

CITIZENSHIP AND TRANSFORMATIVE EDUCATION

UNIT I: CIVIC EDUCATION

SUB-UNIT 1.1. CITIZENSHIP (Janvier Murenzi, 2020-21)

INTRODUCTORY REMARKS

Hello Students! I am Mr. Janvier Murenzi, your lecturer. I am from the School of Governance, College of Arts and Social Science (UR-CASS). I am going to introduce to you the Module: *Citizenship and Transformative Education*. It is divided into four units, namely Civic Education, Integrity Systems, Human Rights and Citizenship Education, and Peace Education. It was designed at the University of Rwanda for all first year students, but it can also be interesting to all Rwandans.

Before I go into details, let me answer the question of why the module *Citizenship and Transformative Education*? As you probably all know, the history of Rwanda has been marked by decades of violent conflicts that have severely affected the social fabric. Those conflicts that were identity-based culminated into the 1994 genocide against the Tutsi that claimed over one million innocent lives. It goes without saying that this genocide destroyed the social fabric as well as civic and cultural values. It is thus imperative to contribute to restore Rwandan humanistic and civic values among young generations, if our country is to achieve sustainable peace and development.

This module provides students with general knowledge and skills in civic education, integrity principles and practices, human rights, and education for peace. It is aimed at equipping learners with basic notions on civic education that are meant to contribute to their transformation into patriotic and responsible citizens. Dear students, as you can see on this UR e-learning platform the course materials include a Module description form, a PowerPoint presentation outlines, a plain syllabus, a handfull readings from the international literature, the 2003 Rwanda's Constitution as revised in 2015, the Organic Law no. 30/2008 of 25/07/2008 relating to nationality, and a glossary.

Let me also announce a few rules: you are expected to follow the lectures attentively, take notes, do self-study and required assignments and quizzes on the subject Citizenship. Formative assessment will take 50%, and the summative examination 50%. Please take all seriously.

My lecture is focused on *citizenship*. It is the first part of unit one: *Civic Education*. Other sub-units are *National identity* and a general overview of *the history of Rwanda as connected with citizenship*. The overall module will extend to State-Building and Integrity Systems, Human Rights Education and Peace Education, respectively as units II, III, and IV. To set the stage, I propose a discussion on whether there is something like disappearance of civic values in Rwanda. But let's first take a look in a treatment of the same topic in another country experience, the US.

READING 1: Civic education. The End of the civic generation?

Reference: Robert D. Putnam, "The Strange Disappearance of Civic America". Extracted from *The American Prospect*, 7, 24 (Dec. 1, 1995), pp. 34-48. See also in Schumaker, P. (ed.), op. cit., pp. 249-51

Issue: The strange erosion (disappearance?) of civic engagement and social capital in the U.S.

Background/entry: From the 60's, different sources have recorded heavy traits of the phenomenon. Its implications are wide, ranging from social, political and religious aspects of life, and touching upon subjecthood, agency, networks, norms and trust. Only nationality groups and a few others have resisted the tide.

Argument and lesson: No way to point the finger to the usual causal suspects: busy-ness, time pressure, economic hard times, material affluence, residential mobility, suburbanization, women's paid labor, stresses of two-career families, disruption and families ties, change in the economy, growth of welfare, war, disillusion of public life, cultural revolt against authority, civil rights revolution, television, ICTs revolution, and alike. The prime suspect is television. It has privatized social ties and capital, and we like it! My question: What is the above disappearance about? Civic values and or a certain version of reality? And why not a multifaceted picture instead?

1.1.1. What is involved in the notion of citizenship?

Citizenship comes from two Latin words, '*Civis*' (citizen), and '*Civitas*' (city), which is equivalent to the Greek '*Polis*'. In that sense, Citizens are members or inhabitants of a city, or a state, depending on periods in the world history and because the concept has been evolving. Anyway,

the determining factors is members or inhabitants to make a political community, and be distinguished with aliens or foreign citizens.

The term citizenship is often used interchangeably with nationality, but it refers “to the legal relationship between an individual and a state, in which the state recognizes and guarantees the individual’s rights.”¹ We say ‘legal’ to mean formal status, with prior registration, recognition, and publication by civil status services. We distinguish that relationship with social and cultural ties and structures, as in the notions of spontaneous crowd, kinship and nationhood. We also make the difference between citizenship and personal/private status, subject identity (eg. to a lord or a king), and corporate citizenship (company as political actor, with responsibilities toward society). Lastly, we do not confuse citizenship with citizenry, the latter being the body of people or collectivity that live in a place, a country, a state or a city. Eg.1. Plebeians as the general citizenry in Ancient Rome.

1.1.2. Background, issues and insights

A.The framework question: legal vs. cultural ground to citizenship

In Rwanda today, citizenship or nationality is governed by the Constitution of the Republic of 2003 as Revised in 2015, under chapter V where it stipulates duties of state and those of citizens and by the Organic law no. 30/2008 of 25/07/2008 relating to Rwandan Nationality. As we shall see (Reading no. 3), these two legal instruments provides how one becomes a Rwandan, and the kinds of rights citizens enjoy. Citizens enjoy civil and political rights. In return, they owe duties to the state authority and obligations. The first are a fact of nature, the second imposed by custom or contract, binding but general. All entail action, to perform or even refrain from acting.

At a close eye, the dispute ‘Laws or Customs’ is about a grounding question on the very nature of citizenship, whether referring to an (objective) legal status or a (subjective) feeling of belonging and loyalty. In Ancient Rwanda, membership and belonging to community was central, and moreover all Rwandans were subject to the monarch. Anyway, among other sources, many proverbs relate to the notions of ‘Ubumwe’ (unity), ‘Umuryango’ (community) and ‘Rubanda’ (the others out-there) and leverage both positive and critical dimensions in the triangulation

¹ Bronwen Manby, *Citizenship Law in Africa: A Comparative Study* (Open Society Foundation, 2016), ix.

I/WE/THE OTHERS and the kind of rights and obligations that follow from it: 1- *Inkingi imwe ntigera inzu*; 2- *Ahari abagabo ntihagwa abandi*; 3- *Izirimo rubanda ntizikubitwa n'inkuba*. Anyway, the framework was culture-based, including in sanctioning individuals and groups ('Kugawa', 'Kuvuma', 'Guca'. In fact, there was no strict separation and no confusion either between private and public interests, rights and obligations, and immanent and transcendent justice. However, it is from a conservative culture, drawing on a structural-functionalist argument, that until recently women were given a right to own properties and inheritance to their parents.

B. The scope or inclusion question: hierarchy vs. equality

It is generally acknowledged that aliens enjoy social but not political rights. But what about nationals? Today, in many countries, citizenship is open to all members of state, including women, children, minority groups, and persons with disabilities. However, that has not been always the case. In the past, there have been exclusions on entitlement to citizenship on discriminatory grounds such as skin color, ethnicity, sex, religious beliefs, and free status (against slaves).

In addition, inside countries, some national members had more rights than others. In ancient Greece, for eg, a citizen was only a free man. In Rome, full rights were for a privileged class, for he who has the capacity to take part in deliberative administration, and assuming property. Citizenship was also granted to allies ('socii') and others categories in conquered territories under different statutes and the politics of 'Romanization'. Lastly, until recently, in the West, there was limited citizenship rights to women especially on ownership of property, and on their civic rights such as a right to vote, and this applied to poor people, classes or minority groups .

Following is a list of categories that brings to light tensions in the inclusion problem, now from within. They are internal as concerning nationals. They are also often accused of entrenching ordinary as well as interlocking cases of marginalization and oppression: Full vs. Second class citizens vs. Stateless people, Connected vs. Alienated citizens, Active vs. Passive citizens, One vs. Multiple citizens, Senior vs. Young citizens, National vs. Supranational citizens, Multiple vs. Limited (eg. to dual citizenship), Political vs. Civil servants, Border-landers, and so forth? This indicative list has two benefits: 1- With G. F. Gauss², we consider the score or measurement

² Gauss, Gerald. F, *Political Concepts and Political Theories*, Westview Press, 2000, 127sq.

question on equality, the claim that things are equal when they make the same score (sameness). This is another way to refer to the distinction between material and formal conceptions of equality, or the old matter/mind quarrel. Furthermore, the author recalls that there are substantive (internal) and instrumental (external) arguments for equality ...and for hierarchy, the latter taking on the idea that equality is not always a good thing. That is the nonpreferential conception of equality. Do we have an equivalent thesis in Rwandan culture? What does our Constitution stipulate?

READING 2: All citizens = Every citizen?

Reference: Iris Marion Young, “Polity and Group Difference: A Critique of Ideal of Universal Citizenship”, in *Ethics*, 99 (January 1989), pp. 250-73. See in Schumaker, P. (ed.), *The Political Theory Reader*, Wiley-Blackwell, 2010: 226-31sq.

Issue: citizenship and the inclusion problem. Citizenship for all or same status (sameness)? Universality as generality (common life) vs. Universality as equal treatment (for everyone).

Background/Entry: to problematizing the link between the two strains is a widening development.

Argument: The modern notion of ‘general will’ was insufficient to or incapable of capturing the nuance. Capitalists and its bourgeois ethics have privatized, fragmentized and depoliticized interests. Civic republicanism did not advance the business with its ideology of transcending differences. Contemporary social movements have themselves weakened the tension and reduce it to positivist and group specificity claims, all to the detriment of differentiated citizenship.

Lesson: group representation is key to fighting exclusion, homogeneity and passive citizenship and to bridge universal and special rights.

C. The binding and reciprocity question: rights vs. obligations.

As we said above, citizens enjoy rights but, in return, they owe duties to the state authority and obligations. The first are a fact of nature, the second imposed by custom or contract, and binding but in sum general. All entail action, to perform or eventually to refrain from acting. The conundrum resides in what side of spectrum people pull the strain. To put it simple, while classical

liberalism emphasizes individual rights and interests, republicanism privileges obligations and a sense of community.

However, with their neo- and post- prefixes etiquettes, latter developments have shown that the extremes (eg. rights vs. obligations) only clashes within rationalist and positivist types logics. The curiosity is that the two logics drink to the same bias from opposed sources. Contemporary political thought contends that the congruence between rights and obligations as between individuals' and government's values, is of practical (eventually tragic) necessity, thus not an irreducible problem.

Accordingly, the contemporary scholarship has invested valuable efforts to re-invigorate the descriptive/normative debate, the question of why jumping from 'can' to 'should', and in this case 'why citizens should obey the law?'. In modern times, responses engaged a shift from naturalist and theological claims to social and secular ones. There is an ambidextrous trend, with fragmented, qualitative and dialogical research, to deconstruct but purposely maintain the tension in the rights/obligations continuum. It actually meets a number of features and values of the Rwandan culture and vision of the world, as my forthcoming manuscript shall evidence.

Now, the following points articulate the interest in more concrete or operational tools for analysis of the notion of obligations³:

- a- **Nature of obligations:** natural, moral, social, administrative, legal, religious, political
- b- **Sources and modes of operation:** internal versus external processes. Some work (internally) as reminders, other as imperatives 'from above. All are consistent.
- c- **Complexity in each:** b.1. Compliance via will, morality, religion, education, socialization and other internalization processes; b.2. Commands of the state (difference between ordering laws, contracts, quasi-contracts, etc.). How are the state-society relations?
- d- **Elements of obligation:** a subject; an object; the prestation; and the legal tie.
- e- **The scope problem:** What about the claim that obligations are binding even when this is against our interests, or avoidable? What about the rights to resist, protest, or revolution?

³ Read among others Goodwin, 2014: 390sq; Heywood, 2001: 184sq.

1.1.3. Determining factors of citizenship: Conditions for entitlement and deprivation

It is critical that we are aware of Who is entitled to citizenship, and who is not. Firstly, that actually goes with the next Wh questions (What, How, By whom, Why, where and When). They are interconnected. Therefore, a comprehensive picture of the citizenship question matters, touching notions like subject, object, prestation/process, framework, agency, place and time. In short, How one becomes citizen and Who is entitled to citizenship stand one question at the end of the day. Next, laws are a dominant frame in the matter but they do not work alone.

That said, the following overview of the determining factors to citizenship has become a common place in many countries:

Citizenship by birth (in Latin *Jus sanguinis*): that is citizenship got ‘by blood’, from one or both parents. It is automatic. But it also comprehends descendent people born outside their ‘mother’ countries. Some states (eg. UK, and Canada) limit the right to citizenship by descent to a certain number of generations born outside the state. Others request for registration to each generation. Others have no generation-based limitation. Another case of disjuncture may come in when the request is entangled between patrilinear vs. sex equality models or visions of society.

Born within a country (*Jus soli*): citizenship of the state or territory in which one is born (the US). The right has been abolished in some countries.

Citizenship by marriage (*Jus matrimonii*): fast-track naturalization based on marriage with a citizen. In some countries, the request must come from a permanent resident and one to b regulations try to detect sham marriages, putting to scrutiny proofs of cultural integration, marriage history, duration of residence, and the like.

Citizenship by naturalization (or *Grant*): acquired after political asylum, residence permit, good conduct, faithful allegiance and outstanding national interests, and with possibility of dual citizenship in some countries.

Citizenship by investment (*Economic citizenship*): for generous donors or wealthy investors.

It follows from the above that 1- some determining factors to citizenship are conditional and their extent limited (eg. transnationals and people with multiple residencies), not to mention that

refugees for eg. have no claim rights to citizenship, 2- as new categories and structures claim for inclusion, one needs today to devise what it means to be citizen relate to participation and becoming rather than to the traditional belonging (eg. regional blocks and identities like the EU)⁴, 3- it is often forgotten by stateless persons themselves that they are entitled to administrative assistance (1954 Convention Art. 25), and identity and travel documents (Art. 27 and 28), for eg.

READING 3: In Rwanda, the two key legal texts on our object of study are: A. The 2003 Constitution revised in 2015, Article 25 and B- The Organic Law no. 30/2008 of 25/07/2008. A. The former's article 25 is about the right to *a country and nationality* (italics are mine), which are not the same and considering that the tie is specific. As the article is not long, we fully cite it textually noting that the detail echoes both international standards and contextual concerns:

“Every Rwandan has the right to his or her country. No Rwandan can be banished from his or her country.

Every Rwandan has the right to Rwandan nationality.

Dual nationality is permitted.

No one can be deprived of Rwandan nationality of origin.

All persons of Rwanda origin and their descendants are, upon request, entitled to Rwandan nationality.

An organic law governs Rwandan nationality.”

B. Let's now turn to the above-mentioned Organic Law. The text is too long to be reproduced here. But dear Citizenship students and the general audience, you are invited to read it carefully and consider it your bedtime reading, eventually as future civil servants (see attached reading no. 3). It comprises ten titles, respectively on I General provisions, II Nationality by parental descent, III Acquired Rwandan nationality (by birth, marriage, adoption, naturalization), IV. Renouncing nationality, V Deprivation of Rwandan nationality, VI Recovery of nationality, VII Proof of nationality, VIII Nationality claims, IX Settlement of disputes relating to dual nationality, and X Miscellaneous and Final provisions. A cursory look takes note of substantive and technical

⁴ Isin, Engin F. and Bryan, S., Turner, Handbook of Citizenship Studies, 01/Jan. 2002. DOI: 10.4135/978184860827. no.1

conditions as well as established and innovative provisions for granting, depriving, renouncing or recovering citizenship. Note that innovation is big term but true to the picture of ongoing experiments and policies. There is a balance between humanism, socio-political openness and sense of historical responsibility in the provisions relating to acquiring nationality through marriage with a Rwandan (art. 11), adoption (art. 12), naturalization (art. 13, 14), conditions for recouping nationality (art. 18), deprivation of nationality (art. 19), effects of deprivation to spouse and children (art. 21), recovering nationality (art. 22), and last but not least dual nationality (art. 33, 37).

READING 4 : Citizenship: Architects vs. Moralists. A false dichotomy?

Reference: Garrett Hardin, “The Tragedy of the Commons”, in *Science*, 162 (1968), pp. 1243-8, See in Schumaker, P. (ed.), *The Political Theory Reader.*, Wiley-Blackwell, 2010: 295-300.

Issue: Citizenship, a technical or moral affair? A false dichotomy?

Background/Entry: the population problem, a- technical solution (eg. farming the seas, new strains of wheat, invisible hand, the world is infinite or we do not know it is not, wars and calamities keep numbers quite low)? or b- change in human values or ideas of morality (?).

Argument: For Hardin, the former leads to impasse as one-way, egoistic and partial logic is not sustainable, and conscience is just ...self-eliminating. Risk of general ruin, of a ‘dog eats dog situation’.

Lesson: It is the role of education to counteract our natural tendency to do wrongs. Freedom is the recognition of (tragic) necessity, and there is no help from both invisible hand and conscience.

1.1.4. The behavioral question: Types and styles of citizenship and civic culture

As we see clearer in the legal texts we also acknowledge that citizenship is about behavior too, and quality behavior, that is, a matter of kind. It is not only about status and position. It is articulated in attitudes and styles of subjecthood and agency. As usual, classifications are tentative tools to improve analysis. We give no privilege to the following selection from the literature (including sister concepts to civic culture, like political culture) and we think that the respective profiles are not mutually exclusive:

A. Four styles of citizenship (Van der Lelij and Janssens, 2005)⁵

- A.1. Dutiful citizenship: is dependent, a 'yes-man'.
- A. 2. Pragmatic citizenship: he/she just conforms to situations.
- A.3. Outsider citizenship: inactive, he/she behaves like a stranger.
- A.4. Society critic citizenship: is responsible, and independent-minded.

B. Alternative description of citizenship styles (Bryan S. Turner, 2017)

- B. 1. Ethno-national, associated with genealogical links
- B. 2. Civic, associated with social rights and welfare
- B. 3. Cultural, associated with participation and/but with self-reliance.

- **C. Three types of political culture** (Almond and Verba, cited in Garner et al. 2009: 300sq):

C.1. Parochial citizens: much deferential, with little interested in politics, especially at the national level. Otherwise, only local and direct personal interests.

C.2. Subjects: interested in national politics but only as observers. Leave decisions to the elites.

C.3. Participant citizens: strong feeling that they are entitled to and should actively contribute to national-decision making in a sustainable way.

Behavioral and analytical remarks:

1- The above authors hold that all the three types of political culture are universal, present in almost all societies. The mix of the three says whether and how far a system is democratic.

2- How come that in our times a big proportion of the population accepted a subject status?

⁵ Cited in Koetsier, J. Vivian., *Citizens and Municipal Performance Information*, MA thesis, University of Twente, 2013: 21

3- Lastly, is there a homogeneous national political or civic culture? Any room for changing existing values and learning in later life? How do national cultures negotiate with globalization.

D. Four pairs of values of the civic culture (See comments in Pye and Verba, 1965: 22-3)⁶

- Trust versus suspicion
- Hierarchy versus equality
- Liberty versus coercion
- Levels of loyalty and commitment

1.1.5. Models or traditions in citizenship thought⁷

A key point is yet missing in our journey: the connection between citizenship and ideals, doctrines and visions of the society. They do not speak the same language, nor were they willing to do so in the classical formats. But scholars contend that things have changed, that we live in a post-ideological era with new joys and despairs. Emphasis is on contextual, self-problematizing and incremental experiences. How far is the trend or strain constant and distributed in the world, including in Rwanda and in its transformation journey, is a difficult but rewarding question. To set the stage, and help your related discussions, I hereafter propose a sketched treatment of how each model in the classical world history used to speak to citizenship, its pros and cons:

Liberalism advocates individual rights/interests, self-help, formal equality, tolerance, a market economy and a minimal state. Citizens tend to be politically passive.

Republicanism: Sometimes distinguished with communitarian/group citizenship. Emphasis is on ‘public thing’ and civic values, beyond rights claims. Free rider problem.

Feminist critique of the above separation between the private and the public spheres.

⁶ Cited in Garner, R., P. Ferdinand, and S. Lawson. Introduction to Politics, 2009: 301

⁷ Read among others Heywood, 2004; Goodwin, 2014; Jones and Gaventa, 2002

Assimilationism: the practice (current in France, for eg.) of requiring minorities and immigrants to adopt the customs and practices of the majority population.

Multiculturalism: diverse ethnic and cultural groups receive equal treatment and are entitled to maintain their differences (eg. Canada).

Cosmopolitanism: the ideology that all human beings belong to a single community, a world state, or a decentralized and inclusive global structure. Actually, according to Goodwin, there are six varieties of cosmopolitanism stem from the Enlightenment heritage: moral, international federative, legal (for hospitality and international ‘commerce’), cultural, economic, and romantic.

1.1.6. Civic values, activities and organizations

Before I finish this lecture, let’s jump to more concrete issues of dispositions, arrangements and the structures that expand citizenship. Let us brainstorm on how they are translated in the public sphere to further the portraying of an ideal citizen. The following is a handy list of axes:

Civic values: courage, service, dedication, responsiveness, accountability, voice, solidarity, industry, compromise, equal consideration.

Civic duties: they are required by the law (eg. paying taxes, voting, obeying the law, serving in a jury, and military service in some countries).

Civic responsibilities: associated with democratic governance and philanthropy (eg. serving the government, engagement in or advocacy for various causes).

Civic activities: eg. ‘umuganda’, voting in elections, holding public office, signing up for the military, attendance in fora, involvement in community activities.

Civic organizations: ‘ingando’, ‘isibo’, ‘umugoroba w’ababyeyi’, forums, clubs, volunteer groups, rescue groups, etc.

Thank you dear students for your attention and interest!