



8 Binding problems, boundary problems: the trouble with “democratic citizenship”

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Democratic citizenship: the phrase is so familiar, it seems unremarkable. Yet “democratic citizenship” invokes two analytically distinct sets of principles, which stand in tension with one another. The phrase invokes, on the one hand, the democratic principles of collective self-determination, political equality, and inclusiveness. The democrat’s most basic claim is that *all* who are affected by a collective norm should have a hand in helping make it. “Democratic citizenship” invokes, on the other hand, civic ideals of public-regarding political engagement: active citizen participation motivated by a felt sense of affinity with one’s compatriots. For the civic republican, it is not just “people,” but “we, the people” who form a more perfect union. Thus, while democratic principles urge the expansion of the *demos*, civic ideals impel the closure of the political “we.”

This tension between democratic principles and civic ideals – inherent in the very notion of “democratic citizenship” – becomes particularly acute in the face of globalizing pressures. That is to say, it poses critical problems for any democratic theory that takes as its subject matter an increasingly interdependent world, in which the set of those subject to a collective norm is rarely homologous with the set of those defined as its author. Hence the increased attention in recent years to the trouble this tension makes for democratic theory. Jürgen Habermas, Charles Taylor, and Michael Walzer, among others, have responded by adopting a strategy of attempting to resolve, or at least to minimize this tension, searching for forms of civic identification that meet the democratic polity’s need for allegiance and solidarity, while at the same time fostering tolerance toward those defined as outside the civic “we.”¹

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¹ See Walzer (1994: 187–200); Habermas (1996 [1990]: 491–515, 1998a: 105–27); Taylor (2001: 79–95). More generally, variants of this response dominate the renewed debates

In the present chapter, my principal claim is that such efforts to reconcile democratic principles with civic ideals are misplaced. I advance this claim by exploring what seems to me to be among the most promising of the ongoing projects aimed at such reconciliation: the work of theorists who engage the relation between civic motivation and democratic inclusiveness by focusing on the experience of democratic citizens in the contemporary city. Their project, I argue, yields the provocative thesis that contact among strangers fosters what I will call citizen *association* (as distinct from identification): a conscious awareness of the stranger and a regard for her that cultivates – absent identity – a political openness, a receptivity to her views and claims. This thesis, although attractive, rests on an unlikely set of assumptions about the cognitive changes that “contact” impels, and/or it implausibly implies that citizenship might bind without bounding – that is, without defining persons external to the relations of mutual obligation that it signals. Rather than attempt to resolve the tension between democratic principles and civic ideals, political theorists should render this tension explicit, with a view to promoting contestation over extant definitions of the civic “we.” The theorist’s role, by this view, is less to discover a democratically legitimate form of civic identification than to disturb any settled sense that “we” have achieved one.

I. Three dimensions of “democratic citizenship”

From August 1896 until December 1897, W. E. B. DuBois – then a newly appointed Assistant in Sociology at the Wharton School of the University of Pennsylvania – conducted what would become his classic study of “the Negro problem” in Philadelphia’s seventh ward.² Near the start of *The Philadelphia Negro*, DuBois presents the work’s central finding:

among cosmopolitans and civic nationalists. While cosmopolitans make the case that, under conditions of globalization, democratic ideals push the theorist toward skepticism about the moral significance of nation-state boundaries, civic nationalists draw attention to the crucial binding work that citizen identity performs by fostering a felt sense of identification among strangers who experience each other as compatriots. As I read this debate, there seems to emerge a near-consensual dissatisfaction with both the cosmopolitan and the patriotic extreme. Cosmopolitanism – valued by many for the ways in which it can expand the boundaries of moral concern – seems plagued by significant binding problems. At the same time, patriotism – valued by many for the ways in which it can encourage trust, solidarity, and commitment among conationals – seems plagued by significant boundary problems. Hence a series of efforts to find middle ground – K. Anthony Appiah’s “rooted cosmopolitanism” (Appiah 1996: 21–9), Benjamin Barber’s “civic patriotism” (Barber 1996: 30–9), Brian Barry’s “cosmopolitan nationalism” (Barry 1999: 12–66): efforts that parallel the resolutionist strategy adopted by Habermas, Taylor, and Walzer.

² DuBois (1967 [1899]).

African-Americans in turn-of-the-century Philadelphia comprise “a city within a city,” “a large group of people . . . who do not form an integral part of the larger social group.”³ Drawing on survey data that he gathered directly in a house-to-house canvas of the ward, DuBois documents the poverty of much of Philadelphia’s black population, the poor health and physical condition of many African-Americans in the city, and the race-based discrimination that blacks suffer in education, housing, and employment. Consistent with trends in late-nineteenth-century sociology, he devotes significant attention to what he characterizes as the pathological traits and behaviors of some black Philadelphians. Yet he breaks with the academic orthodoxies of his day in arguing that at the core of “the Negro problem” lies, not the personal shortcomings of African-Americans, but their exclusion from the benefits of full membership in their society:

We grant full citizenship in the World Commonwealth to the “Anglo-Saxon” (whatever that may mean), the Teuton and the Latin; then with just a shade of reluctance we extend it to the Celt and the Slav. We half deny it to the yellow races of Asia, admit the brown Indians to an ante-room only on the strength of an undeniable past; but with the Negroes of Africa we come to a full stop, and in its heart the civilized world with one accord denies that these come within the pale of nineteenth-century Humanity. This feeling, widespread and deep-seated, is, in America, the vastest of the Negro problem.⁴

The argument DuBois advances in *The Philadelphia Negro*, as the above passage suggests, is not only an argument about racial discrimination and about inequality among social groups, but also an argument about the exclusion of Philadelphia’s African-Americans from citizenship, understood as a marker of incorporation in a political association or society. The work illustrates what can be thought of as three analytically distinct dimensions of citizenship. The first is a formal or a juridical dimension. DuBois documents the legal denial of voting rights to black free men in Pennsylvania starting in 1837.⁵ He reports that, at around that time, a legislative initiative proposed “to stop the further influx of Southern Negroes by making free Negroes carry passes and excluding all others.”⁶ DuBois presents historical evidence, that is to say, of the curtailment of black Philadelphians’ juridical citizenship by a state that defines members and nonmembers, and that attaches rights and duties to citizenship as a legal classification.

The second dimension is practical/sociological. Distinct from the definition by the state of the legal status “citizen” is the regard that social

³ *Ibid.*: 5. ⁴ *Ibid.*: 386–7. ⁵ *Ibid.*: 30.

⁶ “All others” is a reference to fugitive slaves. *Ibid.*: 27.

actors hold for those whom they subjectively experience as belonging to the political community with which they identify – a sense of felt sameness that, in a democratic polity, translates into identification as fellow members of a self-governing political society. Even after being granted formal, juridical citizenship by the Fourteenth and Fifteenth Amendments to the United States Constitution, DuBois argues, African-Americans in Philadelphia are denied the social respect whites accord those whom they perceive as full and unqualified citizens. He catalogs, extensively, systematic discrimination by whites against blacks in Philadelphia's housing market, in its schools, in public places like hotels and restaurants, and in places of work.⁷ The effective exclusion of blacks by whites "from all places of honor, trust, or emolument,"⁸ from leadership positions in Philadelphia, even from those forms of skilled labor regarded as respectable for citizens,⁹ results, DuBois suggests, from "the widespread feeling . . . that the Negro is something less than an American and ought not to be much more than what he is."¹⁰

Yet DuBois' *Philadelphia Negro* is not only a sociological study that aims to describe and to account for a set of human practices and relations. It is also a work of civic advocacy that aims to change them. DuBois exhorts those he regards as leaders among black Philadelphians to fulfill their citizen duty to teach and to guide "the lowest classes."¹¹ He criticizes whites for excluding their black fellow citizens from places and opportunities in Philadelphia that, he claims, are rightly public.¹² More generally, he criticizes them for failing to treat as citizens those among the city's African-Americans whom he argues deserve such treatment. Here DuBois invokes what might be thought of as a normative or an ethical dimension of citizenship, distinct from both the juridical and the practical. He grounds in principled reasons the claim that particular humans have particular duties toward one another, duties defined by citizenship as a relation of mutual obligation.

These three dimensions of citizenship – the juridical, the sociological, and the ethical – although analytically distinguishable, are interrelated in political practice. What precisely the relationships among them are, and what they should be, are questions that have vexed political philosophers since ancient times. Consider contemporary republican calls for a "return of the citizen."¹³ At base, the republican complaint is that liberal democratic political theory and practice reduce citizenship to its juridical, at the expense of its sociological, dimension. Liberal citizens experience

⁷ *Ibid.*: chapter 16. ⁸ *Ibid.*: 329.

⁹ DuBois stresses that blacks in Philadelphia are disproportionately channeled into low-status occupations, particularly domestic service, in which those few whites who participate tend to be immigrant noncitizens. *Ibid.*: 136.

¹⁰ *Ibid.*: 284. ¹¹ *Ibid.*: 317. ¹² *Ibid.*: 325. ¹³ See Kymlicka and Norman (1995).

and practice citizenship, republicans worry, not as actively engaged and public-regarding members of a self-governing political community, but as private individuals entitled by legally defined rights to press claims against the state.¹⁴ This passive and privatistic understanding of citizenship, they claim, violates deeply and widely held intuitions about the character of a worthy human life. Thus J. G. A. Pocock asserts:

We do instinctively, or by some inherited programming, believe that the individual denied decision in shaping her or his life is being denied treatment as a human, and that citizenship – meaning membership in some public and political frame of action – is necessary if we are to be granted decision and empowered to be human.¹⁵

For Pocock and other republicans dissatisfied with modern visions and practices of citizenship, the Athenian *polis* plays a crucial role in providing critical distance from the liberal account and helping articulate an alternative civic ideal. The *polis* – at least as remembered through the writings of Herodotus, Thucydides, and others – is not a nation-state in which officials decide, while citizens observe and periodically vote. It is a city-state in which citizenship involves both the active exercise of political judgment and direct collective decision making.¹⁶ The *polis* is centered, both physically and psychically, on the *agora*. Here the citizen

¹⁴ The classic statement of the liberal view is T. H. Marshall, "Citizenship and Social Class" (Marshall 1950). Marshall, in this mid-century account of what he presents as a historic evolution of first civil, then political, then social rights, defines citizenship as a legal status – a status occupied, and in principle occupied equally, by members of a political community. To be a citizen (or to claim citizen status), by his view, is to be entitled (or to claim entitlement) to the basic goods and opportunities and the particular forms of security associated with membership in a given polity. These goods, these opportunities, these securities are defined and protected by rights. Thus when, by Marshall's telling, social welfare changed in England from, in the nineteenth century, an obstacle to citizenship to, in the twentieth, a right attached to citizen status, guarantees of a basic level of economic security and welfare became part of what the citizen, by virtue of her citizenship, could claim. Social rights became basic rights guaranteed all citizens. Struggles centering on citizenship, by this view, are struggles over which rights should be attached to the status, and which persons admitted. Although "rights and duties" is the two-term phrase he uses to signal the contours of this legal status (1950: 28–9), Marshall's citizenship is principally a citizenship of individual interests and claims buttressed by rights. Civic duty and felt sense of political solidarity recede to the background of liberal citizenship in a nation-state too large and too impersonal to command the allegiance of its members (1950: 78).

¹⁵ See Pocock (1995: 29–52, here 34).

¹⁶ By the fifth century BCE, critical to the Athenian understanding of democratic self-governance was *isagoria*, or the "freedom of debate" guaranteed by the right to participate in public political deliberation. Although sheer numbers make it impossible for all, or even for most citizens to speak during Assembly meetings, according to Josiah Ober, "*isagoria* change[s] the nature of the mass experience of the Assembly from one of passive approval (or rejection) of measures presented, to one of actively listening to and judging the merits of complex, competing arguments" (Ober 1989: 79). This paragraph and the next draw on Ober (1989, 1996).

orients his political action not only and not principally toward his private well-being, but toward the common interest or the common good. What is more, because the *polis* is geographically compact and densely populated, citizens regularly encounter each other face-to-face, both in the local *demes* and in the Assembly. Face-to-face interaction, some suggest, encourages a subjective sense of the self *qua* citizen – a felt sameness, a solidarity capable of motivating the public-regarding deliberation and decision making characteristic of Athenian democracy. Citizen identity in the *polis* has a strong and a visceral quality. It has a directness absent from most modern experiences of political belonging, which are mediated by newspaper, television, and other means of mass communication.¹⁷

However, republican calls to recover forms and practices of citizenship associated with the *polis* raise the persistent worry that these might fuel a “return” of, not only active and public-regarding political engagement, but also the pronounced political inequalities and the exclusions characteristic of ancient democracy. Critics complain that in the *polis* the disfranchisement and the exploitation of women, laborers, and slaves enabled the demanding participatory practices of collective self-governance in which citizens engaged. To the extent that there existed in the *polis* a fiction of a unitary public with shared political interests, or a singular common good, this obscured and legitimized the ways in which collective decisions systematically promoted the advantage of those admitted to citizenship at the expense of those excluded.¹⁸ And because the myth of autochthony constructed Athenian citizenship on the model of kinship, the felt identity of sympathies and purposes that helped motivate active, public-regarding political engagement was grounded in belief in an ethnic sameness that fueled the exclusion and marginalization of civic “others.”¹⁹

Aristotle (in)famously endorsed the inequalities and the exclusions characteristic of ancient Greek citizenship. “The best form of state,” he

¹⁷ Of course, the extent to which this characterization of political life in ancient Athens is historically accurate is disputed by scholars who study the period. Any model of the *polis* as the site of perfectly public-spirited political engagement warrants skepticism. Nonetheless, the ideal itself plays an important heuristic role in the development of the republican critique of liberal citizenship.

¹⁸ I have in mind modern democratic and egalitarian critics. For a historical overview that stresses anti-democratic critiques of Athenian democracy, beginning with Athenian contemporaries, see Roberts (1994).

¹⁹ Ober argues that belief in both an autochthonous origin and the heritability of politically desirable traits (such as patriotism) drove the highly restrictive naturalization processes in ancient Athens and the periodic cleansing of the naturalized from citizenship rolls. It drove, as well, the discipline and censure of those who, because of questionable ancestry and/or conduct, were suspected of having less-than-pure citizen blood (Ober 1989: 261–70).

asserted, “will not admit [the lower class] to citizenship.”²⁰ For most contemporary democrats, by contrast, for whom inclusiveness and political equality are constitutive principles of democratic rule, the example of the *polis* highlights the potentially anti-democratic effects of a restricted juridical, combined with a robust sociological, citizenship. The republican turning-back to this ancient city seems to many a turning-away from the “democratic” in “democratic citizenship.” It threatens to sacrifice for strong civic binding the expansive boundaries that democracy demands.

II. Citizenship and “the ideal of city life”²¹

Hence some social and political theorists turn their attention to a later moment in the history of the city – the metropolis in the large and multicultural modern nation-state. One way to characterize what unites thinkers as otherwise disparate as social theorists like Richard Sennett and Sharon Zukin, urban theorists like Mike Davis and Michael Sorkin, geographers like David Harvey and David Sibley, legal theorists like Gerald Frug and Richard Ford, and political theorists like Susan Bickford and Iris Young is that all take up the political problems of “democratic citizenship” by exploring the gap between the practices and the promises of city life. In practice, these thinkers stress, the contemporary city is an anti-democratic order, to the extent that it is characterized by citizen passivity and the bureaucratic and corporate management of public affairs, by spatial segmentation, by social segregation, and by the erosion of public space. Yet, as a physical and a social form, it comprehends an unrealized potential, which theorists can tease out in search of ways to (re)construct a vital and inclusive democratic citizenship.

In what does this unrealized potential consist? To explain, I want to draw on what is arguably the best-known articulation of the promise that the contemporary city holds: Jane Jacobs’ ethnographic sketch of her own Greenwich Village neighborhood in the early 1960s.²² Jacobs’ is a rich and a detailed portrait. For present purposes, however, I pare it down, focusing on those elements of city life most attractive to theorists concerned to foster active, public-regarding, and politically egalitarian practices of democratic citizenship.

Central among these is the city’s institutional capacity to promote direct citizen engagement in politics and – by combining participatory processes

²⁰ The reason he offered is that they have not been relieved of necessary work and therefore cannot attain the excellence of the good citizen. “The necessary people are either slaves who minister to the wants of individuals, or mechanics and labourers who are the servants of the community.” Aristotle (1996: 1278a10).

²¹ The phrase is Iris Young’s. See Young (1990: chapter 8). ²² Jacobs (1961).

with representative institutions and some centralization of decision making – to do so in ways that challenge rather than exacerbate political inequalities. By Jacobs' view, the city district is particularly well suited to fostering active and effective citizen participation.²³ At least as far back as Robert Dahl's 1967 APSA address,²⁴ a range of contemporary theorists have endorsed a position similar to hers, identifying the city or the subunits that comprise it as sites where democrats might look to find ways to move beyond understanding citizenship in terms of the passive enjoyment of rights.²⁵ Although, in practice, cities are often sites of bureaucratic administration, in principle, they are small enough to enable citizens to deliberate about and actively to help determine at least some collective decisions. At the same time, they are large enough, and the scope of decisions taken there wide enough, that citizens experience city politics as significantly affecting their lives.²⁶

In contrast with Jacobs' near-exclusive emphasis on the advantages for democratic participation of decentralizing governance functions to the district level, more recent theorists have attended to the potentially anti-democratic consequences of the relative autonomy of municipal governments in the context of fiscal and political interdependencies and inequalities.²⁷ Effective self-government, they suggest, may require not only avenues for direct citizen involvement in politics, but also the centralization of some decision procedures (such as those governing the raising and spending of tax revenues, and land use decisions) to the metropolitan, regional, or even the state level. Striking a balance between direct citizen participation and more centralized and representative forms of governance can promote both civic engagement and democratic equality. That the two may be pursued simultaneously in a socially and economically

²³ See the chapter entitled "The uses of city neighborhoods," in which Jacobs recounts the story of how her Greenwich Village district successfully resisted a city-level bureaucratic decision to widen the street on which she lived by reducing the size of its sidewalks. By her telling, residents of the street were able to perceive the potential adverse local impact of this decision, whereas to officials distant from the neighborhood, it seemed a routine technical adjustment. Jacobs and her neighbors wrote letters to city officials. They circulated petitions. They passed resolutions in district-level associations and held meetings with relevant city-level decision makers. Ultimately, they were able to pressure officials to forestall the change. Acting collectively they helped shape a political decision they experienced as significantly affecting their lives; Jacobs (1961: 124–5).

²⁴ Dahl (1967: 953–70). ²⁵ See, for instance, Dagger (1981: 715–37).

²⁶ Thus Dahl, who names the city "the optimum unit for democracy in the 21st century," stresses that, in a relatively small city or in a district-size subsection of a larger metropolis, "citizens can from time to time formulate and express their desires, consult with officials, and in some cases participate even more fully in decisions." Dahl (1967: 964, 969).

²⁷ See, e.g. Briffault (1990a: 1–115, 1990b: 336–454); Ford (1994: 1843–1921); Young (1990: chapter 8). For a more detailed discussion and an evaluation, see Hayward (2003: 501–14).

heterogenous metropolitan area distinguishes the city both from more remote levels of governance like nation-states and from relatively homogeneous and politically autonomous units like small towns or rural villages.

A second characteristic of the contemporary city that attracts some who see in it an unrealized potential for promoting democratic citizenship is its capacity to foster, at the level of the psyche of the individual citizen, a sense of the self as an actor in public. Cities differ from nonurban places, the claim is, not only in their size, but also in their partial constitution by spaces that are *public* in the dual sense that they are accessible to all, and that they foster interaction among people who are, and who remain, unfamiliar to each other. Thus Jacobs details the ways in which the architecture of her neighborhood clearly demarcates the public spaces of sidewalk and city street, distinguishing these from the nonpublic and the semi-public spaces of home, work, and retail establishment. She stresses the orientation of building structures toward the sidewalk and the street, as well as the ways in which the mixed primary uses of the Greenwich Village building stock promote around-the-clock activity in the neighborhood's public spaces. By her view, the informal public life of the street – derided as "loitering" by prominent city planners of her day – provides a crucial foundation for the more formal public life of urban political organizations and institutions.²⁸ It yields important psychic benefits, as well, fostering what she calls "public trust" – a subjective sense of security in public and "an almost unconscious assumption of general street support when the chips are down."²⁹ Urban public space fosters a sense of the self as a participant in public life, encouraging mutual awareness among citizens who encounter each other regularly in their capacity as public actors.³⁰

Students of contemporary urban life who are committed to civic ideals of public-regarding political engagement criticize emphatically the erosion of public space in the city and its supplanting by nonpublic or what some call "postpublic" space in the form of gated communities, suburban enclaves, office parks, shopping malls, and other "fantasy worlds."³¹ The urban subject, their claim is, responds to the growth of nonpublic at the expense of public urban space with a heightened

²⁸ Jacobs (1961: 57). ²⁹ *Ibid.*: 56.

³⁰ "The sum of . . . casual, public contact at a local level," Jacobs writes, "most of it fortuitous, most of it associated with errands, all of it metered by the person concerned and not thrust upon him by anyone – is a feeling for the public identity of people, a web of public respect and trust, and a resource in time of personal or neighborhood need." *Ibid.*

³¹ Ellin (1997: here 40). See, more generally, the essays collected in Ellin's volume.

"narcissism," understood in the sense in which Richard Sennett uses that term.³² Nonetheless, they argue, "impersonality" can help citizens achieve distance from their personal experiences and attachments, their private wants, interests, and needs, enabling them to understand themselves as participants in a world that is public, in the sense that it extends beyond the intimate, beyond personal relations and private concerns. What is more, public space in the city can encourage the citizen to play the role of public actor, where "play" signals a detachment from collective norms that makes possible the sense of their mutability necessary for effective political action.³⁴ Such forms of public engagement, the claim is, are a civically useful counterweight to the forms of engagement characteristic of more intimate social relations. They enable a psychic sense of the self as *part of* a social world that is to some extent public, and also as capable of *acting on* that world, or acting in ways that affect it.

Significantly, from the perspective of those concerned about the potentially anti-democratic effects of a civic republican "return," the public spaces of the contemporary city produce impersonality without relying on a myth of a unitary public. The city sidewalk or the city plaza differs from the (republican idealization of the) *agora* in that it does not demand of the citizen who enters it that she leave behind that part of her self involved in the intimate relations of home, that part that feels solidarity with familiars and with members of particularistic social collectivities, that part engaged in necessary work and in market relations. Rather than

³² That is to say, increasingly, she views the social and the political world through a lens that filters its rules and relations to impress her only to the extent that, and in the way in which, they affect her individual needs and desires. Sennett (1978).

³³ See Sennett (1997: 61–9).

³⁴ Sennett (1978: chapter 14). In urban spaces that are authentically public, Sennett argues, citizens interact with each other in ways that differ from the ways in which moderns typically interact with their intimates. They do not strive to disclose "who they really are" or what they take to be their deepest thoughts and desires. They do not work to reveal to each other, or to discover with one another, their complex psychological make-ups or their personalities, understood to reflect their identities as unique individuals. To the contrary, in public, people literally act out roles that require them to employ social conventions that do not reflect but rather stand at a distance from their personal beliefs, emotions, and attitudes. Sennett illustrates with the example of conventions governing public dress in eighteenth-century London and Paris. At home, people wore loose-fitting clothing relatively unremarkable in design. On the street in the capital city, by contrast, they treated their bodies as "mannequins," adorning them in order to express meanings conventionally attached to particular modes of dress (1978: 65–72). Sennett's larger story is one of the historical decline of practices of "acting" in public. Yet one could no doubt cull from the countless encounters among unfamiliar in the public spaces of contemporary cities examples of conventional meanings that people in public settings continue to attach to particular ways of adorning their bodies, or holding or exposing them; to particular ways of looking at or away from one another; to ways of addressing other people, or refusing to address them.

define a pure public space, which the citizen enters to deliberate about "the good" of "the political community as a whole," sidewalks, streets, plazas, and parks define spaces that border retail establishments, places of work, thresholds to private homes, churches, and other neighborhood institutions – spaces that citizens who are also consumers, workers, and household members, citizens who are also social beings with particularistic attachments and affiliations, do not "enter" so much as pass through. What goes on in these public spaces is not the pursuit of a putatively singular public good. Nor is much of it even expressly political. Yet merely to "pass through," the claim is – to walk this crowded city street, to eat lunch in this public park, surrounded by unfamiliar, to exchange a word or even just a glance with that demonstrator protesting outside city hall – is to take on the role of public actor, to "act" in a social setting discontinuous with the world of the intimate, the local, the familiar.

III. Contact among strangers: ethical citizenship as political association

What, though, of the motivation for citizens to engage in active and public-regarding politics? Missing from this ideal of democratic citizenship inspired by "city life," a civic republican might respond, is an account of *why* citizens would engage in democratic politics in ways that take into account needs, claims, and perspectives that differ from their own.³⁵ One possible motivational source for public-regarding political action is a sense of affinity with one's compatriots – a practical or a sociological citizenship on the model of an identity that transcends self-interest, as well as subnational religious, ethnic, and other social identities. But this civic binding, this ordering of affinities and affiliations to "reestablish [the] sovereignty" of the citizen identity,³⁶ has a Rousseauist ring to those who worry that, even absent ethnic overtones, celebrations of strong civic identification deflect attention from patriotism's inevitable

³⁵ For compelling accounts of the importance of civic identity for motivating public-regarding political action, see Miller (1995, 2000).

³⁶ The quote is from Benjamin Barber, who makes the case for "strengthen[ing] the role of 'citizen,' to reestablish its sovereignty over other roles – and thereby to provide a political means by which the multiple identities of the individual in the private marketplace can be ordered and made consistent with political judgment." Illustrating with an example of a subnational ethnic identity that he hopes political identity will "reorient," Barber continues, "The Italian-American begins to think about what is required of him as a citizen. He finds himself measuring his private interests by the yardstick of public interests in which, as citizen, he has a growing investment. Citizenship here serves to transform interests and to reorient identity." Barber (1984: 208–9).

exclusions and coercions.³⁷ Hence theorists who turn to the contemporary city to think through the problems of “democratic citizenship” are faced with a conundrum. Absent some motivation to engage in politics actively, and in ways that are public-regarding, the institutional capacity for participatory politics and the psychic capacity to understand the self as a public actor are unlikely to yield practices of citizenship that differ substantially from the passive and privatistic practices of a citizenship performed as principally juridical. Yet the republican response – to work to foster sociological citizenship, with a view to promoting a felt sense of identification with the political community – is unattractive to those troubled by the exclusions and the internal hierarchies that a strong and visceral citizen identity defines.

Many theorists have surprisingly little to say to this question of civic motivation. Many dodge it, adopting a language of “impediments” that “foreclose possibilities” or “threaten” civic practices in which it is far from clear citizens would be motivated to engage, even absent the cited impediments.³⁸ Yet in the writings of some recent theorists one can discern an effort to locate an alternative source of civic motivation, based not in sociological civic identification so much as in the principles that define citizenship as a relation of mutual obligation. Some turn to contact among strangers in urban places as a means of fostering what might be thought of as political *association*, rather than identification: a conscious awareness of the stranger and a regard for her as a partner in a joint political venture, which cultivates – *absent identity* – an openness and a receptivity to her claims.

Hence the third and final element of Jacobs’ account to which I want to draw attention: the regular and unplanned contact that she suggests urban dwelling encourages among people who are strangers, not only in the sense that they are unfamiliar to each other, but also in the sense that they do not experience each other as sharing an identity based on a supposed social sameness and/or common interest.³⁹ Politicizing Jacobs’ notion of

³⁷ Iris Young, for one, in her critique of republican calls to forge a citizen identification ascendant over all others, makes the case that to privilege citizen identity is to reinforce hierarchies of dominance and marginalization. Her argument suggests that, to the extent that privileged members of a given polity wield disproportionate influence over the shape of its civic identity, political efforts by the marginalized to challenge extant definitions of the specific historical achievements, the specific contemporary purposes, the specific norms and values that shape the identity “citizen” may be viewed as particularistic, and for that reason devalued or dismissed. See Young (1990: chapter 4).

³⁸ One example comes from Steven Flusty who, focusing on the erosion of urban public space, writes that “It creates an impediment to the cross-cultural communication necessary to knit together diverse publics.” Flusty (1997: 47–59, here 58).

³⁹ Infrastructural diversity in city neighborhoods, Jacobs stresses, means that building stock varies, not only in terms of the type and the use of structures, but also in terms of their age and physical condition. In her own Greenwich Village neighborhood, infrastructural

“be[ing] on excellent sidewalk terms” with strangers, some argue that contact in the contemporary city, by enabling strangers to recognize each other as citizens along a principled or an ethical dimension, can forge an openness to “strange” political claims and views that stops short of practical/sociological identity.

The claim is, at base, Arendtian. It builds upon Arendt’s insight in *The Human Condition* that a key function the political association performs is to “gather [people] together and yet prevent [their] falling over each other.”⁴⁰ A political association relates people, Arendt suggests, while at the same time allowing them to maintain their distinctness and their separation.⁴¹ It does not form a unity or an identity, but instead brings together citizens who are different in their experiences, needs, and perspectives, by creating for them a social and a political “world” that is common to them. The political association defines, in Arendt’s words, a “reality of the world and men” that motivates people in their different social locations to speak to and to hear one another, and to act in public. “Under the conditions of a common world,” she writes, “reality is not guaranteed primarily by the ‘common nature’ of all men who constitute it, but rather by the fact that, differences of position and the resulting variety of perspectives notwithstanding, everybody is always concerned with the same object.”⁴²

Arendt’s view is echoed and developed by recent theorists who attend critically to the waning of this “common world.” Susan Bickford provides a compelling account of the ways in which the contemporary city can function, not to “gather [people] together,” but instead to separate the privileged from those they define as “other.” Urban boundaries “screen and partition . . . some citizens from others,” she argues. They circumscribe, in patterned ways, “who we think of as citizens and who we think to engage with as citizens – in other words whose perspectives must be taken into account when making political decisions.”⁴³ Nonetheless, Bickford sees in contact a potential spur to the conscious awareness of, and to political openness toward, those one experiences as strange. Gerald Frug similarly suggests that contact can help foster what he calls “community building,” where “community” signals not identity understood as

diversity encourages use by people from a wide range of levels of income and wealth, by people from different occupations and different social backgrounds. “[I]t is possible in a city street neighborhood,” she writes, “to know all kinds of people without unwelcome entanglements, without boredom, necessity for excuses, explanations, fears of giving offense, embarrassments respecting impositions or commitments, and all such paraphernalia of obligations which can accompany less limited relationships. It is possible to be on excellent sidewalk terms with people who are very different from oneself.” (Jacobs 1961: 62).

⁴⁰ Arendt (1998 [1958]: 52). ⁴¹ *Ibid.*: 53.

⁴² *Ibid.*: 57–8. ⁴³ Bickford (2000: 363).

sameness or commonality, but the capacity to coexist peacefully and to “collaborate” politically, with “strangers who share only the fact that they live in the same geographic area.”⁴⁴ Iris Young, articulating an “ideal of differential solidarity” suggests that contact may provide the disadvantaged with fora where they can present their grievances and press their claims, as well as push the privileged to face and to engage those who are marginalized and excluded in the segregated city.⁴⁵ Authentically public urban spaces that promote contact among strangers – spaces where Arendtian “words and deeds” might cross interest-based as well as identitarian divides – enable a sense of, not a common identity so much as a common world and common problems.

In the terms introduced at the start of this chapter, these theorists see in the contemporary city a possibility for realizing ethical, rather than for strengthening sociological, citizenship. Thus Young conceives “solidarity” in terms of “a sense of commitment and justice owed to people, but precisely not on the basis of a fellow feeling or mutual identification.” She envisions a “mutual respect and caring that presumes distance,” suggesting that the basis of this solidarity, this respect, this “caring” is “that people live together,” that “they are all affected by and related to the geographical and atmospheric environment.”⁴⁶ Young imagines citizens motivated to act politically in ways that are respectful of, and receptive to, the views and the claims of others, not because they identify with each other in the thick sense in which civic republicans conceive identification, but because contact in the city makes them mindful of their interrelations with strangers who are their political associates. It makes them mindful that they stand in relations of mutual vulnerability and interdependence, that their actions affect each other’s possible actions.⁴⁷ Similarly, Bickford argues that “[L]iterally bringing people together in a variety of ways through their daily experience makes a difference in how they think politically – not in terms of the content of opinions, but in terms of the awareness of different perspectives that must be taken into account in forming opinions.”⁴⁸ The product of citizen association is

⁴⁴ Frug (1999: 9). ⁴⁵ Young (2000: chapter 6). ⁴⁶ *Ibid.*: 222.

⁴⁷ “Strangers in modern society,” she writes, “live together in a stronger sense. Their daily activities assume dense networks of institutional relations which causally relate them in the sense that the actions of some here pursuing these ends potentially affect many others whom they do not know and may not have thought about. Economic activities and their institutions most deeply connect the dwellers of a region. Institutions and relations of mass communication, relations of law, contract, and service delivery, whether public or private, also bring strangers together in communicative and causal relations that link their actions and the conditions of their action.” *Ibid.*: 223.

⁴⁸ Bickford (2000: 370).

public-regarding political engagement, motivated not by perceived identity so much as by principle.

IV. The argument for citizen association: two interpretations, two critiques

This account of democratic citizenship as political association is appealing in many ways. It promises to bind citizens together but – by freeing citizenization from its sociologically burdened traits – to do so in ways that avoid the exclusions attendant upon thicker, republican visions of civic identity.

But the account is underdeveloped. It leaves ambiguous the role that principles are presumed to play in shaping citizens’ attitudes, beliefs, and actions. On one relatively straightforward reading, principles can be understood to function *cognitively* to induce change. This version of the argument takes as its starting point the Deweyan claim that “notice of the effects of connected action forces men to reflect upon the connection itself.”⁴⁹ Contact in the city makes strangers conscious of each other’s needs and claims, by this view. It prompts them to take notice of the ways in which their actions affect each other’s possible actions. It is reflection about relations of mutual interdependence, in light of principles governing democratic citizenship (e.g. principles of popular sovereignty, principles of democratic equality), that fosters the political openness characteristic of citizen association.

The principal difficulty with this version of the argument is that it is far from clear that contact in the city – even if it does expose strangers to each other’s needs and perspectives – will alter beliefs and perceptions in ways that encourage the forms of recognition that theorists of citizen association hope for. To the contrary, contact may encourage a heightened perception of conflicting interests and social differences, and increased tension and conflict along lines of interest and/or identity.

Consider the accumulated evidence from research on what some social psychologists term “the contact hypothesis” – the thesis that contact across interest-based and identitarian lines reduces intergroup cognitive, affective, and behavioral biases.⁵⁰ Under the right conditions, this body

⁴⁹ Dewey (1927: 24).

⁵⁰ Initially focused in the postwar years on racial- and ethnic-group prejudices, research on the contact hypothesis expanded in the latter part of the twentieth century to include a wide range of social differences (for example, age, sexual orientation, mental illness, and physical disability) and to employ multiple methods, including many field and laboratory studies, as well as archival and survey research. For an overview and a meta-analysis, respectively, see Pettigrew (1998: 65–85) and Pettigrew and Tropp (2000: 93–114).

of evidence suggests, contact can indeed help alter stereotypes, reduce social distancing, and diminish intergroup prejudice and conflict.⁵¹ But “under the right conditions” is a nontrivial qualifier. Gordon Allport, one of the first to articulate the hypothesis, specified that to produce the desired effects contact must take place (1) under conditions of cooperative interdependence in which participants work to achieve a shared goal, (2) enjoy equal status, and (3) work in a context in which group stereotypes are disconfirmed, (4) egalitarian social norms prevail, and (5) the potential for becoming acquaintances (that is, for getting to know members of other socially defined groupings as individuals, and not merely as group members) is high.⁵² The conditions Allport specified have proven crucial to the thesis. Research spanning more than half a century suggests that absent all, or at least most, of these conditions, intergroup contact fails to produce the desired effects.⁵³ The obvious trouble for democratic theorists of city life is that Allport’s conditions do not obtain in most contemporary urban contexts, the defining characteristics of which include social inequality, conflict among groups, and impersonality.

Social psychological research on identity and social categorization highlights an important reason why contact is unlikely to produce citizen association through perceptual and cognitive change. When we come into contact with others whom we experience as “strange,” we do not *directly* perceive their needs and claims, and the relations of interdependence and mutual vulnerability in which we stand to them. Instead, we perceive these through the lens of subjectively experienced social identities, which encourage us to socially distance ourselves from strangers; to selectively ignore evidence that disconfirms the stereotypes we hold; to engage in attributional biases; and, more generally, to perceive, to regard, and to treat differentially those constructed as members of, compared with those

⁵¹ Pettigrew and Tropp (2000).

⁵² Allport (1954). An example of a classic study that tests the thesis empirically is Stuart Cook’s laboratory experiment in which white subjects who demonstrated highly racially prejudiced attitudes were paired over multiple sessions with one black and one white co-worker (both confederates of the researcher) and assigned the job of cooperatively managing an artificial railroad system. Cook manipulated the experimental conditions to meet Allport’s criteria: assigned task roles were equal, African-American confederates were selected to disconfirm race-based stereotypes, the job and its reward structure were framed to encourage cooperative interdependence, and during a series of work breaks designed to encourage acquaintanceship among the participants, the white confederate expressed egalitarian racial norms. Racial attitudes changed in Cook’s experiment in the expected direction, and they did so more for experimental than for control subjects. See the discussion in Cook (1985: 452–60).

⁵³ For a meta-analysis of 203 empirical tests of the contact hypothesis, see Pettigrew and Tropp (2000).

constructed as excluded from, our social identity groupings.⁵⁴ Hence the hope that principles will prompt people to engage each other as citizen associates, and that they will do so via the cognitive effects of contact among strangers, seems naïve.

However, an alternative reading of the argument for citizen association is available, a reading more Habermasian than Deweyan. In recent writings, Habermas has suggested that the principles that define citizenship’s ethical dimension may be capable of moving not only people’s minds, but also their hearts.⁵⁵ On this alternative reading, association – not unlike identification – can be understood as at least in part an affective process. Association differs from identification, by this view, not in that it functions mostly on a cognitive level, but in that it relies on moral or ethical principles themselves to perform the binding work that democratic citizenship demands.

The principal difficulty with this second version of the argument is that any principle capable of “moving hearts” to motivate citizen association necessarily distinguishes – no less so than do beliefs about shared origin, interest, or purpose – those persons who stand in the particular relations of mutual obligation that citizenship signals from those external to the relevant relations. To the extent that they effectively can motivate people to recognize and to treat some class of strangers as citizens, principles encourage and legitimize the political exclusion and/or the marginalization of those they define as standing outside the relations that establish normative/ethical citizenship.

Let me illustrate with an example. Consider the following set of principles, which might, conceivably, “move hearts,” binding citizens together without relying on nationalistic or other particularistic social identities:

⁵⁴ Since the early 1970s, experimental research has demonstrated that even artificial social categorizations imposed in a laboratory setting can alter people’s perceptions of, and attitudes and behaviors toward, members of constructed “in-groups” and “out-groups.” Participants in such experiments consistently perceive members of their in-groups as similar to themselves, and as having interests in common with theirs, and members of out-groups as dissimilar, and as having interests that conflict with their own. Findings from studies that use both artificial and socially meaningful identities show that people tend to perceive in-groups as internally varying, and out-groups as relatively homogeneous; to selectively ignore evidence that disconfirms the stereotypes they hold about out-group members; and to manifest what researchers term an “attributional bias” – that is, to attribute positive behaviors performed by in-group members to factors “internal” to the person and negative behaviors to “external” factors, but positive behaviors performed by out-group members to external factors and negative behaviors to internal factors. For an overview, see Howard (2000: 367–93). For a meta-analysis of empirical tests of the in-group bias hypothesis, see Mullen, Brown, and Smith (1992: 103–22).

⁵⁵ See Habermas (1998a).

- (1) People ought to contribute to their political society.
- (2) People ought to obey their political society's reasonable laws and norms.
- (3) All law-abiding people who contribute to a given political society ought to be recognized and treated as free and equal members of that society.

These are, roughly, the principles DuBois invokes when he critiques white Philadelphians' failures to recognize black Philadelphians' citizenship. DuBois is incisively critical of the prevailing sociological definition of citizenship in turn-of-the-century Philadelphia. Blacks are constructed by whites into a monolithic social group, he argues, and regarded and treated as "second-class citizens" on the basis of this racialized categorization. However, DuBois claims, some African-Americans deserve recognition as full and equal citizens. Many black Philadelphians are law-abiding. Many contribute to their society, for instance by working hard in the flourishing catering industry (in which there was significant African-American participation at the time). Many understand and observe the social and moral norms of their society. Because they are established urban residents, many have achieved that state of refined manners that enables them to participate civilly in Philadelphia's social, cultural, and political life.⁵⁶

Analyzing late-nineteenth-century Philadelphia, DuBois finds a civic categorization that – because defined in racialized identitarian terms – violates what he suggests are normative principles specifying who should count as a full and equal citizen. He calls for, in its place, a redefinition that requires "fix[ing] with some definiteness the different social classes which are clearly enough defined among Negroes."⁵⁷ DuBois proceeds to categorize black Philadelphians, dividing them into four "social classes," from the aristocratic and the "respectable working-classes" to the poor and the criminal.⁵⁸ It is not all blacks, he suggests, but only the "better classes" who are wronged when whites fail to recognize them as they deserve.⁵⁹ Advancing the claim that those who are "civil" and "respectable," "law-abiding" and "morally improving" deserve recognition as full and equal members of the society to which they belong, DuBois defines decided moral antipodes of normative or ethical citizenship: the dependent, rural

⁵⁶ DuBois (1967 [1899]: chapter 15, section 46). ⁵⁷ *Ibid.*: 310. ⁵⁸ *Ibid.*: 310–11.

⁵⁹ "Besides these tangible and measurable forms [of misrecognition] there are deeper and less easily described results of the attitude of the white population toward the Negroes: a certain manifestation of a real or assumed aversion, a spirit of ridicule or patronage, a vindictive hatred in some, absolute indifference in others; all this of course does not make much difference to the mass of the race, but it deeply wounds the better classes." *Ibid.*: 350, emphasis added.

"barbarians" not yet socialized to urban norms of civility, "criminals, prostitutes and loafers."⁶⁰ He suggests not only that some black Philadelphians do not deserve social recognition as full and equal members of their society, but further that they do not deserve the rights the state guarantees to those legally defined as citizens.⁶¹ His argument illustrates pointedly what is not always apparent in highly abstracted discussions of citizenship as a relation of mutual obligation: *whatever principled reasons motivate particular strangers to regard and to treat each other as fellow citizens serve as grounds for refusing some class(es) or some set(s) of strangers such recognition.*

V. "Constitutional patriotism" and its others

Perhaps the most obvious response to this concern about the "others" of DuBois' ethical citizenship is to search for principles even more universalistic in their reach than those that he implicitly invokes, such as democratic principles of collective self-determination or liberal principles supporting human rights. Habermas makes the case that acculturation to a "liberal political culture" can encourage people to embrace "principles of constitutional democracy," principles he conceives as capable of motivating public-regarding political action via a "constitutional patriotism" that neither excludes nor marginalizes.⁶² Citizens can be bound together, his claim is, through socialization into a common "liberal and egalitarian political culture."⁶³ This political culture Habermas defines with reference to historically particular interpretations of liberal democratic principles. He suggests it can bind citizens together across differences in interests, identities, social beliefs, values, and traditions, because the constitutional principles themselves will serve as a common object of patriotic attachment.

Some critics complain that Habermas' constitutional patriotism is insufficiently strong to bind citizens together.⁶⁴ By this view, to the extent that Americans, for example, do not experience themselves as sharing an origin, or culturally particularistic identities and values, acculturation to embrace the interpretation of the principle of popular sovereignty that is captured in the Declaration of Independence, or the interpretation of rights that is institutionalized in the American Bill of Rights, will be

⁶⁰ *Ibid.*: chapter 15, section 46.

⁶¹ It was a mistake, DuBois argues, to grant suffrage "indiscriminately" to freed slaves; imposing educational and property qualifications would have been more judicious. *Ibid.*: 368.

⁶² Habermas (1996 [1990], 1998a). ⁶³ Habermas (1996 [1990]: 505–6).

⁶⁴ See, for example, Canovan (1996: chapter 8, 2000: 413–32); Smith (2003b: chapter 3).

insufficient to motivate ethical citizenship. It will be insufficient to prompt US citizens to view and to regard one another as fellow members of a distinct political society to which they feel a strong sense of obligation.

Even if Habermas' critics are wrong, however – even if he has, as he thinks he has, identified a set of principles that can do the binding work of a citizenship performed as normative/ethical – he has not escaped the central problem of “democratic citizenship.” To the extent that constitutional principles in fact bind members of a liberal democratic political society, they define “others” of normative or ethical citizenship: illiberal others, in this instance, others insufficiently acculturated to the “liberal political culture” that motivates citizen association.

Recall the logic of the critique of civic republican ways of motivating citizenship. Clearly, republican theorists who celebrate patriotic identification do not themselves advocate punishing attitudes toward the others that national citizen identities define. Nonetheless, the claim is, a thick sociological citizen identity can and does fuel such attitudes. It does so in significant part because there exists a strong political incentive for elites to exploit nationalist forms of identification. “Precisely the artificiality of national myths,” writes Habermas, “both in their learned origins and their dissemination through propaganda, makes nationalism intrinsically susceptible to misuse by political elites.”⁶⁵

But does not the same hold for Habermas' “constitutional patriotism”? If Habermas' critics are wrong – if constitutional patriotism indeed can perform the binding work that he believes it can – then surely it can legitimize hostile attitudes toward, and the punishing treatment of, its “others.” And surely there is a strategic incentive for political elites to manipulate and to exploit this capacity.

That such manipulation can and does occur is illustrated by the rhetorical strategies adopted by the current Bush administration. Take, as a case in point, two highly publicized documents released in the aftermath of the September 11 attacks, the *National Strategy for Homeland Security (NSHS)*⁶⁶ and the *National Security Strategy of the United States of America (NSSUSA)*.⁶⁷ Each of these documents opens with an address by the president to the American people. In these opening letters and throughout the documents, that “people” and its specifically American “way of life” are defined not in terms of ethnic or national sameness, but in terms of shared liberal and democratic principles. Thus *NSHS* defines the American people with reference to “America's commitment

⁶⁵ Habermas (1998a: 116). See also Smith (1997: chapter 1).

⁶⁶ United States Office of Homeland Security (2002).

⁶⁷ United States White House (2002).

to freedom, liberty and our way of life,”⁶⁸ characterizing this “way of life” in terms of a “democratic political system . . . anchored by the Constitution,” “[f]reedom of expression, freedom of religion, freedom of movement, property rights, [and] freedom from unlawful discrimination.”⁶⁹ Both *NSHS* and *NSSUSA* interpret these American ideals and principles – as Habermas recommends – through the lens of US founding documents and historical experiences. The *NSHS* cites the Constitution and the Bill of Rights, for example. It stresses the importance of building upon the American tradition of federalism.⁷⁰ The *NSSUSA* emphasizes that “even in our worst moments, the principles enshrined in the Declaration of Independence were there to guide us. As a result, America is not just a stronger, but is a freer and more just society.”⁷¹

Yet both *NSHS* and *NSSUSA* employ these liberal and democratic constitutional principles in ways that define and demonize others of American liberal democracy: illiberal and anti-democratic “rogue states,” “evil . . . enemies,” “terrorists and tyrants.”⁷² Both documents employ, that is to say, not particularistic, but principled definitions of an American political identity, to distinguish an American “we” – lovers of liberty – from an anti-American “they” – purveyors of terror. What is more, both documents exploit this distinction to advance arguments for the exclusion and the policing of these others, and for acts of violence aimed at them. They attempt to legitimize the shoring up of American borders; the heightened surveillance of foreigners, both at home and abroad; and, in the international realm, unilateral pre-emptive aggression in response to American elites' perceptions of threats.⁷³

To be clear, I do not mean to suggest that Habermas or other advocates of constitutional patriotism would endorse the recent rhetoric of the Bush administration. To the contrary, I am certain they would not.⁷⁴ Nor, by

⁶⁸ *National Strategy for Homeland Security* (hereafter *NSHS*), the second unnumbered page in the opening address.

⁶⁹ The American “way of life” it characterizes, in addition, with reference to external security and domestic peace, a free market system, and cultural pluralism and openness. See *NSHS*: 7.

⁷⁰ See, e.g. the section titled “Organizing for a Secure Homeland.”

⁷¹ *National Security Strategy of the United States of America* (hereafter *NSSUSA*): 3.

⁷² *NSSUSA*: 13; *NSHS*: 1; *NSSUSA*, the first unnumbered page in the opening address.

⁷³ See, respectively, the discussion of “smart borders” in the *NSSUSA*: 22–3; the section in the same document titled “Domestic Counterterrorism”: 25–8; and, in the *NSSUSA*, section V, titled “Prevent Our Enemies from Threatening Us, Our Allies, and Our Friends, with Weapons of Mass Destruction.”

⁷⁴ In an interview, Habermas characterizes the Bush administration as “continuing, more or less undisturbed, the self-centered course of a callous superpower,” and critiques what he refers to as its “barely concealed unilateralism.” See “Fundamentalism and Terror: A Dialogue with Jürgen Habermas,” in Borradori (2003: 25–43, here 27).

the same token, would civic republican theorists endorse much of what political elites say and do in the name of more particularistic forms of patriotism. My larger point is this: If, indeed, constitutional patriotism is capable of binding together a civic "we," then – not unlike other forms of patriotism – it is (to borrow an expression used frequently by Habermas) Janus-faced. Even divorced from communitarian readings that link it with particularistic forms of social identification, citizenship remains a binding and a bounding category. It is a category that necessarily delimits an included and an excluded set. If and to the extent that ethical citizenship effectively can motivate people to look beyond their private concerns and their particularistic identities, and to take into account the perspectives of those they understand to deserve their political recognition, it justifies their disregard, their refusal to take into account the views and the claims of those they understand as not so deserving.

In response to this line of critique, a Habermasian might concede that principled forms of binding exclude; that the civic "we" is necessarily defined with reference to some constitutive outside; that it is never fully inclusive. However, she might suggest, this means no more than that the role for the political theorist must be to search for a way to define the civic "we" *as inclusively as possible* – that is, to approximate as closely as possible the (unattainable) ideal of "democratic citizenship." "If we cannot eliminate the tension between democratic principles and civic ideals," she might ask (rhetorically), "should we not at least search for ways to minimize it?" By this view, the relevant question is not, "Does ethical citizenship exclude?" but "Whom does it exclude, and on what grounds?" Some grounds for exclusion are normatively objectionable, but others are not. Constitutional patriotism, the Habermasian might claim, although indeed it excludes, excludes in ways that are legitimate.

The principal difficulty with this approach – that is, with an approach that defines an unattainable ideal of "democratic citizenship" and then works to identify ways to approximate that ideal – is that it functions to legitimize the deficits of its own approximations. With respect to Habermas' variant of ethical citizenship, my worry is not simply that it excludes illiberal and anti-democratic others, but also that – because it claims to do so on normatively unobjectionable grounds – it legitimizes those very exclusions. Hence, as evidenced by the recent publications and policies of the Bush administration, it can serve to fuel aggressive attitudes toward and actions aimed at its others.

A better tack is to highlight the tension between democratic principles and civic ideals, and to exploit that tension with a view to promoting democratic contestation over the boundaries that delineate the civic "we." For an illustration of what such contestation might look like, let

us turn once more to DuBois' *The Philadelphia Negro*. In his capacity as a social theorist, I have suggested, DuBois adopts an approach that is analogous to Habermas': he aims to discover a normatively unobjectionable set of exclusions, which historical distance has revealed to be more objectionable than DuBois realized at the time. In his role as a social actor, however, DuBois does something rather different. He speaks in the voice of (some of) those who were excluded from contemporary definitions of "democratic citizenship," making a claim for their inclusion that, performatively, acts upon – that is, in ways that affect – the boundaries of the civic "we." In this second capacity, DuBois works to unsettle for his audience the sense that "democratic citizenship" has been defined correctly, and once and for all. This move can be viewed as an instance of what Ernesto Laclau and Chantal Mouffe have termed "hegemonic struggle."⁷⁵ If DuBois' argument had succeeded, Laclau and Mouffe might suggest, if it had functioned to define an ethical citizenship that included productive and law-abiding blacks, then it would have appeared to DuBois' audience as if "democratic citizenship" always *had* included (some) African-Americans, but people simply had failed to recognize that this was so.⁷⁶

Yet Laclau and Mouffe urge democrats to resist the temptation to be satisfied with this new definition, to view it as a good-enough approximation of an impossible ideal. Instead, they suggest, we should regard and approach it as a definition that necessarily introduces a new set of exclusions. If the task of the political theorist prior to the hegemonic struggle was to uncover and to expose the exclusions defined by the extant interpretation of "democratic citizenship," then after the struggle, her task remains the same. The principal difference between their approach and Habermas' is that, while the latter emphasizes the content of the definition of "democratic citizenship," aiming to uncover that definition which best approximates the (unattainable) ideal, the former emphasizes the struggle itself to define and to redefine that content – a struggle conceived as intrinsically valuable, both because it embodies democratic freedom⁷⁷ and because it helps unsettle extant understandings of the civic "we."

It is not the case, by this view, that the political theorist's principal role is to provide the best possible content to the civic "we": to reveal that "we" should define ourselves with reference to liberal democratic principles rather than, say, race. Instead, her role is to disturb the very sense of having achieved a state of "we"-ness, to provoke democratic contestation

⁷⁵ Laclau and Mouffe (1985). ⁷⁶ See Butler (2000: 11–43).

⁷⁷ On agonistic understandings of democratic freedom, see Tully (1999: 161–82, 2000: 212–35, and 2002: 204–28). See also Hayward (2000: chapter 6).

over the terms that define who "we" are. In American politics today, an important part of that task involves highlighting and drawing critical attention to the role of "terror" as the constitutive outside of civic identity. Ten, or twenty, or fifty years from now, it will mean something different.

VI. Conclusion

In this chapter, I have explored what seem to me among the most thoughtful of efforts by contemporary theorists to reconcile the democratic and the civic ideals gestured to in the familiar phrase "democratic citizenship": the claim that contact among strangers can motivate a citizen association less demanding than the citizen identification urged by civic republicans. I found this account appealing, but ultimately unpersuasive. In conclusion, I want to sketch some insights this discussion yields for those concerned to promote both public-regarding civic engagement and democratically inclusive collective self-determination.

The argument suggests, for one, that the tension between democratic principles and civic ideals may be at its most extreme when what is at stake is a fixed and a singular citizen identity. Theorists in search of a way to resolve democratic citizenship's binding and bounding problems would do well to devote more attention to recent work on multiple and overlapping, and to what Aihwa Ong calls "flexible," citizenship, including those forms of citizenship that traverse nation-state boundaries. Some scholars point to the European Union as defining a transnational juridical citizenship, for instance. Others view diasporic identities as evidence of transnational sociological citizenship. Still others point to the solidarities and the allegiances forged in international civil society as signs of emerging transnational practices of normative/ethical citizenship.⁷⁸

I do not want to suggest, however, that moving in this direction will provide an easy answer or a solution to problems of "democratic citizenship." To the contrary, it seems likely that, to the extent that citizenship becomes "multiple" and "flexible," it surrenders some of its binding capacity. At the same time, because people are differentially positioned to "flex" their flexible citizenships, it is far from evident that transnational rights, obligations, and solidarities guarantee democratic equality and inclusiveness. Instead, the argument suggests what may strike some readers as a less satisfying conclusion: that politics that promote civic ideals depend upon political boundaries that are, from a democratic perspective, arbitrary,

and that a commitment to democratic principles can recommend disrupting the binding work that citizenship performs. The tension between democratic principles and civic ideals is a chronic tension. Yet it is a tension that can be productive of democratic contestation, since the very aspiration to "democratic citizenship" – that is, to a binding civic identity that is democratically inclusive – can propel the challenging of whichever exclusions obtain. And it can do so again, and again, and again.

⁷⁸ For a thorough discussion and evaluation, see Bosniak (2000: 447–508). On "flexible citizenship," see Ong (1999). On the ways in which decoupling citizenship from the nation-state might help ease the tensions inherent in modern understandings of "democratic citizenship," see Cohen (1999: 245–68).

