrictive to immigrants. Australia, inspired from Britain, which previously had not ~~had~~ a formal citizenship test, introduced one in 2007. The USA and Canada have recently reconsidered and reformed their longer-standing citizenship tests” (Joppke 2012).

Ines Michalowski, a researcher on migration and diversity, in her article entitled *Citizenship tests in five Countries: An expression of political liberalism?* analyses citizenship tests in the Austria US, the UK, the Netherlands, and Germany. It seeks to address the pertinent question of whether such tests can be viewed as assimilative trends, manifestations of repressive liberalism or unfolding as a neutral instrument of a state that transforms itself in accordance with the citizenship surroundings of a regime it is embedded in. Therefore, it can be deduced that the association of formal elements of citizenship with the national definition attributed to citizenship is vague and obscure in its interpretation and is largely demonstrated and expressed through the various citizenship tests. The reasons are not owing to the obligatory requirements of civic integration inhibiting the free will capacity of the future citizens defining the character of citizenship in illiberal expressions (Michalowski 2009).

Like the UK and Canada, Netherlands also introduced citizenship tests to immigrants who are not the citizens of Switzerland, Turkey, the EU, or European Economic Area countries. In the Netherlands Immigrants have to learn Dutch and pass this test within a few years of their arrival.

Europe’s recent introduction of citizenship tests can be seen as a sign of growing hostility towards its immigrants, who are not sharing any common cultural and moral identity with host societies and also their inability to integrate with the new nation. ~~Immigrant-receiving~~ states have become increasingly suspicious toward newcomers, and as a result they are adopting governmental means [to screen or integrate immigrants]. Europe’s recent tightening of [naturalisation] rules and the introduction of citizenship tests are undoubtedly linked to a perception that Muslims are not loyal to and are lastingly aloof from their host societies” (Joppke 2012: 2).

More or less these tests were exclusionary in nature, especially against Muslim

migrants and refugees.

This test was explicitly tailored toward (supposedly) Muslim candidates for citizenship and aimed not only at verifying their adherence to democracy and constitutional rights, but also their support of more specific social norms such as the tolerance of homosexuality. This so-called ‘Muslim-Test’ has been criticised as discriminatory and unconstitutional. It can be assumed that the largely negative public image associated with this test was a strong motivation to protect the federal test introduced in 2008 from any similar suspicions by refraining from questions about attitudes and opinions or, to put it in other words, from ‘questions about what is good’ (Ines 2009: 22).

Thus, the recent adoption of citizenship tests by major liberal states can be considered more or less as an examination to prove the national inclination of immigrants and also as restrictive and illiberal in practice. It is a response to curb the flow of migration from the non-western world to the west. But, on paper it is projected as a step towards national integration and assimilation.

### **The Anti-Immigration Movements and Its Policy Implications**

The rise of anti-immigrant movements in Western Europe has attracted widespread attention in both popular media and scholarly work. “Over the past few years, rising nationalism [has been] seen everywhere and in everything. From the election of Donald Trump to Brexit, the nationalist policies of the Japanese Prime Minister Shinzo Abe, his Indian counterpart Narendra Modi and the Turkish president Recep Tayyip Erdogan, the success of far-right parties in Italian, German and Austrian elections in 2017 and 2018, nationalism appears to be on rise globally” (Bieber 2018: 519). Within right-wing populism, immigration is one of the main issues framed as collective threats facing the people on the relationship between immigration and the politics of insecurity (Beland 2019: 3).

Anti-immigration sentiments among natives are becoming a significant political issue in many European countries. They called for various reforms in immigration policies to control immigration. They argue that the presence of immigrants will distort the national identity of natives and fear they might lose their distinctive culture and traditions. “Waves of immigration have aroused fears that national identities will be irreversibly altered” (Galston 2018: 13). Immigration is seen as a threat to the social and political stability of their state and it will also increase competition to get employment in their own country. “As demography shifts, ‘old stock’ citizens fear a



loss of status and cultural centrality. The perception that immigrants are winning the battle for scarce social resources has made matters worse” (Galston 2018: 13). Immigrants are also portrayed as criminals and carriers of diseases, and hence a danger to domestic society. In general, globalisation and growing migration are seen as an obvious explanation for the growing internationalisation of radical anti-immigration movements.

In Europe, the growing influence of such anti-immigration movements as political parties such as the Austrian Freiheitliche Partei Österreichs, the Belgian Vlaams Blok, French Front National and the Dutch Partij voor de Vrijheid. Through these right-wing extremist parties, these anti-immigration movements are becoming a part of mainstream politics. The advent of mass communication technologies and the internet helped the internationalisation of anti-immigration movements. For more than ten years, the world has been witnessing a sharp hike in nationalist tensions, and resentments against migration, which is coupled with growing xenophobia and nativism. But real conversation about the global rise in neo-nationalism and anti-immigration movements sparked only after Brexit and the election of Donald Trump.

The political victories of the national conservative party Fidesz in Hungary in 2010 and 2014, and of the PiS (“Law and Justice”) party in the 2015 presidential and parliamentary elections in Poland, raised the demand for a more general nationalist turn in Europe Middle and East. (EEG). There are many ideological affinities between the Hungarian ruling party Fidesz and the Polish PiS, especially when it comes to their mix of national conservatism and proactive social policy. In addition, the constitutional crisis in Poland, which has raised concerns about the concentration of power, is a reminder of developments in Hungary (Bergmann 2020: 2).

In 2017, Marine Le Pen competed with Emmanuel Macron in the French presidential election, where she won a staggering one-third of the vote. That same year, the anti-immigration alternative for Germany made significant gains in the federal elections for the German Bundestag. Their support comes under the canopy of the 2015 migration crisis after the Syrian war. It was the first time that a right-wing anti-immigrant populist party, ‘Alternative for Germany’, had truly been able to survive in post-war Germany, where such sentiments had been [violently] suppressed after the [demise] of Nazism” (Bergmann 2020: 10).

In 2018, Rome was united by two populist parties in a short-lived coalition. “That was the first time that populists fully controlled the government in one of the six founding member states of the European Union” (Bergmann 2020: 11). Thus, the revival of nationalism through neo-nationalist forces resulted in the reinvention of a strong relationship between the identity of citizenship and nationhood. The resurgence of neo-nationalism on the European and North American continent triggered the huge success of right-wing political parties. The next part of this chapter will discuss the resurgence of right-wing populism and parties across Europe and North America.

### **The Resurgence of Populism and Right-wing Political Parties**

In the previous part, the chapter has already discussed the emergence of neo-nationalism in Europe and America. This renewed interest in nationalism and nativism has been manifested in the triumph of right/wing political parties across the world. The parties which propagated nativist and populist politics are generally known as right-wing parties, but not all. The most significant political change which the contemporary liberal democracies experience is the populist wave from Europe to America, Asia to Africa and Australia to South America. “Populism has a tribal character and presents a collectivist challenge to the ideals of the Enlightenment, such as individualism, humanism, pluralism, and rationality” (Kreko 2021: 255). “Populists have been defined in terms of the [mobilisation] of anxiety over [socio-cultural] and economic change, and antipathy [towards] political elites and immigrants” (Mudde; Rovira 2017). ‘Populism’ has become a buzzword in almost every discussion and analysis of modern politics and has been selected for the Cambridge Dictionary 2017 Word of the Year (Pappas 2019: 3).

Etymologically, the term populism is derived from the Latin word *populus* that refers to ‘people as a whole’. The credit of firstly theorizing populism goes to Ernesto Laclau, the first major thinker to lift it from the dirt and make it central to rethinking the nature of ‘the political’. In his writing on *Populism*, Laclau showed that ‘the liberal logics by which citizenship is always imagined individualised, power is imagined appropriately institutionalised, problems are imagined isolated from one another, and democratic popular sovereignty is reduced to voting and representation’ (Laclau 2005: 17). Populism challenges ‘each of these as it brings into being ‘the people’ in place of the citizen or voter; a ‘frontier’ of contest between the people and

the elite in place of isolated social problems” (Biglieri; Cadahia 2021). Instead of condemning populism’s “rhetorical excesses” and simplifications, he suggests, populism reveals rhetoric as fundamental to political life and at the heart of the constitution of political identities (Laclau 2005: 18-19). Instead of treating the eruption of politicised social demands as a dangerous disruption to liberal democratic norms - as a political malady - populism reveals social antagonisms as at the basis of all politics. For Laclau, then, far from being a fallen form of politics, populism is the royal road to understanding something about the ontological constitution of the political as such” (Laclau 2005: 67).

"As the word itself indicates, populism expresses a tendency or movement toward the popular, an adjective indicating that which refers to the people. So populism, as the storage chest of the political, holds the secret of the people" (Biglieri; Cadahia 2021: 1). Populism is a method of politics which mirrors a unique theoretical obligation and produces its own political practice. Populists claim themselves as “arch-democrats”, who oppose liberal class elitism. “More dangerous still is the populists’ understanding of the “people” as homogeneous and unitary, which leans against the pluralism that characterizes all free societies in modernity...Because the assumption of homogeneity is always false, it leads first to denial and then to suppression” (Glaston 2018).

In a highly impressive synoptical appraisal of “national populism”, Roger Eatwell and Matthew Goodwin identify what they call the “Four Ds” that distinguish this phenomenon: “distrust of politicians, destruction of national historical identity, deprivation due to relative inequality, and de-alignment between traditional mainstream parties and the people” (Eatwell; Goodwin 2018: 5-6).

Brian Elliott, a British political scholar, argues that working-class constituents are the primary driver of populism in contemporary liberal democracies. "The overall loss in faith in mainstream political parties is, a fundamental hallmark of contemporary populism" (Elliott 2021: 12). Similarly, in view of the French economist David Cayla, "The management of the 2007—2008 crisis, as well as the sharp rise in inequality that most countries experienced since the 1980s, has led to a deep distrust among a section of the population that has resulted in the emergence of populist forces and broad social protest movements" (Cayla 2021: 5). Populism cannot be just abridged to its political dimension rather it is basically the expression of a social disorder. “The vote

for the Brexit and the election of Donald Trump are sometimes considered the most striking populist events of recent years" (Cayla 2021: 5).

Hence, populism can be considered a panacea for democratic deficit that characterises many recent liberal democratic systems. "Viewing it as a way to enfranchise 'the people' and return them to their rightful place as the sovereign voice of democracy" (Moffit 2016: 137).

Right-wing political parties regularly inject hostility towards immigrants and project immigrants as a security threat to the country. One of the major sources of the public support of these parties lies in inciting public anger against social and cultural change associated with immigration. In other words, the right-wing parties evoke nationalism in a new way and claim to be representing the popular voice of the country and its citizens. As a minimalist definition, "populism is a mode of political interaction that refers in some way to the people" (Ron; Nadesan 2020: 4).

Scepticism about immigration in general and Islamic minorities in particular, about political elites in charge, bureaucratic structures, and the plan to give "democracy back to the people" are elements of modern European right-wing extremist parties (Jaschke 2017: 31).

Right-wing populist rhetoric is [laden] with calls to protect a country or 'pure people' from the threat of others, not part of the traditionally dominant racial/ethnic majority" (Mudde 2007: 23). These parties politically frame collective threats and insecurity, and by doing so, they also garner popular support by promising citizens to protect them from these threats. Right-wing populism is "a movement seeking to idealize the people and vilify outsiders and that is so central to both Brexit and the Trump presidency" (Beland 2019: 1-2). The right wing has destroyed long-established patterns of democratic elections in many liberal democracies. "After gaining power populists attempt to create new political and social institutions; they share majoritarian views of democracy, disregard pluralism, and try with different levels of success to regulate and control the public sphere and civil society" (Torre 2018). Illiberalism and authoritarianism are the common features that can be seen invariably in all forms of populism.

The most dramatic case is the election of Donald Trump to the White House.

How could such a polarizing and politically-inexperienced figure win a major party's nomination – and then be elected President? Many observers find it difficult to understand his victory. Trump's angry nativist speeches, anti-establishment appeals, and racially-heated language resemble that of many other leaders whose support has been swelling across Europe. Beyond leaders, these sentiments find expression in political parties, social movements, and the tabloid press (Norris; Inglehart 2019: 23).

Right-wing parties have even advanced in the world's most socially developed and long-established democracies in Scandinavian regions like Norway, Denmark and Finland and also, in southern European countries with mass unemployment, least development and sluggish economic growth rate such as Bulgaria and Greece. They also have won elections in Eastern and Central Europe, such as in Hungary, the Czech Republic, Slovenia, and Poland, as well as taking root in western European nations such as Germany and Netherlands. It also intensified academic and popular debates about the nature, impact and consequences of the rise of the right wing into power across the globe. –In the year 2000, populists were represented in seven European governments and on average commanded about 8 percent of the vote across the continent. By the end of 2018, they were represented in fifteen governments, and commanded 26 percent of the vote” (Mounk 2020: 30). –They won by consensus in democracies with proportional representation and federal systems (such as Switzerland and Belgium) and in countries with majoritarian rule (such as France) and presidential administrations (USA)” (Norris; Inglehart 2019: 23). In this light, we can say that the right-wing parties have spread across the European continent and become a prominent pressure group. The voting share of the right-wing, progress party in Norway, reached almost 22.9% in the national elections of 2009. In Switzerland, the right-wing, Swiss People's Party secured almost 26.6% of the total votes polled in the national elections of 2011.

Even in countries where these right-wing parties do not have a major share of parliamentary seats, they act as a major pressure group and influence the policy making of the government. For example, even though they had a nominal presence in the UK parliament, the UK Independence Party led the Brexit referendum through successfully campaigning using the anti-European and anti-immigration sentiments and consolidated the conservative votes. We can see from the 1960s onwards, right-wing parties were gradually increasing their vote share across Europe and playing an important role in shaping restrictive and exclusionary immigration policies.

In terms of electoral victories in the recent decades, certain political parties have been really successful viz. Norwegian Progress Party, Swiss People's Party, the Freedom party of Austria, the Party for Freedom in the Netherlands, Danish People's Party and the Finnish Party-True Finns. Along with the same, there exist various white supremacist establishments viz. The Swedish Party, neo-Nazi German National Democratic Party and the racist orientation of British National Party (Norris; Inglehart 2019).

Thus, the resurgence of right-wing parties increased anti-immigration and anti-Muslim sentiments and also influenced the changing, restrictive and exclusionary immigration policies. These parties largely worked against the ideals and principles of liberal democracy by regularly inciting violence and xenophobic rhetoric. In many states, they won elections and came to power and implemented new immigration policies and security measures were adopted to prevent immigration from the third world. In the next section, this chapter will be investigating the far-reaching consequences of the success of these political parties across the globe. The ongoing globalisation process is seriously disrupted because of these developments in contemporary liberal democratic nations. The Brexit vote in the UK that was closely followed by Donald Trump's victory in the US presidential elections in 2016 are indicators of the new directions that globalisation is getting into.

### **The Politics of Border and the Crisis of Globalisation**

So far, in this chapter we have discussed how large-scale global migration posed an immense challenge to liberal democratic states and evoked various security concerns in those states. Migration has been at the centre of the national and international debate and has had an unsettling impact on the main principles of liberal democracies, such as regulated borders and citizenship. Western liberal democracies are faced with a process of migration which endlessly changes their notion of 'nation' through the continuous flow of foreigners (such as migrants, asylum seekers and refugees) into their respective territories and their inclusion as citizens. It changes their notion of 'nation' with a common identity like ethnic, linguistic, or something else. This growing flow of migrants is projected as a threat to their national security and the idea of the nation by native nationalist parties. The deleterious impact of migration on borders and citizenship has thus stood out as the "ultimate security threat" (Leonard

2010: 231), nurturing a growing demand for national security (Newman 2006). Border surveillance, the identification of migrants and the selection of those admitted to the national community have gained acute attention among policy-makers and the public. Borders are seen as the last redoubt for national sovereignty (Opeskin 2012: 551). While "neo-nationalism" pervades international relations, it strengthens states' ability to restrict migration (Schain 2009).

This common trend across Europe and the United States is also evident in the externalisation of migration controls, which establish agreements to engage countries of origin and transit to control migration (Lavenex 2006). While the expansion of fences and barriers to secure borders in practically every area of the world demonstrates the increasing emphasis on national boundaries, as well as the attendant policy investments to combat migration and the production of "new citizenship" (Cinalli 2017). To control immigration, these countries amended their existing citizenship acts and added exclusionary provisions. The notion of citizenship transformed to face the growing threat posed by migration through negotiations.

This part further explores how the global financial crisis, economic protectionism, the victory of Trump in 2016, and Brexit are connected with the question of migration and security. It also examines how the anti-immigration and anti-border policies and recently passed citizenship amendment acts of important liberal democracies are being the outcome of the global migration crisis.

### **Global Financial Crisis, 2008 and the Economic Nationalism**

The global financial crisis of 2008 and the protectionist policies adopted by the major liberal democratic states also contributed to border restrictions and a growing hostile attitude towards migrants. The world economy underwent one of its most severe crises since the Great Depression during 2008. The global economy started to fall sharply in 2008,

...as the financial crisis caused by a dramatic rise in mortgage delinquencies and foreclosures in the United States was transmitted to the rest of the world. The fast-moving recession spread to other countries mainly through the financial markets and foreign trade. The financial crisis in the form of a tightening of credit in the US led to a similar situation in other countries, resulting in an economic slowdown (Urata 2009).

–The economies of the United States, Japan, and Europe are in recession and the emerging economies in Asia and Latin America are experiencing slower growth as well” (Ahearn 2009: 1).

In order to control the crisis, leaders of the most-developed G20 countries have proposed imposing new restrictions and barriers on foreign trade and investment. These declarations were based on the belief that government efforts to protect local businesses from the global economic slowdown by imposing trade restrictions would stifle economic progress and prolong the global downturn (Ahearn 2009: 2).

Since the outbreak of the global recession, the developed countries introduced various trade-restricting and distorting protectionist policies like, ~~–~~tariff increases, import quotas, product standards and trade remedy measures such as anti-dumping initiatives and countervailing-duty investigations” (Urata 2009). In addition to these evident protectionist steps, many countries have adopted numerous hidden protectionist measures by providing preferences to local firms over multinational corporations. Governments extended their support through granting public loans and other sorts of financial increments to these domestic companies.

The global economic crisis of 2008 and the growing unemployment rate in liberal democratic states also increased hostility towards migrants. ~~–~~Higher unemployment and worker layoffs generated resentment among some native workers, who blamed migrant workers for taking jobs” (Castles; Vezzoli 2009: 70). On the one hand, growing unemployment and sluggish economic growth resulted in widespread popular resentment against refugees and asylum seekers. On the other hand, governments in these liberal countries used it for political gains and implemented anti-immigration policies to divert popular resentment against the government. The Brexit episode of 2016 can be considered an example of protectionist policies adopted by the liberal democratic state, along with growing security concerns over large-scale migration.

### **Brexit: Reasons and Consequences**

Brexit is an abbreviation for "British exit," referring to the United Kingdom's decision in a June 23 referendum to leave the European Union in 2016.



Former Prime Minister David Cameron, who called the referendum and campaigned for Britain to remain in the EU, announced his resignation the following day. He was replaced as leader of the Conservative Party and Prime Minister by Theresa May...[She resigned voluntarily] as party leader on June 7, 2019 amid pressure on her to resign [because of her failure to get the approval of House of Commons on the negotiation made by her with the EU facing severe] pressure to resign and failing three times to get the deal she negotiated with the EU approved by the House of Commons. The following month, Boris Johnson was elected prime minister. [He] is a hard-line Brexit supporter and prepared to leave the EU without a deal (Hayes 2021).

The European Union is meant to break barriers so that different European countries can work in cooperation with each other. There are three main reasons for Brexit - economic, immigration, and identity.

The argument of those in favour of Brexit is that “Why should we have to pay for that?” Deferring to this view, ‘The Remain Campaign’, a journal, suggests that “leaving the European Union and its common market would wreck the British economy and possibly the world economy” (James et al. 2017). This is because member states sell goods to each other on favourable terms in the European Union's market. This advantage is equally enjoyed by all states. If Britain leaves it would miss the chance of such terms and conditions and its export might go down. The British economy is still largely dependent on the EU's single market. It benefits from it as its exports don't face the tariffs of the different nations. If it leaves the EU then, there will be different taxes and the British economy might suffer.

Without a work visa, any citizen of an EU member state can relocate and work in the United Kingdom. Although most economists believe that this is good for the economy, many are concerned that non-UK citizens will crowd out already precious public resources such as the National Health Service and welfare. People in the United Kingdom believe that leaving was the best opportunity for the United Kingdom to recover control over immigration and its own borders. Leavers claim that leaving the EU will allow the UK to regain control of its laws. Leavers don't have a concrete reason to stop this but to follow the American line and present the slogan, ‘Make Britain Great Again’. The next is the identity problem faced by Britain as to what they should call themselves. What do borders, nations, and citizenship mean in a world with a greater movement of people, goods, and ideas? And above all, what is our responsibility to each other? They have an existential crisis as to who are the real

British. Britain's departure from the EU was set for the 31st October 2019.

From a global perspective, Brexit can be seen as a going-back to the nation-state and a revival of national sovereignty (Ali 2022). It was a major setback to liberal principles such as open borders and cosmopolitanism. It encouraged other European states to initiate discriminatory immigration policies and tightened the national boundaries of other liberal democratic states. It had wider repercussions in world politics, particularly in the case of Trump's victory as US President, with a similar set of policies and principles.

### **Victory of Trump**

The 2016 American presidential election turns out to be a significant point of reference. Donald Trump's slogan of 'America first' had become the most attractive promise in the previous election. That does not mean that free trade is dead and that multinationals have to go home. It means that an era of protectionism is more likely than not. The World Trade Organisation has been very concerned about a Donald Trump White House during a period in which the world has seen its longest trade stagnation in 70 years. According to the United Nations Conference on Trade and Development, FDI from large corporations had fallen by about \$ 1.2 trillion in seven years. "What we do know is that the Trans-Pacific Trade Partnership (TPP) is dead, as is the Transatlantic Trade and Investment Partnership (TIPP)" (Rapoza: 2016). Currently, it seems the world is becoming more 'deglobally' with every passing moment.

The huge setback faced by globalisation in recent times has a significant influence over citizenship practice. It would be really difficult to examine migration status in all these countries in a case-by case manner. Since the United States of America has the largest number of immigrants all over the world, the study will be especially focusing on immigration policy under the Trump administration. The immigration policy of the U.S. has gone through a wide range of changes since the victory of Donald Trump in 2017. However, Trump's administration seems to be unable to pass major legislation related to immigration owing to their lack of a majority in the House of Representatives. The major principle of the U.S. immigration policy is- Family-based Immigration. "This program allows foreign nationals to acquire Green Card if they

already have a spouse, child, sibling or parent living in the U.S. with U.S. citizenship” (Kandel 2018).

People from any particular country can be given a maximum of 7% of all green cards issued annually. As of now, around two-thirds of the green cards are issued under this system. The President's proposal aimed to reduce this to one-third. In one of the speeches, the President said, “Currently 66% of legal immigrants are admitted solely because they have a relative in the U.S. and it doesn't really matter who that relative is. Some of the most skilled students are going back home because they have no relatives here in the U.S. to sponsor them. We want these students to stay, flourish and thrive in America” (Kandel 2018). This shows a departure from the family-based system that is currently being followed. Admission of refugees -The U.S. admitted around 80,000 refugees in 2016; 53,716 in 2017 and only 22,491 in 2018. Furthermore, the number of refugee admissions for 2019 has been capped at 30,000. In 2017, after Trump's victory, he stopped refugee immigration for 120 days, which was resumed later. But the Administration said that it needed three more months to assess and screen applicants from 11 nations which were deemed to be under ‘high risk’.

Moreover, refugee candidates were to face enhanced security screening that gathered more biometric and personal information including social media use. Applications from the 11 nations were considered on a case-by-case basis. These 11 nations include Egypt, Iran, Iraq, Libya, Mali, North Korea, Somalia, South Sudan, Sudan, Syria and Yemen. However, by January 2018, refugee admission from all countries had resumed. Trump, in his speech at the Rose Garden, said, “My plan expedites relief for legitimate asylum seekers by screening out the meritless claims. If you (refugees) have a proper claim, you will quickly be admitted. If you don't, you will promptly be returned home” (The White House 2019).

The Trump administration planned to replace the existing Green Card categories with the ‘Build America Visa’ and adopt an easy-to-navigate point-based selection system where younger workers and skilled labourers will have more points as they can contribute more to their social safety net and not put pressure on unskilled American labourers. In addition to this, “to promote greater integration, assimilation and national unity, future immigrants will be required to learn English and pass a Civics

exam before admission into the U.S.” (The White House 2019). However, Trump's proposal has been under the cloud. House Speaker Nancy Pelosi said, "This dead-on-arrival plan is not a remotely serious proposal. The White House has repackaged the worst of its failed immigration plans" (The Hill 2019). Some Democrats also say that the proposal was only an effort to rally Republicans heading into the 2020 elections. Another reason for the criticism of this plan is that it overlooks family ties and DACA (Deferred Action for Childhood Arrivals). Moreover, his plan to terminate the visa lottery has also invited criticism.

Another act which drew much criticism was the declaration of a national emergency on February 15, 2019. He declared an emergency concerning the Southern borders of the U.S. and ordered diversion of funds that were to be used by U.S. military to the construction of U.S. -Mexico Border Wall. Moreover, when Congress passed a joint resolution to terminate this Emergency, Trump vetoed it. This declaration was criticised as unconstitutional by Democrats. Analysing the recent trend of U.S. immigration policies under Trump, it is clearly visible that Trump follows the policy of 'America First'. As Trump said, “...Now we should adopt a policy that will allow our citizens to prosper for the generations to come” (The White House 2019). We are proposing a plan which puts the jobs, wages, and security of American workers first. It's a departure from the policies of family reunification and asylum that America has been following for decades.

Economically speaking, immigration has had a tremendous effect on America. Immigration tends to expand the market of any country leading to the increase in its GDP by pushing up demand for goods and services. However, the influx of high quantities of low-skilled labour brings down the average wage rate, but this is the case only in the short run. Eventually, their contribution to the economy increases. Immigrants have driven two thirds of U.S. economic growth since 2011. Another fact is that the U.S. workforce is aging and immigrants replenish this aging workforce and increase productivity. So, increasing immigration can help the U.S. economy in a lot of ways. But then, the current plans and policies are working in the opposite direction. Restricting immigration leads to fewer labourers and low demand, which pulls the GDP down.

Politically, the plans introduced by Trump were criticised as a ploy of the Republicans

to gain advantage in the 2020 elections. Trump's policy of terminating lottery-based visas and granting visas on merit is a step forward towards 'deglobalisation' as it restricts the free flow of people to the U.S. Trump further said, "Our plan is to establish a new legal immigration system that protects American wages, promotes American values and attracts the best and brightest from all around the world" (The White House 2019). This shows a movement away from globalisation where free flow of people will be restricted and only selected people will gain entry to the U.S. Also, the former President had said that he would invest in technology and try to scan 100 percent of the goods and people coming to America and set higher standards for Green Cards in order to curtail immigration.

The victory of Trump in 2016 had been widely perceived as a setback to world politics. In the following years, illiberal policies, especially in the field of security and immigration as well as border closing by the Trump administration had a great impact in world politics. Trump's assumption of power as the US president in 2016 heavily influenced the strengthening of right-wing politics across the globe. It also had a tremendous impact over the emergence of exclusionary citizenship regimes around the world. Several states have implemented anti-immigration policies by amending their existing citizenship laws. The massive vote shares of Trump in the US presidential election of 2020 is clearly showing that large chunks of US citizens are still supporting his anti-immigration and border control policies, even though he ended up on the losing side.

## **Conclusion**

The large-scale migration around the globe has profoundly altered the socio, economic, demographic, political and cultural landscape of many liberal democratic nations today. This has a huge impact on the conceptualisation of citizenship of these nations. New concerns and considerations have emerged in the formulation of citizenship criteria like security and borders. Many security precautions were adopted in deciding the qualifications for the right to citizenship in these countries. There were also very strict initiatives for tightening and closing the borders. Along with the US, several liberal democratic nations like the UK, Germany, Canada, and so on implemented anti-immigration policies in the recent past. Under the Theresa May administration, the UK implemented an immigration policy which is highly anti-

immigrant in nature and has placed countless restrictive measures on migration since 2010 (Consterdine 2018). The immigration acts of 2014 and 2016 consisted of several hostile measures that prevented the migrants from accessing social amenities like health care, education, and employment. In 2019, Germany also amended their existing asylum and immigration policy, which is inherently against immigration. This amendment includes deportation of illegal migrants and refugees and several restrictions on immigration (Mischke 2019).

At the same time, globalisation initiated an academic debate within the liberal tradition of post-national citizenship as the traditional notion of citizenship shifted beyond the nation-state and its boundaries. “The dynamics of globalisation, especially international migration, challenge the traditional frameworks of citizenship and have prompted scholars to develop new models of membership: transnationalism, and post nationalism” (Bloemraad 2004: 332) (see chapter 3). Although, our analysis through this chapter clearly shows that there is an opposite trend going on especially in the context of global migration and financial crisis where liberal states are moving more towards the traditional notion of citizenship, with the involvement of the sovereign power of the state, immigration and border policies are becoming more restrictive than earlier. Liberal states are regulating the cross-border movements of the people through selective and exclusionary borders and other security practices (Bauder 2014: 76).

Thus, there is an inherent tension existing between the ideals of liberalism and democracy, which makes things more nuanced and complicated, as strife between native nationalists and migrants is growing. Within the liberal democratic tradition, there are divergent political standpoints around the question of 'us' v/s 'other' or in other words, 'citizens' v/s 'aliens'. There exists a moral and theoretical dilemma of choosing the rights of migrants or refugees ahead of its own political members or citizens, as several social benefits have to be divided between them. The emerging economic issues and large-scale migration flows have resulted in growing domestic opposition and politically pressurizing governments to implement anti-immigration policies. It resulted in a retrieval of the traditional notion of citizenship more or less controlled by the restrictive-interventionist policies of liberal democratic states. As we have discussed in the theoretical part of this chapter, scholars are not able to

reconceptualise the concept of citizenship in accordance with the emerging challenges posed by migration. Hence, the liberal democratic citizenship has been entangled between concerns of border and security on the one hand and the larger humanitarian concerns on the other. It will be interesting to notice that the political trend in the west is actually showing a global pattern. The study about the Rohingya refugee crisis and the Indian response can be considered a classical case to understand the citizenship dilemma faced by contemporary liberal democratic nation- states across the world.

## CHAPTER FIVE

### **The Liberal Democratic Dilemma: The Case of Rohingya Immigrants in India**

#### **Introduction**

Hounded down by the whip of relentless persecution culminating in the nefarious climax of ethnic cleansing, Rohingyas, who once prided themselves in the Rakhine state of Myanmar as their home presently inherit the hapless cartography of statelessness. The Rohingya of Myanmar's Rakhine State have long been under attack by the state. A Buddhist majority state which reveals itself in the hues of its pacific religion, Myanmar's witch hunting of its religious minorities like Rohingyas by subjecting them to heinous scales of state sponsored violence such as mass murders, sexual assaults and ruthless persecution has deeply unsettled the global conscience. Therefore, the Rohingya have faced systemic "discrimination, statelessness and targeted violence" in Myanmar for decades. Due to this, Rohingyas women, girls, boys and men have been forced to migrate to neighbouring states of Bangladesh, India, Malaysia, Thailand and Indonesia. For many years with significant spikes, these episodes of exodus have largely precipitated by violent attacks perpetrated against them in 1978, 1991-1992, 2012 and again in 2016. Yet it was the atrocities of August 2017 that triggered an immense traffic of refugee influx into Bangladesh and other neighbouring states.

On 9th October 2016, members of the Rohingya insurgent group, Haraqah Al-Yaqin "attacked several border police posts in Rakhine State and left nine police personnel dead" (The Guardian 2016). After which, "in August 2017, a [lethal] crackdown by Myanmar's military on Rohingya Muslims sent many thousands escaping across the [international border] into Bangladesh. They [risked] everything to escape via the ocean or by walking into a military hostile [environment], which the United Nations later portrayed as a textbook example of ethnic cleansing" (The Guardian 2017). Entire villages were burned, families scattered and murdered, and women and girls looted and raped. Most of those who escaped, suffered serious injuries after witnessing the horrific atrocities. The events of August 2017 sparked the largest and



fastest influx of refugees into Bangladesh and other neighbouring countries. Since then, some 745,000 Rohingya, including more than 400,000 children, have fled to Cox's Bazar, home to today's largest refugee camp in the world (Haque; Nower 2021: 34). The political isolation of Rohingya Muslims in post-colonial Burma and waves of violence against Rohingya Muslims in the form of state-sponsored genocide, rape and arson campaigns are now widely regarded as ethnic cleansing and crimes against humanity (Amin 2018).

The chapter aims to provide a theoretically grounded explanation of the Rohingya crisis and India's response to it. While Bangladesh struggles to cope with the crisis, regional power India plans to strongly discourage those trying to enter and deport those who have already sought refuge in Bangladesh but are not willing to provide sufficient assistance. This chapter analyses the Indian state's political response to the Rohingya crisis by comparing the political and humanitarian dimensions. The government has taken various steps to portray the Rohingya as a threat to India's national security. They are explored in the speeches and actions of the ruling elite, questions on parliamentary debates/problems, circulation and resolutions passed for deportation, the responses of major national political parties, relevant judgments of the judiciary, and the national media's portrayal of the issue. The chapter argues that India's responses towards Rohingya immigrants should not be seen in isolation. It has to be understood as part of the global trend of prioritizing border and security concerns over larger humanitarian issues. A trend that is visible in liberal democratic nations across the world.

### **The Rohingyas: A Brief History**

Rohingyas are an ethnic group from Myanmar, once called Burma. Myanmar became independent in 1948 from the colonial rule of Britain. The country is home to a large and diverse number of ethnic and religious groups. Racially and religiously, –Myanmar is considered one of the most diverse societies in Southeast Asia” (Haque 2021). –At the time of independence of Myanmar in 1948, the inhabitants of the country consisted of persons of indigenous, mixed and foreign stock” (Parashar; Alam 2019: 97). International isolation, legacy of colonial rule, ethnic-religious tensions, years of repressive military rule, lack of democracy and weak civil liberties are some of the country's infamous traits. Like many other South Asian nations, religion plays a

significant role in the everyday life and culture of the people in Myanmar. According to the 2014 census, the vast majority of the population is Buddhist (87.9%), while the rest are Christian (6.2%), Muslim (4.3%), Hindu (0.5%) and animist (0.8%)” (Ansar 2020: 3). In this UN-backed national census, the initial permission given to Muslim minority groups to self-identify as ‘Rohingya’ was withdrawn because of the Buddhist nationalists’ threat to boycott the census. Therefore, the government only allowed the Rohingya to register if they identified themselves as ‘Bengali’. This has led to the disappearance of nearly 1 million people in Arakan” (Galache 2014) and it is impossible to know how many Rohingya are still there.

Similarly, of all the 135 ethnic groups officially [recognised] by the current constitution of Myanmar, the Rohingya, [the only Muslims], are excluded” (Ibrahim 2016). The Burmese Government does not accept them as one of its ‘national races’ settled before 1823. In contrast, the Rohingya insist that their ancestors have been natives to Rakhine as early as the 8th century” (Topich; Leitich 2013) cited in (Parashar; Alam 2019). Rejected by the country they were born in and shunned by the neighbouring states, the Rohingya are among the most vulnerable amongst forcibly displaced groups” (The Hindu 2017). Rohingya falls under the category of the world’s least wanted groups (Amnesty International 2017).

### **Rohingya: A Disputed History**

The term Rohingya is highly contentious and contested. The majority of Muslims who are the citizens of Myanmar live in urban centres and speak the Burmese language, and even have Burmese names. In contrast to this, the Rohingyas live mainly in the rural areas of Rakhine State in the north-western part of Myanmar on its border with Bangladesh. Unlike other Muslims, the Rohingyas speak Chittagongian, a Bengali dialect and have Arabic names. The population of Rakhine consists of 35.6% Muslim Rohingya and 59.7% Buddhist (Alam 2011: 2). According to Carlos Sardiña Galache, a journalist who has written extensively on Rohingya issue, The Arakan province was changed in 1983 to Rakhine. This was done probably with the intention of appeasing Rakhine nationalists (Galache 2020). Rohingyas consider themselves to be a distinct community with a very long past in Myanmar. Several historians date the Rohingya presence in Myanmar back to the arrival of Arab traders in Arakan during the eighth century (Riiland 2017). Melissa Crouch, an author on constitutional law in Myanmar,

argues that the history of today's Rohingya Muslims in Rakhine State dates back to the 9th century, with records of at least the 13th centuries to prove their presence in the region (Crouch 2017).

James Minahan, a famous scholar on international statehood and identity, describes the Rohingya as a blend of Arab, Bengali and Burmese (Minahan 2002). To others, they are the Arakanese Indians the majority of whom are Muslims along with a small minority of Hindus (Clarke et al. 1990). Some historians argue that “there is no evidence for the early settlement of Muslims in Rakhine” (Riiland 2017). According to Derek Tonkin, former UK ambassador, during British rule or the separation of Burma from India, no such identity of “Rohingya” was known, and “Rohingya” appeared only after World War II. According to Leider, Rohingya is merely a “political label” that came into use after the independence of Burma, and they are not an ethnic group. Similarly, others argue that “they are descendants of people whom British colonial authorities, searching for cheap labour, encouraged to emigrate from eastern Bengal (contemporary Bangladesh) to the sparsely populated western regions of Burma beginning in the first half of the nineteenth century (beginning in 1824) and up until the end of colonial rule” (Green 2013: 195). “Thus, the ambiguity around their status, the contrasting opinions and historical claims revolving around their origin, and in particular the restrictions imposed by the government have led to profound discrimination in the Rohingyas’ everyday way of life” (Rogers 2016). The uncertainty and ambiguity around the history of Rohingya identity resulted in the systematic exclusion of the community by the state of Myanmar.

### **The Discrimination of Rohingya: The Question of Citizenship in Myanmar**

#### ***Explicit exclusions***

Despite their residency and history, the Burmese strictly consider Rohingya as Bengalis and that they belong to Bangladesh. Their Islamic faith and Indo-Aryan look arguably do not match with the Burmese citizenship standards. “The law and violence are used as central tools by the state for marking out minorities and creating them as marginal citizens with the framework of exclusion that has specifically and systematically targeted Rohingyas to create them stateless” (Meghna; Chowdhory 2020: 66). Ever since Burma has become independent, the Rohingyas have been

subjected to severe, systematic and institutionalised discrimination from the Burmese authorities from time to time. Md. Mahbubul Haque, scholar on Rohingya crisis, argues that “despite all evidence as indigenous people of Arakan, the ethnic Muslim minority Rohingyas are arbitrarily deprived of their citizenship” (Haque 2017: 454).

The history of the Rohingya crisis can be traced back to the enactment of the Union Citizenship Act 1948. This Act passed immediately after the independence of Myanmar; the government attempted to deny the Rohingyas people their right to citizenship. In 1948 a Citizenship Act was passed “restricting section (iv) to any person from ancestors who for two generations at least have all made any of the territories included within the Union their permanent home and whose parents and himself were born in any such territories” (Alam 2019: 14).

“In 1974, a new constitution was introduced that demarcates Myanmar into seven ethnic minority states (Arakan, Chin, Kachin, Shan, Karenni, Karen and Mon) and seven predominantly ethnic Burman (Myanmar) divisions (Tenasserim, Rangoon, Irrawaddy, Pegu, Magwe, Mandalay and Sagaing)” (Alam 2019: 14). For critics, this division and demarcation as an important cause of conflict between the majority of Burmese and the minorities, which directly affects the Rohingyas people. Article 145 of this law states, “to gain Myanmar citizenship, one must be either a person who is born of parents both of whom are nationals of Myanmar or who have been vested with citizenship according to existing laws” (Alam 2019: 14). The Rohingyas were not directly denied citizenship under 1974 constitution. However, it removed sections from the 1947 constitution that bestowed citizenship to Rohingyas based on their grandparents who were from ‘indigenous race’ or who had lived in British Burma prior to 1942 (Alam 2019: 15). Since the 1982 Citizenship Law was passed, the name Rohingya has become quite popular. The law rejects the name Rohingya in relation to all indigenous peoples of Burma (Haque 2017: 455). Thus, the role of legislation in the deprivation of Rohingyas is articulated.

The Myanmar government does not classify the Rohingyas as an ethnic group, regardless of whether there is proof demonstrating they were brought into the world in the nation, and in this sense they refer to them as illegal immigrants from Bangladesh. So, the state of Myanmar has used all possible means to project Rohingyas people as foreigners and thereby deny their right to citizenship. The various legal and policy

initiatives of the state of Myanmar over the years have tried to eliminate the Rohingya as a national community. Nyi Nyi Kyaw, a legal scholar in Myanmar, argues that "policies and practices of successive Myanmar governments (from the late 1970s) have caused the now chronic statelessness of the Rohingya, who were citizens of Myanmar until the first exodus in 1978" (Kyaw 2017). However, the Rohingya exclusion policy started in 1962, ever since General Ne Win seized power.

–The 1982 Citizenship Law introduced twenty years after the 1962 military coup stripped the Rohingya of citizenship” (Kipgen 2019). According to the 1982 Citizenship Law of Myanmar, there are three different categories of citizenship: with a different colour of identity card in each category; citizen, associate citizen, and naturalised citizen. "The three categories of citizenship are described in chapters 2 to 4 of the act" (Haque 2017: 457).

The first category, citizenship, deals with Full Citizenship—Pink Card Holders. Nationals of Burma have been recognised as the first criterion for full citizenship under this law. Chapter II, Section 3 says, "Nationals such as the Kachin, Kayah, Karen, Chin, Burman, Mon, Rakhine or Shan and ethnic groups as have settled in any of the territories included within the State as their permanent home from a period anterior to 1185 B.E., 1823 A.D" (Haque 2017: 457). Needless to say that this act does not recognise Rohingyas as nationals of Burma. The second category of citizenship is known as the –Associate Citizenship Blue Card Holders”. –Chapter III, Sections 23 to 41 of the [Act, contains the] criteria for associate citizenship. [As per] Sections 23 and 24, associate citizenship will be granted under certain conditions to those who had applied for citizenship under the 1948 law and their children, and whose application was ongoing at the time of promulgation" (Haque 2017: 457). As an ethnic minority community of Arakan Muslims, Rohingya do not have the right to associate citizenship. "The Associate Citizenship‘ is virtually limited to those who applied under the 1948 Citizenship Election Act as a new settler in Burma" (Haque 2017: 457). The 1982 Citizenship Law seems to be a new version of the 1948 Citizenship Election Act with minor changes. The third category of Citizenship Law talks about the Naturalised Citizenship—Green Card Holders.

Chapter IV from Sections 42 to 61 of the Act, includes the provision for naturalised citizenship. This form of citizenship may be granted to non-nationals like the

Rohingya, who are ~~m~~embers of ethnic groups not [yet recognised] as indigenous races in the country. However, the Rohingya leaders believed that there was no reason for them to apply for naturalised citizenship; they enjoyed full citizenship rights in the Union before the 1982 Citizenship Law" (Haque 2017: 458). Section 6 of this law clearly states that "A person who is already a citizen on the date this law comes into force, is deemed to be a citizen. Action, however, shall be taken under section 18 for infringement of the provision of that section" (Haque 2017: 459). Rohingya leaders argue that this very article recognises their citizenship status before implementing the 1982 Citizenship Law. However, on behalf of the indigenous ethnicity, the Rohingya have been arbitrarily denied the right to citizenship in Burma. According to the 1982 Citizenship Law, "there are eight major ethnic groups—Bamar, Chin, Kachin, Kayin, Kayah, Mon, Rakhine and Shan—which are further divided into 135 sub-groups" (Kipgen 2019: 66). Since the ethnic community of Rohingya is not included in this official list, the people who belong to this community do not have the right to citizenship. At the same time, ~~h~~istory suggests that many of the Rohingyas have lived in the country for generations" (Kipgen 2019).

Hence, the Rohingya community lost their previously enjoyed citizenship rights and the right to participate in government. Even after the introduction of the 1982 Citizenship Law, the Rohingyas could register themselves as temporary residents using identification cards commonly referred to as the white cards. These were issued to Muslims, both Rohingya and non-Rohingya, by the military junta during 1990s (Kipgen 2019: 62). The white card is an official acknowledgement that the carriers—Rohingyas are foreign residents inside Myanmar. As a result, Rohingyas are denied democratic as well as economic rights and could not join military (Elahi 1987).

With the enactment of the 2008 Constitution, the status of Rohingya as a national community further deteriorated. According to the Act 345 of the 2008 Constitution, "to be a citizen one has to prove either that he/she is already a citizen or he/she was born of parents both of whom are nationals of the Republic of the Union of Myanmar, according to the law on the day this Constitution comes into force." This can be seen as a drastic narrowing down of the grounds on which someone can actually claim citizenship compared to previous constitutions. For instance, the Rohingyas must prove that one of their parents is or was already a citizen. However, since most

Rohingya parents do not have documents confirming that they are citizens of the Republic, most Rohingya cannot meet these requirements. This makes the case that "Rohingyas have been targeted as a minority group since the inception of Burma with Buddhist religious majority and institutional structure plays a significant role in their exclusion" (Meghna; Chowdhory 2020: 67). While unravelling the series of enactments of policies and practises of the state of Myanmar, one can argue that citizenship issues and identity are very central to the Rohingya conundrum. The absence of citizenship rights has restricted the life of the people belonging to Rohingya community restricted in almost all spheres. "The Muslim minority Rohingya people living in the Rakhine state were rendered stateless by successive governments and were often persecuted by state officials" (Mukherjee 2019: 35).

### ***Implicit exclusions***

The Myanmar government's discriminatory attitude towards the Rohingya is not only limited by the Citizenship Laws, but also manifests itself in other rules and laws that have been introduced. Marriage restrictions through tax collection: arbitrary taxation of a wide range of activities, arbitrary arrest and extortion for forced Labour, confiscation of land, and release of persons arrested; few government services such as health, education and infrastructure are provided in the Rohingya. More than 70% of Rohingya do not have access to safe water or sanitation. In some areas of the Rohingya, there is only one doctor per 160,000 people (the WHO recommends one doctor per 5,000 people). Only 1% of Rohingya women give birth in hospitals. About 80,000 Rohingya children are malnourished" (Khin 2017). Thus, the Rohingya people experienced extreme human rights violations, with their rights to education, marriage, employment, and property being curtailed. They have been pushed into Bangladesh and some other neighbouring states; they have often taken to the high seas in flimsy boats for protection. They were also subjected to extreme abuse, and many died eventually. "Throughout recent history, they have been oppressed by the Burmese state and have been subjected to racial and religious discrimination" (Mukherjee 2019: 39). In Rakhine, rape, forced Labour and confiscation of land are very common. "Despite being from a Muslim background and despite ethnic commonalities, they are not always welcome in Bangladesh" (Mukherjee 2019: 39). As victims of hostility on both sides of the border, they have been stateless for the past several decades.

## **Violence in Rakhine: The Rohingya Exodus**

The resurgence of 'extreme nationalism and the global trend of Islamophobia' on the one hand, and the rising wave of Islamic militancy on the other created a deep-rooted rift among the Rakhine population (see chapter 4). "Decades of virulent propaganda designed to poison ordinary Buddhist minds against the Rohingya, state-sponsored persecution, denial of their identity as well as systemic misinformation and starving Rohingya of basic needs and opportunities in life by the Myanmar regime have turned them into a pariah people and made normal life impossible" (Bari 2018: 40). Political instability and unending conflict have created a series of Rohingya refugees seeking asylum in Bangladesh in recent times. "Longstanding tensions between Muslims and the majority Buddhist population in Rakhine state, where the Rohingya remain a significant minority, continue to be denied citizenship and are officially viewed as illegal migrants from Bangladesh, prompted the large-scale exodus of people across the border to Bangladesh" (Lewis 2019: 1887). Such as in 1978, the early 1990s, 2007 and 2012. Years of desperation and marginalisation have turned many Rohingya Muslims, especially the youth, towards extremism and insurgency.

On 9th October 2016, several border police post in Rakhine were attacked by a Rohingya insurgent group. The Burmese national army retaliated ruthlessly, and many Rohingya were killed, many got injured, women and children were abused. Finally, many of them have escaped to neighbouring states. A similar kind of attack happened the very next year, once again from the side of the Rohingya. "The Arakan Rohingya Salvation Army (ARSA), previously known as Harakah al-Yaqin or Faith Movement in English, launched coordinated attacks on 30 police posts and an army base in Rakhine state on 25th August 2017 using man-made bombs and small weapons that resulted in the deaths of one soldier, one immigration officer, ten policemen and 59 insurgents" (Kipgen 2019: 67). This inflamed situation gave an opportunity to Myanmar authorities for a pre-planned counter-operation with an unprecedented scorched-earth military campaign against the Rohingya in northern Rakhine. In northern Rakhine state, the Myanmar Army indulged in massacres, systematically raped girls and women, and attacked Rohingya children, men, and women in hundreds of villages of almost all three townships. With persistent violence for several weeks, more than 700,000 Rohingya have been forced to escape Bangladesh.



The entire episodes of violence in Rakhine are nothing less than a crime against humanity. "There are reasonable grounds to believe that the crimes perpetrated in all three townships of northern Rakhine State constitute genocide and crimes against humanity" (Fortify Rights 2018: 10). It has made the Rohingya problem one of the well-noticed international refugee crises. The Rohingya crisis has huge repercussions not only in Bangladesh but also in the entire region. Being a major stakeholder in the region, India's approach towards Rohingya immigrants deserves special attention. This chapter shall attempt to study the world's largest liberal democratic nation's<sup>21</sup> response to one of the world's largest humanitarian crises.

## **India and the Rohingya**

India has always taken pride in its humanitarian tradition and endeavours in hosting displaced people and communities. There are instances where India has fostered and accommodated refugees into the country while they were under threat in their home country. "India has hosted refugees from neighbouring countries, including Sri Lanka, Tibet, Bangladesh, Bhutan, Myanmar, Afghanistan and Pakistan." Geopolitical<sup>22</sup> and bilateral issues have influenced India's stand on the issue whatsoever; humanitarian suffering and concerns were ascendancies for India's stand on the issue. Even while the country was torn apart among religious lines, India did not hesitate to accept refugees from Pakistan. Every crisis in South Asia was followed by an influx of refugees into the country. India has given accommodation to Tibetan refugees from Tibet, and during the Indo-Pak war in 1971, thousands fled the country and sought refuge in India. Later, the persecuted Tamils from Sri Lanka have looked for refuge in various parts of the country.

There are even past instances of granting citizenship to persecuted refugees. The Chakmas from Chittagong hills were given citizenship. They were victims of religious persecution, came as refugees into the country and settled in Arunachal Pradesh. Even though the local population was against their permanent settlements, the Supreme Court ruled in their favour. The court directed the government to grant them

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<sup>21</sup>Largest in terms of population and also being considered as one of the most successful democracies among the non-western countries.

<sup>22</sup> Geopolitics means the power relationships among politics or states and geography, economy and demography in relation to the foreign policy of a country (see Chris Patten 2013).

citizenship and land rights, despite hostility between the Chakmas and the local population. The country always took pride in universal brotherhood guided by our century old tradition of *Vasudhaiva Kutumbakam*<sup>23</sup>, this is something analogous to the idea of world citizenship advocated by the ancient Stoics (see chapter 1).

The Indian approach towards Rohingya immigrants resonates with the larger global trend towards minorities, especially Muslims. However, India's response on the issue was a significant departure from the traditional political and moral values that it has been projecting. The securitisation of politics and citizenship along with the instances like the documentation of citizens by creating a National Register of Indian Citizens, the introduction of the UID and the selective exclusion of Muslim immigrants from the citizenship rights through the 'citizenship amendment act 2019' should also be seen in this context. In addition to this, the Prime Minister of India has been celebrating Diwali with the soldiers on the border consecutively for the last eight years. This was intended to send a strong message of priorities given to national security and border protection within the political sphere as well as the national narrative (see chapter 4).

### **India's Response to the Rohingya crisis**

The accurate number of Rohingya refugees in India is unclear. The Home Ministry and Reuters estimate them as being forty thousand approximately (Quadir 2019). India acknowledged the presence of 18,000 Rohingyas living in the country who are registered under United Human Rights Commission<sup>24</sup> (UNHRC India 2019). Rohingyas within the country continue to be stateless and stripped of their status, living a protracted life under refugee conditions.

Analysing India's response to the Rohingya crisis, which developed rapidly, three stages can be clearly distinguished. The first active phase began in 2012 when violent conflict broke out between Rakhine Buddhists and Rohingya Muslims in Rakhine State. India regarded this as an internal affair, but was sympathetic to Myanmar. India immediately responded to the crisis with a relief package. The then Foreign Minister

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<sup>23</sup> *Vasudhaiva Kutumbakam* is a Sanskrit phrase found in Hindu texts, which means 'the world is one family'.

<sup>24</sup> Founded in 2006, a U.N. body, with a mission of protecting human rights around the world.

Salman Khurshid visited Rakhine State and announced a \$1 million emergency relief package to Myanmar (Ministry of Foreign Affairs Annual Report 2012). At that time, India accepted Rohingya refugees without any connection to domestic politics or bilateral relations with Myanmar. Even in Parliament, members tried to legislate and introduce laws to protect the interests of refugees. A deliberation to solve the refugee problem in Parliament was taken up by the Indian Member of Parliament Shashi Tharoor in 2015. The Asylum Bill<sup>25</sup>, which was introduced as a private member bill, can be considered a positive step. However, there was limited movement on that front.

One would witness a startling contrast in how this issue has been dealt with by the government, under Prime Minister Narendra Modi, marking a departure from its earlier dispensations. The second phase of the Indian Rohingya approach began in mid-2017 when the government announced plans to deport the Rohingya from several parts of India. The Union government directed States to identify and deport foreign nationals staying illegally. The Home Ministry issued an advisory, No. 24013/29/Misc./2017-CSR.III, on 8th August 2017 with the above directions (Ministry of Home Affairs 2017).

The state government was empowered to identify and deport foreigners who were illegally staying in the country. The bulletin also directs the state to notify law enforcement and intelligence agencies. Extreme measures were well justified by the Union government, affirming national security concerns. The advisory also stated that infiltrations from Myanmar would cause national security ramifications. However, states do not possess any power to deport asylum seekers under the procedure established by law without giving any due regard to their individual and collective cases. Such deportation would violate the non-refoulement principle. India militarised its approach. Portraying the Rohingyas as dangerous to its citizens, the government upheld a nation-first policy and came down heavily on them. India continued to block its borders, to control them, pushing them to return. Extreme measures involving the exhibition of power and control were used upon them. The Rohingyas fled their country due to violence in the Rakhine state. –BSF troops used chilli sprays and stun

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<sup>25</sup> According to international law, asylum is the protection afforded by a state to foreign citizens of its own country. Asylum seekers have no legal right to claim it and the country granting it has no obligation to provide it.

grenades to block their entry” in an attempt to push back the Rohingya while crossing the Indian border. India's central investigation agency intensified its surveillance and monitoring of the Rohingyas in India (Amin 2018).

A similar mechanism of border control continued across the Bangladesh-India border, particularly along Tripura and Mizoram. Security was ramped up in order to push back the Rohingyas. “The BSF echoed the Indian state's militaristic mindset” (Amin 2018). The Rohingya issue, being a complicated one and not to make it a nightmare for the country. The policy was to push them back and not to arrest them. Arresting someone trying to infiltrate into India would later become a liability. The approach of dealing with refugees who escaped a murderous military back home was “the systematic failure of a secular democratic system to uphold certain universal values that it otherwise claims to hold” (Amin 2018: 59).

India gave a non-welcome signpost for the Rohingyas who were fleeing for their lives. Continuing the crackdown on these people, the Indian Home Minister met with the Chief Ministers among the five states who shared a border with Bangladesh. The Minister proposed grid protection along the border of these five states “to stop illegal Rohingya immigrants from entering the country” (Amin 2018). The proposed grid comprised defence mechanisms including physical and non-physical barriers, state-of-the-art surveillance systems, and collaboration with intelligence agencies, state police and BSF (Ministry of External Affairs 2017). The state-propagated narrative continued to gain momentum, safeguarding the nation from existential threat. These narratives altogether pushed aside human considerations and moral values.

In an attempt to deport back Rohingyas, the Indian government announced a deportation plan for Rohingyas within the country. The deportation plan was not well received by the international community. After the deportation plan was announced, there was an attack on police and military posts in northern Rakhine state during Prime Minister Narendra Modi's state visit to Myanmar. The violence and attacks were condemned in the joint statement issued during the visit; however, the statement lacked the mention of the human atrocities faced by the Rohingya (Ministry of External Affairs 2017).

The hesitancy of the government and its bearing on the Rohingya crisis can be

inferred from the refusal even to use the word Rohingya. The Indian Prime Minister chose not to utter the word Rohingya during his bilateral visit. On the other hand, he assured full support to the Myanmar government. The Indian support justifying Myanmar military actions against the Rohingyas was against a backdrop when those actions were universally condemned. Nevertheless, the Indian Prime Minister categorically chose to acquit the government and its military by blaming the violence.

The Indian Prime Minister's visit to Myanmar and the stand he took created a very strong sentiment of negative public opinion against India. The bilateral relations with Bangladesh were tense at that moment and caused a strain on bilateral relations. India at that time could not afford to lose ground as a regional leader in the region and could not afford to lose a foothold to China in the region. “China at that time had already taken up its role in the humanitarian crisis, emerging as a regional leader and mediating a repatriation agreement between two countries” (Amin 2018: 72).

The Kofi Annan Commission's<sup>26</sup> recommendations on the conflict were supported by India, being a country which supports humanitarian concerns. In the backdrop of those recommendations, it launched Operation *Insaniyat* in 2017 to formally provide relief assistance to the Rohingya. “India handed over a humanitarian aid consignment of 53 metric tons of basic essentials for the Rohingya refugees in Bangladesh. This was termed as 'Operation *Insaniyat*' or humanitarianism” (Amin 2018). Delhi's decision to help can be seen as an attempt to weaken the influx of Rohingya refugees into the country. When Delhi changed its approach, the West Bengal government took a stand against the central government. The West Bengal government expressed its support for Rohingya refugees (Ministry of External Affairs 2017). Though the position was not enough to make the central government revisit its Rohingya approach, it sent a clear message that the Union government should hear out the voices of state governments on the issue.

India's offering to send aid to the Rohingyas in Bangladesh was seen as crawling out of “India's geopolitical interests”. If it were a sincere humanitarian effort, India would have been leading its role in the relief and rehabilitation of Rohingyas. On the

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<sup>26</sup> Formed in 2016 as an advisory commission on Rakhine State, chaired by Kofi Annan

contrary, India struggled to provide humanitarian assistance for the Rohingyas in the country. It is quite paradoxical to witness ~~India~~ reaching out to the Rohingyas in Cox's Bazaar in order to mend its strained relations with Bangladesh, on the other hand ignoring the predicament of the refugees living in the country” (Amin 2018).

The third phase witnessed a recalibration of approach from the Union government. The recalibration was driven out of finding a role in the crisis and arriving at a resolution in an attempt to strengthen its quiet diplomacy. This was an attempt to counter China as it has found a role in the crisis. China proposed ~~a~~ three-step solution to the Rohingya crisis and signed the repatriation agreement between Bangladesh and Myanmar” (Yhome 2018). ~~Delhi's~~ assessment might have been shaped from its calculation that any delay in stepping up might allow other regional players to leverage the situation.” India's response seemed to have evolved from its geopolitical interests and long-term national security in mind (Haque; Nower 2021: 40).

Foreign Secretary S. Jaishankar visited Myanmar on 20th December 2017. During the visit, ~~a~~ MoU was signed on the Rakhine State Development Programme with Myanmar's Ministries of Social Welfare, Relief and Resettlement aimed at socio-economic development and livelihood initiatives in Rakhine State” (Ministry of External Affairs 2017). There were projects aiming for the safe return of Rohingyas; a project to build a prefabricated house in Rakhine State to meet the urgent needs of returnees. ~~India~~ pledged US\$ 25 million for a five-year-long development project in Rakhine State” (Ministry of External Affairs 2017).

The Government accepted the invitation of the Myanmar government in joining the UNSC delegation, which visited Myanmar. China, Laos, and Thailand were the other countries in the delegation. The minister of External Affairs, Sushma Swaraj, during her Bangladesh visit, ~~stressed~~ the importance of the sustainable, safe and speedy return of displaced persons to Rakhine State” (Yhome 2018). India sent a second 373-tonne consignment under Operation *Insaniyat*. India's actions justified that it had taken a step forward from its previous position, restraining itself from handling the situation in Rakhine.

Strategic and political interests determined India's humanitarian assistance system.

The assistance provided was not sufficient, timely, or equitable. India's response to the Rohingya issue can be inferred as a culmination of various factors that shaped the decision. National security is prominent among them. Bilateral relations and local acceptance, among various other reasons, affected the decision. In a close reading of the given circumstances, one can rather conclusively say that India's commitment to humanitarian ideals and principles was the last among them.

India's handling of the situation was complicated further by not having a national policy on refugees. A permanent settlement of refugees in the country is often discouraged, coupled with the lack of a national refugee policy complicated approach towards the Rohingya crisis” (Yhome 2018). However, there seems to be a big departure in the handling of refugees by the NDA government from its previous dispensations. India has always welcomed refugees rather than shutting doors on them. Moreover, if one looks back into history, no refugees were perceived as a national threat. The government precariously cited security concerns in the case of the Rohingyas even though it could not be substantiated with evidence. The security argument was short-sighted as it could have triggered a domino effect and created more security challenges for India. Its side effects could include increased radicalisation of oppressed communities, which could have serious implications for India. India's democratic credentials were put under the lens of the way it handled the crisis. India has failed to uphold regional and global leadership aspirations limiting them within its borders. While this approach may have [helped with] short-term [safety] goals, the concentration of thousands of desperate people in the neighbourhood can create fertile breeding grounds for [extremism]” (Yhome 2018: 8).

Citizenship and statelessness revolve around the faulty lines drawn upon modern nation-states often drawn along ethno-religious lines. The rising intolerance, ultra nationalist sentiments, makes it even more precarious and protracted for humanitarian regimes both on geographical and political terms. This statement is true if one traces out the history of Rohingya, who have been the victims of discrimination and persecuted for over decades. A quick fix solution to this long-drawn crisis cannot be found overnight. However, one must acknowledge collective failure in addressing the crisis. India as a regional power must break its long-standing silence by breaking out of its purely economic and direct geopolitical implications and interests. The country

must take moral responsibility” (Kaveri 2020: 91) for humanitarian suffering and try to make meaningful changes. India needs to replace arbitrary decisions to end humanitarian tragedy with improved and institutionalised provision of humanitarian aid and refugee protection, making them comprehensive and mundane.

## **The Accommodation of Rohingyas: Reflections from Indian National Media**

The media have an important role to play in formulating public opinion on an issue, particularly print, and visual media. In case of the Rohingyas, it was more of a manufactured narrative, one meant for public mass consumption. The Rohingya issue has gathered public attention and has become part of political and media debates in India over time. The way in which the media accommodated the issue was unlike previous instances. The Rohingya issues were conspicuously discussed in debates and discussions among national and local newspapers and prominent news channels. Especially after the National Democratic Alliance government gained power, the issue of Rohingyas and its media opinions can be traced into a spectrum. There were media reports which were sympathetic to the approach Indian state was following, and some were really hostile to the refugee crisis. This session is an attempt to bring out some of the discussions that had happened in the Indian media at that time.

A prominent newspaper like *The Hindu* was critical of the Rohingya crisis. India's approach towards refugees was discussed in the spotlight, raising several questions about its refugee policy and the Rohingyas, in particular. Irrespective of India's evolutionary approach towards Rohingya, a consensus was formed out of its diplomatic, domestic and political compulsions. The importance of these factors also has varied in the course over time (The Hindu 2019).

These reports have showcased the tragic and pathetic conditions under which the Rohingyas survived, bringing out the humanitarian aspect and suffering side of the story. Rohingyas have fled and are settled, mostly concentrated in Cox's Bazar. The U.N. estimates around 200,000 refugees are living in Bangladesh. People in Myanmar consider Rohingyas illegal immigrants from Bangladesh, considering the historical narrative. Even though they were living in Rakhine for generations, they were victims



of the violence and prosecution that unfolded in the country over time. The intensification resulted in a mass exodus of refugees into neighbouring countries.

Myanmar's military's systematic persecution of the Rohingyas began in 1970. During those days, thousands of them were deported to Bangladesh. The remaining population was stripped of citizenship by the junta. The political elites used the Rohingya issue to consolidate support for themselves among the Buddhist majority (The Hindu 2019).

These reports called the attention of the world and asked them to take proactive initiatives to deal with the humanitarian crisis that unfolded. The world needs to act on the issue, especially India. The report criticised India for failing as a regional power and as a neighbour in keeping up its legacy of providing assistance to those who have escaped persecution. The conditions for the safe return of Rohingyas were at the heart of the human rights problems that confronted the world. The U.N. High Commissioner for Refugees (UNHCR) issued a statement about the conditions in Myanmar, which says, the situation and conditions were not conducive enough for the voluntary and safe return of refugees. Physical infrastructure and logistical supply must be in place before their safe return. The real crisis revolves around the issue of the legality and citizenship of Rohingya in Myanmar. Myanmar refuses to recognise the Rohingya along ethno religious lines. They are mainly from the Muslim community belonging to a separate ethnic group. They self-identify themselves as Bengali, which has its own implications for their rights as inhabitants of the country (The Hindu 2018).

*The Indian Express* report showcased not only humanitarian acceptance but brought in a foreign policy element to its reporting. The report cited many instances of proactive measures taken by the Indian government during times of crisis. The report claims that it is a matter of pride for the Indian government for delivering in its range and capacity towards handling a long list of humanitarian crises. India's past evacuation endeavours of Indian and foreign nationals from various states like Syria, Libya, Somalia, Yemen and India's initiative in responding to the Nepal earthquake reflects a partial increase in capacity, thanks to India's increased military airlift capacity (The Indian Express 2017).

The report acknowledges New Delhi's recognition that it retracts India's influence and projects a positive image in the region. The declining U.S. military presence in the Indian Ocean region is a matter of concern, along with China acquiring more influence in the same region. Nevertheless, New Delhi has shown a greater commitment to helping out overseas Indians in distress. The plight of Myanmar and the Rohingya could be a wake-up call for the country, a reminder of the constraints that India continues to face regarding foreign policy and which also affects the politics of a medium-sized country. New Delhi must be vigilant against the over-expansion of its empire before reaching a major power (The Indian Express 2017).

Narrations in the national media often revolved around the strategic point of view and national security rather than the humanitarian acceptance of the crisis. *The Hindustan Times* report cited the regional power play in its reports on the issue, saying that in all possible ways, India has extended its support and assistance by providing emergency relief material to its friendly neighbour Bangladesh under Operation *Insaniyat*. Myanmar has been a friendly neighbour to India. The two countries are even working closely together to combat rebels operating in the northeast and stop drug and arms trafficking. India cannot afford to strain a good relationship, especially when China is gradually expanding its interests in the region. It is naive to distance ourselves from providing a safe haven for Rohingya terrorists who have infiltrated millions of illegal immigrants (The Hindustan Times 2017).

*Republic T.V.*, to some extent, was successful in creating a binary narrative of the crisis. A crisis of this scale and magnitude should not have been depicted as a binary narrative. Rather than examining and understanding the complexity of differences, *Republic T.V.* created a narrative of legal Indian citizens versus illegal refugees. This binary narrative was successful in constructing an image that the public viewed as a potential threat to our national security. This binary narrative helped in creating a discourse of *'we vs them'* and created a public opinion about them. Instead of looking at the humanitarian aspect of the problem, discussions were mainly centred on the issue of national security. The ideology of *Republic T.V.* can be inferred from the slogans that the channel used for its prime-time debates. 'India for Indians only' was one of the popular slogans used. The channel tried to impose its agenda on a nationalist ideology. The anchor associates the Hindu with Indian and Indian

nationalism with Hindu identity. The question of identity was the point of discussion rather than the larger problem it presented. They were often concerned with irrelevant and illogical questions, which often had an under tone of religious hatred in them. The migration of refugees from a Muslim-dominated country like Bangladesh to a Hindu-dominated region in Jammu was portrayed as suspicious.

The channel tried to wash off the issues from the hands of the Indian Government, stating an array of arguments. What happened to the Rohingyas is a matter of concern for Myanmar authorities to sort out, not for Narendra Modi. International agencies should try and intervene on the issue. The international community that has a liberal stance on accepting refugees should come forward and deal with the crisis rather than portraying India as responsible for what happened elsewhere. The humanitarian issues that underlined the crisis were often suppressed or seldom heard while channel debates were flooded with concern for national security.

The media played an important role in building consensus and attitudes towards Rohingya refugees in India. The ability to control resources has allowed the media to reach consensus and shape people's perceptions of the Rohingya. The representation of minority communities like the Rohingyas by the visual media was an appropriate illustration of manufacturing consent. With the interplay of discourse and ideology, visual media provided a platform to propagate a particular ideology of nationalism. The media disproportionately amplified refugee issues, often propagating fake news to construct a public discourse against them. This construction of public imagery in visual media by certain media houses facilitated the construction of a negative image of Rohingyas (Mohanty 2020: 103).

Rohingyas were explicitly depicted as potential terrorists, with no regard and respect towards the ethics of journalism. Not only did they create an alternative story, but they also built a false image of the Rohingya and succeeded in demonizing them as a threat to terrorists and the nation. The basic journalistic ethics of reporting the truth in a sensible manner was not followed. Most of these media houses were not at all interested in reporting on their living conditions. Rather, they chose to leper them by turning public opinion against them. Thus, the objective description of the problem has been distorted and reduced to a conflict of interest that could lead to an outbreak of violence against the Rohingya (Mohanty 2020: 105).

## **Political Parties' Response to the Rohingya Issue**

The Union Government of India came under a lot of criticism from opposition parties in the way it handled the situation. The Communist Party of India (Marxist) criticised India's lukewarm approach to Bangladesh. Even after China's intervention requesting to mediate with Myanmar, in finding a solution to the Rohingya crisis and the massive refugee influx into Bangladesh that followed. The party was also critical of Aung San Suu Kyi, strongly and her hesitance to recognise the Rohingya Muslims living in Myanmar for generations as citizens. The party also criticised her for not condemning the attacks on Rohingyas by Buddhist fundamentalist forces (Marxist 2016).

The party also criticised India's apathetic approach in dealing with the crisis, even after China proposed a three-stage plan for a solution to this humanitarian crisis. The party asked the government to mediate the issue and to have bilateral discussions on the peaceful return of refugees. These discussions should also have addressed the root cause of the conflict, ensuring long-term solution economic development of Rakhine State. Bangladesh welcoming this Chinese initiative, was viewed as China flexing its gaining regional power in South Asia. This diplomatic initiative was a milestone for China. For the first time, China was able to diplomatically resolve an inter-state dispute in South Asia (22nd Congress Political Resolution 2018).

The party said that the Government should take proactive steps in dealing with the humanitarian issue and mediate with both governments of Myanmar and Bangladesh in an attempt to resolve this issue. Rohingyas who were in India should be treated as refugees and not pushed back or deported. The matter should be taken up with the United Nations Human Rights Commission, and the International Red Cross, both are well-known international organisation known for their humanitarian concern, and the issue should be raised in other international fora as well.

Those who expected Prime Minister Narendra Modi to take up the issue of Rohingya's during his visit to Myanmar were utterly disappointed. The issue that affected lakhs of people in Myanmar and the spill over effect of the crisis towards neighbouring Bangladesh and India were trivialised and side-lined. The matter did not come up in bilateral discussions between the Indian Prime Minister and Myanmar leaders.

Upon such a scenario, ~~the~~ left parties called upon the Indian government to treat the Rohingyas as refugees in India and not to deport them back to Myanmar. Doing so would mean a certain death for them. The Government of India must exercise all means in international fora to stop the genocide in Myanmar. The United Nations must be roped in to treat this as an international humanitarian crisis” (Kaveri 2020).

The Indian National Congress was categorically silent about this issue but has raised concerns about its relationship with Bangladesh. Signs of crumbling and cracks are visible between both countries, which share a historically rich and prosperous relationship. As the Rohingya crisis in Myanmar escalates, Rohingya refugees are suffering in resource-constrained Bangladesh. Instead of working towards providing a solution to this humanitarian crisis, India turned her back on human rights violations and atrocities and has taken the side of Myanmar's government. The Indian National Congress strongly criticised the Modi government's intention to forcibly deport the Rohingya regardless of multiple pleas and requests from political parties and civil society. The government has forgotten its humanitarian tradition of providing asylum for displaced communities who have already taken shelter in India. The goodwill with this neighbour can now be seen to be slowly eroding.

The Bharatiya Janata Party has always been a proponent of universal brotherhood guided by our century old tradition of *Vasudhaiva Kutumbakam*. However, they have failed miserably when it comes to the Rohingya issue. The BJP manifesto of 2014 says that the party upholds Nation First Policy when it comes to foreign relations. The party believes in political stability, progress, and peace in the region. Sustained peace and stability are essential for South Asia's growth and development (Manifesto 2014). The proactive engagement with countries in the neighbourhood and beyond was mentioned in its manifesto, but it failed miserably with this humanitarian crisis. The proponents of the *Vasudhaiva Kutumbakam* in their manifesto said that India will remain the natural home of persecuted Hindus, who will be invited to seek refuge here. This is a discrepancy from the ~~an~~ apparently humanitarian vision of universal brotherhood by the BJP” (Amin 2018). The Hindu nationalist agenda can be inferred from the Government's refugee policy. Excluding people belonging to one particular community and determining whether they are refugees or infiltrators based on their religious affiliation (Manifesto 2014).

The then BJP general secretary Ram Madhav at that time made the governments and his party's intentions clear that the Rohingya infiltrators in all the states would be deported using the law-and-order machinery in the country. Hate speeches and demonising the refugees were the norm, especially during the elections. After the National Register of Indian citizens (NRIC) list was released, a BJP MP urged the government, if Bangladeshis and Rohingyas refused to move out of the country, then shoot them. The party tried to abominate this issue in every possible manner in hopes of making electoral gains, projecting themselves as a party who stood for the Hindus and the nation from the threat emanating from radical Muslim Rohingyas” (Amin 2018: 97).

There were, however, voices of compassion and support from the Indian Government and civil society regarding the issue. The BJP spokesperson Sambit Patra has categorically said that the government has no problem with the 16,000 Rohingya living in the country legally with papers. Citing Articles 14 and 15 of the Indian constitution, Sushmita Dev has espoused the issue on humanitarian grounds. West Bengal has supported the Rohingya while taking a contrary position from the Union government. The state of West Bengal was at the front in providing aid to the refugees.

### **Parliament and the Rohingya Issue**

The Rohingya issue has been a matter of several heated debates in Parliament. This section looks upon some of such instances. It aims to analyse speeches, acts by the governing elite, and the parliamentary debates/questions on the issue. The Rohingya community has been mainly living in the state of Rakhine in Myanmar. They identify themselves as a distinct ethnic group whose history can be traced back to the days of colonialism. Having their own language and cultural roots, they have a longstanding connection to Rakhine State. Successive Governments in Myanmar have chosen not to accept these claims. The government does not even recognise them officially as ethnic groups in their country. They were stripped off from their citizenship, resulting in most of them being stateless. The exclusion of the minority community exponentially increased after the seizure of power by the military in 1962. Religious freedom and the right to self-determination were denied to these communities. They were excluded from mainstream, which continues to this day. Restrictions in

education and the use of minority language were imposed (Rights 2016). This systematic removal of the Rohingya from the mainstream, atrocities and human rights abuses have triggered a flow of illegal Rohingya immigrants from Rakhine State to neighbouring countries, including India.

### **Status of Rohingya in India**

As the Rohingya crisis unfolded, the House demanded the government make its stand clear on the issue. The then Minister of State for Home Affairs, Kiren Rijiju, had made a speech about the government's stand regarding the issue of illegal immigrants, who "enter into the country without valid travel documents as clandestine and surreptitious" (Ministry of Home Affairs 2017). The Government does not have available data about the number of illegal Rohingya immigrants living in various parts of the country. The Minister shared with the House that "an estimate of more than 40,000 illegal Rohingya immigrants are presently staying in India, mostly in the States of Jammu and Kashmir, Telangana, Punjab, Haryana, Uttar Pradesh, Delhi and Rajasthan" (Ministry of Home Affairs 2017). Their number of Rohingya in India is only an approximation as per the data available with the UNHCR. The approximated figure adds up to more than 14000 Rohingyas staying in India. Nevertheless, there is a dispute in the numbers as some sources indicate that around 40000 Rohingyas are staying in India illegally. The Rohingya refugees are concentrated mainly in Jammu, Hyderabad, Haryana, Uttar Pradesh, Delhi and Rajasthan (Ministry of Home Affairs 2017).

The Minister also reasserted the government's stand on Illegal Migrants. Illegal migrants are defined under Section 2(1) (b) of The Citizenship Act, 1955 as – "a foreigner who has entered into India without a valid passport or other travel documents and such authority as may be prescribed by or under any law in the behalf; with a valid passport or other travel documents and such other documents or authority as may be prescribed by or under any law in that behalf but remains therein beyond the permitted period of time" (The Citizenship Act 1955).

Concerns were raised about the atrocities faced by Rohingya Muslims in Myanmar, often subject to persecution, torture, rapes, and mass killings. The inhospitable environment in their state is forcing them to migrate to other countries, including

Thailand and Bangladesh. There is a large influx of refugees into India also. The House also reminded the Government that it is high time that the Home Ministry identifies them and displaces them from this country.

The opposition pointed out the role the External Affairs Ministry has to play. The opposition also asked the Ministries of Home Affairs and External Affairs to get involved in the issue. For the time being, the lack of a refugee policy complicates things further. However, the Home Ministry has to identify them and dispose of them (Lok Sabha 2017).

Even accepting the refugee problem and the influx of refugees into the country was intimidating to some members. The Rohingya Population Living in Jammu and Kashmir has also come up in Parliament. Shri Bhartruhari Mahtab raised concerns about the alarming thing as many of the Rohingya Muslims in Jammu had acquired the Aadhaar Card. Rohingya people have come and settled in Kashmir and some parts of the country while illegally infiltrating India from West Myanmar. Given the disturbing situation in Kashmir, there is some evidence that the Rohingya people can also be responsible in many ways. Due to illegal living, the possibility of threatening the unity and integrity of India in future cannot be avoided. The Member also urged the House not to wait for cloudbursts as already dark clouds have appeared. The analogy was used to refer to the incident that happened in Bodhgaya. This incident has been said to have connections with the Indian Mujahideen and the Islamic State. A fear lingers around Rohingyas that they are being targeted to be trained as terrorists in this country (Lok Sabha 2017). The member asked for a response from the Government, and as early as possible, the government should act immediately on the alarming issue.

The opposition raised concerns about how the Rohingyas could enter India illegally, even though the Indian government is aware of it. It demanded that the government identify the Rohingya people living illegally in India, send them back to their country immediately and strengthen the Myanmar-India border so that no one can enter India through the open borders. The then Minister of State for Home Affairs, Kiren Rijiju in reply to those concerns, cited reports of Rohingyas indulging in illegal activities. Data regarding cases registered against Rohingyas, however, was not centrally maintained (Lok Sabha 2017).



However, there were some members in the house who were concerned with Rohingyas living in the country. The status of Rohingyas living in the country has also come up for debate in Parliament. DR. A. Sampath raised the living condition of Rohingyas in the Lok Sabha. Having visited one of the refugee camps in Kalindi Kunj, in Delhi, the Member empathetically explained their living conditions in Parliament. The conditions in which the Rohingya survived were subhuman. People were often densely packed into shanty shelters which had been made of plastic waste and filthy clothes. They were living in the utmost inhuman conditions without proper medical care. Snake bites alone have killed three children during a month. These refugees' only property is the identity card issued by the UNHCR. Starvation and malnutrition are the norms of the day. These living conditions are susceptible to an endemic spreading across the camp, and many more may die. DR. A. Sampath reminded the Government that it is high time that India took up this matter with the United Nations.

The Rohingya issue must be brought up in international fora. In the meantime, it is the responsibility of the government to shelter them. As per the given circumstances, there are only two options. The first one is sending them back safely to their homeland. However, the situation in Myanmar is not yet settled down for the sustainable return of refugees. In that case, our country has to arrange alternative arrangements. Letting them be left alone cannot be accepted as the children do not have any access to education or health. The health conditions of women and children must be taken care of as people are suffering from terminal illnesses like cancer. A very serious situation is unfolding itself, affecting the lives of more than 36,000 human beings. The government, in the meantime, has to take up this issue at the international level by involving the stakeholders and concerned agencies in helping out the displaced community (Lok Sabha 2017).

### **Detection and Deportation of Rohingyas**

The government's stand on the detection and deportation of Rohingyas has created uproar in Parliament and among civil society. The uproar started in Parliament and slowly trickled down onto civil society. In answer to a question in Parliament, the then Indian Minister of State for Home Affairs, Kiren Rijiju, said that the authorities were making plans to deport Rohingyas from India due to the fact they are unlawful

immigrants. "The Central Government is vested with powers to detect and deport an illegal foreign national under section 3 (2) (c) of the Foreigners Act, 1946. These powers to identify, detain and deport illegally staying foreign nationals, including Rohingyas, have also been delegated to the State Governments/U.T. Administrations" (Ministry of Home Affairs 2017). Later, a clarification was issued by the minister that such a deportation plan was not yet firmed up.

The minister informed the House that there were, as per available estimates, around 40,000 Rohingyas living illegally in the country. Indian government had issued guidelines for deporting illegal foreign nationals. The government had also instructed all the state governments to institute district level committees to find and extradite illegal foreign residents. Also, the matter was discussed with neighbouring governments during bilateral meeting (Ministry of Home Affairs 2017).

Even if India is not bound by the 1951 United Nation Convention on Refugees and the 1967 Protocol thereon, its treatment of refugees and their protection have been globally recognised (Ministry of Home Affairs 2017). The Rohingyas have entered the country without having valid travel documents. Therefore, they are covered within the ambit of the definition of 'illegal migrants' as defined under Section 2 (1) (b) of the Citizenship Act 1955.

Detection and deportation of illegal immigrants is a continuous process. It is crucial to find illegal migrants and to track their activities. Every state/UT had been asked to create awareness among police and other agencies to act promptly in order to identify illegal migrants (Ministry of Home Affairs 2017). However, no Rohingya migrant had been deported so far. Border Security Force was taking all necessary measures to prevent illegal infiltration, including deployment of the additional workforce, use of special surveillance equipment, border fencing, intelligence sharing, and conducting special operations along the borders (Ministry of Home Affairs 2017).

The contention of the Indian Government in dealing with the issue was problematic as it did not try to address the fundamental problem that started the issue in the first place- the political exclusion of the Rohingya community. Even though the country offered development aid programs in Rakhine, it left off the issue of citizenship of Rohingya refugees in Myanmar. Even after Myanmar and Bangladesh governments

agreed upon a repatriation agreement, seldom action is taken on the ground in this regard. The unwillingness of people to return to Myanmar can be inferred from the hesitancy of the Myanmar government to address the issue of the deprivation of rights of the Rohingyas. Under the given circumstances, the Indian government's plans to force Rohingyas out of the country speak of its disregard for humanitarian values (Amin 2018: 99).

### **The Judicial Intervention in the case of Rohingyas**

The matter of the Rohingya crisis was brought into the Supreme Court as a petition filed by a refugee fearing his deportation from the country. India has always adopted a liberal viewpoint on the issue of refugees in India—as stipulated in the Constitution of India— Article 14 (the right to equality); Article 21: (the right to personal life and liberty); and Article 25: (the freedom to practice and propagate one's own religion), which is guaranteed to citizens and non-citizens alike.” This view point was apparent from our experiences of dealing with the refugee problem in our country.

This section theoretically tries to understand the Judicial Intervention in the matter of Rohingyas refugees. A petition filed by a refugee is taken for this study, *Mohammad Salimullah vs Union of India 2021*.<sup>27</sup> Previous judgments of various courts are being looked upon regarding the status of refugees in India. Statements issued on the proposed deportation of Rohingyas from India are evaluated along with legal obligations to protect the Rohingya community under Constitutional guarantees and International obligations.

The background for this petition was a statement by the then Union Minister of State for Home Affairs, Kiren Rijiju, that “the central government had directed state authorities to identify and deport illegal immigrants, including Rohingya, who face persecution in Buddhist-majority Myanmar” (The Hindu 2017). "As far as we are concerned, they are all illegal immigrants. They have no basis to live here. Anybody who is illegal migrant will be deported" (Sanjeev 2017).

The Rohingya issue was brought to the Supreme Court when the UNHCR-registered refugee, Mr. Mohammad Salimullah, filed a petition stating that deportation and

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<sup>27</sup> 2021 AIR, 2021 SC (CIVIL) 1753.

disclosure could cost his life. The petition further contended that he would be exposed to the atrocities faced by the Rohingya community in Myanmar, if he is to be sent back to Myanmar. Outraged by the remarks and deportation orders of the Minister, Mohammad Salimullah sought to defend constitutional guarantees for Indian refugees. Various articles under the Indian constitution make India obliged to respect international law. Respect towards international law can be interpreted from Article 14, Article 21 and Article 51 (c) of the Constitution. This obligation is also applicable to the international principle of non-refoulement. –The principle of non-refoulement or not returning refugees to [places] where they [are at risk] is considered part of customary international law” (UNHRC 1997).

The Writ Petition has been received to guarantee and protect the right to deportation of refugees in India under Article 32 of the Constitution of India.<sup>28</sup> This petition is consistent with the constitutional guarantees under Articles 14 and 21 combined with Article 51(c) of the Constitution of India, which prevents the arbitrary deportation of refugees who have fled India and have fled to India.

The proposed deportation was, however, contrary to both the Constitutional provisions and customary International law. Articles 14, 21 and 51(c) of the Indian Constitution provides "equal rights and liberty to every person". This act contradicts the principle of non-refoulement, widely recognised as a principle of Customary International Law.

### **India's Legal Obligation towards Refugees**

The Indian Constitution guarantees certain irrevocable rights. Every person is entitled to equality before the law and equal protection of the laws. The constitution guarantees certain rights as a ~~human~~ human being and certain other rights as citizens [of the country]. No person can be deprived of his life or personal liberty except according to the [procedure established by law]” (NHRC vs Arunachal Pradesh 1996).<sup>29</sup> Therefore, the state must protect the life, liberty and property of everyone, whether citizens or others. Official refugee status is construed under the Foreigner's Act of 1940.

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<sup>28</sup> Article 32 falls under Part III of the Indian Constitution empowers all the Indian citizens to move to the country's Apex Court in case of violation of Fundamental Rights (see D.D. Basu 2020).

<sup>29</sup> 1996 AIR 1234, 1996 SCC (1) 742.

Foreigner's act generally applies to those who enter India with false premises. India has signed a number of treaties recognizing the principle of non-refoulement. The principle of non-refoulement prohibits the transfer of refugees to countries where they face threats to their lives and dangers. –Article 51(c) of the Directive Principles of State Policy affirms respect for international law, treaties, and obligations under international law. The Indian judiciary has also recognised this principle as a right [accorded to] refugees under the various rights [listed in] Article 21” (*Dongh Lian Kham vs Union of India 2015*).

The treatment of refugees in a foreign country is interpreted by the guidelines and rules prescribed in the Convention Relating to the Status of Refugees, 1951. The convention is not ratified by India. However, it's often considered a rule in Customary International Law. The 'Principle of Non-Refoulement' is advocated by certain international treaties and conventions. These include important Treaties and Conventions, which are either ratified by India or a signatory to them. These are the treaties that stand up for the principle of non-refoulement:

- Universal Declaration of Human Rights<sup>30</sup>,
- International Convention on the Elimination of all Forms of Racial Discrimination, International Covenant on Civil and Political Rights,
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

In various judgments, Indian courts have interpreted the fundamental rights contained in Part III of the Constitution in accordance with international law. These conventions and treaties become legally binding obligations as India has already signed and ratified them. The Supreme Court of India made a judgment in the case of *People's Union for Civil Liberties vs Union of India* that "the provisions of the International Covenant on Civil and Political Rights (ICCPR)<sup>31</sup> are directly enforceable in India and can be used in effectuating the provisions of the Constitution. Customary

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<sup>30</sup> an international document adopted by the United Nations General Assembly in 1948 that enshrines the rights and freedoms of all human beings.

<sup>31</sup> ICCPR is a multilateral treaty adopted by U.N. General Assembly in 1966. It recognizes the inherent dignity of each individual and undertakes to promote conditions within states to allow the enjoyment of civil and political rights.

International Law was held to be automatically incorporated in the domestic law in the absence of any contrary provision" (Vellore Citizens Welfare Forum vs Union of India).<sup>32</sup>

The following constitutional provisions provide some degree of protection to refugees by the Indian constitution, while they are in the country's territory:

- Article 51 (c) - foster respect for international law and treaty obligations in the dealings of organised peoples with one another; and encourage settlement of international disputes by arbitration
- Article 14 - Right to equality
- Article 21- Right to life and liberty

These constitutional provisions have been interpreted by the Supreme Court as extending "the protection of the right to equality and the right to life and personal liberty of refugees" (Justice K.S. Puttaswamy (Retd) vs UOI 2017).<sup>33</sup> The landmark judgment on the right to privacy has categorically stated that "the Constitutional provisions must be read and interpreted in a manner which would enhance their conformity with the global human rights regime" (Justice K.S. Puttaswamy (Retd) vs UOI 2017).

In the case of *NHRC vs state of Arunachal Pradesh*, the Supreme Court has categorically stated that every human being is entitled to have certain rights and certain other rights are applicable for the citizens of the country. "Equality before the law" and "equal protection of the law" is universal and irrevocable. This prevents no person from being deprived of his life or personal liberty except according to the procedure established by law. Thus, the state is bound to protect the life and liberty of every human being, be he a citizen or otherwise" (*NHRC vs State of Arunachal Pradesh* 1996).

Even though there are numerous legal obligations towards the refugees in the country, the actions taken by the Indian government in providing protection and assistance to Rohingyas can be considered inadequate. As a country fostering respect for its

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<sup>32</sup> 1996 5 SCR 241.

<sup>33</sup> 2017 10 SCC 1, AIR 2017 SC 4161.

international obligations and responsibility, India failed to deliver on its commitments. There are claims that Rohingya refugees were rounded primarily on the grounds of religion. The parallel of such an instance can be drawn by closely observing growing discrimination and persecution of its own Muslim minorities by Indian state.

### **The Principle of Non-Refoulement**

The United Nations Convention on the Status of Refugees<sup>34</sup> unequivocally expressed under article 33(1) states that "Non-refoulement or not sending back refugees to a place where they face danger – is considered part of customary international law and binding on all states whether they have signed the Refugee Convention or not" (UNHCR 2007).

In the interpretation of the constitution in the given circumstances, the rights of a refugee are required to be guaranteed under Article 21 of the Indian Constitution. Such an interpretation would prohibit the deportation of refugees who fear threats from their home countries on the basis of race, religion and political beliefs.

The principle of non-refoulement affects the lives and freedoms of individuals, regardless of nationality. This principle prevents deportation if the life or liberty of a refugee is threatened by a refugee's race, religion, nationality, and membership in a particular social group or political opinion. This principle in International law would prevent India from deporting Rohingyas as it extends protection to the lives of the refugees. However, protection is not available to a refugee when national security is threatened or compromised.

The Union Government of India, in the affidavit filed, replied to the Supreme Court that India is not a signatory either to the United Nations Convention on the Status of Refugees 1951 or to the Protocol of the year 1967. The principle of non refoulement is applicable only to contracting States. India has cited the issue of national security.

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<sup>34</sup> The Convention Relating to the Status of Refugees, or 1951 Refugee Convention or the Geneva Convention of 28 July 1951. This is a United Nations multilateral treaty that defines who refugees are and sets out the rights of those who have been given asylum and the responsibilities of the country that has given them asylum. India is not a signatory to it.

As a country that has open land borders with many countries, the continuous threat of an influx of illegal immigrants will pose a serious national security ramification in the future. The Union of India has also clarified the court, citing intelligence agencies that have raised serious concerns about the threat to the country's internal security due to organised and well-orchestrated influx of illegal immigrants (Mohammad Salimullah vs Union of India 2021).

## **Conclusion**

India's stand towards Rohingya immigrants represents a significant departure from its age-old tradition of accommodating various kinds of refugees in its territory. There have been several instances of granting the right to citizenship in the past, even for immigrants. The recent policy shift of the Indian state in the case of the Rohingya refugee from Myanmar has been influenced by multiple factors like politics to economics, religion to identity, and legality to policy. India has concerns about granting Rohingya refugee status, which could not be legally ratified, as it did not sign the 1951 Convention Relating to the Status of Refugees nor the 1967 Protocol Relating to Status of Refugees. In addition, the obligations under Article 19 of the Constitution, which provides for the right to freely reside, settle or move in any part of the territory of India, apply only to citizens of that country.

From a purely economic point of view, dealing with this influx of refugees is like carrying a heavy backpack. India has to deal with its own domestic problems and challenges, including meeting the basic requirements for its growing population. It is not economically ethical to pump more resources to cater to illegal immigrants when those resources can be used for the welfare of deprived Indian citizens. However, a country like India, with a long-standing history of accepting refugees, cannot turn its back towards the human rights violations that unfolded in the crisis.

India needs to figure out a consensus that dictates a delicate balance between humanitarian aid and national interests. An analysis of Indian state policy towards Rohingya immigrants clearly indicates a shift towards national security over larger humanitarian concerns. The various initiatives taken by the government of India for tightening and closing its borders substantiate this fact. However, this prioritisation of national security over larger humanitarian commitments has seriously damaged



India's international reputation in this regard. However, the Rohingya crisis also points to the obvious limitations of soft power.<sup>35</sup> “India failed to address the fundamental cause of the crisis that is Myanmar's deep-seated hatred for the Rohingyas which was driven by a toxic combination of racism and religious intolerance...The benefits accruing from India's generosity to the Rohingyas across the border are being negated by the government's parsimoniousness within its borders” (Hindustan times 2017).

In short, the Rohingya crisis has put the state of India in a profound dilemma. This is precisely the contradiction or the crisis faced by most liberal democratic nations worldwide in accommodating both legal and illegal immigrants in their territories. The policy dilemma (border security versus humanitarian concern) in addressing the immigration crisis in liberal democratic nations has serious implications for its conceptualisation of citizenship.

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<sup>35</sup> A country's soft power essentially refers to its ability to attract other nations through its culture, foreign policy and political values, rather than the use of military might. Thus, soft power involves shaping the preferences of others through appeal and attraction.

## Conclusion

Seeping through the warp and weft of everyday life, the quotidian idea of citizenship is often a concept which is taken for granted. Despite enjoying a host of advantages and rights as a resident in a nation-state, there is a general tendency to neglect the significance of citizenship in our everyday lives. Like many other concepts in politics, the concept of citizenship also has a long history that can be traced back to the days of ancient Greek city-states. Encountering multiple challenges, the idea has evolved over the years, constantly chiseling its form and content. The contemporary debates and discussions on citizenship mainly revolve around the concept of liberal democracy. However, in recent times, liberal democracies across the world are facing unparalleled challenges from various quarters. People's distrust of democratic institutions, increasing voter alienation, and the unprecedented rise of right-wing populism across the world have shaken the foundation of liberal democratic nations today. Factors like multiculturalism, deepening effects of variegated identities, impact of the large-scale immigration and changing nature of globalisation have further complicated the case of liberal democratic states and institutions. These changes have left keen impressions on the conception of citizenship both theoretically and practically. The inherent tension and contradiction within liberal democracies between the logic of liberalism and of democracy are more visible than ever before. As we are entering the third decade of the twenty-first century, there is increasing anxiety among scholars about the nuances and tenability of liberal democratic ideals. Although there are multiple factors triggering these developments, in this thesis, immigration is identified as an important variable to understand these changes. Primarily, the study has examined the impact of immigration on the concept of citizenship in a liberal democratic state.

The study primarily argues that immigration is the utmost crucial and decisive factor behind all major political changes in the twenty-first-century world. Migration is a constant feature of human civilisation. However, the scale of it varies from time to time. Ever since the institution of the modern state system, it has become the base of organizing the political life of the people around the world. People's mobility has been reasonably restricted beyond the boundaries of nation-states. Influenced by the current phase of globalisation, there has been a global increase in migration. The

rapid mobility of people within and between nations has deeply impacted the socio-economic and cultural aspects of human life. The large-scale influx of people to a particular nation-state result in drastic changes in the ethnic, cultural, religious and demographic composition of that society, thereby creating huge anxiety and uncertainty in the minds of native residents about the preservation of their identity and culture. The unusual scale of immigration has triggered strong anti-immigration sentiments among the native public, even in the most migrant-friendly countries. The fear of today's majority becoming tomorrow's minority or, in other words, today's minority becoming tomorrow's majority has been touted as the biggest game-changer of politics in the twenty-first century.

Such majoritarian sentiments prompt governments in these nations to adopt vigorous measures to curb large scale immigration. Many nations have espoused stringent means to restrict immigration while tightening and closing the boundaries. The securitisation of politics and citizenship appeared as a major policy shift in many of the well-established liberal democratic nations in this context. As a consequence, the long-cherished liberal values of individual autonomy, universal human rights, respect to independent institutions and the protection of minorities have been disregarded. These vicissitudes have deeply disturbed the balance between liberalism and democracy in many liberal democratic nations, and they have ended up prioritizing the concerns of national security and border protection over the larger humanitarian considerations. This is a worldwide scenario and not just confined to the west. The strong anti-immigrant sentiments along with increasing xenophobia are reflected in the recent resurgence of right-wing populism in many liberal democratic nations from Europe to North America, Asia to Africa and Australia to South America. The Indian state's approach towards the Rohingya immigrants is also part of this growing trend. In this context, the present study raises the important questions of how far the current conceptualisation of liberal democratic citizenship is able to address the recent concerns and challenges emerging out of migration. To put it differently, how far the modern theories of citizenship have fallen short of paying attention to the crisis in liberal democratic nations created by large scale human migration. The study argues that the dual commitment of liberal democratic citizenship between universal human rights on the one hand and the membership of a nation-state on the other has resulted in the weakening of liberal democratic theories in addressing the crisis of migration in

the context of globalisation. This has created an ever-lasting tension between the citizens and the governing elite in contemporary liberal democratic nations. This divide has been capitalised by the right-wing populist forces across the world recently.

While investigating this, the research examined the conceptual history of citizenship. It delved into the ways in which this concept evolved over centuries and the challenges it has confronted during its long evolution. Furthermore, while unravelling the history of the concept of citizenship, the research explored the changes it had undergone in terms of its form and content. These issues form the background for this enquiry in which the main concern is to ensure reasonable accommodation of immigrants within the conceptualisation of citizenship.

The study began with an introduction to the idea of citizenship and explained the classical notion of citizenship. In the classical era, citizenship was a privilege bestowed upon only a few, and in the Greek city-states, a large number of people were excluded from citizenship status on the basis of their identity and social status. The situation was not much different in the Roman Republic. Thus, in ancient times, the status of citizenship was exclusionary in character, determined mainly by the dichotomy between inclusion and exclusion. However, along with the expansion of the Republic of Rome into an empire, the citizenship status was also being diluted eventually. In the empire, it was granted generously to almost everyone and turned into being just a legal status. Hence, there was a certain stage in history where the distinction between a citizen and a non-citizen had become quite blurred.

The study also tried to nuance the concept of citizenship that has evolved during the medieval and early modern world. Since the medieval world was unquestionably and predominantly dominated by Christianity, the concept of citizenship had only negligible significance as Christianity believes it to be not a religion of this world for it considers life in this world just a preparation for the life in the other world, the kingdom of the God. Finally, the study explored the evolution of the modern notion of citizenship with an emphasis on the liberal tradition and highlights the various challenges and concerns faced by the notion of citizenship in the liberal democratic nations under the influence of globalisation. In the modern era, liberal principles have dominated the conceptualisation of citizenship. Beyond legal status and

privilege, it is now attached with a series of rights and entitlements along with membership in a particular community. Although the idea of citizenship has evolved in various phases with different forms and content, the study highlighted that throughout its history, the identity of a citizen has always been determined by the dichotomy between inclusion and exclusion.

Ever since liberal democracy became one of the most legitimate and acceptable forms of government worldwide, the entire debate and discussions on citizenship are essentially centred on the theory and practice of liberal democratic nations today, which leads to the question of the significance of liberal democracy in the reconceptualisation of modern citizenship. Such an enquiry directs us towards the theoretical foundations of liberal democracy and its prominent features. Theoretically, liberal democracy is constituted through the articulation of two different traditions, namely, liberalism and democracy. Scholars from different backgrounds argue that there is an uneasy relationship between the values of liberalism and democracy within the liberal democratic tradition. Liberalism stands for universal human rights, individual autonomy and the rule of law. At the same time, democracy stood for popular sovereignty, the identity between the rulers and ruled and lastly, the equality of all. The proponents of each tradition have tried to prioritize their values over the other. For example, the supporters of democratic traditions have always tried to uphold the principles of democracy, and the liberals always emphasised the principles of liberalism. The prioritisation of the logic of liberalism by the liberals and the logic of democracy by the democrats have created huge tensions or often contradictions within modern liberal democracies. In order to highlight the internal contradictions of liberalism and democracy in the liberal democratic tradition, the study unfolds the history of both liberalism and democracy individually. This exercise helps in understanding the core idea of liberal democracy and its basic norms and values. Finally, it could be argued that liberal democracy would be the most appropriate terrain for the conceptualisation of modern citizenship, for it represents a series of rights and entitlements on one side and membership in a political community on the other. However, there is an inherent tensions at the heart of the norms and practices of liberal democracies around the concept of citizenship across the world. This is a tension, and sometimes an open contradiction, between liberal commitments to universal human rights on the one

hand and democratic sovereign self-determination claims on the other. The latter is used for border control and for monitoring the quality and quantity of people entering these borders. Towards the end of the twentieth century, this contradiction was more exposed due to globalisation.

The current phase of globalisation has brought significant changes to the social, economic and political spheres of human life in our times. Politically, it has profoundly altered the boundaries of nation-states. The sovereignty of states has been conceded to the non-state actors. Economically it has intensified the disparity between and within the nations. Within nations, it is between the rich and poor, while it is between the north and the south in the case of nations. There has been a massive exodus of people across the globe, which has become the key source of diversity in many nations. Hence, one of the most significant manifestations of globalisation is large scale migrations across the world. The chronic mobility of people to various nations poses a series of questions to the conceptualisation of liberal democratic citizenship. Some of these are the manner in which a nation accommodates immigrants or whether it can accommodate so many immigrants in its territory; whether immigrants can be given citizenship rights and if yes, the rights that they are entitled to; and the various ways in which their different and unique ethno cultural and religious values are to be protected.

Multicultural citizenship appeared to be the most promising alternative to accommodate the issues and challenges facing a liberal democratic state. The replacement of universal rights with the rights of a particular group has an adverse consequence in the schematics of multicultural citizenship. The multicultural commitment towards the protection of minority rights has created a huge rift between immigrants and natives in many nations today. The fallout of multiculturalism in this regard has been fully capitalised by the right-wing populist parties in most democratic countries. The failure of multicultural citizenship in addressing the immigration crisis has forced many scholars to search for new theoretical alternatives.

The theoretical vacuum created by the failure of multicultural citizenship in contemporary liberal democracy has been engaged by the post-national and cosmopolitan concept of citizenship. These theories basically try to de-link the

association of nationality with citizenship. Since globalisation has significantly questioned the relevance of the traditional concept of the nation-state and its boundaries, identifying citizenship with membership in a community of states is no longer valid. Hence, the conceptualisation of citizenship beyond the image of the nation-state becomes the most suitable form of citizenship in the context of globalisation. However, at the beginning of the twenty-first century, especially after 9/11 and the 2008 financial crisis, a strong nationalist sentiment swept almost all parts of the world, leading to a majority of states adopting strict measures to restrict immigration, tightening boundaries and boosting national security. Along with stringent anti-immigrant policies, these states have adopted various protectionist measures. Thus the debate among scholars on the declining significance of the nation-state system is increasingly losing relevance. Above all, in the last two decades, the world has registered a novel resurgence of right-wing populism that has been inspired by a robust anti-immigration sentiment. In this changing scenario, the retreat of globalisation instead of globalisation itself becomes the real game in town. Hence, the citizenship theories that tried to undermine the significance of nationality or nation-state have turned out to be obsolete. Interestingly, globalisation was responsible for the unusual scale of migration and migration in turn became one of the most important reasons for its retreat.

The changing nature of globalisation and its consequences for twenty-first-century politics have completely altered priorities of the theory and practice of citizenship in contemporary liberal democratic nations. Till the end of the twentieth century, these nations were trying to explore the ways and means for accommodating immigrants, but all of a sudden, at the very beginning of the twenty-first century, the same nations were trying to find strategies to restrict immigration. A couple of decades ago, liberal states were trying to ensure maximum protection of minority rights. However, at present, they are busy satisfying the sentiments of the majority. In today's nations, there is a total shift of attention towards national security and closing of borders over the larger humanitarian issues. Thus, these developments have created moral and political dilemmas in today's liberal democratic nations. Although Liberal nations have their natural commitments towards the larger humanity irrespective of their nationality, culture, ethnicity, gender and sexuality, these states are not able to overcome the majority sentiments against the increasing

population of the immigrant minority. In this context, the important question is how these changes in recent democratic countries have influenced the theorisation of citizenship and the new concerns and considerations that have shaped such a conceptualisation.

Over the last quarter-century, the liberal democratic nations have undergone profound transformations all across the world. The national security and protection of the borders have become the ultimate policy concern for many of these nations. Almost all these nations have taken measures to curb migration directly or indirectly. These policies were and are still being influenced by xenophobia, hyper-nationalism and the anxiety of Islamic militancy. The citizenship test and the biometric identification/registration of citizens have become a common feature in western democracies. Many of them have only permitted selective migration and deliberately avoided immigration from Islamic nations. The border security has been tightened to prevent the flow of refugees and illegal immigrants from outside.

In this context, today's democratic nations are witnessing a resurrection and resurgence of right-wing populist political parties. The success of populism creates utter disrespect towards liberal institutions and changes liberal democracies into illiberal democracies. Therefore, unlike in the past, the conceptualisation of citizenship in recent times has been highly influenced by the new aspects of security and border concerns. The securitisation of citizenship in the liberal democracies across the world reminds us of the citizenship practice in the ancient Greek city-state of Sparta. In Sparta, citizenship was totally centred on the notion of security, and it was reduced to the just discharging of military duties. This shift of conceptualizing citizenship to a non-liberal direction has huge repercussions on the entire liberal tradition. Well-known liberal values like individual rights, human freedom, and respect for fellow beings, freedom of speech and expression and tolerance of differences are all at stake.

Historically, there has always been an attempt to strike a balance between principles of individual rights which are universal in nature on one side and sovereign self-determination claim of the people on the other in a liberal democratic framework. Immigration on an extensive scale in the last few decades have deeply disturbed the balance of the liberal and democratic principles in a liberal democratic form of



government. The pendulum sways more towards democracy and has been manifested in the unusual success of the right-wing political parties in most of the western democracies these days. In short, the study argues that contemporary liberal democracies have prioritised national security and the protection of the borders over the larger humanitarian concerns, meaning that the liberal values in liberal democracies have been completely shadowed by the dominance of democratic principles. Invariably, this trend has been quite common among the liberal democratic nations across the globe. In order to substantiate the core argument of this research, the study has taken the case of Rohingya immigrants from the state of Myanmar to the most populous democracy of the world- the state of India.

The Rohingya, inhabitants of the Rakhine State in Myanmar, have faced decades of systemic discrimination, statelessness and targeted violence. The Buddhist majority state of Myanmar has committed severe atrocities such as mass killings, persecutions and sexual assaults on the Rohingya Muslims. Such persecutions have forced Rohingya women, girls, boys and men to migrate to neighboring states of Bangladesh, India, Malaysia, Thailand and Indonesia for many years. There was a significant spike in migration following the violent attacks in 1978, 1991-1992, 2012 and 2016. The latest and the largest migrations happened in August 2017. The way in which the state of India responded to the Rohingya immigrants would be a crucial question while considering the larger context of this research. Analyzing the policy of the Indian state towards the Rohingya immigrants clearly suggests a significant departure from its age-old tradition of accommodating immigrants of different backgrounds in its territory. There have been several instances of granting citizenship rights in the past, even for the immigrants from various neighboring states. The recent shift in policy by the Indian state in the case of the Rohingya refugees from Myanmar is influenced by multiple factors like politics to economics, religion to identity and legality to policy.

There exists a state of commotion in granting refugee status to the Rohingya in India, which cannot be legally ratified as India is neither a signatory to the 1951 Convention Relating to the Status of Refugees nor the 1967 Protocol Relating to Status of Refugees. It is not economically ethical to pump more resources to cater to illegal immigrants when those resources can be used for the welfare of deprived

Indian citizens. But at the same time, a country like India, with a long-standing history of accepting refugees, cannot turn its back towards human rights violations. A large-scale national narrative has been built while highlighting the possible danger of Islamic militancy coming from the Rohingya community and thereby portraying the Rohingya immigrants as a great threat to our national security. The stand taken by the governing elites, responses in the parliament, the approach of various political parties, especially the one in power, segments from media and judicial interventions on this issue seems to reflect the larger public mood inspired by the discourse of border security and national interest. An analysis of the Indian policy towards the Rohingya immigrants clearly indicates a shift more towards national security over the large humanitarian concerns. The securitisation of Citizenship in India, along with the introduction of UID, NRIC and the Citizenship Amendment Act 2019, have to be seen in this context. Furthermore, the desperate attempt from the side of the government of India to deport Rohingya back to Myanmar and the various initiatives taken for tightening and closing India's borders substantiate this fact. The last part of the study argues that the Rohingya crisis has put the state of India in a deep moral and political dilemma. This is precisely the contradiction or often the crisis faced by most liberal democratic nations across the world in accommodating both legal and illegal immigrants in their territories. The policy dilemma in addressing the immigration crisis in liberal democratic nations has serious implications on its conceptualisation of citizenship. The fallout of liberal democratic citizenship today has far-reaching consequences on the very prevailing notion of liberal democracy itself.

Theoretically, the optimism around the success, sustainability and the future of liberal democracy could be seen at the end of the twentieth century (Fukuyama 1989), which no longer exists today. If the discussions in the 1990s were on the end of history and the victory of liberal democracy, scholars today are mainly discussing the end of "end of history" (Mounk 2020). The assumption by many intellectuals that more and more countries will be moving towards democracy is proven to be wrong. The statement by Larry Diamond 2015 that currently the world is undergoing a "democratic recession" represents a true picture of the current state of affairs about the democratic states. "For each of the past thirteen years, more countries have moved away from democracy than have moved toward it" (Diamond

2015). Most scholars would agree that democracy is not the only game in town today. As Roberto Stefan Foa and Yasha Mounk have shown that “large numbers of people seem to have fallen out of love with liberal democracy: In countries from the United Kingdom to Australia, citizens have grown both more critical of liberal democracy and more open to authoritarian alternatives” (Foa; Mounk 2016). Thus, the more we advance in the twenty-first century, liberal democracies are getting into more and more unfathomable crises.

Significantly contrasting to the previous centuries of political experience, the political trend that emerged in the West is also showing a global pattern. India, Brazil and the United States, three of the world’s largest democracies, were ruled by populists till 2020. “Over the span of less than a decade, Great Britain voted for Brexit, the United States elected Donald Trump, authoritarian populists took the reins of power from Brazil to India and from Italy to the Philippines, and elected strongmen started an all-out assault on liberal democracy in Ankara, Budapest, Caracas, Moscow, and Warsaw as well as many other places that get far less attention in newspapers and academic journals alike” (Mounk 2020: 23).

The victory of Donald Trump in 2016 becomes a significant point of reference in this regard. “Trump: the fruits of wrath How could this happen? How could a rude and vulgar billionaire be elected to the most powerful presidency in the world, a property speculator mired in dirty deals, ignorant of international politics, dismissive about the conservation of the planet, a radical nationalist who is openly sexist, xenophobic and racist?” (Castells 2019: 10). This may be an extreme expression, but it clearly indicates the plight of liberal democracy today. Without doubt, current interest in populism is driven, first and foremost, by growing disquiet about democracy and liberalism, their delicate interplays and possible failures.

The liberal foundations of the liberal democratic regimes in these countries are increasingly under attack. The populist accuses the “political elite but also the economic and media elites - of not representing the people. And being incompetent, corrupt, and self-serving, the only honest and legitimate representative of the people [is the populist leader]” (Herpen 2021). They also discharge an attack on the independence of the judiciary or the freedom of the press, and even the universities are not being spared. They suspend the protection of minorities, end human rights regimes, or close frontiers to refugees. These nations are “accustomed is not a lack

of democracy; it is a lack of respect for independent institutions and individual rights” (Mounk 2018). These political trends are not only restricted in the West but are also perceptible in the other part of the world. This represents a noteworthy departure from the conventional understanding about the politics that the west and non/west have a different experience of modern institutions and norms, especially the democratic practices.

Needless to say, the study confronts several limitations, especially due to exceptional circumstances created by the global pandemic in the form of Covid 19. Hence, Even the case study on India has predominantly depended on internet sources for collecting the primary data. The study deliberately avoided case study of a group of selective nations fearing the research to have landed in a number of difficulties losing the opportunity of knowing the variegated democratic experience of many countries it would have also missed some unique occurrence in many liberal democratic nations through which a common framework is derived. This is not to say that the study has suffered because of these limitations; rather, it has successfully led to certain interesting findings. Moreover, it throws light on the possibility of some exciting future research.

### **Future prospects**

As identified by this study, the incursion of immigration is mostly responsible for the recent political occurrence in many countries. One of the major outcomes due to excessive immigration is the advent of populism of all kinds. The unprecedented growth of populist political parties has generated a renewed interest in populism among scholars of diverse backgrounds. Populism has become undoubtedly the buzzword in the twenty-first century. Since populist forces are the most influential in several states, it would be interesting to look into its impact on the conceptualisation of citizenship in liberal democracies across the world in our time.

- Is Populism going to stay longer?
- If, what would be the plight of liberal democracy?
- Being in government, how do the Populists distance themselves from the elite versus people dichotomy?

- What is the impact of populism on the party system in liberal democratic states?
- What are the possibilities for the revival of conventional political parties in these countries?
- Can liberal democracies regain their losing acceptability among the public?

These are some questions that are to be investigated further.

The dilemma of liberal democratic citizenship in addressing the immigration predicament raises the most vital questions about the endurance of modern liberal democracies. However, it would be difficult to say as the defeat of Trump, the third time victory of Justin Trudeau in Canada and most recently, the farmers' success in India are exhibiting a different trend.

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