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Instituting Civic Citizenship

Adam Dunn and David Owen

... if men wish to be free, it is precisely sovereignty they must renounce.

Hannah Arendt

What we need however is a political philosophy that isn't erected around the problem of sovereignty ... We need to cut off the King's head: in political theory that has still to be done.

Michel Foucault

In his essay, and recent work more generally, James Tully sets up a contrast between two 'modes of citizenship', where this phrase refers to both 'a distinctive language of citizenship and its traditions of interpretation' and 'the corresponding practices and institutions to which it refers and in which it used'.¹ The basic contrast between these two modes – modern civil citizenship and diverse civic citizenship – is sketched thus:

Whereas modern citizenship focuses on citizenship as a universalisable legal status underpinned by institutions and processes of rationalisation that enable and constrain the possibility of civil activity (an institutionalised/universal orientation), diverse citizenship focuses on the singular civic activities and diverse way that these are more

¹ J. Tully, 'On Local and Global Citizenship: An Apprenticeship Manual', in *Public Philosophy in a New Key: Volume II, Imperialism and Civic Citizenship*, Cambridge; Cambridge University Press, 2008, p. 246.

or less institutionalised or blocked in different contexts (a civic activity/contextual orientation). Citizenship is not a status given by the institutions of the modern constitutional state and international law, but negotiated practices in which one becomes a citizen through participation.²

Our concern in this chapter is the question of how, from the standpoint of diverse or civic citizenship, we are to understand the relationship of citizenship (as ‘negotiated practices in which one becomes a citizen through participation’) to the status of citizenship, to civic right and to civic institutions. Elucidating these two modes will put us in a better position to understand this relationship and the implications of Tully’s argument for contemporary political struggles and transformations. We will begin by drawing attention to the contrast between the basic *orientations* of diverse-civic and modern-civil modes of citizenship and the ways in which these distinct orientations manifest themselves in order to draw out both Tully’s critique of sovereignty and the sense in which diverse citizenship is a non-sovereign citizenship.

1. Orientations

Tully’s analysis adopts an approach to subjectivity (common to Nietzsche, Heidegger, Wittgenstein and Foucault) in which, as Menke notes of Foucault, ‘the praxis of practice . . . is the medium of constitution of subjectivity’.³ Through the praxis of practice, we acquire the abilities that are, at once, the ability to perform actions that realize the goods of the practices in which we are engaged and the ability to direct our own activity; thus ‘subjectivity is the practical self-relation of self-direction that is located in being able to carry

² Tully, ‘Local and Global Citizenship’, p. 248.

³ C. Menke, ‘Two Kinds of Practice: On the Relation between Social Discipline and the Aesthetics of Existence’, *Constellations* 10 (2): 200, 2003.

something out'.⁴ What distinguishes the two modes of citizenship is not necessarily the practices in which they are engaged but the orientation or, more precisely, *practical attitude* with which they engage in the activity, that is, their practical attitude as participants in a practice, where such attitudes cannot simply be chosen (acquired or secured by decisions)⁵ but must be acquired through practice, especially practices of 'citizenization'. This 'practice'-based approach to subjectivity explains two fundamental features of Tully's reflections on citizenship. It explains, first, why he focuses on 'modes of citizenship' as both marking out distinctive practical attitudes to the practice of citizenship and specifying the practices of citizenization through which these practical attitudes are acquired or inculcated.⁶ It also explains, second, why he can claim that diverse or civic citizens can act as such even when participating within 'the same institutions' as modern citizens, including, for example, institutions such as the modern state.⁷ Seeing that the contrast between these orientations is the difference between the practical attitudes towards the governance of self and others practised by participants in these practices is fundamental to any consideration of the two practical attitudes that Tully identifies. (Note that this fundamental feature also explains why Tully engages in a form of genealogical analysis in which philosophical enquiry is necessarily also historical enquiry; the two attitudes that he addresses are not separable from their historical manifestations even if it is also the case that they are not reducible to their historical forms.)

In general terms, 'modern citizenship' as a mode of citizenship/citizenization stands towards citizenship 'as a [legal] status within an institutional framework', whereas 'diverse citizenship' is oriented to citizenship 'as *negotiated practices*, as praxis – as actors and activities

⁴ Ibid., p. 201.

⁵ Ibid., p. 209.

⁶ It is hard to overestimate the significance of this point for understanding Tully's argument and the way in which it is conducted. Thus, for example, it would be a mistake to interpret him as simply sketching two 'conceptions' of citizenship which could either be specified by ideal theory or fleshed out through historical examples because such an approach to his argument would miss what was central to it.

⁷ Tully, 'Local and Global Citizenship', p. 269.

in contexts'.⁸ On the former view, civil action necessarily presupposes an institutional structure of legal rules; on the latter view, primacy is accorded to 'the concrete games of citizenship and the ways that they are played'.⁹ Thus, in relation to diverse citizenship, Tully stresses: 'Civic activities – what citizens do and the ways they do them – can be more or less institutionalised and rationalised (in countless forms), but this is secondary'.¹⁰ Notice that this general contrast already constructs a fundamental difference in the mode of self-relation of individuals to themselves as citizens. The mode of citizenship-formation characteristic of the modern civil stance is of the individual standing to him- or herself as occupant of an 'office' specified by a range of rights and duties, whereas that of the diverse civic stance is of the individual standing to him- or herself as an agent with a (non-fixed) range of powers. One way in which this contrast discloses itself is in the contrast between these practical attitudes as attitudes towards autonomy. As Tully notes, the contrast can be cast in terms of the grammatical distinction between liberty and freedom in which the latter but not the former can be predicated of actions.¹¹ Civil citizens stand towards themselves as persons who are *at liberty* (i.e. free from subjection to the will of another) in virtue of their enjoyment of the civil rights and duties that compose the office of citizenship under law to take up opportunities to participate as political equals in determining the law to which they are subject as subjects of a given political institution of governance. By contrast, civic citizens 'manifest the freedom *of* participation':

Civic freedom is not an opportunity [to participate] but a manifestation: neither freedom *from* nor freedom *to* . . . , but freedoms *of* and *in* participation, and *with* fellow citizens. The civic citizen is not the citizen of an institution (a nation-state or an international law) but the free citizen of the 'free city': that is, *any* kind of civic world or democratic 'sphere' that comes into being and is reciprocally held aloft by the civic

⁸ Ibid. Emphasis added.

⁹ Ibid., p. 269.

¹⁰ Ibid.

¹¹ Ibid., p. 272.

freedom of its citizens, from the smallest *deme* or commune to glocal federations.¹²

This contrast has significant implications for how we understand rights in citizenship contexts. On the modern view, civil rights¹³ are necessary institutional preconditions of citizenship in that they comprise the entitlements, liberties, immunities and powers which secure the liberty of the citizen, that compose the condition of being *at liberty*. On the civic view, rights are neither necessary nor sufficient conditions of civic freedom. Rather, Tully argues, rights are products of civic activity and are secured by such activity.¹⁴ But what is the value of rights on this view? This is left somewhat vague in Tully's account but if we focus on his understanding of freedom and the citizen/governor relationship, we can develop an account of the value of rights from a civic perspective.

Tully's understanding of civic freedom is predicated on the basic claim that human beings in relationship are characterized by 'field freedom':

The freedom of *Spielraum* (free play) in the field of any relationship is both the existential field – the room or space of manoeuvrability (the range of possible moves) – and the experiential ways in which partners can and do disclose and act on their possibilities – the games (*Spiel*) they play *in* the relationship or in the confrontation of its limits. . . . Humans are always unavoidably *homo ludens*, creative game players and prototypical civic citizens before and *as* they take on any other identities.¹⁵

The fact that power can only be exercised over people insofar as they are free in this sense implies that the relationship of governor and citizen can never be one in which the citizen's subjectivity is *determined* by the governor. The governor 'cannot eliminate completely the interactive and open-ended freedom *of* and *in* the relationship or the room to appear

¹² Ibid.

¹³ 'Civil rights' here refers to what are more usually called civil, political, socio-economic and cultural rights: see Tully, 'Local and Global Citizenship', pp. 250–6.

¹⁴ Tully, 'Local and Global Citizenship', p. 273.

¹⁵ Ibid., p. 277.

to conform to the public script while thinking and acting otherwise, without reducing the relationship to one of complete immobilisation.¹⁶ But while this point is fundamental for Tully in making clear that, for example, the freedom exhibited in the struggles of indigenous peoples is 'in the sparsely, limited *Spielraum* open to them',¹⁷ he also effectively acknowledges through this example that the exercise of civic freedom by indigenous peoples is quite compatible with their being subject to political domination.

To clarify this point, consider the contrast between 'civil' and 'civic' attitudes towards the citizen/governor relationship. From a civil stance, the citizen/governor relationship is an hierarchical institutional relationship which specifies, in broadly contractual fashion, a set of rights and obligations between the parties to the relationship (as well as procedures for adjudicating disputes between them) and is structured in terms of the authority of command. Governors who meet the relevant legitimacy conditions are entitled, within a contractually specified range of rule, to issue imperatives (in the form of law) which citizens are obliged to obey. By contrast, the civic standpoint sees the citizen/governor relationship as a scene of agonistic interaction in which governors seek to structure the field of possible action of citizens, to govern civic activity – and citizens, as free agents, reciprocally seek to structure the field of possible actions of governors, to 'civicize' governance. Both partners, ideally, 'enter into and subject themselves to the give and take of negotiation in and over the relationship they share':¹⁸

A citizen/governance relationship is an interdependent, interactive and open-ended partnership of mutual enabling, nurturing and reciprocal learning. . . . If the governed fail to exercise their freedom of having a say in and over the governance relationships they bear and speak truth to power, they never become citizens. They remain

¹⁶ Ibid., p. 278; although Arendt's reflections on the concentration camp point to a limit in respect of this claim.

¹⁷ Tully, 'Local and Global Citizenship', p. 278.

¹⁸ Ibid., p. 281.

unfree and servile ‘slaves’: that is, subjects of monological or ‘despotic’ relationships of command and obedience. . . . Reciprocally, if the governors refuse to listen and enter into negotiations, and either silence citizens or treat their demands as free speech to which they have no obligation to respond, they never become good governors. They remain unaccountable ‘tyrants’. . . .¹⁹

In contexts of domination, citizens can exercise civic freedom but only in a limited way which is not capable of transforming the context of governance, of ‘civicizing’ the relationship between governors and governed. But it is at just this point that we may think that reflection of the value of rights becomes significant, for while rights are not necessary or sufficient conditions of civic freedom, they are (or can be) *enabling* conditions of civic freedom and, in particular, of the *effective* exercise of civic freedom in ways that matter for governor-citizen relations. Rights can play a variety of roles here; reducing the costs of political participation, distributing powers to citizens and stabilizing forms of respect-recognition. Our point is simply that civic citizens have compelling reasons to struggle – as, of course, historically they have – for those rights which are sufficient to make the exercise of civic freedom effective even in the face of the limitations and dangers of identifying political freedom with a set of rights.

Acknowledging this point potentially recasts the significance of citizenship-as-a-legal-status for the civic point of view in that, at least in its rights dimension, citizenship as a legal status may be construed as a general right that enables civic agents to engage in effective negotiation with their governors. That citizenship-as-a-legal-status has this enabling function is sharply demonstrated by considering the position of those excluded from it. Citizenship is not, however, simply a matter of rights but also duties and virtues. The salience of these from a civic stance emerges when we recall Tully’s claim that if ‘the governed fail to exercise their freedom of having a say in and over the governance relationships

¹⁹ Ibid., p. 282. One might say that if governors do not enter the relationship, they do not actually become governors at all but rather commanders.

they bear and speak truth to power, they never become citizens'. By construing participation as a duty and good participation as a virtue in the way that the republican tradition does, citizenship-as-a-legal-status can function as an enabling device for converting the governed into civic citizens. None of this entails that citizenship-as-a-legal-status is prior to civic citizenship, on the contrary; what it does demonstrate is that there are reasons internal to the civic stance for constructing the legal status of citizenship. There are also, as we will argue shortly, reasons internal to this view for constructing institutions to facilitate the effective exercise of civic freedom.

Drawing out this point helps explain how a 'civil' view of citizenship can emerge as a stance that 'forgets' the civic freedom which both grounds and is served by citizenship-as-a-legal-status. On the basis of this 'forgetting', it comes to identify political freedom with a rationally justifiable civil status and set of civil institutions; this 'forgetting' thus finds intellectual expression in a re-conceptualization of political authority 'as an authority that was independent of relationships of interdependency and called "sovereignty"'.²⁰ The intellectual sources of this 'forgetfulness' are various; Tully's claim is that the hinge around which the transition from civic to civil stances was accomplished was the 'civil thesis of the superiority of institutional rule' that was developed in the aftermath of the Thirty Years War (and which provided ideological support to the imperialist projects of European states in the non-European world). The development of the institutionalization thesis, on Tully's account, is accomplished in the early modern period:

The civil theorists argued that the existing practices of governance and citizenship constituted an informal, haphazard, conflict-ridden, uncertain and insecure crazy quilt of overlapping jurisdictions that gave rise to the Thirty Years War. Civil philosophers, lawyers and administrators explained that only centralisation and institutionalisation would resolve these problems of informal (under-

²⁰ Tully, 'Local and Global Citizenship', p. 289.

institutionalised and under-rationalised) practices of law, governance and citizenship.²¹

The important point here is that one can be sceptical of the civil stance but still hold that they had a legitimate point concerning the institutional character of early modern Europe – and if we acknowledge this, it raises a fundamental question for the civic stance concerning the relations between civic citizenship and political institutions. The question can be put thus: if the modern sovereign state is the institutional expression of modern civil citizenship, what kind of institution can give expression to diverse civic citizenship? Since institutions are secondary from a civic point of view, they can take diverse forms but we may reasonably ask whether there are kinds of institutions whose ‘inner logic’ aligns with the practices of citizenship and citizenization characteristic of civic citizenship? This issue appears to be somewhat underexplored in Tully’s argument and yet if he is to have a cogent response to the concerns reasonably raised by civil theorists, it is a pivotal issue. It is thus to this topic that we now turn.

2. Institutions

The first step to answering the question of how to institutionalize civic citizenship is to set out what qualities would make an institution count as aligning with civic citizenship, or what it would take for it to be conducive to the same. An institution conducive to civic citizenship goes beyond serving as a mere repository for past civic victories; it would also support and mirror the practices of civic citizenship. This support can come in various forms, but most obviously consists of providing civil rights and recognized forms of interaction that facilitate engagement by reducing, and equalizing, the costs of participation. The more the political institutions work to expand the *Spielraum* of

²¹ Ibid., p. 288.

political actors, the easier effective engagement will be. And, to the degree an institution enables civic practices, it also mirrors them. Civic citizenship is a free relationship between fellow civic actors; at the limit, the institution too can take on this form, erasing the distinction between citizen and governor. This is the aspect under which its inner logic most closely matches civic citizenship; the target here is Tully's 'citizens acting together', in which institutions do feature as targets of civic action.²²

This discussion of the inner logic of institutions draws on two sources: first, the relatively few positive mentions of institutions in Tully's work; second, Arendt's 'council system' of government, which she offered as an alternative to party politics. The former focuses on Tully's discussion of the 'cooperative' as the civic equivalent to a corporation; the similarities between cooperative and council will set the stage for establishing the latter's fitness of match with civic citizenship as Tully describes it.

To begin, then: Tully's positive account of institutions. The ambivalence in Tully's approach to institutions is best revealed in his taxonomy of 'citizen partnerships', one species of which is citizenized cooperation outside of government: 'citizens organise and run an entire activity on the basis of citizen partnership, not in relation to a government, but to citizenise the activity for its own sake (rather than submit to institutionalisation or governance).'²³ There are two implicit claims this contrast relies on: first, that what takes place within institutions is necessarily governance rather than citizenship; second, that the non-governmental partnership these citizens create somehow evades taking on institutional form. Tully appears at times (such as the preceding quotation) to be drawing on a distinction between organization and institutionalization which aligns the cooperative activities of civic citizenship with non-institutionalized forms of organization in contrast to the institutionalized forms of organization

²² Ibid., pp. 302–3.

²³ Ibid., p. 291.

characteristic of civil citizenship. But while such a distinction can certainly be drawn, it stands in tension with Tully's acknowledgement that civic activities 'can be more or less institutionalised and rationalised (in countless forms)'.²⁴ Indeed, he gives examples of this kind of citizen activity which undermine any putative difference between civil and civic citizenship in terms of a contrast between institutionalized and non-institutionalized forms of organization. Thus, he appeals to 'classic examples of citizen partnerships' such as 'the celebrated practices of direct democracy, village commons and urban communes . . . such as Porte Allegre . . . and the Zapatistas'.²⁵ These examples are not treated in any detail but all have an institutional form – and, indeed, Tully takes the institution of the 'cooperative' as the exemplary form of this kind of citizenly activity (which has the side-effect of bypassing the forms of cooperation which more closely resemble governmental forms).²⁶ Tully may, of course, be tempted into formulations such as that we are criticizing by his identification of 'institutionalization' with the institutional thesis of the civil theorists but he should resist this temptation since, as we have argued on grounds internal to Tully's analysis of the two modes of citizenship, it is not institutions as such but the practical attitudes that we take to them and that they evince which is critical.

Let us then focus on the cooperative as the exemplary institutional mode of civic organization:

If the private corporation is both the basis and flagship of modern citizenship . . . then the commonplace cooperative is the comparative organisation of the civic tradition. Here, citizens ignore the civil division between (non-democratic) private and (representative) public spheres . . . [t]hey participate as democratic citizens governing themselves directly in the economic sphere (and other spheres),

²⁴ Ibid., p. 269.

²⁵ Ibid., p. 291.

²⁶ That Tully presents the cooperative as 'good twin' to the corporation complicates this somewhat; although this moves the discussion from politics-direct to economic control, it does so by insisting on the cooperatives' thoroughly *public* quality.

citizenising the same kinds of activity that corporations privatize . . . many cooperatives are not for profit but for living democracy and mutual aid.²⁷

Any organization which can be compared to a corporation – even a small one – cannot be entirely ad hoc. The same is true of any organization able to meaningfully act towards the two goals Tully lists in this quotation; it is very likely to need a sophisticated structure. This is more true if the cooperative is seen as an equal to larger private corporations, as it may have to be if it is to effectively contest the privatization of the economic sphere, or if it is to really stand as the opposing ‘flagship’ organization.

But there is also the question of what the cooperative does *differently* from the corporation when acting in the same sphere, which difference manifests in the kinds of relationship that the organization is built on. The corporation, like the sovereign state, rests on the kind of ‘centralization and institutionalization’ favoured by the civil theorists. The cooperative’s citizenization efforts overturn this, making the relationships between the citizens themselves central by investing in them the motive force of the system; this is what it would mean to make public the matters that an organization deals in. (One obvious corollary to this: to the degree that the state’s functions are made subject to sovereignty relations, it becomes a private matter.)

It is unclear whether this quite matches Tully’s actual presentation of the differences between the political realm and the economic domain. At one point, he presents the two kinds of struggle that characterize these arenas as if their outcomes are fundamentally different: ‘When citizens overthrow a local structural relationship or convert it into a citizen/governance relationship (or a citizen relationship in the cases of cooperatising private corporations).’²⁸ This seems to suggest that, for Tully, the manager is dispensable in a way the governor is not. And if so, the indispensability of the governor’s position suggests the inevitable

²⁷ Tully, ‘Local and Global Citizenship’, pp. 291–2.

²⁸ *Ibid.*, pp. 298–9.

presence of a distinction between governor and governed and, hence, under contemporary conditions, the persistence of sovereignty structures.

Is there good reason to be this pessimistic, even after conceding that the private corporation – Tully’s ‘flagship’ civil institution – can be fundamentally reformed? That rather depends on how we read what is done when civic citizens transform a private corporation into a cooperative; at least some of the powers and responsibilities of management are required parts of a company of whatever shape and the civic citizens must, for their own case, work out how best to citizenize these indispensables. Each must be distributed in an approximation of direct democracy, or else left in place but subjected to democratic oversight. The latter option leaves a manager-type figure (and the concomitant sovereignty-system) in place; the former does not. To say that the former is not a live option for the political sphere would be *de facto* to accept the institutionalization thesis proposed by the civil theorists (which Tully clearly does not). It seems then that Tully must accept that the governor/governed relationship can, like the manager/managed relationship, be reconfigured in a way that erases the distinction and with it the hierarchical command relationship that it manifests. However, whereas Tully deploys the cooperative as the civic institution that can replace the private corporation in economic life, he does not articulate a clear alternative in relation to the political field. This lack of a suitably scalable and flexible alternative is liable to lead to political pessimism.

Such a pessimistic outlook may also arise from Tully’s analysis of the glocalization efforts of civic citizenship, in spite of one of the goals Tully ascribes to citizenization efforts: the aim of ‘democratizing democracy’.²⁹ This is a transformative process, to be sure, but one that is (in this description) limited to working within existing forms (alongside civil citizens) without addressing the underlying logics of those

²⁹ Ibid., p. 302.

systems.³⁰ This is especially troubling in light of Tully's recognition of the difficulties of continued civic struggles; he recognizes that another 'dominating layer of structural relationships' lies waiting behind every local victory of civic citizenship.³¹ If local systems of governance can only be made into ameliorated forms of civil governance, then the playing field between citizen and global system can never be made level – and Tully's argument begins to support a rather gloomy outlook.³² The playing field-levelling efforts at the glocal level are instead limited to the creation of 'glocal negotiating networks', which networks make easier the process of combating iniquities by combining disparate civic organizations.³³

Yet this work would be made easier by entrenching rights of participation, by reducing and equalizing the costs of civic participation. And this would in turn make it easier for the privileged civic citizens to meet their obligations to the non-privileged; 'It should not be the burden of the wretched of the earth to refuse to submit and act otherwise . . . but of the most powerful and privileged.'³⁴ It is perhaps obvious that helping others is easier when one's own participatory rights do not need to be continually reasserted on a case-by-case basis. But Tully's obligation-claims for the civic citizen go beyond this, to include a responsibility to steer 'negotiations into . . . institutions of the most effective nation-state or . . . negotiate directly in civic society'.³⁵ How much easier this would be if the civic citizens in those 'most effective' states have entrenched rights of participation and concomitant duties of assistance, creating recognized conduits for expressing both civic engagement and solidarity.

³⁰ Cf. *ibid.*, pp. 302–3.

³¹ *Ibid.*, pp. 298–9.

³² Note that this is not an argument that civic citizenship could (or should) ever come to a rest. Instead, the claim is merely that civic activities are well-served by entrenching advances, by ensuring the game is as close to fair as possible.

³³ Tully, 'Local and Global Citizenship', p. 305.

³⁴ *Ibid.*

³⁵ *Ibid.*

3. Non-sovereign institutions

In *Strange Multiplicity*, his earlier work addressing the struggles of cultural minorities, Tully advocated 'compact' or 'diverse' federalism as a mode of institutional response to 'modern constitutionalism' (i.e. the mode of constitutionalism that is aligned with modern civil citizenship). The key component of this response was that the self-governing states (or provinces, or cities) that formed a confederation retained their autonomy, with the federal government's powers limited to those explicitly granted by the sub-federal polities, who retained sovereignty in the sense of being entitled to withdraw these powers from the federal government.³⁶ This response is likely to look somewhat too 'modern' from the standpoint of Tully's more recent reflections but it indicates the importance for the articulation of an alternative to the logic of sovereignty of a form of bottom-up authorization in which civic freedom is given institutional expression. Such a form of institutionalization is proposed by Arendt. Our turn to Arendt's loosely sketched 'council system' of government need only show that not all political institutions need be, at base, institutions of sovereignty, while the parallel between Arendt's councils and Tully's cooperatives shows that the former is not alien to Tully's conception of civic citizenship, but a companion to it.

Arendt's description of the council system is far from systematic enough to be taken as a blueprint. Rather, what we find in Arendt's work is a set of historical examples, in which citizens have worked together to manage public goods in scenarios where the regular mechanisms of governance and power have broken down. Intermingled with these post-crisis examples of citizens making do is Thomas Jefferson's late-in-life enthusiasm for a ward system of government, a kind of very fine-grained federalism.³⁷ It is the use of Jefferson that suggests Arendt thinks

³⁶ J. Tully, *Strange Multiplicity: Constitutionalism in an Age of Diversity*, Cambridge: Cambridge University Press, 1995, pp. 140–5.

³⁷ J. Medearis, 'Lost or Obscured? How V.I. Lenin, Joseph Schumpeter, and Hannah Arendt Misunderstood the Council Movement', *Polity* 36 (3): 447–76, 2004, gives a detailed view of how the historical examples differ from Arendt's account of them.

the councils can have more longevity than the citizens' organizations which 'had sprung up everywhere, completely independent of one another' and 'turned an almost accidental proximity into a political institution'.³⁸ In the absence of state power, these councils necessarily were non-state groupings of citizens, organized for various purposes (the list of which purposes takes in both geography- and occupation-based interests³⁹).

In two of her historical examples,⁴⁰ Arendt finds evidence that the councils could be something more than a stop-gap measure for coping with political calamity; they 'lasted just long enough to show in bare outlines what a government would look like . . . founded on the principles of the council system'.⁴¹ She draws selectively on Jefferson to augment this view, while silently omitting those parts of Jefferson's work which suggest the initiative power within the ward system remains centralized.⁴² Thus, her account of the historical councils credits them with federating in such a way that each council did not lose its own 'power to constitute', retaining control of their 'capacity to act and to form opinions'⁴³ even as they banded together into federated units. In retaining this power, each council remains, to return to Tully's phrasing, a site of civic engagement. There is, of course, always the risk that this site could itself either become inequitably organized to the benefit of some individual participants or degenerate into mere lip service. The first is a permanent risk of any organization; the second is less a problem for this kind of organization since it is far easier, in the usual course of things, to deactivate a dormant right to meaningful participation than it is to create one anew.

One important virtue of the council system, as Havercroft notes, 'is its scalability and flexibility':

³⁸ H. Arendt, *On Revolution*, London; Penguin, 1965, pp. 266–7.

³⁹ *Ibid.*, p. 267.

⁴⁰ These are the Russian Revolution of February 1917 and the Hungarian Revolution of 1956.

⁴¹ Arendt, *On Revolution*, p. 266.

⁴² For example, T. Jefferson, *Jefferson: Political Writings*, Cambridge: Cambridge University Press, 1999, p. 183.

⁴³ Arendt, *On Revolution*, p. 267.

One could imagine a whole system of councils growing upwards from local neighbourhood councils all the way to a global council. Such a council system would not . . . have to govern all human affairs. Council systems could be set up to govern different issue areas. Council systems do not necessarily have to be bound to particular territories. They could be formed to govern issues of transnational concern, such as the environment or human rights. Finally, councils do not necessarily have to extend all the way up to the global level or all the way down to the neighbourhood level. They can be adapted to govern the scope and scale of the problem for which they were formed.⁴⁴

But with Jefferson's centralizing rejected, what mechanism (or mechanisms) will play the role of coordinating and organizing distinct councils? This is less than clear, beyond the specification that each council retains its own prerogative (which specification makes them suitable as exemplars of civic citizenship). To default to a model of priority in which the rule is that councils *must* defer to the more-general bodies would obviously undo the distinctive quality of the council system. To have the more-general councils directed by the 'base-level' councils would be less objectionable, but would make the members of the former into mere instruments of the latter. It would return sovereignty and command to the system, something which is to be avoided for the sake of keeping it from transforming into something which will rob one or other set of participants of civic engagement.

To gain some sense of how the system can operate without resorting to a command-hierarchy, we turn to Sitton's commentary on the councils. He recognizes the lack of formal coercive apparatus in Arendt's councils and offers the following (brief) account of their working without it:

it would appear that the councils would be related through mutual respect, coupled with the practical recognition that coordinated action is necessary. No single council would have to be persuaded that the course of action upon which the others had decided was the correct

⁴⁴ J. Havercroft, *Captives of Sovereignty*, Cambridge: Cambridge University Press, 2011, p. 240.

one. Rather, each council would have respect for the opinions of the others and realize that certain things must be done, whether that particular council agreed or not . . . The very phrase 'higher council' would therefore not refer to any coercive power but to [being concerned with a larger area].⁴⁵

This is not much to go on as a guide to resolving these kinds of disputes in practice; all it really does is assert the primacy of discussion among citizens as the source of any such accommodation. Yet this is a vast improvement, in terms of the opportunities for meaningful engagement, in a system in which the 'height' of a body signifies the range of its command. While a council system may need some mechanism for breaking deadlocks, there is no reason in principle for thinking that such mechanisms cannot take civically acceptable forms.

What advantages does a citizenry organized along roughly these lines possess? Two advantages are primary. First, this form augments the powers of citizens by stabilizing a mode of acting-in-concert. Second, it greatly multiplies the opportunities for engaging in civic citizenship. One way it does this is by lowering the barriers to participation, providing a recognized regular opportunity which, in its various institutions, clearly invites citizens to participate. This would have the further effect of enhancing the practice itself; regular participation leads to *better* participation through sheer force of habituation. It also thereby improves the speed and responsiveness of civic citizens by reducing the need to either create ad hoc organizations anew or struggle to coopt existing ones. Efforts can be directed to whichever issue is at hand, rather than legitimating the citizens' rights to raise an issue at all. A permanent home for activities of this kind, one seen to be legitimate, is more robust and hence more able to resist systemic pressures; if regarded as legitimate, a council cannot simply be dismissed or made silent by state force. In this way too, the power of the citizenry is augmented. Barriers are also lowered with respect to the

⁴⁵ J. F. Sitton, 'Hannah Arendt's Argument for Council Democracy', in L. P. Hinchman and S. K. Hinchman, eds, *Hannah Arendt: Critical Essays*, Albany: State University of New York Press, 1994, p. 314.

results of civic citizenship once institutional forms are both thoroughly infused with civic values and regarded as the legitimate expressions of democratic voice (this would be a considerable advantage since one problem civic citizenship necessarily faces without it is the problem of competing interests and sources of legitimacy). Most fundamentally, however, the council system presents an arena in which civic citizens can practise civic citizenship and hence acquire, sustain and reproduce that practical attitude towards the government of self and others in which their freedom consists.

In sum, Arendt's council system provides Tully's account with an exemplary mode of instituting civic citizenship which it is currently lacking and thereby enables him to begin to offer a cogent rejoinder to civil devotees of the institutional thesis. It is of course true that the practice of the council system would need to be worked out more fully in the course of instituting it, but the fundamental point is that it provides a non-sovereign logic of institutionalization and a frame within which to reflect on, and develop, existing organizations of civic citizens.

4. Conclusion

Our concern in this chapter has been to focus on Tully's account of diverse-civic citizenship in terms of the issues that are, in our view, under-elaborated in Tully's own reflections. Starting from the recognition that the crucial difference between modern-civil and diverse-civic citizenship is a difference in practical attitude, we have been concerned to show that civic citizenship can accommodate concerns related to civil rights, citizenship-as-a-legal-status and political institutions. It has compelling internal reasons to do so: these three are ways of reducing and equalizing the costs of exercises of civic freedom and of augmenting the powers of citizens. But it also has such reasons because these elements can support those practices of citizenization that allow civic citizens to practise civic citizenship, to develop and sustain this practical attitude, and hence to become what politically they are.