

**DARIO
MAZZOLA**

FREEDOM AND BORDERS

**A THEORY OF CITIZENSHIP FOR
THE AGE OF GLOBALIZATION**



**OPEN ACCESS
BOOK**

Freedom and Borders

This page intentionally left blank

Freedom and Borders: A Theory of Citizenship for the Age of Globalization

BY

DARIO MAZZOLA

University of Geneva, Switzerland

University of Bergen, Norway



United Kingdom – North America – Japan – India – Malaysia – China

Emerald Publishing Limited
Emerald Publishing, Floor 5, Northspring, 21-23 Wellington Street, Leeds LS1 4DL

First edition 2025

Copyright © 2025 Dario Mazzola.
Published by Emerald Publishing Limited



This work is published under the Creative Commons Attribution (CC BY 4.0) licence. Anyone may reproduce, distribute, translate and create derivative works of this work (for both commercial and non-commercial purposes), subject to full attribution to the original publication and authors. The full terms of this licence may be seen at <http://creativecommons.org/licenses/by/4.0/legalcode>



Open Access

The ebook edition of this title is Open Access and is freely available to read online

British Library Cataloguing in Publication Data

A catalogue record for this book is available from the British Library

ISBN: 978-1-80117-994-2 (Print)

ISBN: 978-1-80117-990-4 (Online)

ISBN: 978-1-80117-993-5 (Epub)



INVESTOR IN PEOPLE

*To Fabiola and Eleanor, citizens of the world, and to the memory of Professor
Geeta Chowdhry, who taught that justice reaches as far as humanity.*

This page intentionally left blank

Epigraph

[S]o long as I may keep my mind directed ever to the sight of kindred things on high, what difference does it make to me what soil I tread upon? –Seneca¹

¹*De Consolatione ad Helviam*. Translated by John W. Basore. Loeb Classical Library 254. Cambridge, MA: Harvard University Press, 1932. P. 442.

This page intentionally left blank

Contents

About the Author	<i>xi</i>
Acknowledgments	<i>xiii</i>
Chapter 1 Introduction: Theorizing Citizenship in Critical Times	<i>1</i>
Chapter 2 Fundamental Rights: The Right to Have Rights	<i>11</i>
Chapter 3 Citizenship or the Right to Be Equal	<i>71</i>
Chapter 4 The Right to Freedom, World Citizenship, and Global Peace	<i>105</i>
Chapter 5 Conclusion: From Parts to Whole	<i>127</i>
Bibliography	<i>135</i>
Index	<i>145</i>

This page intentionally left blank

About the Author

Dario Mazzola is a political theorist currently working as a researcher at the University of Bergen. He holds a BA and MA in Philosophy from the University of Pavia and a PhD in Philosophy and Human Sciences from the University of Milan. Dario has published on a variety of subjects, especially in political, social, and moral philosophy, and is specialized in the political and moral theory of migration and in the ethics of international relations and affairs. Articles by and about him have appeared on newspapers and scientific blogs in Italy, Norway, Switzerland, the United Kingdom, and China. Beginning in February 2024, Dario works on a project funded by the Swiss National Science Foundation at the University of Geneva, where he is also a lecturer in Methodology of Political Theory.

This page intentionally left blank

Acknowledgments

This is a book about giving every human being their due. It is therefore especially regrettable that I have to violate this principle on the very first page. I will be unable to thank all who deserve it, but I made the hard choice of being unequally just toward a few rather than equally unjust toward all.

In the early years of this project, at the University of Pavia Ian Carter, Emanuela Ceva, Luca Fonnesu, and the late Salvatore Veca greatly encouraged and contributed to this project with their insights and feedback. I also thank Federico Faroldi and Enrico Grosso for their friendly support as well as for the philosophical discussions. At Northern Arizona University, Christopher Griffin, John Hultgren, Matt Evans, and Andrew Nuno, each in their specific fields, all gave me directions over crucial issues. A special thank you to the activist group No More Deaths, who illustrated to me the situation at the border. Valeria Ottonelli and Gershon Shafir also offered commentaries to working papers.

The late Geeta Chowdhry lavished her kind mentorship and extraordinary intellect and knowledge over a rudimental version of this work, in the last year of her life. The greatest hope I can put in this book is to participate, with its modest contribution, in her immense legacy.

At the University of Milan, my PhD advisor Marco Geuna provided guidance to issue in another monograph, but that also influenced this book. I as well thank all my colleagues from the PhD school in Philosophy and Human Sciences for supporting my research – and making my spare time worthwhile.

I too thank all the colleagues at the University of Bergen and Geneva who provided support and in particular Matteo Gianni and Esma Baycan-Herzog. I am grateful to the students I taught at these institutions and, especially, the ones I met during a visit to the MINT program of the Graduate Institute of International and Development Studies on a gracious invite by Davide Rodogno. Questions and comments preciousy enriched this work, but the IHEID students helped me uniquely by reporting views from their diverse international backgrounds.

David Kretz deserves my gratitude for the encouraging assessment he provided on an earlier draft of this book and for suggesting precious bibliographical references.

A sincere acknowledgment is also due to the excellent team at Emerald Publishing for having scouted and endorsed this book: Hazel Goodes, Abinaya Chinnasamy, Lydia Cutmore, Lauren Kammerdiener, Katy Maters, and Shanmathi Priya, all persevered with incredible tact and professionalism, even when I was sending more extension requests than pages. They own a large share of merit if

this book is seeing the light after a pandemic, a war, a change of job and country, a marriage, or a child (just to name some of the circumstances, from terrible to marvelous, of the last four years).

Finally, a heartfelt thank you to my wife Fabiola and my daughter Eleanor: you conferred greater purpose to the book and to the author, and neither would be the same without you.

Geneva, February 28, 2024

Chapter 1

Introduction: Theorizing Citizenship in Critical Times

Our purpose is to consider what form of political community is best of all for those who are most able to realize their ideal of life. We must therefore examine not only this but other constitutions, both such as actually exist in well-governed states, and any theoretical forms which are held in esteem; that what is good and useful may be brought to light. And let no one suppose that in seeking for something beyond them we at all want to philosophize at the expense of truth; we only undertake this enquiry because all the constitutions with which we are acquainted are faulty.

And also for the sake of mere life... mankind meet together and maintain the political community. –Aristotle¹

1.1 Theorizing Citizenship

In a nutshell, the argument of this book is that citizenship can be understood as a compact of normative relations determined by a specific interpretation and realization of the human condition: the elements of this interpretation and realization that are shared across countries, nations, and cultures, together with the elements of politics and law that are globally established, provide the substance for a form of global citizenship that already exists. There is, however, an imbalance between the subjective value and dignity of the human person as it has been recognized, especially with the development of the legal and ethical culture of human rights since the end of

¹Aristotle, *The Politics of Aristotle*, trans. into English with introduction, marginal analysis, essays, notes and indices by B. Jowett (Oxford, Clarendon Press, 1885), 2 vols.



the last World War, and the objective implementation of that citizenship through equitable, cooperative, and effective global institutions to integrate and harmonize states and their sovereignty. In other words, there is an asymmetry between what I call subjective and objective global citizenship, as well as between this latter and objective domestic citizenship (what other scholars have described as “the citizenship gap”). The normative horizon I defer to solve these gaps is an integral – both positive and negative – conception of world peace.

Other crucial points of this book are summed up in the following sections of this Introduction. Before articulating them, it is important to make explicit some changes in perspective and awareness that have found expression in this last version of the work and which are useful to frame and interpret it.

This book is indeed a research study on national and global citizenship that started about 12 years ago. In the meantime, the state of the political world has been revolutionized: what is perhaps more important, the direction of its movement has changed radically.

First, in the original study, I presented global citizenship in such a way that a reader could have derived the impression I was theorizing about a “world state” or a global confederation. In this book, I have taken care to make it explicit that I reject any rigid version of the “domestic analogy” – the idea that just as citizens are ruled over by a state, a superstate can and should rule over other states. This clarification has made the argument more realistic and gives me the occasion to further specify that the idea of a “world state,” however, pursued, under present and foreseeable conditions is too close to extreme imperialism and colonialism to be plausible or desirable.

Second, in the first version I (moderately) suggested that the European Union (EU) could serve as a model. While there still is a mention of such an analogy, I have now specified that I mean this only in very general terms. Broadly speaking, states lack the cultural, social, and economic similarities together with the historical motivations (including a long list of mutually devastating wars) that led to the creation of the Union. Furthermore, the European project entered a crisis in the last decade, with an important member unprecedentedly seceding, expansion stopping, plus stalemates in its organisms requiring unanimity and other issues. It is therefore the case to clarify that as this Union of several nation-states differs greatly from a state, all the more should the union or community of humankind.

Third, I have abandoned any reference to “direct global democracy.” Initially, I considered the idea that objective global citizenship could be realized with global assemblies to be elected in parallel to national institutions, without making this the fulcrum of my vision. Now, not only have I removed this but I have also to reject conceptions of direct global democracy of the kind of Daniele Archibugi and David Held’s. I have come to suspect that the chasm between the individual and lofty global institutions would be too large for such democracy to be workable and substantial. As shown by the democratic deficit that is already affecting the EU – and some large centralized countries – I am now more inclined to think that intermediary bodies and a cultural and geosocial dimension that remains understandable for individuals are needed. Hence why I see a constructive role for the nation-state in serving as the step up in the ladder to conduce to full global citizenship, without of course exceeding to the point of reserving all responsibility for the state alone.

Fourth, and perhaps most importantly: in the original version, although without endorsing it, I left room open for what I now believe to be a serious theoretical mistake. The model I provided – even if less than others one can encounter in the literature over the topic – seemed to suggest that the national, local, and other cultures and institutions on the one hand, and human rights on the other hand, were simply two different “layers” or “levels” that should be distinguished and contrasted. Thereby, human rights could have served as an independent touchstone to assess the legitimacy of the state and the appropriateness of a given national citizenship. I went so far as to suggest that states should repress violations of human rights, endorse national rights, and tolerate nonnational rights. This schematism might be feasible and reasonable in some cases. Yet in general, such a view is flawed by two serious mistakes. First, it is not only true that in the overwhelming majority of cases, rights of all sorts – human or national – are realized by institutions from the state level down. It is also true that national rights are often indistinguishable from human rights. Take the rules regulating traffic. In some countries, one must drive on the left rather than the right side of the road. This might appear as the most trivial and arbitrary matter of “national” preference, and in a sense, it is so, but if someone violated this convention, it would nonetheless jeopardize rights to life and safety among others which are certainly human rights. This banal example should illustrate in a simple and straightforward way that the abstract and general conception of human rights is necessarily realized in this or that way that is practically incompatible with some alternatives. Sure, theoretically, one can separate preferences over the direction of traffic from rights to life, safety, and movement. But practically, they here coincide. And the problem highlighted by this trivial example becomes only more serious in more complex and divisive matters.

The second mistake is not at the practical, but rather at the epistemic level. Human rights *need* to be interpreted through the lenses of this or that specific ideology, philosophy, and culture. Any individual philosopher who would sweepingly reply to this with *that philosopher's* account of “objective, universal, and culturally neutral rights” would both miss and validate this point. Are polygamy or the death penalty a violation of the human right to equality and the human right to life? Nations, just like individuals, disagree. Independently of whether one is a relativist or believes in absolute moral injunctions, which is irrelevant to this matter, widespread and extensive disagreements over such issues are mere facts of life. While there are many moral and legal principles all cultures can and do agree on, any conception of “human rights” needs to be interpreted and integrated through this or that specific culture. It is sufficient to look at the history of its drafting to prove that the formulation of human rights we presently have is biased toward Western culture: yet had it not been left somewhat open to *all* cultures, nations would have rejected it (as some do in theory or, more frequently, in practice).

The problem of the controversy of some quasiuniversal norms was already recognized in the classic history of international morals and law, as shown in the distinction between the “primary” and “secondary” precepts of Natural Law. It was the persuasion of many theorists in the Middle Ages and early modernity that while the former could be agreed upon by all nations, the latter were more difficult

to demonstrate, and while it was considered possible to adjudicate them definitively by reason, this adjudication was bound to remain precarious and controversial. To deny that there are and will be foreseeably such disagreements is to support a theory of moral absolutism that is not only unrealistic and unworkable but very dangerous, as it lends legitimacy to a range of crusades and other practices of intolerance even on matters that have been known to be debatable along centuries if not millennia of ideological and practical pluralism. This theoretical mistake, on the political plane, gives way to “Western (or other) globalism” and “clashes of civilizations” which are from the moral perspective unnecessary if not damaging and from the historical perspective desperately indefensible.

Hopefully, these four interpretive keys help frame and understand the content of this work, which I now summarize.

1.2 What This Book Is

This book offers a theory and analysis of national and global citizenship, including a historical account and a consideration of related concepts: especially rights, peace, and freedom.

The core question of this book is what citizenship is and how it applies to the global era and condition (hence the title²).

In Chapter 1, as citizenship is classically considered to be a composite of rights and duties, in order to answer the central question, I analyze the meaning, foundation, working, and limits of these normative relations. In my theory, the view that rights possess an autonomous substance is unpersuasive for the objections I recall there. Three ways out are then presented. The first is the sociological (but also analytical, historical, and political) recognition that rights consist of *normative overlaps* abstracted from their comprehensive systems of origin. The second is the indication that there *is* a way to provide a transversal, transcultural foundation through a philosophical anthropology applied to human nature. The third is the furthering of the intercultural and interphilosophical debate that originated the concept and list of human rights, to begin with, and that still supports them indirectly (through their “local” underpinnings). It is important to stress that these three ways are complementary and mutually supportive and by no means alternative, even if they indicate autonomous lines of inquiry: the first of them, descriptive; the second, transhistorical and universalist; the third, historicist and particularist. Furthermore, I emphasize the importance of *duties* as a counterpart to rights to obtain a substantial normative

²Incidentally, I realize some will frown upon the mentioning of the “era of globalization”, as it is commonly believed that the last decades saw the rise of deglobalization or at least a decline in global integration. While these perspectives have certainly great merit, and without detailing the conceptual debate on what globalization truly is or the empirical debates about how many tons of commodities are shipped how far (for this see Josh Zumbrun, “Is Globalization in Decline? A New Number Contradicts the Consensus”. *The Wall Street Journal*, 03.11.2023), I simply point out that a *certain form* of globalization has ended, while interconnectedness could even be on the rise.

configuration both at the national and international levels. I then summarize the rights and duties of which global citizenship consists, using the Universal Declaration as a sample. I proceed with the identification of global citizenship as a form of political recognition or “the right to have rights.” I tangentially discuss some basic principles of prominent theories of global justice and how they affect this new theory. I continue by arguing that global citizenship has been, is being, and will be developed in a dialectic manner, by addressing violations and filling gaps, and that the protagonists of this dynamic are above all the victims. I conclude Chapter 1 with some preliminary observations on peace as the guiding goal for citizenship, both national and global.

In Chapter 2, I summarize the history of Western citizenship by highlighting some key elements together with the performative dimension of modern nationalism. I then review some elements of citizenship and introduce the distinction between subjective and objective citizenship to analyze what is still lacking in the realization of the global human rights regime. I conclude by covering some additional features of global citizenship, including the kind of rights it principally consists of, and the role of citizenship as latitudinal citizenship.

Chapter 3 opens with a comprehensive conceptualization of citizenship by distinguishing its *requirements* or criterion, its *content* (the specific rights and duties and other normative relationships each particular citizenship consists of), and its *rationale*, that is the guiding principles that determine the other two elements. I notice how the *essence* of citizenship is, in a sense, its *rationale*, since this is what distinguishes any individual example from the others. With the introduction of peace, conceived as the equitable integration of freedom, as the guiding principle for the development of national and global citizenship alike, the core theoretical contribution of this work is almost complete. I finally discuss two theories of nationalism and special ties as an opportunity to further detail the relationship between national and global citizenship.

In general, every chapter consists of one or two core theoretical and analytical themes (Chapter 1: *rights*; Chapter 2: *citizenship* objective and subjective, national and global, introduced by a historical account; Chapter 3: *peace*: the conceptual analysis of the three main components of citizenship and the relationship between peace, freedom, and equality with a focus on the first). Each is followed by brief considerations of prominent philosophical problems and standpoints on the matter that help tease out the details (Chapter 1: global justice; coercion, and redistribution; the dialectic of citizenship; “abject cosmopolitanism.” Chapter 2: latitudinal citizenship; globalizing T. H. Marshall’s theory of citizenship as an “equal floor.” Chapter 3: reconciling nationalism and global citizenship in the theories of David Miller, Robert E. Goodin, and mine). The Conclusion simply recapitulates some claims and stresses implications.

1.3 What (and Whom) This Book Is For

The book addresses students and scholars with an interest in national and global citizenship and the related themes listed in the previous section. It is meant to serve both as a basic introduction and as an original theoretical contribution. In

some cases, the distinction between the two is intuitive: the first paragraphs on rights and the short history of citizenship are almost compilatory, even if some original considerations are interspersed as it always happens, and the perspective under which they are presented is itself rather innovative. On the other hand, the reconceptualizations of rights and citizenship are original proposals. Of course, the discussions of other philosophical standpoints fall on a middle ground in-between these two poles. Hopefully, these distinctions will help students and scholars in political and legal theory, philosophy, and political science, as well as those in law, international relations, history, and sociology, to find and extract from this book what interests them the most.

The book serves also as a springboard or intermediate step toward a broader research program, as sketched in the next session.

1.4 What This Book Is *Not*

Definitions require distinctions and exclusions: here, I mention what is *not* included in the book.

As mentioned, the theory of citizenship advanced here suggests no less than three further research questions, which do not find a comprehensive response in this book.

First, a philosophical anthropology based on an interdisciplinary study of human nature that draws from cultural anthropology, biology, psychology, neuroscience, sociology, and other fields would help identify human invariances to support universal human rights and duties.

Second, an intercultural, intertraditional, interphilosophical, and of course international debate over ethics, politics, and law should complement the previous line of inquiry. If one reflects on it, it is rather surprising how short a consultation preceded the drafting of the Universal Declaration (and other such documents), and how rare and neglected these encounters are, even in a moment when global tensions and incomprehensions would make them literally vital. Few universities offer courses and projects on Christian, Islamic, Confucian, Communist, Hindu, Buddhist, aboriginal, and native ethics, politics, and law, and on the ways these converge or diverge, despite the importance of developing a common discourse.

Third, an important counterpart to this argument would be a similar conceptual/historical exploration of sovereignty. I left this out, together with a methodological consideration of the relationship between the empirical and the normative, and many other problems. The critiques of the theories I consider are also very concise. I hope to address some of these related issues in future articles: I am certain it would have been impossible to do so here, on penalty of making the book too tortuous and long and diluting its focus.

Fourth, this work in political theory is certainly more *theoretical* than *political*. It focuses on aspects of citizenship, rights, and the like which are largely abstracted from time and context. The implications and political counterparts of this theory are conspicuously absent from this work. I have elaborated on some of these in my other monograph, which has already appeared as a PhD thesis on *The*

Migrant Crisis and Philosophy of Migration: Reality, Realism, Ethics (already publicly available through the AIR online repository) and is being reworked as a book. However, that is a standalone research study, and I have not made connections to this background research too explicitly. Other political aspects are mentioned sparsely in this work, and I expound on them briefly in the next section.

1.5 The Politics of Global Citizenship

In revisiting the earliest materials for this work, I noticed at least two anticipations.

The first was rather positive: I noticed that David Frydrych shares my view on the sterility of the debate between will and interest theory (of rights) among others. Even more, Frydrych has provided thorough and documented arguments on the point that serve as indispensable references for the general critiques I included in this work as well as in its predecessor of a decade ago.

The second anticipation made me decidedly less happy. In what is now note 85 of Chapter 3, I had written since the first version that the current global system was unbalanced and incomplete, despite its pillars having emerged after the Second World War precisely with that purpose (including the United Nations (UN) and the human rights regime); this unbalancement exposed us to the risk of a Third World War.

As I write, French President Emmanuel Macron and United States Defense Secretary Lloyd Austin, just like the Russian leadership, are discussing the prospects of a possible direct confrontation between Russia and North Atlantic Treaty Organization (NATO) depending on the development of the conflict in Ukraine.³

The recognition that the malfunctioning of the global political system could have led us to war, as it did, is not the only political import of the theses advanced here, and the attentive reader will recognize it. However, in this book, I do not discuss, say, which world order would be more appropriate for the development of global citizenship. A unipolar model is historically outdated, but I leave it to the reader to determine whether my account better resonates with an “anarchical society” (as in the English School theory of International Relations) or a “community of a shared future” (as in the official Chinese vision for global affairs), with the G7’s perspective or with the Brazil, Russia, India, China, and South Africa (BRICS’), or with any other actual standpoint or process in international relations and politics.

³[Lloyd Austin]: “And quite frankly, if Ukraine falls, I really believe that NATO will be in a fight with Russia”; Aila Slisco, “NATO Will Be Drawn Into War With Russia If Ukraine Loses: Lloyd Austin”. *Newsweek*, Published February 29, 2024.

[Emmanuel Macron]: “Il n’y a pas de consensus aujourd’hui pour envoyer de manière officielle, assumée et endossée des troupes au sol. Mais en dynamique, rien ne doit être exclu. Nous ferons tout ce qu’il faut pour que la Russie ne puisse pas gagner cette guerre”. “Guerre en Ukraine: Emmanuel Macron appelle à un « sursaut » pour assurer la « défaite » de la Russie”. *Le Monde* avec AFP, published online the 27.02.24.

What I do claim more or less explicitly is that the UN and related agencies, with all their incompleteness and defects,⁴ remain the pillars of a system and an order based on their Charter and international law. In fact, I have reworked my own conception of the legitimization of states through human rights to better align with such commonsensical and authoritative principles.

However, I do also claim that there is an important deficit in democratic participation in such institutions: and as I said, by this I do not mean direct democratic participation (e.g. voting for representatives in the UN Assembly) but rather a proportionate, reasonable, and fair representation of states, including from the Global South. It should suffice to mention the blatant example of the UN Security Council, where 3 out of 5 permanent members have their capitals in Europe, and 2 have less than 100 million inhabitants. At the same time, states with a population of hundreds of millions or more than a billion are excluded, irrespectively of the fact that they fought the Second World War on the right side. Such unbalances are present at all levels and branches of the system, and they must be eliminated to make it fully legitimate, sustainable, and effective. So is the irresponsibility with which some powerful states breach international law and carry out military aggressions, occupations, and even war crimes and crimes against humanity without facing the slightest repercussion and irrespectively of the opinion of the overwhelming majority of the world, which is often voiced in the General Assembly.

Another heated political point that I touched on is global justice. As I suggest in the discussion in Chapter 1, and sparsely in the book, the classic two-tiered model is problematic for a number of reasons. It tends to assume that radical economic inequality is somewhat justified by the differential coercion exercised against citizens and noncitizens. Depending on the specific theory, such inequality is defended absolutely or conditional on a threshold of sufficiency. On the other hand, respect for human rights is considered decisive in determining whether states are legitimate or have a right to interfere through armed forces on the territory of others.

Such a double model is inconsistent and risks serving ideological purposes for a number of factors. First of all, there is no clear-cut divide between “human rights” and “economy,” between “legitimacy” and “redistributive justice.” Radical impoverishment prevents states from ensuring the human rights of their citizens, and it is often caused not by the sovereign choices of the same states – all the least of their populations – but rather by the unbalanced workings of the global economic and financial system. These very inequalities insist on military, technological, cultural, and crucially, historical ones, as they serve as extensions of colonialism and hierarchical relations. Second, coercion is neither independent from the economic sphere – withdrawing humanitarian aid on which a country is dependent to feed its citizens, or sanctioning it economically, is powerfully coercive – nor reserved for nationals. Hybrid and classic conflicts are only the most blatant examples of how a state can coerce another: intelligence and

⁴Consider, for example, the current paralysis of the WTO.