

*CALL FOR POSITION PAPERS*

**The interface of citizenship, civil society and rule of law**

Workshop to be held at University of Aberdeen  
Tuesday 25<sup>th</sup> – Wednesday 26<sup>th</sup> August 2009

Academic coordinator: Trevor Stack ([t.stack@abdn.ac.uk](mailto:t.stack@abdn.ac.uk))

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*Deadline for abstracts: Friday 3<sup>rd</sup> July*

Citizenship, civil society and rule of law have each received abundant attention in recent years, both in theoretical debates and in empirical studies of how they are understood and play out in particular contexts. However, there has been rather less analysis of the *relationship between them*. How do citizenship, civil society and rule of law differ from each other, both in theory and in practice? And in what particular ways do they relate to each other?

We are looking for speakers who are prepared to address citizenship, civil society *and* rule of law. We recognize that speakers may previously have focused on only one or two of them, in which case the challenge is to extend their insights to the third, even if just to sketch out the possibilities. We hope for contributions from a wide range of disciplines and on a wide range of contexts within and beyond Europe.

Speakers might choose to address one or more of the following questions. (The works cited are intended only as examples, but might be useful as starting points for further reading, beyond previous areas of interest.)

- Recent years have seen citizenship, civil society and rule of law packaged by international organisations such as the World Bank and IMF under the label of good governance (Carothers 1998). But citizenship, civil society and rule of law have rather different histories, both within and beyond Europe, which may help to explain, for example, why “transitions to democracy” are often characterised by advances in voting rights while the rule of law gets left behind (O'Donnell 1999), and why global civil society (Keane 2003) seems a more likely prospect than global citizenship or rule of law. So do citizenship, civil society and rule of law always belong together, or is the marriage at times a forced one?
- Do citizenship, civil society and rule of law always entail the state, and if so, are they necessarily linked through the state? Not surprisingly, states (and inter-state agencies) do tend to link citizenship, civil society and rule of law through the state, defining citizenship as a relationship with the state, civil society as non-state organisations, and rule of law as subjection to state law. But, for example, is citizenship always lived as a relationship with the state, or sometimes as moral obligations to fellow-citizens (Parekh 2003) or a space of freedom (Gordon and

Stack 2007)? Asad (2004) has argued that law in its abstraction relies on state power to make it concrete: it is states that rule –that have sovereignty– rather than law. But can law also be subject to some kind of citizen power or to civil society (Alexander 2006:152)? And has the market become an alternative meeting-point of citizenship, civil society and rule of law?

- Recent discussions of “uncivil society” have focused attention on the civility that is supposed to separate some non-state organisations such as NGOs and voluntary associations, from others such as criminal gangs and “extremist” movements. Notions of civility have also come into citizenship studies, for example in a recent ESRC workshop series on the “good citizen” (Saward 2006) as well as in political theory (Dagger 1997). How do ideas of civility play out in relation to citizenship, civil society and rule of law? States have tried to appropriate civility but does civility not refer to a relationship between citizens rather than with the state? Varieties of civility and citizenship have also been used to justify “political obligations” to obey the law (Wolff 2000). But, for example, could an organisation be considered civil and yet not hold itself to law? And how in turn does civility relate to morality, bourgeois or otherwise (Gudavarthy 2008)?
- Both citizenship and rule of law include notions of formal equality. One votes as a citizen rather than as a women, indigenous person or aristocrat, and one faces judgement as a legal subject equal (in that respect) to other legal subjects. But how do the formal equality of citizens and equality before the law relate to each other? And how do they stand in relation to other kinds of equality and inequality, such as the substantive distribution of rights, access to the justice system, and socioeconomic disparities (Fraser and Gordon 1992)? For example, Holston (2008) has argued that citizenship, even when inclusive, has created inequality as often as equality, often through law itself. How, too, does equality play out in civil society, which has been accused of being unrepresentative and elitist yet often invokes some kind of equality as its objective?
- More broadly, do citizenship, civil society and rule of law make for justice, and if so, what kind of justice?
  - Turner (2008) defends the view that citizenship as membership of the nation-state creates a broad sense of entitlement, powered by a sense of service to the nation, but Ong (2003) and Hindess (2005) have argued that states also use citizenship to control populations, as a technique of governmentality.
  - Alexander (2008) dismisses citizenship and puts his faith instead in civil society, by which he understands organisations that struggle for equality and inclusion, influencing non-civil spheres such as politics and the market. Others have described civil society, by contrast, as a vehicle of bourgeois morality and one that circumvents electoral representation.
  - Many celebrate the achievements of rule of law (Donnelly 2006), others critique but still defend rule of law’s potential for justice (Caldeira and Holston 1999); Mattei and Nader (2008) go further by insisting that the rule of law has instead tended to justify plunder and exploitation.

Fewer scholars have considered how *combinations* of citizenship, civil society and rule of law might make for justice. For example, does civil society ever help to rescue citizenship from governmentality and, conversely, does citizenship help to

make civil society more accountable? And might a strong sense of citizen entitlement help to counter the exploitative tendencies of rule of law?

- Citizenship, civil society and rule of law are often linked in turn to other ideals such as democracy, human rights and various kinds of pluralism, which raises a number of further questions. For example, are citizenship, civil society and rule of law necessarily democratic? Do civil and human rights have different relationships to citizenship and rule of law? How does legal pluralism relate to notions of pluralism in citizenship, such as multiculturalism, and in civil society?

Speakers will have up to 15 minutes to address the question and can expect a full discussion. Again, it is anticipated that the workshop will push speakers beyond their previous work and that responses may be somewhat speculative.

The workshop will begin at **10 am on Tuesday 25<sup>th</sup> August** and end by **5.30 pm on Wednesday 26<sup>th</sup> August**. Economical accommodation will be available right by the University at King's Hall <http://www.abdn.ac.uk/kingshall/about/>. For information about travel and about the city and region, see <http://www.abdn.ac.uk/central/abdn/index.shtml>

Prospective speakers are invited to email abstracts of around 200-400 words to the workshop coordinator, Trevor Stack ([t.stack@abdn.ac.uk](mailto:t.stack@abdn.ac.uk)) by **3<sup>rd</sup> July**. Accommodation at King's Hall will be provided for speakers, once accepted, but please indicate if you also wish to apply for funds to cover travel costs. Speakers from CINEFOGO institutions (see [www.cinefogo.org/participants](http://www.cinefogo.org/participants) for a list) should use their institutions' grant to cover their travel costs, but speakers from institutions that are not CINEFOGO partners may apply for travel funds.

**Workshop web site:**

<http://www.cinefogo.org/workpackages/wp45/wp45-workshop-august-2009>

**Summer school**

Prospective speakers should also indicate whether they would consider contributing to a 2-day **summer school** for a select group of PhD students from across Europe, which will begin on the day after the workshop. We expect to need around 4 of the workshop speakers for that role (and we will offer those speakers an honorarium). The summer school will take the following format:

- On the first morning after the workshop (Thursday 27<sup>th</sup> August), students will discuss the issues raised in the workshop with the speakers remaining, followed by discussion of a set of related readings in the afternoon.
- On the second day (Friday 28<sup>th</sup> August) students will draw on their PhD research to address the topic, receiving feedback from the workshop speakers as well as their fellow-students.

Details of the summer school are available at <http://www.cinefogo.org/workpackages/wp45/wp45-summernschool-august-2009>.

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