

**Who Cares?: Gender and Citizenship in the European Union**  
by

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## **A Feminist Formulation of European Union Citizenship**

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One way in which women's relationship to the state has been problematic throughout history is that the values, activities and labor with which women are commonly associated, have been excluded from the constructed meaning of citizenship. The discourse of citizenship itself is gendered. It is necessary to evaluate the traditional theoretical formulations of citizenship including republican, liberal, and social-democratic models in light of the fact that each is premised on an androcentric conception of political and productive activity. Throughout much of Europe, the modern definition of citizenship is embedded in the welfare state and T.H. Marshall's articulation of social citizenship. The conjunction of welfare state restructuring and demographic pressures, which put a strain on the ability of nation-states to provide adequate social protection, in addition to a burgeoning global human rights discourse which challenges the nation-state's legitimacy as sole bestower of rights, suggest that now is the time to assert a feminist conception of citizenship and identity that takes into account the caring activities predominantly performed by women, immigrants and people of color. This new conception contends that caring activities actually create the necessary foundation for the reproduction of citizenship and provide a more useful theoretical basis for citizenship in the European Union. The assertion that reproductive and caring activities are essential to any political reconceptualization of citizenship also adds an important analytical element to "constructive theories" of EU citizenship by examining another important axis along which citizens form their multiple, and overlapping identities.

## I

Before the potential and promise of a feminist formulation of citizenship based on a theory of care and reproductive activity can be expanded upon, the cluster of meanings that are part of the broader definition of citizenship must be explored. The assertion that citizenship is a contested concept has practically become a truism, which makes it all the more useful to evaluate the various ideological dimensions of its definition. For this purpose Diemut Bubeck's (1995) discussion of "thin" and "thick" conceptions of citizenship is particularly useful. Defining citizenship as "the meaning of membership in a political community," Bubeck identifies six separate dimensions along which thinner and thicker conceptions of citizenship fluctuate. Dimensions measure the range across something extends in one direction or in all directions; thinness and thickness are matters of degree not categorical distinctions. There are two poles/extremes in each dimension of citizenship. If thin and thick are expressive of the contrasting poles of each dimension of citizenship, most conceptions of citizenship are located somewhere between the two poles (1995:461-462).

The first two dimensions of citizenship identified by Bubeck involve what Theodora Kostakopoulou (1998), in her discussion of European citizenship, would call the "personal scope" of citizenship. One pole of the first formulation views the citizen simply a "holder of rights" (thin), which is contrasted with a citizen who possesses characteristic virtues and is responsible for fulfilling specific civic obligations (thick). Most political theorists would argue that citizenship necessarily includes both rights/privileges and duties/virtues, but that the difference between the definitions has to do with where the emphasis is placed. The second dimension of citizenship pertains to the citizen herself: citizenship is viewed as a "status" or as a

"practice"(Oldfield 1990). Citizenship as a status suggests that certain individual powers and rights be linked to citizenship (thin), while citizenship, as a practice requires active engagement with the community and participation in political life (thick). Thus the contrast is made between a "passive, private" model and an "active, public" form of citizenship (Burchell 1995). This dichotomy is also depicted as representative of two rival theoretical paradigms: liberal and civic republican. Bubeck asserts that these first two dimensions, although discrete, are closely related: "the first one refers to the characterization of a citizen's moral status and the second to the inclusion of certain types of performance in the conception of citizenship"(1995:462).

Sibyl Schwarzenbach makes a similar distinction in her critical analysis of contemporary liberal theory. She contends that two separate conceptions of self and ownership are operating in John Rawls' concept of the *difference principle*. Rawls' definition of the *difference principle* maintains that "once the principles of equal liberty and fair equality of opportunity are satisfied, any social and economic inequalities must be so arranged as to be to the greatest benefit of the least advantaged members of society" (Schwarzenbach 1988:143). Rawls measured 'benefit' in terms of primary social goods. These social goods consist of basic liberties, freedom in choosing an occupation, the powers and privileges of office, wealth and income and the social basis of self-respect. Schwarzenbach argues that, depending on whether one decides to stress the good of 'income and wealth' or the good of the 'social basis of self respect', two different interpretations of the *difference principle* emerge. Underlying this principle is a private acquisitive concept of self, and a moral purposeful one, respectively. The acquisitive self has a similar philosophical foundation as the Liberal model of citizenship: the individualistic drive to appropriate the material world as the basic motivation for interacting with others and for performing productive

acts. Personal fulfillment and ownership are defined by private acquisition. The "purposeful self" is oriented more towards self-realization in the public realm. Innate capacities can only flourish in collaboration with others and thus the responsibility for the outcome of all cooperative endeavors is shared. Schwarzenbach calls the form of ownership that corresponds with the purposeful model "ascriptive." This more communitarian form of ownership or stewardship, "leads to the [thick] reading of the difference principle: only those inequalities benefiting the least advantaged are justified, interpreting 'benefit' now, not solely in terms of income and wealth, but in terms of those conditions which further social union, self-governing powers, and the cultivation of the distinctly human capacities in all" (Schwarzenbach 1988:147).

The third and fourth dimensions, according to Bubeck, concern the role of the state. The state can be viewed as a threat to individual liberty from which citizens need formal protection (thin), or it can be seen as a guarantor of a secure and flourishing existence (thick). The controversy which, underlies this third conception, involves opposing views on the nature of freedom. According to more libertarian or "new right" beliefs, freedom is defined "in negative terms as the absence of coercion and interference so that the role of government is limited to the protection of the freedom of individual citizens. The promotion by government of a more positive notion of freedom as the ability to participate in society as full citizens is regarded as illegitimate"(Lister 1998:16). The appointed role of the state contributes to the definition of citizenship in another way: the poles of the fourth axis are defined by whether the state is viewed as an impartial administrator (thin) or whether it actively contributes to the articulation and realization of the "good life" (thick).

Bubeck maintains: if the neutrality of the state is ascribed to "then participation in politics

and the political sphere involves the ability to abstract from and leave behind the conceptions of the good life that citizens happen to have: political argument will only be possible if common, but necessarily impartial bases are found” (1995:462). Political participation is conceived as a distinct form of activity, which is clearly distinguishable from the messy day-to-day concerns that contribute to the constantly shifting priority structures among citizens. However, if the state is considered the embodiment of the good life then it becomes possible for it to be expressive of the moral and political aspirations of all the members of the community.

The fifth conceptual dimension calls into question the way in which the political is defined. It posits a strictly political interpretation of citizenship as one extreme (thin) and a formulation that encompasses all of social, economic, and "private" life as its opposite (thick). Bubeck claims, “the political and the non-political are also seen as having diametrically opposed characteristics: the political is the realm of the universal and of rational argument, whilst the non-political is the realm of the particular, of emotion and of partial attachments and action” (1995:463). If we consider as thick those conceptions which embrace a more inclusive, participatory, locally based definition of citizenship, what does it mean for citizenship to transcend the political? The well-established social and economic rights that exist in most developed nations are an obvious example. Activist movements challenge the narrow understanding of what constitutes the political and what should be included in the public discourse. The very dichotomy between the political and the non-political can itself be disputed; democratic political communities strategically draw and redraw the boundary line in different ways at different times.

The last axis along which definitions of citizenship traverse concerns the "method of

inquiry." Theoretical constructions of citizenship can either assert *a priori* normative values, such as rights, liberty, and equality (thin), or they can draw on *a posteriori* or empirical formulations which are based in the "actual functioning of political communities and the conditions that have to be met to allow them to flourish" (thick) (Bubeck 1995:464). An emphasis on the preconditions for citizenship participation necessarily moves beyond a strictly 'political' definition of citizenship into the social and economic realms.

## II

The question now becomes where should a feminist conception of citizenship place along all these dimensions and intersecting axes? The classical and modern theorists, upon whose work many of our shared understandings are based, had very exclusive conceptions of citizenship. Most of these philosophers believed that citizenship and governance were such important undertakings that only certain people, invariably men, had the requisite free time and wealth to be good citizens. These men were able to buy the time and labor of other non-citizens or “passive” citizens--women, slaves, immigrants--who performed all the necessary material functions that allowed the polity or state to flourish. The division of labor is fundamentally social in nature. Bubeck states: "In the age of supposedly genuine democratic citizenship, formally inclusive of all, the question [of] how citizenship is to be possible for all instead of for some at the expense of others becomes an urgent problem. The solution to this problem implies looking at social divisions of work and resources between various social groups and thus at the reasons for the continued (structural) exclusion of certain groups from the realm of politics"(1995:466). The way traditional models of citizenship have justified the exclusion of certain categories of people must be uncovered before a genuinely inclusive model of citizenship can be developed.

In the classical model of citizenship, from the outset there was a very restricted notion of who was even capable of being a citizen. According to Aristotle's tripartite theory of the soul, only an economically independent, educated, and experienced man, who is free from the vicissitudes of fortune and the sordid affects of manual labor, has the leisure time and capacity to develop all three parts of the soul to a sufficient degree that he will be qualified to rule. The components of the soul are the *Threptikon*, the most fundamental part of the soul responsible for



nourishment and reproduction; the *Aisthetikon*, the sensitive and perceptive soul that is capable of apprehending particulars in the exterior world; and the *Noetikon*, in which resides intellect and choice and the ability to apprehend universals. Aristotle states that although everyone has all three parts of the soul, they are developed in different ways corresponding to the work they perform. Women have reason but it is not authoritative, and the slave, who is essentially an animate tool, is unable to develop the active capacity to reason at all. The artisan or farmer, because of his entrenchment in the realm of necessity, lacks the time and leisure to develop the moral and intellectual virtues.

The main characteristic of the citizen for Aristotle is that he is capable of sharing in office holding and in the administration of justice. This is the classic formulation that the virtue of the good citizen is the capacity to both rule and be ruled (Riesenberg 1992). Practical wisdom is the virtue of the ruler and true opinion is the virtue of the subject: the full citizen must have both. The citizen must minimize his participation in the realm of necessity because it runs contrary to virtue. A citizen must own property, because he must be economically independent; in this way he is a "producer of virtue" and provides for the revenue of the state.

The Republican tradition asserts the public identity or community as the dominant identity. Individuals are not logically prior to society; a notion of the public good precedes individual desires and interests. The Republican virtues are courage, loyalty, patriotism, military discipline, and statecraft. One commentator has described the Republican virtues as "uniformly masculine"(van Gunstersen 1994). Contemporary advocates stress that civic-republican citizenship is defined by the fact that it is a practice or activity, as opposed to liberal individualism which bestows citizenship status as a matter of "right" and entails no obligation to

serve the wider community (Oldfield 1990). The discussions of women's roles within this tradition range from condemning women for their "natural inferiority and civil incompetence-- particularly in the realm of public defense-- to lauding their superior moral qualities in the realm of "republican motherhood"(Vogel 1991:168)

Social contract theory provides the normative framework for the liberal individualist form of citizenship. It traces the source of all legitimate political power back to a hypothetical state of nature in which free rational *men* entered into contractual agreements with each other. These compacts evolve into modern constitutional arrangements governed by the rule of law. The logical counterpart of creating a government by law, or state, is the creation of a sphere of civil society. The individuals within this sphere were free to enter into contracts with other autonomous individuals confident in the inviolability of their persons and their property; they had become citizens of a civil society with "legal personalities and civil rights". This formulation of civil society in theory and law was a major departure from earlier understandings of social relations based in rigid status hierarchies that had durability and meaning that far exceeded the lifetime of any single individual. In contract theory, rights inhere in individuals. Individuals are logically and morally prior to all their relationships in society. Nancy Fraser and Linda Gordon (1994:95) state that relationships "were cast as voluntary, temporary and limited arrangements entered into out of individual self-interest. The proto-type was the contractual agreement, which consisted in an exchange of equivalents. This presupposed the liberty and independence of the contractors, neutral mechanisms to enforce their agreements, and individual property in the items exchanged, be they commodities, labor power or opinions." The paradox of liberal citizenship is that while it raised the status of some to free individuals, it simultaneously lowered the status of

others; women were not initially granted civil and political rights and were still trapped in rigid status hierarchies. More optimistically, Zillah Eisenstein contends in *The Radical Future of Liberal Feminism* that liberalism has enabled women to achieve a "sexual class consciousness" as working mothers. She asserts that although there are still significant class (economic) differences among women, women can unite around their class position as "providers of the basic necessary activities of society: reproduction, child rearing, nursing, consuming, domestic labor, and wage earning"(quoted in Siim 1990:170).

The liberal model of citizenship focuses on the progressive accumulation of rights and the divergence between the state and civil society and between the public and the private spheres, while the Marxist model addresses the relationship between the state, the family and the economy. Early Marxist feminist analysis highlighted the inherent contradictions between the needs of the capitalist mode of production and the need to reproduce the labor force. The welfare state was a response to this contradiction: it intervened in the family, thereby ensuring that labor power would be reproduced. In the Marxist formulation of the state, the state and civil society cannot be analyzed in isolation from one another. Under capitalism, the state enjoys some autonomy but, in that it is a capitalist state, it maintains an interest in reinforcing and reproducing the capitalist relations of production. One major contribution that Marxist feminists have made is to problematize the relation between the state and the family. Marxist feminists have emphasized women's compound economic oppression either by the state or within the family or both (Siim 1990).

Marx argued in his essay "On the Jewish Question" that the "so-called rights of man" could not conceive of man as a species being; for him citizenship was a smokescreen, "which

offered abstract, atomized rights [and] masked the real nature of the capitalist system” (Newman 1996:142). In many ways, T.H. Marshall’s thesis in *Citizenship and Social Class* (1950) was a response to Marx’s claim as well as a paean to the adaptability and humanity of capitalism. Marshall’s classic typology is a historically based evolutionary perspective on citizenship. Civil citizenship was formulated in the eighteenth century and ensured a right to individual freedom, private property and judicial redress; political citizenship emerged primarily in the nineteenth century and expanded the possibilities of exercising political power through the right to vote and stand for public office; social citizenship was conceived in the twentieth century and stipulated that membership rights should include guaranteed access to a basic level of health care and economic security, so that all could “share in the full social heritage and live the life of a civilized being” (Fraser and Gordon 1994:92). Marshall’s conception of social citizenship is the foundation of the modern welfare state. Civil citizenship rights as theorized by Marshall, such as the right to own property and to negotiate contracts, provided one of the necessary conditions for capitalism and imparted new forms of inequality--as mention above in the discussion of liberalism--but the contention is that social rights had civilized capitalism.

The contemporary expression of women’s citizenship has grown out of the interaction between social and political citizenship. The structure of the welfare state and the institutionalization of social rights are, in part, a result of women’s political participation. Interestingly, much of women’s subsequent activism and involvement has resulted from their relationship to the mechanisms of the welfare state and their will to exercise these newly acquired rights. Birte Siim (1990) asserts in her essay "Towards a Feminist Rethinking of the Welfare State," that in Denmark, as the modern welfare state evolved during the 1960s and 1970s

a new form of partnership between the state and the family (and by extension between the state and women) was introduced. The ruling Social Democratic Party devised policies under which the state assumed responsibility for the care of children, the elderly, the sick and the disabled. She asserts that the state had “formulated a conscious policy of socializing important parts of the reproductive work by building a network of public institutions, and it can be argued that motherhood and care work in this way have become part of social citizenship”(Siim 1990:179). Social citizenship, as a partnership between the family and the state, emphasizes the collective rights of women as women rather than the individualistic or class rights they theoretically enjoy under Liberalism and Marxism. Siim maintains that this form of social citizenship empowers women as workers by allowing them to influence the public sphere by becoming permanent members of the workforce, and empowers women as mothers by enabling them to become economically independent from husbands and fathers. Siim does not address how social citizenship empowers men as carers.

Marshall envisioned a society in which real income was decoupled from money income. All citizens would participate in the same social programs such as universal education and health services. He stated that “where the benefit takes the form of a service, the qualitative element [of shared experience and common status] enters into the benefit itself, and not only into the process by which it is obtained. The extension of such services can therefore have a profound effect on the qualitative aspects of social differentiation”(Marshall quoted in Fraser and Gordon 1994:51). He does not confront the question of who is going to be performing these services. In this ideal welfare state all citizens may be receiving adequate and comparable care but are all citizens also performing caring activities?

When Marshall's theory is analyzed in terms of gender and race the entire structure is called into question. His historical periodization of citizenship rights only addressed the experience of white working men. Hierarchies of gender and race were the hidden assumptions in his conception, and this blindness was incorporated into later social democratic welfare state policies: "that the chief aim of social citizenship is erosion of class inequality and protection from market forces slights other axes of inequality and other mechanisms and arenas of domination" (Fraser and Gordon 1994:93). Andrea Rea concurs with this statement and claims that a gendered and "ethnic interpretation of citizenship shows that the intervals between the acquisitions of different rights and order in which they are acquired is not uniform. In the case of [immigrant] women, everything concerning civil rights is very confused. It was only very recently that women could for the first time acquire certain rights directly rather than through the intermediary of their husbands"(1995:182).

Trudi Knijn and Monique Kremer (1997) maintain that "in welfare states, full-time informal caregivers are labeled as inactive, and the care they give is viewed as an unproductive activity; in no welfare state has this activity been counted toward the GDP, and in all welfare states activity rates exclude informal care participation. This can be explained by the strong association of social citizenship with paid employment. The way to achieve autonomy--to become a full citizen--is narrowed down to earning one's own income, that is, to become financially independent" (350). What is often overlooked is that in many ways the performance of caring/reproductive labor is actually the precondition for the performance of paid/productive labor. While man is mixing his labor with the material world to create commodities for exchange in the public realm, typically it has been women in the private realm who are reproducing the

relationships that facilitate the creation of civil society. Furthermore, as many Marxist-feminists have pointed out, women are producing a quantifiable commodity in the home: labor power.

### III

Now that I have conducted a brief survey of the dominant citizenship models, it is possible to return to Bubeck's (1995) six dimensions of citizenship and affirm why feminists should embrace an alternative conception of citizenship. The first two dimensions of Bubeck's analysis examine personal scope of citizenship; the passive/active citizen axis is a troublesome dichotomy from a gendered perspective. While the organized women's movement has always been strongly committed to participatory democracy, feminist theorists also recognize that this emphasis on activism "weighs more heavily on women than on men as long as the sexual division of labor persists which burdens women with most of the unpaid care that is to be performed in any society. Hence the ideal of the active citizen, whilst already a very demanding ideal for men, risks becoming impossibly demanding for women unless a redistribution of paid and unpaid work between the sexes can be brought about"(1995:468). Additionally, feminist theorists have expanded our understanding of what constitutes political participation. Women and minority groups are much more likely to be active at the local and community level than in formal governmental decision making structures. For many theorists however, this form of activity is not legitimate citizenship activity because it is too localized, too caught up with particular concerns to be contributing to the common good. Iris Young argues that to abstract from "particular affiliations and experiences to adopt a general view" in "a society where some groups are privileged while others are oppressed...serves only to reinforce that privilege" (quoted in Lister 1995:8).

As far as the third and fourth dimensions are concerned, women have always had an ambivalent relation to the state. In the past, the state has denied equal civil and political rights to



women. During the last few decades the welfare state in most of the industrialized world has been expanded to accommodate the need for caring activities, maternity leave policies, social assistance for single mothers, job-protection for women and breadwinner wages were instituted (Knijn and Kremer 1990:330). However, it is these same policies that in many cases have relegated women to the role of dependent on a “breadwinner.” In lieu of a feminist conception of revolution most women are resigned to incremental change of existing institutions. Nevertheless, Bubeck claims that, “feminist thought is at its most creative and innovative if it leaves behind the mirage of state neutrality and instead starts reflecting on how the political community, including the state, could realise new feminist conceptions of the good life based on the theory of mothering and care”(1995:467).

The sharp distinction between the public and private realm has also served to exclude women from political life. Women were identified with the private sphere and care and assigned qualities that were considered as corresponding with that realm such as emotionality, connectedness, lack of reason, and lack of ability to comprehend universals. Many feminists assert that in order to understand and challenge the way that women have traditionally been excluded from the political process, the binary opposition posed between the political and non-political must be problematized, and in many cases transcended, so that private concerns such as child care and maternal leave can become subject to political deliberation and regulation. Women's activities in the private sphere are political in the dual sense of 1) by contributing to the development of a common set of interests and values that are based in lived experience and that can be articulated in public decision-making forums; and 2) by laying the foundation for a powerful group identity. However, “political alliances that potentially can be grounded in

women's experiences are not inherent in those experiences in any unmediated way;" differences in age, class, nationality, religion, sexual preference, etc. persevere (Jones 1990:800).

## IV

The question now becomes how can care be linked with citizenship; how can it become an integral part of our understanding of what membership in a political community entails? This paper will attempt to answer these questions by drawing on current scholarship that explores the usefulness of care as an ethical and political concept, and primarily on the work of Sibyl Schwarzenbach and Joan Tronto. Schwarzenbach's work on civic friendship is a particularly suggestive normative framework for a model of citizenship that could be applied to the European Union as an emergent social and political unity. Schwarzenbach illustrates how care as a disposition and practice is fundamental to the undertheorized sphere of "reproductive activity". Both reproductive praxis and reproductive labor (of which the latter has the sole distinction of being performed for a wage, or for some interest of the self) foster the relationships that are essential to citizenship and civil society. Her contention is that, "the traditional reproductive activity of women not only consciously aims at *philia* [friendship] but has contributed much to binding the modern state together (granted in a hitherto unacknowledged fashion)" (Schwarzenbach 1996:99). One of the themes in Joan Tronto's argument in *Moral Boundaries* also helps to illuminate the situation in the European Union of caregivers namely women, working class people, and third-country immigrants, more generally. She states that, although care is usually conceived as expressive of women's morality and women's function, the way that caring has been constituted socially along gender, race, and class lines in modern capitalist states not only reveals how caring activities are devalued, but underscores the extent to which the discrepancy between who performs caring work and who is cared for reveals patterns of subordination and disparities in power.

Referring back to the distinction between the “private acquisitive” self and the “moral purposeful self” discussed earlier in this paper; Schwarzenbach raises the question of why Rawls stops short of advocating economic democracy as a principle of justice. His equivocation on this issue seems to imply that in the economic sphere, he assumes that moral purposiveness and shared responsibility are contrary to human nature and can result in grave inefficiencies. His silence belies his conviction that the impulse to labor is motivated by the acquisitive self. Schwarzenbach contends that Rawls's theory is limited by his inability to see beyond the traditional liberal “production” model of private ownership in the realm of economics; she argues that the “reproductive” labor and caring activities that women have traditionally performed provide a “third conception” of self, labor and ownership (1988:150).

Ideas developed by Aristotle are helpful for understanding the comparison Schwarzenbach draws between productive and reproductive labor. Aristotle makes a distinction between two categories of activity: *poiesis* and *praxis*. *Poiesis* is best defined as making or production, and the objective of this activity centers around creating a usable product. *Praxis*, however, is a moral action and is much more process-oriented; it is an activity that occurs between two moral agents and is performed for its own sake. Many of the activities that women have traditionally performed in the domestic sphere can be viewed as *praxis*. Political reproductive activity, which occurs in the public sphere, which explicitly diverges from productive activity, is also included under Aristotle's definition of *praxis* (Schwarzenbach 1996:102-103).

Aristotle's category of *poiesis* corresponds with the Liberal production model. This model is epitomized by John Locke's labor theory of value, which affirms that, in the state of nature,

man has a right to that with which he has “mixed” his labor. An individual posits his subjectivity into the objective physical world and appropriates it; he produces private property, a “social good” with both a use value and an exchange value. Central to this theory is the notion that the incentive structure for individual producers or laborers revolves around exclusive ownership.

Schwarzenbach describes reproductive activity as a form of activity, which is directly social, entails interaction between two sentient beings, involves care and does not aim at or result in exclusive ownership. Reproductive activity can be further subdivided into reproductive praxis and reproductive labor. Reproductive praxis is done for its own sake with the reward being intrinsic to the activity (e.g. mother playing with her children). Reproductive labor, often associated with the service sector of advanced industrial economies, is frequently performed for reasons external to any desire to reproduce the relationship or create *philia*, however, many caring activities combine both of these categories (e.g. paid child day-care worker). One of the best examples of reproductive activity is child-care. Although child care has been a significant activity of women over the centuries, this does not detract from the fact that men have always participated to some extent in caring activities, or that women have also labored on the land or in the market. But women, as a group, have been the primary care-takers not only of children and husbands, but often of aged relatives and other loved ones, and this should be viewed as a factor when considering historical formative influences on the socialization of women.

The idea of private ownership is coupled with a particular form of labor and commodity production. When performing productive labor, a subject confronts and labors on an object. In the reproductive model of activity, a subject confronts another subject. The reproductive model involves “need interpretation” rather than manipulating materials or imposing one's will onto

nature. The clear unmediated aim of child care is to satisfy human needs, to encourage the healthy development of the child; “its end is interactive or communicative; it aims at the transformation of social relations undistorted by dependency or force”(Schwarzenbach 1988:154). This is not to suggest that mothers are completely selfless, they receive personal and emotional rewards, and in some cultures they are compensated by security and reciprocated care in their old age. Diemut Bubeck in a later work, entitled *Care, Gender and Justice* makes a related argument; she attempts to account for why women often accept unjust burdens of unpaid care. Because care is not without its benefits and concomitant sense of power, women often willingly engage in an activity in which they are exploited. However, the point is that unlike producing a commodity for sale in order to reap monetary remuneration, a significant aspect of all reproductive activities is that the reward is internal to the activity; it is the *relationship*.

Schwarzenbach states that if the dominant form of property related to the production model, is the commodity, the corresponding form of property linked with reproductive labor is the gift. The nature of a gift is that it has to be given in absence of any coercion. By definition, a gift cannot be obtained by an individual act of will. She claims that “far more than the commodity, it remains tied to a specific set of concrete relations; if the object qua gift is removed from these concrete relations it tends to change its value”(Schwarzenbach 1988:158). Thus, the “spirit” of a genuine gift is the nurturance of a relationship. While it is true that a gift can be a physical manifestation of care, her premise is limited by the very productive paradigm from which she is trying to distance herself. For example, information is a commodity that is extremely important to the realm of production and yet it has no tangible substance. The contention of this paper is the “property” that results from reproductive labor is the relationship

itself. The relationship is the logical corollary of the commodity. Hence citizens who engage in reproductive activities are reproducing civic relationships.

Schwarzenbach argues that paid service sector labor is not the same as reproductive activity/labor. In service jobs the reward is not internal to the activity because the laborer earns a wage. However, attitudes regarding the relative importance of reproductive labor could partly explain why many “caring” jobs such as teaching and child day-care are so poorly paid; monetary devaluation of the work is premised on notions of alternative rewards. Trudie Knijn and Monique Kremer (1997), however, disagree with Schwarzenbach on the issue of paid reproductive labor.

Schwarzenbach defines care as a practice which is fundamental to reproductive activity as an “intelligently and emotionally competent activity which not only perceives both the concrete and general good of a person (or object) but which seeks to bring that good about”(1996:120). This definition emphasizes the contention that care is both a disposition and a practice; it involves practical wisdom, and objective capabilities. In a previous article, her definition was slightly different: care also responded to the needs of others “with the end of encouraging their autonomous capacities”(1988:157). In this explanation one gains a much clearer sense of care being those activities which enable others to become flourishing citizens. This earlier definition also maintains the notion that care takes place in a community rather than simply interacting with a single "person (or object)". However, neither of these definitions explicitly excludes paid labor from being a genuine form of care. Knijn’s and Kremers’s definition of care “includes the provision of daily social, psychological, emotional, and physical attention for people. This can be provided by paid or unpaid work, on the basis of an agreement or voluntarily, and it can also be

given professionally or on the basis of moral obligation” (1997:330). There is nothing inherent in different forms of caring, whether it be for children, husbands, or elders, that determines whether the particular form of reproductive labor should be paid or unpaid. Any care that you receive from loved ones can also be obtained on the market. This determination is a result of “political choices, shared cultural beliefs, and gender structures.” This is a much more useful definition of care and reproductive labor from a political perspective in that caring practice can be recognized as citizenship practice in the public sphere.

Guardianship is the form of ownership that corresponds with a reproductive activities and caring practices. Traditionally, a woman “owned” the children, household, clothing, etc. in the sense that she was responsible for them; they were hers in an ascriptive sense. But this is not the “full, liberal” conception of ownership of private property, according to which she would be free to acquire, manage, enjoy, alienate, sell, or even destroy her charges (Schwarzenbach 1988:156-157).

When looking at differing theories of self and ownership, and particularly when examining reproductive activity, which is fundamentally a form of interaction and ethical practice which takes into account relationships between subjects, it is important to examine the differing perspectives embedded in conceptions of self-other relations. Seyla Benhabib articulates two types of self-other relations. The first of these she names the standpoint of the “generalized” other and the second, that of the “concrete” other. The standpoint of the generalized other, which is essentially Kantian in formulation, “requires us to view each and every individual as a rational being entitled to the same rights and duties we would want to ascribe to ourselves.” The self operates according to universalistic principles of right and



abstracts from the individual identity and concrete needs of the other. The norms which govern these interactions “are primarily public and institutional ones... The moral categories which accompany such interactions are those of right, obligation, and entitlement; the corresponding moral feelings are those of respect, duty, worthiness, and dignity”(Benhabib 1997:744). The standpoint of the concrete other “requires us to view each and every rational being as an individual with a concrete history, identity, and affective-emotional constitution.” Sibyl Schwarzenbach claims that, “this standpoint rests on the increasing capacity of the self (a capacity central to reproductive labor) to render ‘inner nature’ transparent”(1988:162). Rather than positing commonality as the basis for equality and assuming that the other has all the same motivations as the self, the person who takes the standpoint of the concrete other attempts to understand the other as she understands herself. The norms governing these interactions are “reciprocal friendship” love and care.

Guardianship, as a form of ascriptive ownership corresponds with reproductive activity; it is non-private, non-acquisitive and requires care. Both of these forms of self-other relations, as conceived by Benhabib, are present in guardianship. Recognition of the generalized could arguably be said to form the legal and political foundation of contemporary rights-based liberal democracies. Reproductive activity, which is carried out in the public or the private realm, is premised on not only the recognition of the generalized other, but also on the recognition of the concrete other. The standpoint of the concrete other underlies what Schwarzenbach calls “responsive ownership” (1988:162). The challenge is to raise awareness of the reproductive activity and the responsive ownership of civic relationships that is already occurring in the public sphere. One of the main difficulties with the universal human rights discourse as it has been

articulated in the public sphere and codified into international law, is that the civil and political rights which are given preeminence embrace the standpoint of the generalized other but not the concrete.

To summarize, the “private acquisitive self” is the dominant form of economic and political identity in contemporary liberal democratic states. The private acquisitive self engages in productive labor to produce commodities and the form of ownership that corresponds with this model is private property ownership. The caring self, on the other hand, engages in reproductive activities and reproduces caring relationships; this form of activity is an end in itself. The category of ownership that is linked to this ideal type is guardianship, in the sense of responsibility for and attentiveness to the human relationships that the caring practice is fostering.

Reproductive activity, in a broad ethical sense, can provide the foundation for a new formulation of citizenship or civic friendship. Aristotle utilizes the concept of *philia*, to encompass friendship relationships between parents, children, lovers, siblings, and even fellow citizens. His idea is inclusive of personal and civic friendship, and consists of: "(i) mutual awareness and liking, (ii) a reciprocal wishing the other well for his or her own sake, and (iii) a reciprocal practical 'doing' of things for the other"(Schwarzenbach 1996:100). For Aristotle, mothers represent one paradigm of friendship. Virtuous mothers and children can be genuine friends. And ideally these sorts of friendships "reciprocally aim at the independence and equality of the other when conceived over a complete life"(Schwarzenbach 1996:101). Genuine care must recognize the autonomy of the concrete other, while citizenship must recognize the autonomy of the generalized other. The outcome of raising a child is the reproduction of a human relationship

or friendship that is an end in itself. Caring citizens can also reproduce relations of *philia*.

The ethical and political sense of reproduction is distinguishable from the purely biological meaning in that it involves rational activities that focus on interpreting another person's needs. It produces a friendship relationship over time. Reproductive activities are “clearly ethical because they have to do with activities which involve choice and which are fundamentally imbued with reason or *logos*. But such activities are also ‘political’; they aim at reproducing the best relations conceived now within the context of the *polis*--whether in the so-called private or civic domain” (Schwarzenbach 1996:102). The point is that the reproductive relationships that produce *philia* are not confined to mothers and children, most people at every stage of life need, give, and receive care. The analysis of citizenship and human agency needs to be shifted from one that focuses on autonomy and dependence to one that takes into account human interdependence. As Ruth Lister says, “autonomy and the agency that derives from it, is made possible only by the human relationships that nourish it and the social infrastructure that supports it”(Lister 1997:21).

Personal friendships, such as the parent/child relationship, are more adaptable to fluctuations in power over time and inequalities can be countenanced without necessarily having any detrimental effects. In contrast, civic friendships, being based on more superficial connections such as notions of mutual advantage, must preserve political equality if they are to endure. Any perceived injustice can destroy the bond. This is one of the reasons that the power differentials between care-givers and care-receivers must be addressed if a just society is to be attained. The question of who performs caring activities highlights another important aspect of care as a political concept. Care theory suggests another way of thinking about power. Joan

Tronto (1993) claims that care determines privilege; those who can have their needs met are privileged. Tronto states, “those who can pay for more care receive it regardless of any assessment of need. As a result, inequalities in the distribution of care, creating a class of care demanders, has been a result of the uneven distribution of wealth”(1993:173). People who have more money have access to better care (e.g. private health insurance, nannies, private schools and maids). Being able to demand care is not necessarily perceived as a weakness; to be reliant on someone else for personal services can be a manifestation of power. That financial dependence is viewed as more burdensome than caring dependence is reflective of how each of these categories is valued. Fraser and Gordon (1994:93) make a similar point; they distinguish between two types of dependence that can occur within relations of interdependence: one type of care is “socially necessary” and is exemplified by a genuine need for care, and the other category is “surplus” dependence which “is rooted in unjust and potentially remediable social institutions.”

If we accept that reproductive activities are constitutive of community and that care is an ethical and political practice, it calls into question one of the fundamental assumptions of modern political theory: rational individualism. All humans are born into a condition of dependence and require care in order to grow into autonomous adults is conveniently overlooked by many theorists. The fact that “all humans need care has been a difficult fact to accept within the framework of liberal political and moral thought, because the liberal models accord only the choices of autonomy or a relationship of dependence” (Tronto 1993:162). The reality is that humans are interdependent; we are all more or less autonomous and involved over the course of our lives.

Joan Tronto’s (1993:105-108) political formulation of an “ethic of care” outlines four

phases of caring. The first phase is *caring about*, which involves being informed about the welfare of fellow citizens. One is able to make a reasoned decision based on observed conditions that a need for care exists (e.g. famines, natural disasters, homelessness) and is able to acknowledge that the need should be met. This phase of caring has obviously become easier to address in the modern age of global communications technology. *Taking care of* is the next phase and it involves the willingness to help. The caring citizen assumes some responsibility and agency for addressing the identified need. This form of caring can range from the recognition that taxes are legitimately spent on public education, housing and healthcare, to actively contributing to or participating in public service. *Care-giving*, the third phase, is the direct, hands on activity of meeting perceived needs with care. Care-giving is a reproductive activity in that it involves a direct contact with the object of care; this phase of care can also be done for a wage. The final phase is *care-receiving*, requires an awareness of whether the care has been effective. The caregiver must be able to determine if the caring needs have been met. This phase highlights the fact that care is a relationship. It is a responsive form of ownership in that the caregiver is responsible for or guards the “the social conditions for the development of another's abilities”(Schwarzenbach 1988:162).

Schwarzenbach concludes her discussion of civic friendship by claiming that:

If, as I have argued, women's historical activities of attending to particular others is actually a form of Aristotelian praxis, and if such activity in the ideal case also aims at *Philia* for its own sake, then we have before us a unique opportunity -- with the recognition of women in the public sphere -- of explicitly reintroducing the issue of friendship into political life. Indeed, I believe we have before us an alternative model not only of the state, but of the citizen's practical activity, which may compete successfully, not merely with the model of the ancient warrior but with the liberal production model dominant for the last centuries (1996:119).

When assessing the relevance of Aristotle's conception of *politike philia* or civic friendship for a supranational political entity like the European Union, or even a modern nation-state we must first examine his specific usage. Aristotle was writing about a community of people found in a *polis* or city-state. A political community for Aristotle included a "common set of laws" and "a shared sense of justice" in other words, what he called a "constitution" (Schwarzenbach 1996:105). In this community citizens are concerned about the moral character of their fellow citizens, those participating in public life must adhere to the shared conception of justice. Civic friendship does not exhibit the same emotional bond as more personal or intimate friendships but it does retain the attributes of "mutual awareness, of wishing the other well for their own sake, and of doing things for the civic friend"(Schwarzenbach 1996:105).

As women are entering the public sphere in increasing numbers and bringing their collective experience of responsibility for reproductive activities and caring practices, friendship is reintroduced into political life. This is evidenced by women's impact on structuring the welfare state. Care theory provides an alternative model of citizen's practical activity as well as a reevaluation of caring activities in general. Reproductive labor has traditionally been devalued in the public sphere because it is associated with what women were expected to do at home for free. But if reproductive activities are perceived to be the civic glue that binds polities together, then a different model of citizen worker will emerge.

## V

It is common knowledge that the European Union is seeking new ways of conceiving the bonds of citizenship during this period of rapid change. The European Commission is avidly trying to promote some semblance of a common European citizenship, at a time when the traditional family is in a state of flux, unemployment is still high, racial and religious tensions are acute, and increasing disparities in wealth are prompting concerns over the extent of "social exclusion". *Philia* or civic friendship is easily framed as a necessary but not sufficient condition for social unity and social justice in the modern polity. Awareness of and involvement in the political community depends on resources that are external to the sphere of politics and yet provide the necessary foundation that allows for political participation. These resources are not only material subsistence needs but are also the reproductive caring activities that enable citizens to lead flourishing lives. A caring citizen creates the conditions whereby others can be good citizens. Caring citizenship does not only reproduce relations of civic friendship but, (to take the sexual metaphor to the next level) procreates citizens.

The practical problem is how the discourse of care can be linked with the discourse of citizenship; how can it become an integral part of our understanding of what membership in a political community entails? The first way is by directly challenging the categorical distinction between political and non-political issues. The public policy agenda may be transformed by the intervention of self-identified carers (not necessarily women) into the political process. Initiatives on the part of carers may politicize the "private" dilemma of balancing paid work with unpaid care. The claim could also be made that the gendered and racialized social distribution of caring work, paid and unpaid, is a fundamental issue of social justice. Also, as Bubeck points out, "the

value of meeting needs, which guides any form of care, can be translated into a general political value underpinning the philosophy of the welfare state” (1995:472).

Another way that care could infiltrate the public discourse is by acknowledging when private values become public ones. Political decisions may be determined by "values endorsed by carers." Citing various studies, Francis Fukuyama (1998), in an article in *Foreign Affairs* on gender and world politics, claims that women “are less likely than men to see force as a legitimate tool for resolving conflicts” and “that increasing female participation will probably make the United States and other democracies less inclined to use power around the world as freely as they have in the past” (1998:35).

Skills that are often associated with the practice of care can be generalized to apply to the sphere of citizenship. Attentiveness and openness to the realities and needs of others are increasingly important in today’s radically plural and increasingly multi-ethnic societies such as those found in the European Union. What care theory contributes to the citizenship discussion is a strategy for including people who have traditionally been excluded from the political process such as women, immigrants, and working class people. Joan Tronto writes, “Care is a way of framing political issues that makes their impact, and concern with human lives, direct and immediate. Within the care framework, political issues can make sense and connect to each other. Under these conditions, political involvement increases dramatically”(1993:177). The question that logically follows from this assertion is whether increased political participation helps to legitimize non-citizens, namely immigrants, in the eyes of policy makers. An institutionalized model of citizenship informed by a theory of care recognizes the importance of all levels of participation. Civic friendship is an ideal, but it is an ideal that can be promoted



through public institutions and discourse. Schwarzenbach states, “in the case of civic reproduction such reciprocal 'liking' and 'doing' works via the political process, the constitution, and the public standards of acceptable civic behavior” (1996:108). The challenge then becomes creating the institutions that promote civic reproduction and friendship. The citizenship policy in the European Union provides an unprecedented modern opportunity to create these institutions via the political process.

The European Union is actively trying to develop a normative and political framework for a supranational form of citizenship. Having said this, an effective way of gauging the usefulness of a particular theoretical construct is by keeping as central to the analysis those elements which present the greatest challenge to the implementation and effectiveness of policy decisions based on its precepts. When looking at the rights and obligations connected to citizenship it is important to consider those who are in a position of greatest vulnerability in relation to the state - be it national or supranational - as the definition of citizenship is being reconfigured. The prototypical resident of the EU that this analysis will use as its continual referent is a non-white, non-European, working-class, immigrant woman. Her membership is lived at the intersection of gender, race/ethnicity, and class and any difficulties she may experience living day to day are compounded by the fact that she is not a legitimate formal citizen of the nation-state in which she resides. It may be argued that this is a specious analysis precisely because this woman is not a citizen of one of the member states of the EU, the policy that has been generated at the European Union level is not intended to apply to her. But this does not negate the fact that she enjoys many of the attendant rights and benefits of citizenship at the national level as much of the recent literature has recorded (c.f. Soysal 1994, Brubaker 1992).

Each European society is host to large numbers of partial citizens, “who have acquired some rights associated with substantial citizenship (civil rights, social rights and even in some countries, some political rights) without necessarily being granted formal citizenship, namely, the nationality of the country of residence”(Martiniello 1995:4). Moreover, one of the current arguments regarding the citizenship rights of third country nationals in Europe claims that European Union citizenship should be awarded on the basis of denizenship/residency rather than on the basis of Member State citizenship, which makes this form of inquiry very relevant.

Most of the scholarship that has focused on citizenship in the European Union has approached the issue from a legal or policy-making perspective. Generally it assumes a minimalist position on the potential of EU citizenship citing mainly the practical difficulties attendant on realizing a form of supranational citizenship; “that is, they have established what Union citizenship is not, thus leaving aside the constructive potential of Union citizenship”(Wiener 1998:1). Elizabeth Meehan (1993) contends that European integration has provided an organizational structure within which Member State citizens can grasp the fluidity of identity constructions which in turn contributes to the practical acknowledgment of “multiple identities.” Several interrelated factors are calling the traditional nation-state model of citizenship into question. Claims to the right of self-determination and regional autonomy have caused some states to break up into smaller, sometimes conflictual units. Additionally, certain policymaking powers that formerly fell within the exclusive jurisdiction of the state are being transferred to the supranational level (e.g. European Union) or impinged upon by other economic and communicative forces of globalization. Most citizenship theorists have not rejected the usefulness of the state construct altogether, instead they posit a multiple form of citizenship

which is articulated and institutionalized through “an increasingly complex configuration of common Community institutions, states, national and transnational voluntary associations, regions and alliances of regions”(Meehan 1993:1). Other theorists advance a model of global citizenship that draws on the international human rights discourse.

The large and varied foreign population in the EU presents another problem for theorists who are trying to envision an inclusive model of citizenship for the Union. Ex-colonial subjects, foreign workers and their families who may be either EU nationals or non-EU nationals, migrants seeking political asylum, illegal immigrants, and refugees are all at risk of exclusion. The Treaty on European Union proposes a framework for EU citizenship but this citizenship is derived from national citizenship that, as a matter of course, excludes the nine million legally resident third country nationals. The array of rights available to immigrants in the EU exists along a continuum: from the illegal immigrants who have no rights occupying one end, to the short term residents who are granted certain rights from the government of the country in which they are living, to immigrants who have rights awarded on the basis of long-term residence, often referred to as denizenship rights, to the full citizenship at the other end of the continuum which is guaranteed to nationals of the former colonies of some European countries. Kostakopoulou maintains that redefining citizenship is the only project that can address the "problem of unjust exclusion." The Westphalian model of citizenship--a compact between the individual and the modern nation-state--is historically bounded; "since citizenship has always been the juridico-political expression of what it means to belong to a community, forms of citizenship are bound to change in response to changing conceptions of membership and evolving definitions of community"(1996:339). There is no single membership experience but multiple lived

experiences.

In Germany, citizenship policy has been premised on the exclusion of difference by instituting prohibitively lengthy and rigorous naturalization procedures. The French model of citizenship attempts to assimilate difference. The U.K., which traditionally has had a more integrative approach, tolerates difference “in so far as it is confined in the private realm. In so far as the public realm is concerned, ethnic communities are required to embrace the nation's ideals; they are required to identify with the common culture of citizenship, as it has been defined by the national community”(Kostakopoulou 1996:342). If a thick conception of feminist citizenship were adopted, not only would members not feel compelled to split their identities between the public and private spheres and abstract from their everyday life in order to engage in citizenship activity, but the state or governing entity would be more expressive of the good life as envisioned by the entire community.

The main proponent of a “Theory of Constructive Citizenship in Europe” is Theodora Kostakopoulou (1996). She develops her theory within the context of a set of seven propositions which include: (1) the creation of “communities of concern and engagement” which can embrace a paradigm of EU citizenship based on domicile; (2) a new meaning of membership based on “differentiated citizenship”; (3) the reinvention of a language of rights; (4) fostering increased democracy and participation; (5) establishing economic justice; (6) institutionalization of a “civic culture of anti-discrimination and anti-racism”; and (7) affirming the contingency of all social and political life. One of the most interesting things about this literature dealing with constructive models of EU citizenship is the extent to which the concepts overlap with many feminist conceptions of citizenship.

The first proposition rejects the notion that identity can be essentialized; constructive citizenship embraces the fact that citizens have multiple identifications and need to interact in "communities of concern and engagement." Kostakopoulou starts by addressing the liberal/communitarian dichotomy of citizenship as status versus citizenship as practice. She contends that these two conceptions are not mutually exclusive. Status, particularly in the social and economic spheres of citizenship (e.g. welfare institutions) cannot be assured without active participation, similarly, activism in the absence of equal status can provide grounds for exclusion or expulsion. This notion corresponds with Ruth Lister's (1998) position that human agency is the essential element which captures the ideas of status and practice into a single dynamic citizenship process. Kostakopoulou claims that the "task of citizenship theory is to articulate another narrative which welcomes the complexity and pluralism of contemporary societies" and recognizes the arbitrariness and contingency of many identity structures. An alternate form of community which does not assume or strive for organic wholeness but embraces difference she dubs a "community of concern and engagement." The language of her program of community building is closely linked to that of care; her proposition points to an approach that would *care about* and *take care of* issues of common concern.

Kostakopoulou's model of community could be realized empirically if citizenship were predicated upon residency rather than nationality: "a paradigm of citizenship based on domicile could also lay the foundations for an inclusive European identity and for the formation of a "heterogeneous" democratic European public"(1996:346). Her formulation attempts to solve the problem of how oppressed groups will gain equal status in the public sphere, but this still does not address how oppression within the private sphere can restrict access to the public sphere.

Kostakopoulou's conception of what fuels the integrative impulse in Europe strikes me as rather shortsighted. While it is true that the states of Europe do not have a common heritage or shared identity, to quote the Treaty on European Union, and conclude that "what binds the various constituent units together in a Union is their commitment to the future of the Union, in the sense of working together towards creating 'an ever closer union among the people's of Europe' while preserving and respecting the distinctive identities of its members" seems to overlook the entire sphere of economic motivations. Her theory does not challenge the ideology of capitalism and the shared belief in a free market economy; two factors which historically have reinforced the disparity in values which are assumed to exist between the public and private domains.

A denationalized form of citizenship will by implication be deracialized. This in turn will demand a "juridico-political culture of anti-discrimination" (Kostakopoulou 1996:349). However, this culture of anti-discrimination must challenge unequal relations in the private sphere which belie the universalist ideals which inform citizenship. Kostakopoulou employs Iris Young's formulation of *differentiated citizenship*, which endorses "special rights" and the adoption of formal institutional structures in which oppressed groups will be represented. For example, women have been granted formal equal citizenship rights in Western democracies but this has not brought them substantive equality with men. Iris Marion Young (1989) argues that under circumstances of acute and institutionalized inequality, formal equal rights are not sufficient. Special rights must be instituted. Kostakopoulou maintains that differentiated citizenship seeks to "restore the sense of community which is being damaged by the perpetuation of inequality and discrimination." Within the context of the European Union the espousal of three categories of rights is conducive to the creation of differentiated citizenship: special rights

for particular groups; regional rights; and structural rights, which address economic inequality (Kostakopoulou 1996:350). The problem with the conception of “special rights”, as outlined by Ann Phillips (1993), is related to “the difficulties of establishing which groups are most pertinent to political identity; the dangers of freezing identities and of ‘group closure’ so that change and the development of wider solidarities are blocked; and the near-impossibility of achieving accountability”(Phillips 1993 quoted in Lister 1995:4).

Rights “are discursive categories, grown out of historically specific social contexts, which encapsulate a normative ordering of social relations and practices”(Kostakopoulou 351). Rights are not fixed--they are constantly evolving. But rights are also statements of moral obligation, not to mention justiciable, which is precisely what makes them “quasi-transcendental” and strategically useful. Kostakopoulou “espouses a dynamic conception of universality” which is not prescriptive of any particular end, instead it “opens up and sustains a critical space which makes any final answer to the question of what is objectively Right simply inappropriate” (1996:352). Many theorists contend that universalism should remain central to formulations of citizenship. Lister states that “without the promise of the universal, against which the denial of full and genuine citizenship to women and minority groups can be measured and claims for inclusion can be directed, the concept of citizenship loses its political force”(1997:13). However, the distinction should be made between the liberal-individualist fiction of abstract universality which disregards particular identifications and affiliations and what Iris Young calls the “universality of moral commitment” which recognizes the moral worth of all and strives for inclusiveness. The concept of universalism proves to be an effective foil for difference, it is able to challenge the exclusionary tendencies that can result from diversity.

It used to be that the essentially national character of citizenship was taken for granted. The rights and socio-political participation attendant on citizenship were based on an individual belonging to a nation-state, a political and territorial entity that was assumed to share a culture and a unique ethno-national identity. Today the role of the nation-state is much less obvious, the economy is becoming increasingly globalized, and in the political sphere, supranational institutions such as the European Union are formalizing policies and institutions. The cultural and territorial foundations of the state are a source of contention. The issue that arises is whether a theoretical and practical basis for a model of citizenship that extends beyond national borders could be uncovered (Martiniello 1995). Contemporary theories of citizenship and related scholarship on the evolution of migrants rights have in Europe have had to grapple with the existence of a post-national discourse on membership which operates at a transnational level.

Yasemin Soysal (1994) writes:

In the postnational model, universal personhood replaces nationhood; and universal human rights replaces national rights. The justification for the state's obligations to foreign populations goes beyond the nation-state itself. The rights and claims of individuals are legitimated by ideologies grounded in a transnational community, through international codes, conventions and laws on human rights independent of their citizenship in a nation-state. Hence, the individual transcends the citizen. This is the most elemental way that the postnational model differs from the national model. (142)

In Soysal's postnational model of citizenship she asserts that the boundaries of membership in nation-states are fluid. There is no longer a necessary correlation between membership and territory. Immigrants can live in one state and benefit from its economic advantages and social programs while maintaining citizenship in another state. Without the formality of naturalization and legal citizenship immigrants are incorporated into many legal and organizational structures of the host society.



One question that must be addressed is whether this "universal personhood" embodied in the global human rights discourse also undermines disparities in wealth and quality of life caused by international capitalism. Soysal neglects to address the debate between the order and importance of the "generations" of rights contained within the human rights discourse itself. The category of human rights designated as "first" generation is civil and political rights, the "second" includes economic, social and cultural rights, while the "third" generation based on concepts of human solidarity encompasses concepts of self-determination, the right to a healthy environment, and the right to peace. Binding international covenants on the first two generations of rights have been signed by most of the countries that are members of the United Nations. Of course one of the long acknowledged problems of governance in the international sphere is that enforcement is difficult, if not impossible. One of the difficulties with Soysal's argument is that, although guestworkers are her prototypical postnational citizens, she views them only from the perspective of civil and political actors not as workers. Acceptance of a common set of economic and social rights has been exceedingly complicated, particularly in Western nations.

Theories that utilize an ethic of care explore the possibilities which a moral discourse based on obligations and virtues presents and reject the discourse of rights on the basis that this discourse presupposes "masculine, antagonistic forms of identity and social interaction"(Bubeck 1995:469). Does this entail that a theory of care cannot embrace any discourse of rights? Moral action requires the ability to abstract from immediate circumstances and judge questions of fairness based on universal principles. Care theorists posit that there is a different form of morality that is more attentive to preserving and nurturing human relationships. Carol Gilligan has written:

In this conception, the moral problem arises from conflicting responsibilities rather than competing rights and requires for its resolution a mode of thinking that is contextual and narrative rather than formal and abstract. This conception of morality as concerned with the activity of care centers moral development around the understanding of responsibility and relationships, just as the conception of morality as fairness ties moral development to the understanding of rights and duties (quoted in Tronto 1993:78).

Ruth Lister states that “the practice of care could be underwritten by an ethic of rights” (1995:33). She maintains that citizenship rights are a subset of human rights. Human rights are “abstract, unconditional, and universalizable” and citizenship rights are “the specific interpretation and allocation by nation states” of human rights. Citizenship rights represent the one rung down on the ladder of universality. But Lister never bothers to explicitly state what universal human rights entail, she uses the discourse as if human rights themselves were completely unproblematic concepts.

The size and heterogeneity of the modern polity has often been cited as the primary reason why civic friendship is no longer viable a source for creating social unity. But liberty of conscience and toleration of differing conceptions of the good that are linked to different religions, races, or ethnicities do not preclude concern over a citizen's public political character. An institutionalized conception of individual rights, which was formulated in the modern era in opposition to royal absolutism, demanded a sphere of privacy in human affairs which certainly has not served the best interests of women. A doctrine of individual rights, which can be seen in the relatively recent human rights discourse, “might be considered one of the highest expressions of political friendship ever” (Schwarzenbach 1996:114). The problem with the human rights discourse as it stands today is that it is still primarily concerned with civil and political rights which are identified with a productive model of activity. This is why relations of civic friendship

or political care need to encourage greater democracy and participation in determining the content of the basic set of rights.

Most scholarship on policymaking at the EU level deals with applied theory, e.g. looking at how institutions interact to create policy or which institutions have greater sway over the policy process at which times and concerning which issues. But creating a conception of EU citizenship is inherently a normative project. Immigration policy and citizenship policy more generally may be one area where applied and normative theory meet. The human rights movement is also inherently a normative project. Therefore, scholars who look to the international human rights discourse and conventions as a potential or actual foundation for citizenship (particularly for third country nationals in Europe), need to be more critical about the theoretical foundations of the human rights discourse which they are espousing. Aside from the ample criticism citing the lack of attention to women's and reproductive rights--human rights address biological reproduction but not social reproduction in a larger ethical sense--feminist scholars should also be wary of any intellectual and legal construction which many believe to be grounded in *a priori* moral obligations.

Ruth Lister (1997:10) contends, "the thinking involved in a feminist reconstruction of citizenship, as both a status and a practice, has to adopt an internationalist and multilayered perspective...A multilayered conceptualization of citizenship loosens its bonds with the nation-state, so that citizenship is defined over a spectrum which extends from the local to the global, reflecting local and regional pressures for greater political autonomy on the one hand and globalizing tendencies on the other." Global citizenship transfers rights and responsibilities/opportunities usually associated with national belonging to the international

level. When citizenship is considered from a care perspective, which takes into account global power disparities, the responsibility of wealthy industrialized nations towards less developed countries becomes obvious. The ability to adopt an international human rights framework into a national citizenship rights context requires resources and expertise. This paper is sympathetic with Kostakopoulou's assertion of the potentially radical implication of European Union citizenship; the EU presents a unique opportunity for constructing new understandings of citizenship.

The primary motivating factor behind the creation of the European Economic Communities after the horrors of World War II was the desire to transcend national rivalries and establish a more inclusive identity based on the convergence of essential interests. Common Foreign and Security Policy aside, the authority to commit citizens to military service still resides in the state. However, one of the underlying imperatives of the entire European project was the commitment to preventing another war. Thus, viewing this goal from a care perspective, citizens of the EU have a moral obligation to promote European, if not international, solidarity or friendship across borders. The duties associated with citizenship stem from the idea that if one is to benefit from the rights and privileges that citizenship confers, then one should also commit to actively promoting the common good. But the well being of the political and social community can be fostered in numerous ways, it does not simply have to involve military service or voting. Engagement with the common good can involve caring about and attentiveness to our fellow citizens, and recognizing that the larger political structure and policy decisions affect people in different ways; it can entail assuming some responsibility for the needs of others, and finding some way to address those needs even if only in a limited capacity. This is the political ethic of

care and it well suited to the plurality of democratic public spaces that is the emergent civil society of the European Union.

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