

CITIZENSHIP

IN THE ARAB REGION

The Clash between conveyance and Reality

Introduction:

Citizenship is a relatively modern term in the world of politics, despite its early indications dating back to the days of Greek philosophers like Plato and Aristotle when they discussed the concept of citizenship in Athens. The theorization of citizenship began around the middle of the last century, and it has become a key term in political science and history in the past decade of the same century.

Political concepts are characterized by multiple definitions and descriptions. Therefore, we can define citizenship as “a social movement within a legal framework that ensures equality in rights and duties among the inhabitants of a particular region, a social framework that guarantees non-discrimination of one category of population against another, and a political framework that guarantees the enforcement of both the legal and social frameworks.”

The Evolution of the Concept of Citizenship:

Those interested in the development of liberal political philosophy and the centrality of the concept of citizenship within this philosophy argue that the concept evolved in the context of transformations associated with liberal political discourse. This development occurred in response to numerous criticisms aimed at developing the concept in light of the changes and gains that took place in political, cultural, and social history during the late decades of the twentieth century and the beginning of the twenty-first century, coinciding with the development of democracy in a secular context. Democracy and citizenship are two concepts that cannot be separated from each other.

In this context, Thomas Marshall presented a theoretical model through the analysis of the British experience. He aimed to develop the concept of citizenship based on the realities of the first half of the twentieth century. Marshall proposed a model of citizenship consisting of three elements: civil, political, and social.



Civil citizenship, according to Marshall, refers to the necessary rights of individual freedom, such as freedom of expression, freedom of thought and belief, the right to ownership, the ability to enter into valid contracts, the right to justice, the right to defense, and the right to equality under the law. The second element, political citizenship, refers to the right to participate in power, the right to candidacy and voting. The last element is social citizenship, which refers to the right to achieve a certain level of economic well-being, security, healthcare, cultural participation, and enjoying a civilized educational and social system⁽¹⁾.

Marshall developed his model influenced by a historical context that defined the features of European political systems, with human rights at their core. After the collapse of the Roman Empire, several independent European kingdoms emerged, which were governed by a feudal system organized hierarchically, with the king at the top and reaching the common people. This era, according to Marshall, is referred to as the first era, where there was no equality between the nobility and the common people in terms of rights and duties⁽²⁾.

The Treaty of Westphalia in 1648 marked the end of that era, as the peace agreement between the warring European states established the nation-state with a civil character. This emerged with a significant decline in the influence of religious institutions on governance.

In Britain, despite the existence of the Magna Carta since 1215, which states that no individual should be punished without a fair trial, thus representing a gain for individual rights in Britain, the reality confirmed that only a limited group of British people benefited from that document. This led to the “Glorious Revolution” in 1689, called for by members of Parliament and supported by the people. The revolution resulted in the abolition of the divine right of the king, an increase in the power of Parliament, and the English Bill of Rights, which granted greater privileges for individual rights of citizens.

In France, on July 14, 1789, the French Revolution erupted as a result of political tyranny, social inequality, and administrative and judicial corruption. The revolution adopted the motto “Liberty, Fraternity, Equality.” It led to the abolition of absolute monarchy and the establishment of a republican system. The revolution also resulted in the separation of powers and the separation of religion from the state. On August 26, 1789, the National Assembly issued the Declaration of the Rights of Man and of the Citizen, which included individual rights for citizens and collective rights for the French nation.

(1) T.H Marshall, citizenship and social class and other essays, the syndics of the Cambridge university press, 1959. P10.

(2) T.H Marshall, same as previous

In the United States of America, in 1865, with the support of President Abraham Lincoln to end the American Civil War, Congress passed the Thirteenth Amendment, which abolished slavery in the United States and granted equal rights to white and black Americans before the law, known as legal equality.

These developments in human rights formed a humanitarian conscience against the crimes and human rights violations that resulted from the two World Wars. There emerged a need to establish a global reference for human rights, leading to the Universal Declaration of Human Rights in 1948. Article 2 of the declaration states, “Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.”⁽³⁾

As a result of the literary and theoretical contributions of these historical milestones, Marshall introduced his theory of citizenship. His theory, known as classical liberalism, views citizenship as the legal status that provides rights and responsibilities to members within the nation-state. Marshall’s theory, presented in his book “Citizenship and Social Class,” analyzes the development of citizenship as a progression from civil and political rights to social rights, from the eighteenth century to the twentieth century. However, Marshall’s concept of citizenship sparked controversy, particularly because his model fails to consider social inequalities⁽⁴⁾.

The significance of Marshall’s theory lies in the fact that he did not provide a definition of citizenship but rather focused on how citizenship operates. He also assumed that citizenship requires social rights to access civil and political rights due to the inequalities arising from capitalism⁽⁵⁾.

However, Marshall’s perspective has some weaknesses. It overlooks other elements of citizenship and neglects the negative impact of social processes on citizenship. Additionally, his analysis lacks a comparative approach, as it does not go beyond the analysis of citizenship in the English experience. Marshall assumed that citizenship reaches a state of full membership in a nation-state because it emerges as a contract and solidarity among free individuals with equal rights and duties. It forms the basis of national solidarity, where loyalty to the nation is the foundation

(3) Universal Declaration of Human Rights

(4) Surt foundation, Key term definition: theory of citizenship (T.H. Marshall), 11 November 2010

(5) AntonisLiakos, Multiple Paths to Citizenship T.H.Marshall’s Theory and the Greek Case, university of Athens

of citizenship, rather than citizenship being the foundation of loyalty. Moreover, Marshall assumed that citizenship occurs as a result of top-down change primarily, rather than as a result of interactions among societal actors, i.e., not as a result of bottom-up change⁽⁶⁾.

Contributions of John Rawls:

In 1971, the book “A Theory of Justice” by American philosopher John Rawls emerged after two decades of intense conflict in the 1950s and 1960s over the rights of Black people and discrimination, and the struggles of civil society within the political system to establish laws of equality and justice and prevent discrimination. This was also during the context of the Cold War, a conflict that involved the United States in another, more intense war after the Korean War (1950-1953), namely the Vietnam War (1965-1975). Deep doubts arose among American youth in universities regarding the justice of that war, leading to protests, demonstrations, strikes, riots, and a lack of cooperation in various aspects of academic life, military service, as well as political and social concerns. Another challenge presented itself through the Communist literature, which raised concepts of equality, freedom, and humanism. Communism reached its peak of success in the 1960s and 1970s, embracing liberation movements worldwide, including within Western America and Europe. This spread the concepts of anti-colonialism and internal alienation, posing a significant challenge to the concepts and policies based on conservative democratic liberalism, particularly in the United States.

The third reason was the development of theoretical and constitutional issues in the American mind under different contexts and challenges, to the extent that the old dichotomy of “individualism - collectivism” became more acute and pronounced, surpassing the capacity of the American utilitarian mind to comprehend, mediate, and invest in it.

Rawls, one of the founders of “social liberalism” with socialist tendencies, devoted his efforts to social justice and proposed solutions to the existing tension between the elements of citizenship and the functioning mechanisms of the capitalist market in Marshall’s theory. On the one hand, there is capitalist differentiation, and on the other hand, there is equality imposed by citizenship.

In his book “A Theory of Justice as Fairness,” Rawls states, “We cannot say that the natural distribution of abilities and talents is fair or unfair, nor is it unjust that people are born into advantageous positions within society⁽⁷⁾.”

(6) Bryan S. Turner, Outline of a Theory of Citizenship

(7) Nouvel Al Hajj Latif. 2013, “Liberal Theory and the Question of Equality: John Rawls and Ronald Dworkin versus Utilitarianism,” p. 39-77.

These are purely natural facts. What is considered fair or unfair is the way institutions deal with these facts. There is no necessity for people to surrender to these contingent facts. The social system is not beyond human control, nor is it unchangeable or unmodifiable. It is a system that emerges from human activity.”

Rawls argues that economic inequality must meet two conditions: firstly, there must be open positions and opportunities for everyone under conditions that ensure equal opportunities. Secondly, this economic disparity should benefit the least advantaged members of society⁽⁸⁾.

In this book, Rawls focuses on justice as fairness, explaining the concept of justice, its role, the main principle of his theory, as well as his perspective on the original position hypothesis based on the veil of ignorance. It is a means of determining the morality of a particular issue (such as slavery) through a thought experiment: the parties in the so-called “original position” do not know anything about their own capabilities, preferences, or social classes within society. The veil of ignorance obscures this knowledge, so individuals do not know what burdens or social privileges they will have once the veil is lifted. With this lack of knowledge, the parties in the “original position” must decide on the principles that will govern the distribution of rights, positions, and resources in society. Rawls states, “No one knows his place”⁽⁹⁾.

Principles of Justice according to John Rawls:

Rawls identifies two principles of justice. The first is that all individuals are equal in basic rights and freedoms, such as political rights including the right to vote and run for office, freedom of expression and assembly, freedom of conscience, personal property rights, and protection from arbitrary detention. However, he excludes certain other rights, which he calls “rights not on the list,” such as freedom of contract and the freedom to own means of production.

The second principle is that inequalities in civil and economic rights should be arranged in a way that benefits the least advantaged members of society, in addition to fair equality of opportunity⁽¹⁰⁾.

Contrary to the excessive liberal conception of justice, Rawls acknowledges the possibility of achieving justice through fairness, provided that the principle of “cooperation” is embraced as a strategic element for the well-being of all. This

(8) Abdul Rahman Bouwshma, “Justice Theory by John Rawls,” Infas website, June 2009.

(9) Rawls, John (1999). *A Theory of Justice*. Harvard University Press, p. 118

(10) John Rawls, *a theory of justice*, revised edition, Harvard College, 1999, p53

means that Rawls advocates for the social dimension in the process of production as long as it is distributed equally among members of society (distributive justice).

From what has been mentioned, it seems that Rawls places “the principle of cooperation” in opposition to “individualism.” If cooperation leads to unity, role integration, and fairness for all parties, then individualism leads to fragmentation, self-domination, and selfishness based on self-interest. When we talk about conflicts of interest, we mean that individuals are not interested in or concerned about the rules governing the distribution of the fruits of their cooperation because of their eagerness to achieve their own goals. Each individual prefers to receive the larger portion of these benefits rather than the smaller portion, believing that their personal effort is sufficient to achieve their own goals and aspirations. For these reasons and others, Rawls concludes the need for a new approach to the concept of justice, which allows for the identification of ethical and political principles that encompass various possible conceptions of social justice and complement them. According to Rawls, justice as fairness is the rule that will ensure the fair distribution of goods according to an ethical conception that satisfies everyone. This will be achieved through the principles of social justice as articulated by John Rawls, which will be an effective means of unifying rights and duties within the basic institutions of society and will assist in the proper and equitable distribution of profits.

However, despite the noticeable differences among individuals regarding the principles that should serve as the foundational basis for their society, the existence of these differences does not prevent the existence of a personal view of justice for each individual. In other words, they recognize the need for these principles and are willing to defend them. These principles allow for the establishment of basic rights and duties and the achievement of what they believe to be a fair distribution of benefits and burdens resulting from social cooperation. Therefore, it can be said that the principles of justice as fairness have the potential to provide a comprehensive framework for all different conceptions of justice and contain them at the same time in a way that makes them practical within the institutional structures whenever suitable conditions are provided for that⁽¹¹⁾.

The Reality of Citizenship in the Arab Region:

If we want to discuss citizenship in the Arab region, we cannot detach ourselves from reading the region’s history, the nature of governance, and its relationship with the population. The region, which was for nearly a century a single political entity belonging to a larger political entity, the Ottoman Empire, lacked independence on

(11) Abdul Rahman Bouwshma, a previously mentioned reference

one hand and the population's awareness of their national identities on the other. It did not begin the necessary interactions for national consciousness until the beginning of the 19th century. For example, modern Egyptian national identity began to form with Muhammad Ali's quest for independence from the Ottoman state, which also occurred in the same period in the Kingdom of Saudi Arabia.

The region's populations started to realize their identities as the sun began to set on the Ottoman Empire, and many countries in the region were occupied by European colonial powers. This led to the formation of national identities through movements that aimed for independence, rather than being the result of social, political, and economic interactions within the various societal components or between the people as a whole and the ruling political system. The inhabitants resisted the imposition of high taxes on them due to economic exhaustion, not because of the benefits they would gain in return or the scope of those benefits.

Starting from the end of World War II, countries in the region began to gain their independence from European colonization. The phase of struggle for independence, which united the populations of the region, came to an end, but without giving much consideration to essential issues when discussing citizenship. What are the components of society? What are the identities of the people? Who are we? These questions, among dozens of others, surprised the people once they achieved independence. For the first time in centuries, the region was governed and inhabited by human groups with distinct national or ethnic characteristics, with entirely local governance components.

The reality is that these modern independent states failed to find locally made governance formulas or interactive processes that could be applied based on personal experience. Instead, they resorted to replicating stable systems, despite their different experiences and interactions over hundreds of years, which led them into the trap of paradigmatic imitation ⁽¹²⁾.

This does not mean in any way that the peoples of the region cannot apply governance systems such as democracy or standards like citizenship. History is filled with examples of movements that did not achieve success, but encompassed within their content what can be described as democracy, citizenship, and the application of modern human rights standards. What it means is that the peoples of the region can find a more suitable formula for their reality and specificity to implement those systems, standards, and ideas without feeling alienated towards them.

(12) Latin term that means "as it is" or "in the way it is," and it refers to the transfer of experience or concept as it is without considering or taking into account any other factors. The term is used in philosophy and social sciences to indicate an approach that focuses on realism and practical application without concern for other theoretical or social aspects.

Conclusion:

Western experiences tell us that citizenship has been activated according to three frameworks: legal, political, and social. This order can be clarified by comparing it with the experience of African Americans in America. They first achieved equality before the law after the Thirteenth Amendment to the Constitution, then they gained the right to political participation, followed by long struggles spanning nearly a century to obtain social rights. This was further reinforced by the theorizing of Thomas Marshall, who presented a model of citizenship consisting of three dimensions: civil, political, and social. Later, John Rawls added that economic inequality should be subject to two conditions: first, there should be open positions and opportunities for everyone under conditions that ensure equal opportunities, and second, this economic difference should benefit the least advantaged members of society.

However, the Arab peoples in the region have not experienced these patterns. This makes the attempt to adopt citizenship according to these patterns a compulsion for these peoples to adopt cultures that are foreign to them, despite the fact that the region's peoples have historical experiences and interactions that guarantee the application of similar standards and systems, but in their own unique way and specificity.

