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Notes

Chapter Two

- 1 For a more sustained analysis of these and other innovations, see Smith (2009).
- 2 See the Citizens' Assembly's dedicated website for reports, videos and other information: <http://www.citizensassembly.bc.ca/public>.
- 3 See <http://www.elections.bc.ca/elections/ge2005/finalrefresults.htm> for details of the referendum results.
- 4 <http://www.americaspeaks.org/>
- 5 <http://www.americaspeaks.org/index.cfm?fuseaction=page.viewpage&pageid=630&parentID=473>.
- 6 <http://www.headsup.org.uk>.
- 7 <http://www.tomorrowseurope.eu/and> <http://cdd.stanford.edu/polls/eu/index.html#results>.
- 8 For a sketch of an alternative approach to the comparative analysis of innovations, see Fung (2003).

Chapter Three

- 1 The question asked 'Now I'd like you to look at this card. I'm going to read out some different forms of political action that people can take, and I'd like you to tell me, for each one, whether you have actually done any of these things, whether you might do it, or would never, under any circumstances, do it.' *The table records the percentage of those who claimed to 'Have done' the protest activities listed. The 1970s data are from the Political Action survey, which was conducted from 1973–6. The rest is from subsequent runs of the World Values Study.*
- 2 The apparent 1 per cent rise to 1999 is not significant, but it is reported here simply to make sense of the cumulative data.
- 3 In the 2001 census, only 20.1 per cent of Britain's population held a first degree.
- 4 Tarrow called protest waves 'cycles'. However, like Koopmans (2004), we prefer to use the term 'waves' because 'cycles' implies a recycling, whereas in fact what we are talking about are the peaks and troughs in levels of protest.
- 5 Koopmans himself does *not* call these 'three Es'.
- 6 Olson's original thesis sought to explain participation in the Trade Union movement. Others have, perhaps erroneously, regarded it as a more general theory about participation in collective action.

Chapter Four

- 1 See <http://www.cic.gc.ca/english/resources/publications/welcome/wel-17e.asp#s1> [accessed 22 June 2009].
- 2 The terms 'duty' and 'obligation' will be used interchangeably in this chapter. (Some prefer to reserve the term 'obligation' for voluntary undertakings and 'duty' for commitments that are acquired non-voluntarily).
- 3 This is not to deny that the characteristics of a group may make a difference to the issue of what they are entitled to claim from the state, or what obligations they have to it. National minorities, for example, may have different rights and obligations than immigrant groups that are justified by their different circumstances rather than any choice either has made.
- 4 Consider, for example, a much quoted speech that Roy Jenkins gave in May 1966 not long after he became Home Secretary: 'Integration is perhaps a rather loose word. I do not regard it

as meaning the loss, by immigrants, of their own national characteristics and culture. I do not think that we need in this country a "melting pot", which will turn everybody out in a common mould, as one of a series of carbon copies of someone's misplaced vision of the stereotyped Englishman ... I define integration, therefore, not as a flattening process of assimilation but as equal opportunity, accompanied by cultural diversity, in an atmosphere of mutual tolerance. This is the goal' (Jenkins 1967: 267).

- 5 Some might say that assimilation essentially involves changing one's values, but that seems to me to be too restrictive. For example, members of a group may decide that in order to fit in better they should stop speaking the language of their ancestors and instead use the established language of the polity to which they now belong, both at home and in public, and we should surely regard that as involving a degree of assimilation even if it involves no change of values.
- 6 Although on this way of drawing the distinction it would be mistaken to say that assimilation is necessarily a one-way process whilst integration is necessarily two-way, it is true that assimilationist policies are directed towards cultural minorities, whilst integrationist policies may be directed towards either cultural minorities or the cultural majority, or both.
- 7 One of the most common approaches to theorizing citizenship distinguishes between liberal and republican accounts: see, for example, Oldfield (1990) and Miller (2000: Chapter 5). The distinction between liberal and republican accounts is not unrelated to the one that is drawn between justice and good of citizenship accounts, but (for reasons that will not be explored here) we regard the latter as more helpful in coming to understand the issue of whether immigrants are under a duty to integrate.
- 8 To the extent that duties of justice are universal in scope, a citizen will continue to have duties to outsiders, and indeed may have duties to support the development and maintenance of transnational institutions when these would facilitate the fulfilment of his or her duties to outsiders and enable them to receive their just entitlements.
- 9 Some libertarians might resist this extension, on the grounds that private employers are entitled to hire whom they want, for whatever reason they want, as a result of their property rights.
- 10 The 'Cantle Report' strongly influenced the 2002 White Paper 'Secure Borders, Safe Haven' (Home Office 2002), and they together informed the 2004 'Strength in Diversity' consultation document (Home Office 2004), and the 2005 'Improving Opportunity, Strengthening Society' strategy document (Home Office 2005) which emerged from the consultation process.
- 11 'The fact that people from the same background or culture choose to live or work together is not in itself a sign of breakdown in cohesion. But it is important that we foster mutual understanding and respect between people from different backgrounds and cultures. Communities are better equipped to organise themselves to tackle their common problems if they are not divided by mutual suspicion and misunderstanding of diverse cultures and faiths' (Home Office 2004: 5.3). These ideas are presented more rigorously by Cantle (2008, esp. pp. 50–67). In Robert Putnam's terms, the idea is that cross-cultural contact creates bridging social capital (2000: 22–3). On the basis of empirical research, Putnam expresses scepticism about contact theories of this sort (2007: 148–9), but the evidence is inconclusive against community cohesion hypotheses when they are carefully formulated, since so much will depend on the proviso that the contact between cultural groups has to be of the right kind or quality, for example that it must be meaningful. As Putnam implies, however, there is a danger of making the hypothesis impossible to falsify, for example, by dismissing apparent counter-evidence on the grounds that there is a lack of the required meaningful contact (2007: note 14).
- 12 Each citizen having the opportunity to participate on *equal terms* need not exclude the possibility of a differentiated citizenship in which different groups of citizens (perhaps women, or cultural minorities) had different sets of rights. Indeed a differentiated citizenship might be required in order for them to be included on equal terms. See Young (1989), Kymlicka (1995) and Lister (2003, esp. Chapter 3).

Chapter Five

- 1 The legal foundations (or lack of them) of Cameron's Human Rights Act scrapping policy have been called into question. According to Klug, Cameron is incorrect when he states that the replacement of the Human Rights Act with a British Bill of Rights and Responsibilities (see below) would 'somehow allow the UK government to ignore European Court of Human Rights rulings it does not agree with ... if anything the reverse applies' (Klug 2009: 3).
- 2 In my book *The End of Multiculturalism? Terrorism, Integration and Human Rights* I devote a chapter to the questions of torture, deportation and the right to have rights and the government's attempts to navigate the constraints of the ECHR and the Chahal ruling through developing memoranda of understanding with countries for the purpose of deporting foreign-national terror suspects.
- 3 That is the Department for Constitutional Affairs (2006) *Review of the Implementation of the Human Rights Act*.
- 4 The JCHR remind us that some legal rights are explicitly linked with citizenship, for example the right to vote, the right to a passport, the right to consular access abroad. There are also certain rights in any Bill of Rights which may apply to citizens, for example, the so-called 'democratic rights' such as the aforementioned, right to vote and also the right to stand for election. However, according to the JCHR, the place occupied by the category of rights related to citizenship in any Bill of Rights would be relatively small (Joint Committee on Human Rights 2008: 26).
- 5 Lord Goldsmith recommended further consideration be given to extending citizenship ceremonies to all young people, and not just new citizens (2008: 97). These coming of age ceremonies, according to Lord Goldsmith 'would emphasise what they had in common; confer a sense of achievement for what they had learned and done as part of citizenship education at school; as well as provide them with a spur to continue to be active citizens' (2008: 97).
- 6 What they have in mind under 'broad aspirations' are the resolution of disputes by peaceful means, toleration and respect for others, and safeguarding the environment for future generations (Ministry of Justice 2009: 53). These are 'aspirations' for encouraging responsible behaviour in citizens, but they are not legally enforceable.

Chapter Six

- 1 Thanks are particularly owed to Rainer Baubock for many valuable comments and suggestions as well as encouragement and support. Help was also gratefully received from Martin Vink for saving us from an error and from Peter Niesen, Rainer Forst, Seyla Benhabib, Amy Allen and Till van Rahden for searching questions. Earlier versions of this chapter were presented at a PSA Specialist Group conference on Citizenship and at a Fellows symposium at the *Forschungskolleg Humanwissenschaften* (Bad Homburg), and thanks are due to the audiences at both events.
- 2 The seminal work in this field is that of Rainer Baubock, whose early work was fundamental to establishing the field (Baubock 1994) and continues to develop our thinking in this area (Baubock 2003, 2005, 2007a,b, 2009a,b).
- 3 I am distinguishing here between expatriate voting and external or absentee voting. The former concerns the rights of expatriates to vote even if that requires return to the territory of the state to perform the act; the latter refers to the ability of citizens (who may or may not, be expatriates) to vote from abroad.
- 4 In pre-revolutionary America, voting rights in the colonies were conducted in terms of the general rule that voters and, indeed, office-holders were (white, male, property-owning) residents rather than British citizens. This practice of alien suffrage survived the revolution of 1776: 'Vermont's first Constitution allowed for both naturalization and enfranchisement of aliens, and the young Commonwealth of Virginia accomplished the same purposes by statute. In the commonwealth of Pennsylvania, after only two years of residence, aliens were permitted to vote' (Raskin 1993: 1391). This practice was present in one form or other in one or more

states in the United States until 1926. For fuller discussion of the history of alien suffrage in the USA see Neuman (1992), Raskin (1993), Harper-Ho (2000), Varsanyi (2005) and Hayduck (2006). For contemporary jurisprudential and political arguments for its reintroduction in the United States, see Rosberg (1976), Aleinikoff (1990), Neuman (1992), Raskin (1993), Tiao (1993), Harper-Ho (2000), Brozovich (2001), Hayduck (2006).

- 5 It is also the case, as Rainer Baubock has pointed out to us, that many semi or nondemocratic states accept dual nationality as a way of trying to sustain external control over their diasporas and to prevent the emergence of dissident diasporas. See Brand (2006).
- 6 Although Dahl talks of the principle of all affected interests, I agree with Lopez-Guerra (2005: 222–5) that since it is being governed that is the normatively relevant issue for Dahl, the relevant principle is that of being *subjected to* rule rather than *affected by* rule. For defences of the all-affected principle, see Shapiro (2003a,b) and Goodin (2007).
- 7 Walzer links this claim to one in which the polity has the right to determine its own entry criteria as an element of its right to self-determination; for an excellent analysis of the difficulties that this conjunction generates, see Bosniak (2006).
- 8 For a defence of citizenship tests, see Miller (2008), and for critiques see Carens (2005: 38–9) and Seglow (2008).
- 9 If the democratic argument is compelling, however, it raises another issue. We have argued that political membership should be mandated but citizenship should be optional. Moreover, if one chooses to naturalize within an EU member state, then EU citizenship is automatically mandated. But should one have the option of acquiring EU citizenship if one chooses not to naturalize in the member state? We see no compelling argument for this conclusion since it conflicts with the normative logic of a nested polity as an association of polities in confederal or federal form.

Chapter Eight

- 1 In a cosmopolitan world, it is often said that ‘Each citizen of a state will have to learn to become a “cosmopolitan citizen” as well; that is, a person capable of mediating between national traditions and alternative forms of life’ (Held and McGrew 2002: 107; see also Linklater 1998: 181). Insofar as this argument targets the virtues or dispositions of individual citizens, we may be moving closer to the kind of ethical cosmopolitan claims which are discussed in a later section of this chapter.
- 2 David Estlund (2008: Chapter 14) draws a useful distinction between the claim that something will not happen, and the distinct claim that it is strictly impossible. The former claim is likely to be the more appropriate claim in many political contexts: we might say, for instance, that while it is not strictly impossible for all Parliamentarians to hand in honest expense claims, this is not something we should expect to happen, and not an assumption we should build our institutions around. On my understanding, the doubts about cosmopolitan democracy under review here are of this type: people might in principle be capable of developing the affiliations and capacities required by cosmopolitan democrats, but we should not pin our hopes on (and design our institutions around) such a prospect.
- 3 In debates about distributive justice, for instance, Rawls (1972) was clear that the basic structure of society ought to be the ‘target’ of principles of distributive justice such as equality, whereas critics such as Cohen (2000) have maintained that such principles must also be taken to apply to individual decisions and behaviour – in which case a distinction between ethics and justice appears less germane.
- 4 A full account of the demarcation between who is and is not to be seen as an ecological citizen was rather lacking in Dobson’s original account (Dobson 2003), but things do become a little more clear in his later response to criticism from Hayward (see Dobson 2006; Hayward 2006). Dobson acknowledges there that only those in ‘ecological space debt’ have ecological obligations, but that those we owe that debt *to* might still be thought of as ecological citizens ‘to a degree’ (2006: 449). It is still not wholly clear why, though, and he continues to rebuff questions about ‘eligibility’ to citizenship.