
Introduction

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This edited volume, entitled *Cultures, Citizenship and Human Rights*, aims to present a multidisciplinary perspective on the interconnected topics of cultures, citizenship, and human rights. In twelve chapters it elaborates on the engineering of citizenship in Europe and globally today and in the past by identifying the specific factors that are shaping it. More insight into the convergence, but also the tensions between the cultural and the legal foundations of citizenship, has proven to be vital to the understanding of societies past and present, especially to assess processes of inclusion and exclusion. Citizenship is more than a collection of rights and privileges held by the individual members of a state but involves cultural and historical interpretations, legal contestation and regulation, as well as an active engagement with national, regional, and local state and other institutions about the boundaries of those (implicitly gendered and raced) rights and privileges.

Highlighting and assessing the transformations of what citizenship entails today is crucially important to the future of Europe, which both as an idea and as a practical project faces challenges that range from the crisis of legitimacy to the problems posed by mass migration. But many of the issues addressed in this book also play out in other parts of the world, as several of the chapters reflect. The combined analytical efforts of the fields of human rights law, conflict resolution, anthropology, history, media studies, gender studies, and critical race and postcolonial studies raise a different and more comprehensive understanding of the discursive and visual mediation of irregular migration and/or new manifestations of belonging and citizenship than any of these disciplines can on their own. Many of the researchers involved were part of a multi-year interdisciplinary research cooperation at Utrecht University, in which they tested their ideas, engaged actively with other disciplines, and thereby were able to bring insights from different fields into their contributions to this book.

This book, like the research collaboration on which it is based, brings together the following three thematic concepts (which correspond to the book's sections) and their attendant questions:

Mediation: how have media, past and present, generated patterns of identification, of inclusion and exclusion? How do they produce legitimacy as

well as critical reflection? What cultural and media literacies are needed to participate fully in public life? How are the cultural differences arising from migration negotiated in a highly mediated public sphere? What has been the role of the arts in generating and contesting shared narratives?

Sovereignty: how are the borders between the rights of individuals, states, and supranational bodies defined and when do they shift? Do new forms of governance generate new notions and practices of citizenship? Why has a gap emerged between Europe as an institutional project and the willingness of citizens to identify with it? How have cultural habits informed the discourse and exercise of human rights, especially of vulnerable people?

Contestation: through what cultural and legal practices are dissent and claim-making performed? Do the arts play a role in channeling contestation? Which cultural factors are involved when (legal) contestation turns into (violent) conflict, and how do human rights fuel and/or channel such contestations? When does collective memory and cultural identity become a divisive issue in the public sphere, and why?

The first part of the book focuses on mediation. Not only in Europe but also globally, migration, global communication, and transnational integration are calling into question the assumed convergence between cultural and political belonging that has underpinned citizenship within the framework of the nation-state. Citizenship is established in a public arena in which law and culture interact. It offers a forum where diverging values encounter one other; where culture influences the way human rights are constituted both locally and globally; where the question of who belongs, who is protected by the law, and whose voice counts are subject to renegotiation and redefinition using both cultural and legal resources.

Digital technologies and social media have become instrumental in creating an awareness of the unequal distribution of human rights. Shifting the focus from the “institution of citizenship” towards performative “acts of citizenship,” social media and community media have the possibility to create awareness about a wide variety of civic engagement practices in which communities engage, as is both claimed and demonstrated in the first two chapters of this volume. The power of social media to create a new sense of belonging and sharing is demonstrated among others by the recent #BlackLivesMatter movement whose protests started online and created worldwide effects both online and in the streets. #BlackLivesMatter’s activism was in particular geared towards the visualization of the unequal distribution of the right to appear, i.e., of the ability or possibility of citizens to have unquestioned access to public spaces. In “Persistent Looking in the Space of Appearance #BlackLivesMatter,” Nicholas Mirzoeff follows the ways in which the movement deploys a plethora of online and offline media platforms to disseminate information and perform a kind of blackness that is not codified by white supremacy. The freedom of appearance, he argues, is a practice whereby we make ourselves visible to each other and create the space and the time to listen to what has not yet been adequately inserted into the hegemonic structures of our

symbolical systems. Throughout his chapter Mirzoeff demonstrates a methodology of persistent looking, meaning a refusal to look away from what is kept out of sight, off stage, and out of view, as an exercise to feel the presence of absent bodies both online and offline.

The question how community media mediate difference and inclusive citizenship is central to “Community Media Makers and the Mediation of Difference: Claiming Citizenship and Belongingness” by Lola de Koning, Elaine Nolten, and Koen Leurs. In seeking to allow marginalized voices to be heard, community media foster alternative formations of citizenship from below. But are these alternatives inherently inclusionary, or do community media also prioritize, ignore, or exclude particular experiences? Focusing on a case study of two groups of community media makers in the Netherlands (local public broadcasters and feminist podcasters), this chapter explores how these community media makers mediate difference and strive for the recognition and inclusion of a multiplicity of voices in the hierarchical media landscape. The authors clarify that while community media have always existed in a wide variety of forms, their position in an increasingly fragmented and digitized landscape is changing. Their plea is that given the current ‘democratic hiatus’ media find themselves in, and to counter the bubblification of fragmented communities, the future potential of community media to maintain stronger inclusion and recognition of different voices should be cherished.

The way in which mainstream media create in- and outgroups is convincingly demonstrated in the third chapter of this section, entitled “On this Path to Europe: The Symbolic Role of the ‘Balkan Corridor’ in the European Migration Debate” by Milica Trakilović. Drawing on postcolonial and psychoanalytic theories, this chapter studies the mediatization of the Balkan passage in a European context. By focusing on political and news rhetoric, Trakilović demonstrates how the Balkans represent the shifting boundary between an ‘authentic’ European space and a more compromised, less civilized Europe. Neither fully inside nor fully outside, they represent a grey zone in which the borders of Europe continue to be contested and redrawn. For a brief period of time, between September 2015 and March 2016, the ‘Balkan passage’ or ‘Balkan corridor’ served as the main and preferred route to and through Europe before the EU-Turkey deal came into force. In this case, the Balkans were, and continue to be, ambiguously placed within the European spatial ordering and imaginary (not least because the Hungary/Serbia as well as the Serbia/Croatia border demarcates spaces within and outside of the EU). The chapter claims that in light of Europe’s migration crisis, the notion of the Balkan corridor can be understood as acceleration and amplification of anxieties surrounding the securitization of Europe’s identitarian and spatial boundaries because of the Balkans’ liminal role in Europe. Meanwhile, the influx of undesirable Others that find their way through this passage became a force of abjection that threatens Europe’s integrity.

In “Recycling the Christian Past. The Heritagization of Christianity and National Identity in the Netherlands,” Birgit Meyer foregrounds the relation

between culture, citizenship, and religion. Across the Netherlands – and Northern Europe – Christianity is in decline and, so she argues, this is a material process, in the course of which churches and objects lose their religious function, churches are repurposed or destroyed, and Christian material objects are set adrift. The guiding proposition of this fourth chapter is that a focus on the material dimension of de-churching and the debates ensued by it offers a productive empirical and conceptual entry point into the transforming dynamics of religion in the public domain and its perceived malaise. While Christian buildings and objects once operated as media that made tangible the divine, in the process of de-churching and the concomitant heritagization of Christianity, they are reframed as art and cultural heritage mediating the culturalization of citizenship which implies that cultural identity, rather than civil rights, features as a prime marker of citizenship.

The second part of the book looks at sovereignty and citizenship as intertwined concepts that share a relation to authority. As citizens, we are subject to an authority's exercise of power and force, but as sovereign human beings we retain or may claim a degree of autonomy. This tension between authorities and individuals is unsolvable and leads therefore inevitably to conflicts in society. Such conflicts emerge from continuously shifting power configurations among individuals, communities, cities, regions, national states, and supranational unions. These dynamic relations are manifested in laws, political engagements, and cultural practices that transform through ongoing contestations. The four chapters in Part II demonstrate this contestation over the enactment of sovereignty and citizenship, in which the national state figures prominently as the principal place and subject of dispute.

The conceptual latitude of sovereignty is analyzed by Gregory Feldman in his challenging comparison of sovereignty and love. He departs from the assumption that human beings share the need to *be* and to *become*, namely to establish their existence in the world and at the same time strive for a new existence in the future. For Feldman, the concept of sovereignty is not limited to the modern state, and certainly not defined by its power to kill its citizens during a state of exception, as Foucault, Agamben, and Mbembe have argued. Instead, he draws on Hannah Arendt's understanding of sovereignty as people's general condition as free human beings who can act together for a new beginning. Sovereignty shares with love people's social need to be with others. The personal and political selves are mirrored in other human beings, and love and sovereignty articulate people's innate sociality in interconnected ways of being and becoming. These ways emerge in three fundamental human activities. First, the effort by parents to help realize their children's potential and talents beyond their own, just as the reigning political generation believes that its ideals will eventually be achieved by an inspired youth that avoids their own political failures and shortcomings. Second, the erotic love between two individuals resembles the elation felt at political rallies and protests. The desire for a transformative communion, physical and spiritual, draws people together in bodily intimate or close relations. Couples are reunited into an original one, as Socrates believed, and crowds experience a sociality which Emile Durkheim called social effervescence, and Elias Canetti understood as a spiritual and

corporeal sensation of social equality. Such sense of boundlessness can transfer to a third human activity of love and sovereignty, namely the open-ended lives of people in love, and the expectations of a political future that satisfies yet unrealized imaginaries. Solidarity among different beings, mutual recognition founded on equality, and trust based on the suspension of doubt about others, hold lovers and political agents together in their faith about a future whose ever-expanding horizon can never be attained.

Martijn Oosterbaan and Carly Machado reveal another side of the urban contestation of national sovereignty. Rio de Janeiro is an extremely violent city in which criminal organizations involved in the drug trade controlled, and in certain areas still control, the *favelas* (shantytowns) that house millions of impoverished people. These gangs provided security to the *favelas*, dealt out their own kind of justice, and selectively dispensed social services. This fragmentation of national sovereignty made the state station troops in Rio's *favelas* that are constitutionally entrusted with protecting Brazil's outer borders. This deployment differs from the repressive operations against so-called internal enemies during the military dictatorship of 1964–1985 because of the present alliance with local religious leaders who help identify community members believed to pose a security threat. The authors speak of a political theology that justifies the pact of military forces and churches to reestablish state sovereignty in the *favelas*. Rio de Janeiro's organization of large sport events, such as the World Football Cup tournament in 2014 and the Olympic Games in 2016, prompted in 2008 the implementation of a Pacification Policy. This comprehensive security plan consisted of a dominating military presence in the *favelas*, the establishment of permanent police units, and the creation of social programs to provide public services and utilities to poor residents in an effort to capture their hearts and minds. The social programs have been run mainly by Pentecostal organizations because the state's social welfare was privatized under the reigning neoliberal climate. The intertwining of state and religious institutions in Rio de Janeiro's pacification program is framed in a religious language and manifested in music festivals, television shows, video games, rehabilitation clinics, and exorcism rituals for repentant criminals. National sovereignty has thus been reclaimed in some *favelas* as if by a divine pact between church and state reinforced by legal provisions and cultural practices.

Barbara Oomen demonstrates in her chapter that cities of refuge contest the state's monopoly on sovereign power. Such cities have existed since biblical times and were prominent throughout the Middle Ages and into the Renaissance until the treaties of Westphalia in 1648 recognized the territorial integrity of the participating countries and made the nation-state the hegemonic political institution in Europe. In the 2010s, large numbers of refugees and undocumented migrants arrived in Europe. They had succeeded in fleeing mass violence and poverty in the Middle East and Africa. Many fellow travelers had drowned during the perilous journey across the Mediterranean Sea and caused a contestation of national sovereignty by rebellious cities. These cities offered hospitality to people whose refugee status had been refused by the state authorities, and were thus regarded

as irregular residents. The cities referred to international refugee laws and universal human rights to give a sanctuary that the European states were unwilling to offer and reinforced their efforts and negotiation power through transnational city networks. Oomen shows how cities of refuge justify their defiance of national laws and policies in moral, legal, and cultural ways to create a more inclusive citizenship. This inclusive citizenship or, as Oomen prefers to call it, cosmopolitan citizenship, consists of making city services available, such as housing, schooling, work, health benefits, and even local political rights. Cities of refuge also foster urban cultures of hospitality, diversity, and artistic expression that respect people's human rights and treat them as equal citizens of the world, irrespective of nationality or legal status. This localized cosmopolitanism is challenging taken-for-granted assumptions about the state that may result in a redefinition of national sovereignty.

This open-endedness of sovereignty, both national and individual, is also shown by Hanneke van Eijken and Sybe de Vries, who describe its changing legal interpretation in the European Union. The Union's Treaties (since 1992), Charter of Fundamental Rights (since 2009), and laws and secondary legislation have defined the fundamental rights of its citizens, such as free movement, non-discrimination, and equal pay for men and women, while the judicial decisions of the European Court of Justice have served to establish their legal reach. Initially, the protection of the fundamental rights of European citizens applied exclusively to their vertical relationship with national states but increasingly began to refer also to horizontal relationships among individuals and between corporations and private persons. This extension occurred especially when national laws did not implement the Union's laws or uphold fundamental rights that had been agreed upon within the European Union. Individuals living in another member state than their own have been successful in making legal claims about the violation of fundamental rights by states, corporations, and citizens on the basis of fundamental human rights and their privileges as European citizens. Clearly, sovereignty in the European Union has multiple manifestations because its legal implementation is a dynamic process that depends on the state of the European Union and its ongoing contestation by different stakeholders that include individuals, corporations, and cities.

In the third part of this book, the focus shifts to contestation. Citizenship and human rights are not just assumed, but negotiated, fought over, and can be deeply divisive or unifying. They offer concrete advantages and opportunities to people and therefore the drawing of boundaries of whom may benefit from them is rife with contestation. Cultural differences may both be used as tools to intensify these contestations and can also facilitate the realization of citizenship. Culture is also a defining element of how the in-group, the citizen in both a legal and a metaphorical sense, can be defined.

In her contribution on child and youth mobility, Jacqueline Bhabha takes the dire situation of what she calls "the self-propelled unaccompanied migration of young people contesting the structure in which they have been placed" as an entry point

for the discussion on insiders and outsiders in the migration discussion, specifically in Europe. Those who do not flee war or famine rather try to escape situations without a future, due to the lack of educational or employment opportunities or because of domestic abuse. Bhabha points out that current legal protection mechanisms barely address the problems these children face. In the so-called European migration or refugee crisis of recent years, proponents and opponents of migration have laid bare deep contestations of what Europe and the European Union represent. Rather than settling for the current chasm between pronounced European ideals and lack of protection in practice, Bhabha points to innovative solutions, such as the Global Compact on Migration. Yet, she also suggests truly addressing the underlying lack of opportunities in many places outside Europe by proposing a global and large-scale extension of Europe's famous Erasmus program.

Julie Fraser focuses on contestation around human rights implementation. She points out that culture and human rights have often been presented as opposites, with perceived backward cultures impeding full realization of human rights. Many of the most poignant critiques of the idea of universal human rights have indeed built on the idea of cultural diversity and the legitimacy of the local. By contrast, Fraser explores how local cultural norms and actors can be perceived as partners rather than opponents in human rights implementation. Through the case study of the role of Islam in family planning discussion in Indonesia, she shows that religious groups and institutions are no monoliths, but that there is internal contestation about appropriate norms. Cultures and religions are constantly changing, in this case by the increased presence of women's voices in the debate. Fraser points out that if countries want to further human rights they should partner with rather than antagonize such non-state local actors. Human rights allow for cultural diversity and for a role for actors beyond the state. Thus, by showing the diversity of voices within religion, she shows how culture can influence the potential for success of human rights realization.

The contribution of Dirk van Miert takes up the gender perspective as well, but brings us further back in time. He delves into one of the earliest examples of a self-perceived community of transnational citizenship, that of the Republic of Letters of scholars in Early Modernity. His contribution shows how this virtual republic and this practical network of exchange of knowledge was overwhelmingly a male endeavor. Using insights from citizenship studies which show that this notion is influenced by the four dimensions of the family, the market, the state and the voluntary association, Van Miert analyzes how the participants in the Republic of Letters marked its boundaries. The participation and role of women remained fragile because of contestation of their 'citizenship' of this Republic in all those four dimensions. A 'culture' of what it meant to be participating in the Republic in fact excluded large parts of society, most notably women. This dimension of gender sheds new light on the dynamics of participation in the Republic of Letters but also on the historiography of this phenomenon. It also shows that battles of contestation of citizenship do not only center around states, but can also take place in highly decentralized networks.

Taking us back to the present day, the final contribution, by Sandra Ponzanesi, centers on one of the most contested contemporary artists, Ai Weiwei. This ‘rebel with a cause,’ as she dubs him, has both become a cultural icon himself as well as a very vocal critic of human rights violations. Through his versatile and effective use of both artistic forms and social media, he has brought culture as a medium of contestation sharply to the fore. Being both an outsider to the states he criticizes and to many of the countries he works in, he is at the same time an insider, making full use of the modern art market dynamics. He thereby deftly navigates between the margins and the center. Both in his personification of the artist as an intellectual and in that of the intellectual as an artist, he has engaged with some of the core themes of modern citizenship and insider-outsider tensions, such as the global migration crisis. His work, both self-centered and outward-looking at the same time, has created new spaces for contestation of political power structures through art.

Together, these contributions offer a wide panorama on the issues around cultures, citizenship, and human rights. They show how the interlinkages between these themes can be more studied with more depth, when various disciplines come together. They show that the tensions inherent in these notions are not confined to present-day Europe, but that a wider view, both geographically and temporally, enriches our understanding.