
State Encroachment of Human Self: A Case Study of Citizenship

*Tek Nath Subedi**

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Abstract

State is the most powerful of all social institutions. It is supposed to enforce law and order in its territory, and ensure equality, liberty and fraternity in society. It provides citizenship certificate to its people by which an individual becomes a formal citizen of a nation. The citizenship certificate is often equated with national identity, which grants people certain rights and privileges. One can choose a partner, cast a vote, start a job, take the bank-loan, run a business, get into the share-market, or travel around the world alone only after receiving the maturity-license. In other words, the obtaining of a citizenship certificate bestows a person with a sense of triumph and liberation. Looking at the increased mobility of people from one place to another after being dissatisfied with the previous state of 'citizenship' and being fond of achieving a new type of 'citizenship' indicates that the citizenship certificate fosters the human self. Besides, citizenship has a responsibility side, which expects huge responsibility from the citizens. The responsibility-side seems as if it has dived deep into the human-self, terrorized the individual subjectivity and socialized the citizens to be highly submissive to it. Looking at the gap between the opportunity- and threat-side of the citizenship debate, this article attempts to examine whether the citizenship certificate liberates human subjectivity. It comes with a conclusion that the customary provision of a citizenship is more to offend than liberate the human self.

Key words: *Citizenship, responsibility, rights, self, state.*

Introduction

State is the most powerful of all social institutions. It has sole authority in defining people as its citizens. One's status of a legal citizen is confirmed once an individual receives a citizenship certificate from the state. A citizenship certificate at the macro level connects a person with a particular nation and at the micro level gives people rights accompanied with responsibilities. It is only after being recognized as an official citizen of a country, an individual can enjoy the legal rights such as right to own property, hold the public office, engage in employment, claim the insurance, right to vote, and become a candidate in election. In sum, the opportunity-window of an individual opens once one receives a citizenship certificate.

The opportunity-side of a citizenship assumes that people are highly privileged by the state and have lived a cheerful life within a country. Citizens definitely would not have to think of other nations if they were well-cared by the state, but people's engagement for the last few centuries in

* Assistant Professor, Department of Sociology, Saraswati Multiple Campus TU, Nepal.

general and the twenty-first century in particular in a race to receive a more valuable citizenship contradicts with the notion of liberating nature of a state.

The emergence of a capitalist globalization in the world from around the sixteenth century, and its increasing predominance gave states across the world the innovative impetus of homogenizing its populace expecting a large-scale economic progress. From around the eighteenth century as the administrative state began to take over the executive power, it introduced the concept of 'citizenship', a common form of subjectivity of uncommon subjects. And, countries throughout the world began to apply the same formula of providing citizenship card to their respective citizens. Citizens too are convinced to obey the rules and regulations as issued by their respective states.

Looking seriously at the universal practice of citizenship, increased people's mobility and their race for a stronger citizenship, this paper attempts to discuss how the citizenship has influenced in shaping the subjectivity of people. To be specific, it aims to explore people's feeling as a citizen, their role to the state, state's responsibility to its citizens, and the real practice of state-power in enabling or disabling the human self.

Methodology

This paper gives equal attention to the review of relevant literature on citizenship-subjectivity details and to the exploration of case details as experienced by half-a-dozen of samples purposively selected from six different walks of life. With regard to the literature review, the paper gives high priority to the review of widely-read articles and texts from the scholars such as Charles Tilly, Eric J. Hobsbawm, Isin Turner, T. H. Marshall, Ernest Gellner, Michel Foucault, Pierre Bourdieu, all of them have at least either conceptualized or theorized citizenship, subjectivity or both. Besides, out of the total six samples, the first respondent was from a disability group, second was from the Dalit category, third belonged to the rebel army during Maoist insurgency, fourth was from a Madheshi community, fifth was from the non-residential Nepali living in the USA, and the sixth sample was a career-seeking young girl of Kathmandu valley. It was believed that the collection of information from a sample covering a wide-variety of equally important areas will be helpful in generalizing people's attachment to state and state's role to its people in return. The intension of using both the primary and secondary source of data is to compare the conceptual and theoretical arguments on citizenship with the life of people experienced as a citizen of a particular country. To round off, the review of literature helps to explore how the notion of citizenship came to evolve as a wider phenomenon in the global context, and the narration of citizenship-subjectivity details helps to know how citizens are behaved in real by their respective states.

Review of Literature on Citizenship and Subjectivity

This part reviews the discourse on citizenship and subjectivity. But in this present globalized context, the discussion on citizenship and subjectivity needs to be connected to globalization. However, we cannot, throughout the article, stretch out from understanding globalization as a process by which a similar form of citizenship with similar content and substance erodes.

Therefore, let's elaborate the discussion with the relationship between state and citizenship, the configuration of human subjectivity and the citizenship-subjectivity details in a globalized world.

Rise of state and citizenship

The emergence of states goes back to the ancient age. The city-state was the antique form of a state. People living in those city-states were provided with abundant opportunities, but the status of a citizen was given to only a few of them. Citizen in ancient age – the Aristotelian era – was defined only as, "he who has the consistent power to take part in the deliberative or judicial administration of any state" (McKeon, 2001, p. 1177). Other people such as the artisans, slaves, disabled and working-class people were declined to be the citizens. Looking at the Aristotelian view of a citizen, the privilege to join the judicial and administrative sectors and the capacity of working independently in order to be a citizen was lacking in ancient society. It therefore can be assumed that the ancient egalitarian-type of society was more to dream than to relish.

The evolution of citizenship gave gradual rise of some basic rights to people, and citizenship rights could be equalized by three different civil, political and social rights (Marshall, 1950). These three rights range from individual freedom to political participation, and to economic welfare and social security. The granting of citizenship in pretext of ascertaining those rights is to persuade people that they are equal and they do encompass common interests. It looks therefore that the issuing of a single form of citizenship by the state is not to bridge but to hide the gap between diverse classes of people. Besides, if we seriously look at the practice of citizenship rights, we can see one rights contradicting with the other. The civil part ensures the right of an individual to own and expand private property. But the rights to social security contradicts with the provision of right to private property, because social security of individuals cannot be ensured without curtailing some civil rights such as by making unequal tax policies. For example, if social rights of lower-class people are ensured, then the civil rights of industrialist classes are always prone to be violated. It is widely in the recent time, "the preservation of economic inequalities has been made more difficult by the enrichment of the status of citizenship" (Marshall, 1950, p. 38).

Another major discourse of citizenship is that it should reflect the identity and culture of diverse human groups. It should be treated not only a status in formal, but also "an identity and expression of one's membership in a political community" (Kymlicka and Norman, 1994, p. 335). Society is full of diversity, and people like Blacks, Women, Aboriginal peoples, Ethnic and Religious minorities, Gays and Lesbians, etc. are envisaged with citizenship rights but feel excluded from the common culture. They do not feel that the citizenship reflects their identity and dignity. Diverse identity-seeking groups of people advocate for special rights, multi-cultural rights, and self-government rights, which normally a citizenship right denies. The demand for such rights is supposed to threaten the stability of the given country, and therefore, the homogenous form of citizenship is given.

Kymlicka and Norman discuss one type of citizenship that could reflect the real subjectivity of the people. The rise of identity, multi-cultural traits, recognition, 'dynamic citizenship' etc. at the current indicates that the present form of citizenship fails to satisfy the subjectivity of the population. The feeling of isolation, under-representation, and exclusion is the result of mismatch between the theory and practice of citizenship. Neither the citizenship homogenizes in real the

subjectivity of individuals not does it disclose the heterogeneity of people. And, the providing of different types of citizenship certificates to diverse groups is more costly for the nation in a global capitalist era.

After reviewing the ideas of state and citizenship, the state-controlled history of citizenship also controlled the history of subjectivity as well. The subjectivity of people, who were unable to join the office, was harassed by the state by not giving them the status of a citizen. The slogan of democratic ruling system in the ancient era was only a dogma. However, the current practice of overprotecting the government-employees by all governments throughout the world indicates that the notion of citizenship is to dictate the people than liberate.

The configuration of human subjectivity

Michel Foucault in his entire academic life attempted to explore a history of different modes by which human beings are transformed into subjects. He identified three modes of objectification i.e., the "modes of inquiry, dividing practices, and sexuality" (Foucault, 1982, p. 8-9) through which human beings are made subjects. The status of science such as grammar, linguistics, medicine, sociology, health, etc., objectivized human as subjects based on their knowledge over subjects. State in light with the scientific knowledge started dividing human either as knowledgeable or as ignorant, competent or incompetent. Second mode of objectification divided human as right and wrong, or good and bad, strong and weak, sane and mad. Thirdly, the human has learnt from society to attach the self into the cluster of either a male or a female, learnt to think or work either as 'masculine' or 'feminine'.

Foucault believes that the male and female, masculine and feminine are the products of specific type of objectification. The state introduced a unique dividing practice by which people could be divided as sacred versus profane, sick versus ill, wise versus corrupt, literate versus illiterate, supreme versus wicked, junior versus senior, beauty versus ugly, black versus white, boy versus girl, guilt versus innocent, and therefore they can be easily ruled. Foucault believes that the strange dividing practice in a reductionist way undermines the self that the individual truly possess. This could have relegated the human subjectivity below the regime of a state. The knowledge-power nexus of a modern state with support from its bureaucracy, media, and education, has assisted the state to legalize the violence against its citizens. The state as a legal power "ignores individuals, looking only at the interest of the totality or I should say, of a class or a group among the citizens" (Foucault, 2000, p. 13). Foucault thus has clearly marked each and every human struggle as the offshoots of state's rude attempt of transforming human into subjects.

James Scott talks about four eras of world history; the 'stateless era', 'small-scale states era', 'beleaguered era', and 'globally administered era' and shows its connection with human subjectivity. In particular he explored the life of Zomian people of the mainland Southeast Asia, who were not the subjects of any state or were in the shadow of states but were not fully incorporated into the state system. The Zomian were trying to avoid the state by remaining out of the direct political control of the state. "Most of the peoples dwelling in the massif seem to have assembled a fairly comprehensive cultural portfolio of techniques for evading state incorporation while availing themselves of the economic and cultural opportunities its proximity presented" (Scott, 2009, p. 329). But the bypassing of state by Zomian people ended immediately after the

Second World War once the Zomia began to be incorporated into the state system, and the historical era of statelessness and self-making subjectivity became a mystic 'folklore'.

Citizenship and subjectivity in a globalized context

Globalization has put an end to the tradition of a classical "nation-state framework of analysis". It has contributed to the expansion of a capitalist world economy and the supersession of the national economy. Global movement of labor, transnational flow of capital, emergence of cosmopolitan cities, emergence of supranational forms of organization, etc. have made the 'nation-state framework' crippling. People's self has come out of the full control of nation-state in the age of globalization. And, the evolution of an open society has contributed to a great extent falsified the nation-state centered subjectivity.

E. J. Hobsbawm (1990) makes remarkably different argument than others. He says that the inability of nation-states to address economic crisis favors for the disintegration of the state. The dissolution of USSR is due to its failure to maintain its large and plentiful states economically. Also, the high welfare mechanism introduced by the USSR was responsible for a cause. On the one hand, the strong transnational financial organizations like IMF and WB are supplanting the role of a state, and on the other hand free trade has given rise to the financial hubs like Singapore, Macau, Hong Kong, etc. Highly mobile people, because their inclination to a particular nation limits their potential growth, came to advocate for a dual citizenship. In such a context, "the terms of 'nation' and 'nationalism' are no longer adequate terms to describe, let alone to analyze" (Hobsbawm, 1990, p. 192). And, the identity of people as the citizens of a particular country appears to be absurd.

Argument put forward by Hobsbawm is applicable at a time people's demand for a dual citizenship is on rise. Capitalists have entered into the world financial hubs in order to promote their business, and as a result their attachment to the country of origin has become weaker. On the contrary, their attachment to the country of destination is also becoming formal. This shows that the previous sentiment to the nation and nationalism is dying along with the expansion of globalization. At the same time, we can see many people residing in one country are reluctant to relinquish their previous citizenship.

Scholars have visualized the challenges posed by globalization to the nation-states as the latter is ceased to be the sole source of authority over its citizen. People have started organizing and shaping the social, cultural, economic and political life differently. Citizenship too is negotiated at a variety of levels and sites. The 'citizen of the world', a long-standing belief but considered as 'utopian imagination', has become possible in an age of globalization in which cosmopolitan democracy is all set to flourish. Cosmopolitan democracy enables a person to "participate in global democratic decision-making and governance" (Tan, 2017, p. 694). Cosmopolitan openness "may appear utopian, but it is an important normative position from which to challenge the negative and closed features of nationalism, racism and fundamentalism" (Isin and Turner, 2002, p. 9).

Discourse on world citizen as raised by Isin and Turner, a borderless world as advocated by Karl Marx, also implicit in Augustine's works and Kantian theorists, is more likely to be translated in an era of capitalist globalization. Some of the European nations have invented the concept of

European Union (EU) and introduced the notion of free travel of its citizens without visa. Citizens of other nations can travel the countries without multiple visa system. People from across the world have accumulated in cities and developed a multicultural society. Heterogeneous belief systems have been replaced by the cosmopolitan belief system. It seems as if the cosmopolitan citizenship is about to supersede the nationalistic citizenship.

Case Study Analysis

Citizenship certificate in Nepal is usually granted to an individual, who has completed the age of 16 years. The state claims that the role of citizenship is to invigorate the self of an individual. This section discusses on what citizenship in practice is and how it helps in unfolding the self of the sampled citizens.

Responsible citizen and irresponsible state

The first respondent (R1) attached citizenship with responsibility-sides of a person giving particular attention to how rights-side of a citizenship are made burdensome by the state. The R1 was from Brahman caste and was blind. He said that the state attempts to be visible to the people and therefore introduces types of schemes, agendas like citizenship, identity, security, rights, etc. Plainly it stages a drama and claims as if it is in favor of people, but in most of the times and cases people are obliged to reach the office and renew their status. His experience goes like:

“Citizenship card seems as if it gives everything to an individual, but in reality, it gives more burden to a person. A person has to show the certificate while entering the Singh durbar, making the voting card, or claiming for disability rights. If the authority is really supportive, it would not have given multiple burdens to the people. And, for me, it would be helpful if my identity of disability is mentioned in the citizenship card. I am blind and I have double load; carrying a citizenship certificate and carrying a disability identity card. Imagine the cost and time I need to invest while making legal documents in Nepal. Is citizenship card an individual need? No, it is the need of a state. It aims to control the helpless.” (R1).

Expression of the first respondent resembles with the Foucauldian thesis. As Foucault construed of citizenship in promoting state power by transforming its citizens as subjects, Acharya also finds so. Both have agreed that the state has constrained the subjectivity of its citizens in pretext of assigning citizenship with various citizenship-rights. And finally, as people of Nepal have migrated to several other countries in order to enlarge their choice and entertain more rights, we have seen for the past few decades that the traditional notion of citizenship along with the boundary-based nationalism has been weakening.

Same state, unequal citizens

Responses from the second case (R2) appeal to admit the fact that the state makes unequal treatment to its people. The second sample was from Dalit caste, who had struggled for two

continuous decades to receive the citizenship certificate. He revealed his affiliation with the 'People's Liberation Army' during Maoist-led insurgency and his expectation that the revolution would bring inequality and injustice to the end. But he became more frustrated when the post-revolutionary government too followed the same path of 'old-regime' and complicated the citizenship-certification process. His disappointment to the state was expressed with several phases as:

"I am with my unmarried mother, who was cheated by her high-caste Brahman lover during her youth, and constantly by the administration till now. Neither is her relationship with my real father certified, now am I supported to get the citizenship. You know how cruel is the society. Government is regressive. There is no democracy nor the republic for the people, of the people, and by the people. A radical becomes a rat once offered a post. See how easily the comrades turned to be the cads. Government is a killer, it kills the rebels, it kills the manhood, I am killed. I cannot bring my youth back, nor could I employ myself. Who gives me a girl? Who gives me a passport? How can I leave this country?"

The state-created complications in receiving a citizenship certificate by the public in a 'republic' state informs quite clearly that the government is by nature regressive, and it is not working for people. The constitution of Nepal has guaranteed equal rights to all its citizens irrespective of any class, caste, caste, religion, geography, color, sex. But the social audit, which sometimes becomes a key criterion for evaluating the eligibility of a person to receive citizenship certificate, restricts some people to be a citizen. Government could have smoothened the process in issuing the citizenship but it often escapes from doing this. The declining of issuing a citizenship certificate to a Nepali national showing the insufficiency of documents verifies the repressive nature of a bureaucratic regime.

In the second case, Foucault's thesis of 'dividing practices' has worked aptly as the case is denied to be certified by claiming his origin as 'illegal'. 'Cultural practices' of a society, which in second case was taken as a key basis in restricting the R2 from becoming a legal citizen, also verifies how the state has exercised the power against the people and transform them as tiny subjects.

State is disabling its people

Nasty childhood, dropout from school, joining the rebel party as a 'people's army' in an under-age, letting down of warriors and disabled by the 'rebel' party after its share in the government, the surrendering of 'revolutionaries' with the Indian expansionism" etc. sewed in him highly negative sentiment for being a Nepalese citizen. The spirit of nationalism – agenda of nationalism was carried by the-then rebel Maoist party – fueled R3 to drop out of the school, carry the gun in the age of 14, and live with disability being neglected by the republic state. He was exhausted for being a Nepali. In his words, "Being a Nepali is being worthless". He expressed his anger in this way:

"I fought to destroy the old-state being a rebel despite my age was ineligible to carry a gun. I had in mind that one day Nepali people will be capable of ruling their own country, make it really sovereign, peaceful and prosperous. But things did not move as I

dreamt, it was more like ‘old wine in a new bottle’. I am struggling as disabled with so many barriers in this society, and am imprisoned in this country.” (R3).

The sharing by R3 indicates a compromised living of a Nepali youth despite being granted a citizenship status. The rise of Nepali people going to abroad in the name of diversity visa for America, or of permanent residence for Australia, Canada, Denmark, and other European and American nations, is visible, but his disability is not supporting either for carrying better life in Nepal or for preparing to work and live in abroad. The denial of service from the state to its citizen as R3 has experienced indicates that the feeling proud of being a national is becoming absurd. It can be associated with new late industrial form of nationalism, which persists, “but in a muted, less virulent form” (Gellner 1983: 122).

State is practicing exclusion of its people

Exclusion of minorities continues even after the declaration of a responsible state. The fourth respondent was from a Madheshi community, and he was unable for four consecutive rounds to get recruited in the service of Nepal Government, but he was appointed to work in a foreign diplomatic mission in his first attempt. He further said:

“Being a Madheshi, I have experienced lots of prejudices by the state. I had outstanding marks in my academic certificates, but I was deliberately disqualified from being recruited in a government-job four times. I consider myself as an honest Nepali patriotic, but I am not considered so by the government officials. I had submitted all the necessary documents to receive the citizenship, but I was unnecessarily delayed. I am not saying that the Madheshi is the only excluded group from reaping the opportunities, being Madheshi is living as an Indian in Nepal. Even an affluent Madheshi fails to yield an equal status to non-Madheshi” (R4).

Constitution has nowhere contributed to the fair treatment of people in an age of constitutionalism. The principle of citizenship is to make fair treatment to the people, but in practice it fails to guarantee equal status of all. A big doubt that the citizenship represents people’s aspirations and preserves the real human self still exists.

Rich state and poor citizens

The fifth respondent (R5) has utilized the dynamic role of citizenship, but also denied the role of citizenship in representing the human self. In her words:

“People are living in one country and are worrying of other country. See I have American citizenship, but I always think of my Nepal and Nepali people. I received American Green card not because I detest Nepal, but because I need money. The government could keep me here inside the country by providing career-jobs, but the government is doing its own business irrespective to the need of its people. I have no expectation to the government. But no country can win my heart other than Nepal.”

The narratives above signify modern generations' capitalist orientation in the global capitalist era. Self of a citizen can be flown in its full-scale once state becomes supportive to its people and set them free. Also, the self of a citizen is more embedded with earning than with mere surviving. R5 appeals for the harmonious interplay between nation and the government so that the government could better reflect the nation, but the government was not doing as it was deemed. Therefore, citizen's sentiment to motherland was alive while their expectations to state were fading away.

State and the embroiled self

The final respondent (R6) was a career-seeking dancer, and she was only thinking of how quickly to reach her dreamland USA before marriage. Her only pursuit of life to reach the dreamland was expressed as:

“Many of my friends reached to USA. They have handsome salary and better lifestyle there. Their only request is ‘come and come’. Dancing is not a good job here, but it can be a talent in the USA. We love Nepal, but is almost sold by the leaders.”

A state is expected to encourage its people, give them choice, enhance their skills and invigorate their talents. Citizens also in return can stay attuned to their state. Once citizens feel that state is distancing itself from people being unknown of their talents, careers, contribution, and needs, they cease to stay within state-parameters and opt for the wider world. The expression from a young lady indicates that young generations were dreaming of a relatively large and fertile ground to live. They have strong network across the world and are influenced more by the peer-circle than the family, kin-circle, community and birthplace. Their growing disenchantment to political leaders and frustration caused by the wrong-doings of statemen verifies the notion that the states and its key actors are not for other's sake but for their own sake.

Conclusion

Based on the discussion made above, this paper puts forward four major conclusions, firstly, the evolution of a citizen from the ancient era; and secondly, the growth of a powerful nation-state particularly after the introduction of a citizenship. These two conclusions are drawn from the review of literature on citizenship and subjectivity. The third conclusion is the masking of inequality and disparity by the provision of citizenship certificate, and it is drawn after analyzing both the primary and secondary sources of data. The final is the failure of a state in granting equal opportunity to its people despite its practice of granting a homogenous form of citizenship to its heterogenous populace.

The first conclusion regarding the antique origin of citizenship is made with due respect to the defining of states and ruling system by Aristotle, an ancient philosopher. Second conclusion was made after synthesizing the arguments of Tilly, Turner, Gellner, Foucault, Habsbawn, etc., who have clearly convinced that the capitalism as a mode of politico-economic system evolved from around the 18th century and get intensified across the world. The state was obliged to introduce the homogenous type of citizenship because with the help of a common type of citizenship state could easily collect tax from its citizens. Thirdly, after providing similar form of citizenship to people

across the world the capitalist state could mask the difference and diversity of people, which would be beneficial for capitalism to flourish worldwide. By granting the seemingly-equal type of citizenship certificate to its people, Nepal could not be the exception in masking the socio-cultural and economic disparities among Nepali people. It is also that the human self is embedded with nationalism than with formal citizenship. The weightier responsibility-side of a citizenship compared to its rights-side makes a final conclusion of this paper that the state is exploitative as opposed to its liberative type.

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