

FOCUS: THE FOUNDATIONS OF CITIZENSHIP

On Citizenizing: Performing Citizenship as a Practical Form of Kinship

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Abstract. The notion of citizenship has been critically examined through a vast literature produced from different perspectives. A formal and legalistic view that pinned the concept through the issues of membership and legal status became common parlance for studies that prioritize nation-state standpoints, but the last two decades have been productive for alternative approaches. However, these alternatives seem to focus mainly on descriptions of practices out of which institutional framings and derivative performances of citizenship ensue. In so doing, they seem to elude discussing the theoretical core of the notion. By revisiting key passages of its socio-linguistic history, this article examines the notion of citizenship at its foundations, first as a form of practical kinship, and second, by re-reading it critically under Reinach's notion of 'social acts'. The figure of the citizen is here revitalized through a political phenomenology that discloses an everyday dynamic which can be termed as citizenizing. This is in line with contesting approaches to the dominant account, but it also aims to take the discussion back to the core meaning of the term, disputing thus the normative use through which it has been instrumentalized by the nation-state, and contributing to reclaim it as an open political possibility.

Keywords: *citizenship, kinship, political phenomenology, social acts, citizenizing*

Introduction

The notion of citizenship has been at the center of intense debates in political, academic and juridical circles for the last decades, especially after the signing of the Schengen Agreement between 1985-1990 in Europe, and the growing waves of migration from the 2010's worldwide. During the second half of the 20th century, Marshall's theory of citizenship (1950), which connected the concept with membership to a political community and legal status within a territorially bounded nation-state, became a standard account. While this conception has been widely contested (e.g. Habermas 1992, Lehning & Weale 1997), the latest, most

comprehensive and resourceful oppositions have been structured through the literature that argue for a form of global/cosmopolitan citizenship (e.g. Held 2004, Bohman 2004, Benhabib 2006), as well as through the body of work prompted by the idea of ‘acts of citizenship’ (AoC) put forward by Engin Isin (Isin 2008, 2009).

The ‘cosmopolitan’ or ‘global’ forms of citizenship emerge as a consequential solution to what some see as an inadequate territorial citizenship, bound many times to ethnicity or dominant cultures, and a logical demand to follow the impact of global processes on the territorial state. That is, it is precisely because the state is being challenged by global processes that citizenship is often reformulated as global, or cosmopolitan, as to be made compatible with such processes. As Brysk and Shafir explain: “[The] judicialisation of international relations and the spread of liberal legal norms, a greater autonomy given to courts, and constitutional expansion as well as the enforcement of long dormant international conventions of human rights, greater enforcement of punishment for crimes against humanity, and the creation of an international criminal court [all indicate that] while participatory citizenship seems to decline, NGOs and networks represent a new activist thrust with a clear global dimension. [...] These new venues of political influence have created a citizenship surplus” (2004, 7-8). Therefore, while the cosmopolitan approach to citizenship is relevant, it concentrates predominantly on the external frames, that is, on the economic and institutional circumstances that surround individuals, and leave behind any form of agency that they might have to reclaim some kind of inherent relation or sense of belonging.

In an alternative path, the AoC approach ‘shifts the focus in citizenship debates from subjects and their status to the acts through which political subjectivities are created’ (Aradau et al. 2010, 956). This means that, rather than concentrating on disentangling status, institutional politics, and state authority, the AoC literature highlights processes, constitutive politics, and everyday struggles of migrants *qua* claimants. In other words, this approach focuses on how migrants claim rights and perform duties, and how, by doing so, they constitute themselves as citizens (Nyers 2015). However, Isin qualifies such practice-based performances of citizenship as coming from ‘divergences’, ‘distortions’ and ‘disorders’, that is, as negativities through which other possibilities to enact citizenship can be explored. For him, power and state authority privilege “routine over rupture, order over disorder, and habit over deviation” (Isin 2008, 20). His quest therefore focuses on trying to rebalance the dominant account by highlighting neglected subjective

developments of a dynamic quality. In that sense, it seems that the AoC approach tries to compensate for a possible account of the notion of citizenship through its byproducts, remainders and liminal stances, instead of aiming at its theoretical core.

While this article sympathizes with these and other similar advances, it intends at contributing to a reorganization of the notion of citizenship from a different approach, where a political, contestatory and emancipatory understanding of the figure of the citizen is reclaimed by the subjects themselves. For that task, it will proceed as follows. The first section will revisit some aspects of the term's philological standing as this was examined by Benveniste (1974), in a tradition where both a link to a form kinship, as well as a viable understanding for a political phenomenology unfolding in the public sphere are unveiled. After this setting is presented, the next section will explore two different forms to understand kinship, a formal and a practical one, the latter proving useful to reinterpret the notion of citizenship under a different categorial scheme. The third section will then reassess the notion of 'social acts' by Adolf Reinach (1922/1983), on which the idea of 'acts of citizenship' is also grounded (Isin 2008, 24), to inquire more profoundly on the nature of specific social relations and on the political phenomenology implied in the category of the citizen. The fourth and last section will reorganize these elements to present a viable form to understand citizenship, under the guise of a political phenomenology, as a set of practices of care, belonging, and resistance, associated to a practical form of kinship.

In the end, this article aims to re-read the notion of citizenship, not only through the description of acts and practices, but also through its own potential socio-linguistic history and its intrinsic relational phenomenology. The goal is to strengthen an understanding of the political agency that implies the making of a citizen, yet grounding it on a practical form of kinship. This move seeks to dispute further the normative usage through which the notion has been instrumentalized by the nation-state, registering it instead along a set of affective connections through which belonging as a form of membership is resignified, leading thus to an alternative path that is founded in relations of mutual freedom and commitment.

Back to the roots

The modern, legal-based approach to citizenship implies at least three distinct aspects or definitions of this notion: permanent residence in a territory,

membership to a political community, and allegiance to a state (Smith 2002, 105-6; Azoulay 2008, 31). Out of these, we can distinguish a vertical relation of subjection between the individual and the state, based on a contingent status: the nation-state exercises its sovereign power over the individual through the notion of citizenship as one of its main governing devices.

However forthright this may seem, this is evidently a historical construction. It entails forms of pertaining to or relating to a body politic. But it is by no means the only formal model available in Western history. Certainly, the Western political tradition is prone to evoke the ancient Greek model to legitimize its own conventions. However, beyond specialized circles, this has been done often uncritically¹. In any case, it is indeed the Greek model of a *polis* that provides a standard when relating an individual to a body politic or sovereign power. And this is reflected at the level of a linguistic terminology.

As it is well known, within the Greek sociocultural space, the notion of the *polis* is what determines the status of its associated *politēs*, its citizens: the *politēs* is the member of the *polis*, he who has rights and obligations, he who can participate in its political decisions, be elected for specific tasks and positions, etc. This status of a participant in this primordial entity shows how this entity is signified: at the same time origin, place of belonging, birth title, source of power and authority, body politic. And as Benveniste insists, in the Greek language '[t]here is no other term than *politēs* to denote the public status of man in the city that is his, and it is by necessity a status of relationship and belonging, since by necessity the *polis* takes precedence over the *politēs*.' (174, 279).

However, Benveniste notes that in Latin the relation between the linguistic terms is reversed. *Civis* —what we understand as 'citizen'— becomes a primordial term, out of which *civitas* —'city'— emerges as a derivation. Benveniste examines a wide array of Latin texts to attest that the only possibly signifying attribution for a *civis* is not the territory nor a body politic, but another *civis*. Therefore, a *civis* (which must be translated as 'co-citizen' or 'fellow citizen' to grasp its linguistic character best) can only be said of another individual who acknowledge the first in some kind

¹ As an example, Balibar reminds us that *dēmokratia* was for the Greeks 'a pejorative term which referred to the anarchic element brought into aristocratic cities when the mass or the populace, the *demos*, was actually endowed with the power to make political decisions' (Balibar 2008, 525; see also Burchell 2002).

of an affective relation, as his or her own *civis*. The hierarchical relation between body politic and individual is transformed here into a horizontal relation of mutual recognition. As Benveniste puts it:

There is therefore no *civis* outside of this reciprocal dependence. We are the *civis* of another *civis* before being the *civis* of a certain city. In *civis Romanus* the adjective only adds a localizing indication, not a status definition. [...] As a formation of the abstract, *civitas* will properly designate the “set of *cives*”. [...] Thus the Roman *civitas* is first of all the distinctive quality of the *cives* and the additive totality constituted by the *cives*. This “city” achieves a vast mutuality; it only exists as an aggregation (1974, 276-278).

Of course, Benveniste is dealing here with linguistic phenomenon and its properties, not with legal or historical realities. The ensuing concepts and their intrinsic relations may or may not have been associated with political theories of forms of rule. However, the linguistic field can be definitely set as a mirror in which to look for different possibilities of social realities. For at the very least, this opposing model displays, as Balibar writes, ‘the translinguistic space of translation, so to speak, the tensions of the notion of citizenship, which concern the relationship between individuals, community, and space or territory’ (2008, 523).

Moreover, what Benveniste highlights in the Romans is a particular linguistic mechanism that is a symptom for another set of underlying relations. These can be explored along two complementary paths. On the one hand, a *civis* appears as a peculiar term that marks a recognition of kin: it functions just as the term ‘brother’ or ‘sister’, in which a person refers as such only to another sibling; yet kinship broadly understood is not limited to the recognition of a family member, under the myth of blood, for there are kinship terminology systems in other cultures, ancient and present, where specific terms designate close friends (for instance, ‘tomo’ (友) or ‘shinyuu’ (親友) in Japanese, ‘quan’ (親) in Chinese, or ‘kakampi’ in Tagalog, etc.), or members of one's community, tribe, or clan.

On the other hand, something else seems to be at stake, a foundational relation between subjects which was instituted in the public realm. However, this relation was only intuited, probably exercised, yet it remained unnamed within the Latin tradition. The rest of this article will be an attempt to explore both elements, yet not as they functioned for the Romans, as a sort of historical reconstruction of a political category, but as features of a distinctive political phenomenon that was only glimpsed under that historical tradition, and whose development seems to be viable to re-assess the focus on the contemporary category of the ‘citizen’.

Two forms of kinship

In this section, we will explore what is implied in the notion of kinship, in order to unveil critically what is at stake when discerning the notion of a *civis* as a type of kin.

Historically, Western societies have been structured around a core set of ‘civilizatory’ pillars: private property, monogamous marriage –required to maintain generational heritability via sexual reproduction and some kind of axiomatic certitude–, and the nuclear family. These three foundations have provided the social conditions that corresponded with the idea of the consanguine, a key element in a particular form of kinship upon which the idea of a nation-state was further structured. This link was recognized early on. Hegel, for instance, thought of the family as the first ethical foundation of the state, acting as the organic *telos* of political sovereignty. He writes: “The state is the self-conscious ethical substance, the unification of the family principle with that of civil society” (1830/1971, 535, see also 1820/1991, 199-219). But the seamless transition from a formal type of family to the state was also criticized at the time. Following Bachofen’s thesis on matriarchy (1861), and specially L.H. Morgan’s anthropological work on Pacific societies (1851), which questioned the universal reach of the notion of the consanguine, Engels wrote in his treatise on the origins of the family about a ‘potential’ type of family, not linked to private property nor refrained by monogamy:

While the family undergoes living changes, the system of consanguinity ossifies; while the system survives by force of custom, the family outgrows it. [...] The consanguine family is extinct. Even the most primitive peoples known to history provide no demonstrable instance of it (1884/1962, 18-21).

Yet the attempt to locate a different form of kinship, and within it a naturalistic model for a primitive form of communism, led to a backlash in the social sciences, especially within anthropology. Malinowski’s first book on Australian Aborigines was an explicit attack on the idea of an expanded form of kinship (1913, see also Knight 2008, 61). Even if more nuanced, Levi-Strauss’s *Elementary Structures of Kinship*, from 1955, similarly contended that familial relations were prior to cultural bonds because they expressed a ‘natural’ rather than a ‘cultural’ phenomenon, so they were said to function as a kind of bridge between nature and culture. Unequivocally, the traditional family was taken to designate a relation that underlined all societies. And if familiar ties were not readily evident in other cultures, the anthropological task was simply to uncover the cultural dissimulation of a given

community, in mechanisms such as the ‘taboo of incest’ (Levi-Strauss 1955/1969, 9).

However, the claim to find a sole pattern, or a universal category, to contain and explain all familial relations, and then to set these as the foundation of more complex societies, became untenable. Explanations over how exactly to define kinship as an underlying organizing principle turned more or less incoherent as ethnographic observations multiplied models and challenged any presumed consistencies. A student of Lévi-Strauss, Clastres reproached his mentor to have ‘confused ends with means’ (2010, 268). On his turn, Schneider argued in a seminal book that kinship has a specific symbolic content (1968). According to him, nothing exists outside culture; blood ties and nature in general have no particular existence of their own independent of how each culture defined them. This does not imply that the biological substrate is irrelevant, but that cultural representations of the process of conception, and genealogical relations among individuals cannot be reduced to them, at least as they are understood in western culture (i.e., as blood relations). Or as Déchaux writes, commenting on Schneider: ‘Kinship does have a biological or bodily referent, but how that referent is referred to differs from one society and one culture to the next’ (2008, 220).

This brings us back to the Western formal reading of kinship. As it has been stated, there is in Western societies a direct connection between the belief both in the consanguine and the nuclear family, and the construction of the state. But this link has turned us less attentive to multiple forms of affective bonds that imply relationships of kin. Bourdieu argued that this conceals a double approach to this key notion. On the one hand, he differentiated an *official* form of kinship, which he termed ‘genealogical’, ‘reserved for official situations in which they serve the function of ordering the social world and of legitimating that order’; on the other hand, he observed a *practical* one –ubiquitous, individual, private, strategic, ‘oriented towards the satisfaction of material and symbolic interests and organized by reference to a determinate set of economic and social conditions’, which means, lying quite distantly from the bio-genetic model of kinship (1977, 34). The Bourdieusian distinction between official and practical kinship not only recalls the inherent tension in anthropological approaches, but also describes two forms of organizing relations of affinity: one aiming at their control, another one at their strategic use and expansion. Bourdieu writes further:

to schematize, official kinship is opposed to practical kinship in terms of the official as opposed to the non-official (which includes the unofficial and the scandalous); the collective as opposed to the individual; the public, explicitly codified in a magical

or quasi-juridical formalism, as opposed to the private, kept in an implicit, even hidden state; [the] subjectless practice, amenable to performance by agents interchangeable because collectively mandated, as opposed to strategy, directed towards the satisfaction of the practical interests of an individual or group of individuals (1977, 35).

For Bourdieu, practical kinship is actively constructed, generated by people in their everyday arrangements. It is thus a form of reorganizing 'nature' under a 'social' aim. For as Arendt writes, the construction of 'human capabilities are also a "biological necessity", that is, necessary for a biologically weak and ill-fitted organism such as the human' (1998, 177). Practical kinship stands then in a stark opposition to the legal-normative structure of sanctioned relational frameworks—which certainly includes the Marshallian notion of citizenship. Its political enactment supplies then models to resist the diminishment and invisibility of relations which are either merely unrecognized or cast as inherently illicit, simply because they fail to adhere to the ideal type of a formal relation, structured and sanctioned by the state.

The notion of 'social acts'

The notion of the *civis*, which triggered our search, can be seen as grounded on a form of non-official, practical kinship. But there is another element that very likely thrust it not only as an affective appellation, but also as the institution of a political relation. What this could entail will be made clear here by describing the notion of a 'social act' as examined by Adolf Reinach (1913/1983)².

In his phenomenological study of legal foundations, Reinach examines how

² In his formal presentation of the notion of 'acts of citizenship', Isin cunningly relates the aspect of citizenship-performing with the concept of a 'social act' as developed by Reinach (Isin 2008, 24-25). While Isin's abridgment of Reinach's account is effective, he focuses on highlighting the difference between 'act' (as a rupture in the given) and 'action' (as conduct, practice, habit), and misses key aspects of that specific phenomenological inquiry. The hasty reference to Reinach is still meaningful, but it also loses some of its most salient elements, which are crucial to re-read the notion of citizenship from its core, through its primary signifying relations, rather than through a marginal approach that stresses what Isin describes as its 'disorders' (2008, 20). This article cannot engage deeply with Isin's misrepresentation of Reinach's theory, but it can be stated that Isin is more interested in recognizing an 'act of citizenship' as a deviation or rupture from a script, and in that sense it is very close to a very elementary model of freedom, such as the one that ensues out of Lucretius' *clinamen* (see Sedley 2018).

primordial activities of social relevance, all the way to a complex legal structure, are rooted in linguistic phenomena. In that track, he defines ‘social acts’ as an expression of a self in his or her ‘need to be heard’ (1983, 18-19). Following this very straightforward explanation, Isin characterizes Reinach’s social acts as ‘inescapably dialogical’ (2008, 24). However, it could be contended that, even if a dialogue could be initiated as part of such activity, this does not seem necessary in itself: after all, we can have dialogues with ourselves that could hardly count as social acts (see also Mulligan 1987, 41). Instead, three formal conditions are necessary to a social act: (1) it is a material expression, (2) addressed to other people, which (3) can be grasped (i.e. understood). This last point is crucial, because the transmission of meaning cannot be taken for granted. Actually, a social act is a primary phenomenon *precisely* because it *grounds* meaning: it is an utterance that affords a signifying connection between at least two individuals.

Furthermore, Reinach is careful to emphasize this fundamental act in a way that most linguists have avoided commenting, as an affective event, grounded on ‘the need to be heard’. This is one of the elements that sets apart this approach from any communication theory, and even from the speech act theory developed out of the writings of Austin and Searle (Marín Ávila 2020). ‘To be heard’ is not simply an audible condition, it entails rather the pre-requisite of being acknowledged –brought together– through a linguistic utterance. ‘The need to be heard’ delineates at once a risk and articulates a fundamental state of being, as an affective determination: it becomes an expression of vulnerability. This affectivity is thus transformative for the subjects involved in the act. On the side of the speaker, the utterance is the material expression of an ‘internally complete experience’ (Reinach 1983, 22). For example, one cannot promise anything, lest that promise is to be of any value, if one is not internally weighing and embracing the consequences that this promise would entail. On the side of the hearer, what is expressed enables ‘the addressee to become aware of its content’ (*ibid*, 21). This becoming-aware closes the circuit which was opened with the sending out of the social act. In other words, it is through my vulnerability as an embodied being that I am open, or ‘given over’, to communing with others. And it is through this affectivity that a new reality in the world is created, out of a social act grounded in human vulnerability.

This model becomes then the basis for a community of individuals performing a social act together. As Reinach writes:

Each of the persons performs the act [...] and each expresses the performing. But each performs the act "together with the other." We have here a very distinctive kind of "togetherness." It should not be reduced to identity of content or of addressee, and even less to the deliberate simultaneous performance of the act [...]. We have rather to do here with the case where each of the persons performs the act "in union" with the others [...] (1983, 24).

Individuals, through their own expressive performances where they attempt to make sense of things, develop a series of connections, elaborating through them meaningful articulations: bonds, covenants, conventions.

So we see how the idea of social acts performed together by several persons and directed to several persons together, gives rise to the idea of claims and obligations which have several persons as subjects or partners (*idem*).

This is for Reinach the source of legal objects or 'products', and of a juridical vocabulary (Paulson 1987, 147). Reinach finds in it further the fundamental structure of a 'promise'. Regardless of its content, what holds the promise as such is the mutual, affective-based convention that links two inner realities together through a new common creation: a commitment. For Reinach, a promise is an autonomous and spontaneous act (that is, not an intentional act: its meaning remains open), in which subjective interiority unfolds outward, turning its appearance into an act: 'Promising is neither intending [*Wille*] nor the expression of intending; it is rather an independent spontaneous act which, turning outwards, appears externally' (1983, 26). The promise is, therefore, a form of externalization of a subjective force that meets another, producing a new sign that affects them both; in that relation, the one who produces it and the one who receives it understand the promise, internalize it, interpret it, and in short, become somehow one with it [*das Versprechen inne werden*] (1983, 28). Through the act of promising, Reinach delves into the sources of power and its legitimacy in a phenomenological variance that provides another perspective to this issue in a form that departs from those of Weber, Schmitt or Benjamin, who were involved with similar questions at the time (Toscano 2021). The promise is the decisive stage in a process of mutual acknowledgement³.

Reinach finds in this approach evidence to sustain that legal power has its ultimate origin in a person as such, or rather, in the link established between individuals. As he writes: 'We speak here of the *fundamental legal capacity or power*

³ Of course, Reinach is not the first one to suggest this connection. In fact, this is one way of understanding contractualism and its roots can be traced back to Plato (1966), in Socrates' defense of a legal promise in *Crito* 49e-50a. Nietzsche, for example, makes a critique of man as an animal who promises in *On the Genealogy of Morality* (1967, 291, 298 ff).

of the person [*das rechtliche Grundkönnen der Person*]. This fundamental power cannot be transferred. Insofar as it is grounded in the nature of the person as such, it is inseparable from the person; it forms the ultimate foundation for the possibility of legal-social relationships' (1983, 81). The mutual and simultaneous recognition of two human beings is a source of law. No other power, however violent or substantial, can contend this phenomenological fact. Or as James Dubois has written: '[i]t is Reinach's analysis of social acts that helps us to see that it is not the government with its positive legal codes which arbitrarily says I am obliged; the obligation flows from the nature of the act of promising itself' (1995, 156).

Given this context, recognizing the other as an equal should be integrally regarded as a 'social act' under Reinach's frame. In that sense, one is a *civis* —or fellow citizen— to the other as a form of bonding and becoming, performing a phenomenological equality or mutual 'otherhood', in a process of *citizenizing*⁴. The affective recognition of another as a fellow institutes a relation as a novel commitment —or pledging— in the world. That this phenomenological reality is denied a formal legal recognition is a form of negligence, or proper violence, from a body politic that needs to impose itself through it. In a stark contrast, legal citizenship, its management as a status and its discretionary differentiation through the contingent situations of a person, reveals itself very straightforwardly as a form of coercion and control.

Towards a radical phenomenological equality: on *citizenizing* as a practical form of kinship

Reinach's theorizing might not be widely known, but the phenomenon he was describing is not foreign to specialized scholarship. Within citizenship studies, this has been acknowledged as a set of practices of citizenship performance (e.g. Casas-Cortés et al. 2014; Stierl 2016; Fortier 2016, 1039; Darling 2017; Bassel et al. 2018; Caraus 2018, 797; Tazzioli 2021). But we can refine this general approach and locate the construction of an affective bond between migrants on a similar standing

⁴ The fact of framing citizenizing as a verb highlights its intrinsic recognition as an action. In that sense, it is already an interpretation of how Reinach's 'social acts' could be implemented. This sets them closer to the assessment of action put forward by Hannah Arendt, who agrees with Reinach that promises create bonds (1998, 237). Nevertheless, the Arendtian frame focuses on what she deems as an 'intersubjective' binding rather than on a 'normative' one, thus missing the contestatory element intrinsic in Reinach's formulation. Indeed, one cannot 'petrify promises into laws' (Loidolt 2017, 167), yet Reinach's approach can be used to open an alternative interpretation of the source of law, and not necessarily set it as its ultimate validation.

as the formation of a practical form of kinship. This would imply recognizing tactics of survival that are expressed along the formation of bonds of trust and intimacy, and through the intricate webs of discursive communities. Moreover, there is a sense of practical kinship not only among migrant communities, but also between newcomers and formal citizens of a territory, and these bonds emerge as a necessary tactical response to uncertainty, trauma, or crisis. Because these bonds become political—and can be clearly traced following a political phenomenology—these forms of kinship enact a civic equality and a spontaneous resistance, which contend the state-conditioned forms of recognition and formal circumscription. This is what we may understand as *citizenizing*: the act of autonomously recognizing the other (and oneself through him or her) as an equal kin with rights and obligations.

Citizenizing happens beyond, or in spite of, the legal frame for granting citizenship status, which is the form of control that the nation-state has set upon itself. The fact that we do not think of it as an everyday activity is a reflection on how much we have been disempowered, alienated from the roots and structures that make up our common legal foundations. *Citizenizing* occurs as a social act, an instituting of political meaning. Yet it is also far from being an invention or a simple theoretical device. The phenomenological core is open for appropriation, development and further inquiry. This is why we find recurring comments on this structure of mutual subjective recognition. One of the clearest examples comes from Foucault. In 1981, the philosopher read a statement in a setting that was expected to trigger a new declaration of human rights. In the very first phrase, Foucault performs clearly what Reinach had described as ‘the need to be heard’ when he says:

We are here only as private individuals, with no other claim than to speak, and to speak together, about a certain common difficulty in enduring what is happening (1984, 707).

What Foucault then voices is a recognition of a specific grounding of rights: ‘So who asked us to speak?’—he reckons rhetorically. To which he answers: ‘No one, and that is exactly what makes our right’ [*Personne. Et c’est cela justement qui fait notre droit*] (*idem*). Finally, he goes on to describe very shortly the relation between governments and the governed. Foucault argues:

There is an international citizenship which has its rights, which has its duties and which is obliged to speak out against any abuse of power, whoever the author, whoever the victims. After all, we are all governed and, and, by that fact, joined in solidarity (*idem*).

Foucault is not talking here about an international citizenship as a specific,

identifiable collective. Evidently, he is not referring to the legal figure of the state-brokered citizenship either —which limits rather than expands internationally its status-granting mechanism. He refers rather to this citizenry as the aggregation of those who are governed, no matter who the governing body might be. In a sense, Foucault recalls that for every nation-state that violently differentiates between citizens and non-citizens, a contestatory configuration of individuals that are governed by the *same law*, albeit distinctly and discriminatorily, comes into being. This configuration is the one referred here. Foucault's 'international citizenship' is the name of a collective of mutually-recognized members that resist their disempowerment by a nation-state. Their *citizenizing* becomes a form of resistance, a common voice that, speaking on its own, spells out its own entitlement. Therefore, this form of citizenship is not a derivative one, nor a counter-citizenship or a supplementary status (as described, i.a. by Gordon 2015, or Stierl 2016, 572), but a primary political form of being, a togetherness that enacts its own originary *citizenizing*.

Other well-known authors have commented on this foundational structure as well. In a rather striking passage, Lea Ypi makes a distinction between forms of performing citizenship, either coming from a collective of individuals with mutual concerns or emanating from a given authority. On the first type, she writes:

citizens of particular states have a rule-guided cooperative relation to one another [...]. They make decisions in common and act on the basis of jointly established projects. They produce public goods enjoyed by all and they share a commitment to the political institutions that make the framework for political decision-making possible (2008, 404).

On the second type, she comments more briefly: 'The state is not a voluntary association, it is a set of coercive structures assigned from birth. No one was ever given an option to choose his citizenship' (*idem*). Indeed, but practical kinship would be misrepresented as its opposite, as a form of chosen-family, like a consumer choosing products in the supermarket, or swiping through the available prospects on a dating app. As Charen writes, that framing would ignore 'the necessity of securing a foundation of relationality, that mutual generation of the familiar, i.e. one of trust, minimally in some form of feeling, some kind of immediate communication, some *undercommon*, in relation to adversity, erasure, and precarity that is not chosen — as a response to the facticity of the situation' (2022, 37). In the end, a key difference between legal citizenship and citizenship as practical kinship is not one of choice, but an enactment taking place between coercion and necessity.

Yet probably the most consistent treatment in the direction of enacting citizenship as a mutual recognition of equals comes from Étienne Balibar (2017). Countering the established narrative of the state-brokered notion of citizenship, Balibar stresses the structure of being-with-others which, as the Roman notion of *civis*, prioritizes neither the individual nor the collective, but the political relation between them: ‘The citizen is unthinkable as an “isolated” individual, for it is his active participation in politics that makes him exist. But he cannot on that account be merged into a “total” collectivity’ (2017, 36). Once this is established, Balibar’s definition of the citizen can be fully seen to operate as a shift from a status-granting mechanism to an emergent figure of a radical phenomenological equality:

In other terms, it is a matter of answering the question: *Who is the citizen?* and not the question: *Who is a citizen?* (or: *Who are citizens?*). The answer is: The citizen is a man in enjoyment of all his “natural” rights, completely realizing his individual humanity, a free man simply because he is equal to every other man (2017, 30, emphasis in original).

Indeed, Balibar recovers the foundational legal power of the individual (‘the enjoyment of all his or her “natural” rights’) by setting the demand of a human being in becoming-aware of their radical, co-extensive *equality*. And this entails turning the citizen into a revolutionary figure. Balibar writes:

The citizen as defined by equality [...] suspended between individuality and collectivity, between public and private: Is he the constitutive element of a *State*? Without a doubt, the answer is yes [...] But this also means [...] that the citizen can be simultaneously considered as the constitutive element of the State and as the actor of a revolution [...] a permanent revolution: precisely the revolution in which the principle of equality, once it has been made the basis or pretext of the institution of an inequality or a political “excess of power,” contradicts every difference. (2017, 38).

The citizen is thus portrayed as a figure in a process of becoming, out of a social act, a moment of contestation. Such a citizenry is founded in the mutual recognition of a radical equality, in a *citizening* of the everyday, so to speak. Balibar’s project is a search to reclaim back for the citizen his or her *fundamental legal capacity*, as Reinach would have it. It is an attempt to read the citizen as a *civis*, in a newly contemporary context. Therefore, it is not an alternative form of citizenship that is here at stake, as an externalized or lateral reading of a crucial category, but the core of the problem: the uncovering of a foundational legal capacity that must be exercised and re-appropriated, beyond a managerial structure, in order to grant ourselves, through a common struggle with others, a necessary freedom.

Conclusion

After the development of critical citizenship studies, for example through the approaches of cosmopolitan forms of citizenship and AoC, citizenship has become a highly contested category. Evidently, it is difficult to remove the notion, and especially its practical consequences, away from associations to a membership and a legal status (Marshall 1950). Yet this state of affairs privileges a specific political structure of a hierarchical order that reflects a predilection for immovability, power and authority over the social dynamics that may actually happen over horizontal interactions, which are based on a radical equality and sustain other forms of political performance.

The literature associated to cosmopolitan citizenship and AoC has been helpful to describe the plurality of political expressions and practices around the phenomenon of migration and its dynamic political configurations. Nevertheless, they have also skewed the discussion over the category of citizenship itself, sometimes as a tactical move in order to focus on external or lateral phenomena, other times as strategic opportunities to describe developments that grow from the ground up, away from the view of power-centered perspectives. While this has been opportune and enriching, it should not be a pretext to leave the category of citizenship fall under a dominant genealogy —with its ready-made lexicon of Latin phrases such as *ius sanguinis*, *ius soli*, etc. In fact, as we have suggested, the Romans had a praxis around citizenship which might have been far more complex than the use of certain Latin-based terminalia suggests. The figure of the *civis*, or co-citizen, might have been for them a practice of mutual understanding vital to allocate political possibilities, responsibilities and obligations. The *civitas*, as an aggregate of fellow citizens in a geographical location, and a practical form of kinship under Bourdieu's distinction, is a utopia that we still expect to see thrive.

In this direction, we can find a form of enacting citizenship as a political phenomenology of the everyday, or *citizenizing*, which does not require a hierarchy nor an authority to certify its deeds. This phenomenological opening does not rely on a transcendent relation to an abstract entity either (for example, as a performance that would have 'to be placed under the allegiance with the cosmos', as stated by Caraus 2018, 801). It is therefore far from calls for cosmopolitan forms of citizenship on the Kantian variant (Douzinas 2007; Harvey 2009; Ingram 2013; Wenman 2013, Hayden 2013, Bailey 2017), with its references to an international

body politic which might hold members together. And even if it is close to forms of citizenship that identify a broad spectrum of political realities and agencies in the relational world (along the migrant-, local-, or nomadic citizenships, but also, for instance, affective (Fortier 2016), or lived (Kallio et al. 2020) forms of citizenship), this approach stresses specifically an inherent, phenomenological understanding of the figure of the citizen, aiming thus at reclaiming its political, emancipatory core. For as Barnett writes: ‘The idea that “the political” refers to the problematic of coexistence and association, and that the space of this sharing is constituted by active agents [...] is concerned with the phenomenologies of politics in so far as it focuses in on the processes and activities by which shared worlds of association and co-existence are constituted’ (2012, 679).

This article has argued that citizenship can be thought of under the guise of a political phenomenology and performed as practical kinship. But rather than merely providing an argument, this piece aims at opening a path of exploration. In this sense, kinship would be the standard through which to observe ‘a powerful, far-reaching, and deep-seated practice, or set of practices, that functions as an unabating resource for a broad range of political techniques that circumscribe, displace, and disable practices of mutual care’ (Charen 2022, 10). As such, the production of citizenship as practical kinship, or *citizenizing*, would imply a mobilizing a basic relation, grounded on the structure of a mutual promise: a shared horizon towards which two or more are able to commit. In that sense, it would mean behaving as a responsible sociopolitical being towards an-other. It would also imply an involvement in what Bishop (2011) describes as the politics of care: ‘actions of mutual cooperation, friendships, favours that you never return, affective support, trust, care for other people’s relatives and children, transnational relations of care, the gift economy between mobile people, etc.’ (quoted in Papadopoulos and Tsianos 2013, 192). More than another tag, *citizenizing* should be seen as a performance that at once challenges an idea of citizenship that ‘cannot be thought outside of sovereignty and control’ (Tyler 2010, 83), and a proposition to stand before another in a complete vulnerability, along the assumption of a radical equality, in a political nakedness so to speak, able to soak in its transformative effect in order to initiate new schemes for political identities, relationships, and commonalities.

Citizenizing cannot ensure that a document stating a status will be issued, although it can describe the alliances between empathic officials and migrants that make it happen (De Graauw 2020). And in any case, it can articulate the new political

relations that come to the world, grounding a sense of affective relations and of entire communities. Through that foundational act alone, *citizenizing* can exceed the grip of the state in ways that can deeply challenge the sovereignty-territory-citizenship nexus, changing the field of politics under the axis of a mutual bond, the source of a covenant based on otherhood: a radical commitment towards a mutual form of freedom.

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