

# Citizenship Handbook

"Theoretical Section"

Edited by

**the Syrian League for Citizenship**



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**«Theoretical Section»**

**Edited by the Syrian League for Citizenship**

**This Handbook is prepared with the support of HIVOS**

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## «Theoretical Section»

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**Note**

This Handbook consists of two separate, but not independent, parts. Part I contains the theoretical texts, which constitute together the intellectual foundation of citizenship concept, explain its principles, values and major relationships.

Part II is designed for practical training on the concepts addressed in Part I.

At any case, it is advisable to read the whole Theoretical Part as a separate book regardless of the training purposes.

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\* In the Alphabetical order.

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## Preface

Since the start of what has become known as “The Arab Spring,” the term of citizenship has gained increasing importance in political literature and dialogues throughout the Arab World. It is very rare to have a declaration or analysis, concerning the specific situation of each country of those visited by this “Spring,” that lacks a reference to the “building of citizenship state,” which has become a primary objective of every national political action. Moreover, many newly-emerged civil groups have placed their actions and activities under the banner of citizenship and even included citizenship in their names. If these two remarks have a meaningful significance, it is the fact that there is heightened awareness of the term importance and necessity in the new Arab reality. However, a careful and examining reading of this term use reveals a semantic confusion about it, which pushes the observing researcher to wonder about the purpose of its use: is it a kind of “mobilising metaphor”? In other words, has it become a term used by politicians in their speeches and statements to win over the emotions of the crowd, especially with the fact that the dominating oral culture has attributed to the term a sacred meaning in the minds of people without turning over its essence? Or, has citizenship become an anesthetic term, a charm to be used without any exploration of the various potential significances thereof?

First of all, we have to recognise that the citizenship term is essentially a multi meaning term; therefore, it cannot be bound to a single comprehensive and final significance. This fact made citizenship scholars, today, agree that



the term changes with the changes of life through place and time, i.e. through geography and history. Recognising this fact, however, does not mean that we relativise citizenship; wherever and whenever it exists, citizenship is the same in terms of its seeking for dignified living and equality among people; what we mean is that it may appear in different degrees in the different countries, and that, in the end, it is not an eternal given fact that is to be accepted as a whole or rejected as a whole. Citizenship is an ever-developing variable; it follows the reality development with a view to controlling this reality changes and to preventing it from deterioration to despotism, racialism, sectarianism or any other situation that restricts citizens' freedoms, excludes them from playing their roles of participation in the determination of their affairs, oppresses them or discriminates among them.

However, if citizenship varies in its manifestation forms from one country to another, and from one society to another, these forms have a common trunk that citizenship has to stand on to be realised. This trunk consists of a set of principles and values on which a lot of academic scholars who are working on citizenship agree. These principles are: participation, freedom, responsibility and equality, which are set together by some scholars in the following sentence, "citizenship is the right to free participation of equal and responsible individuals." As for values, there are many, but the following are the most prominent ones: courtesy, solidarity, civil awareness and humanism.

In addition to these principles and values, citizenship supposes a number of political and social issues that control the relationships among citizens, on the one hand, and among the state, the citizens and the common public space, on the other. These issues are so many and almost include all aspects of life. Democracy, secularism, identity, civil society, gender, education, scientific development, ethnic and sectarian diversity, sustainable development, civil peace, etc., are all pure citizenship issues. This means that their realisation in a state is not only inevitable, if we want it to be a citizenship state, but they must be realised in harmony with citizenship principles and values, as well. Education, for example, is a necessity to qualify the citizens so that they can handle their life affairs with a consciousness allowing them to improve their lives and ensure their dignity, but it is also necessary for education to be in line -in form, in content and in its relationships with society- with citizenship principles and values. School life, for example, should not be built on gender-discrimination; curricula should not

be instrumentalised to change the original (religious, national, regional, etc.) differences or the acquired (ideological, health, etc.) differences into a cause of hatred and hate; and the link between educational institutions and society should not be limited to the production of unemployed people which worsens citizens' problems rather than contributing to their resolution.

Citizenship and its issues have attracted a lot of attention since the start of the Arab Spring in the different Arab countries. This fact is proved by the tremendous amount of documents dealing with it. However, reading those documents does not provide a real opportunity to understand citizenship, nor to know the tie between it and the serious issues relevant to it, which further impoverished citizenship in the Arab World, and reinforced the existing gap between the term and its real meaning to further increase the semantic confusion it has already been suffering from. This created a pressing need for an organisation concerned at citizenship and works for the realisation of citizenship to assume the responsibility of bridging that gap via the development of a handbook that introduces citizenship and the principles, values and major issues thereof and provides a practical training method to transfer this knowledge through group workshops or individual reading.

Since its start, by the end of 2011, the Syrian League for Citizenship has felt such need; it has organised many interactive training workshops, so many symposiums to exchange expertise and arrange the ideas, and sought to acquire advanced knowledge of citizenship with a view to assuming the responsibility of developing such Handbook. After months of serious work, the SL4C efforts have been crowned by the completion of this Handbook which -we hope- will be a useful source for anyone who wants to disseminate the culture of citizenship, assimilate its principles and values and understand its issues.



## Chapter 1

# The History of Citizenship



In most books that discuss, or touch upon, citizenship, it is presented as the product of the Greek cities or Aristotle's thought. This is because the idea of citizenship in Arab culture has been discussed only in translations of European books, or because the discussions revolve around the birth and development of the concept in the human mind, rather than the actual practice thereof.

The emergence of citizenship has been historically associated with the stabilization of human society and its transitioning from a state of wandering and movement in lands suitable for pasturing and grazing to a settled state in arable lands. This is a transition to the phase of civilization that saw the emergence of the city as a space in which people of different characters, conducts and interests have to coexist together, which obliges them to develop systems to organise their joint affairs. Mesopotamia is one of the earliest regions in the world to know the concept of "city". Therefore, it is not surprising that one of the earliest forms of citizenship, which is still known to us today, has appeared there.

A Sumerian clay tablet relating the story of how Gilgamesh, the King of Uruk, dealt with a warning from Agga, the King of Kish is an important historical document proving the existence of such a form of citizenship

The envoys of Agga, the son of Enmebaraggesi, Proceeded from Kish to Gilgamesh in Erech. The lord Gilgamesh before the elders of his city put the matter, seeks out the word: "Let us not submit to the house of Kish, let us smite it with weapons."

The convened assembly of the elders of his city answers Gilgamesh: "Let us submit to the house of Kish, let us not smite it with weapons." Gilgamesh, the lord of Kullab, who performs heroic deeds for the goddess Inanna, took not the words of the elders of his city to heart.

A second time Gilgamesh, the lord of Kullab, before the fighting men of his city put the matter, seeks out the word: "Do not submit to the house of Kish, let us smite it with weapons."

The convened assembly of the fighting men of his city answers Gilgamesh: "Do not submit to the house of Kish, let us smite it with weapons." Then Gilgamesh, the lord of Kullab, at the word of the fighting men of his city his heart rejoiced, his spirit brightened.

- From Samuel Kramer's *From the Tablets of Sumer*, Chapter 5, The First Bicameral Congress.

that allowed the people of the city of Uruk to participate in its politics and in the making of decisions of peace and war.

Gilgamesh presented the issue of the warning before the Assembly of the Elders, inviting them to fight the invaders. However, the Elders, preferring a life of ease and peace, advised him to submit to the strong enemy. Then, the King presented the issue before the Assembly of the Warriors, who decided to confront the invader. This text is the first historical indication of the existence of a form of participation and responsibility practiced by free citizens.

Subsequently, and throughout the long history of civilization, citizenship went through stages reflecting the degree of development of human societies. In the Phoenician civilization, for example, there were many types of councils: the Senate, the Council of the One Hundred and Four (in effect a court to consider the political issues), the People's Assembly, etc. This was the case in the cities of Tyre and Carthage.

In a city like Athens, citizens constituted 10% at most of the total population. All citizens had to be free men. Women, slaves and foreigners did not have the right to enjoy citizenship status.

The idea spread later on to the Greek cities, where the concept of a "citizen" appeared for the first time, and where citizens were the only population group in a city who had the right to participate in the administration of public affairs.

The Roman civilization had to develop a different concept of citizenship. The great expansion of the Empire put it before the dilemma of how to deal with the people who had been annexed to it by force. This led to the issuance of the Edict of Caracalla in 212 BC, which recognised the right of citizenship to all of the population of the Empire. After that, the citizenship issue disappeared during the European Middle Ages, to reappear again in 1642 in England with Thomas Hobbes' *Human Nature: or The Fundamental Elements of Policy*.

In parallel with that, citizenship was opening roads in other regions, where a new civilization was being established. In 623 AD, in Arabia, in the city of Yathrib (the first capital city of Islam, henceforth known under the name of Al-Madina), the Prophet Muhammad issued the Charter of Al-Madina in order to serve as a constitution of the new state and to organise relations between Muslims and non-Muslims in a way ensuring their participation in the administration of the affairs of their life. It organised the obligations of the population of Al-Madina: the Muhajirin, the Ansar and the Jews. It also defined their rights and duties, and the duty of all tribes to defend the city in case of assault.

## The Charter of Al-Madina

In the name of God the Compassionate, the Merciful;

This is a document from Muhammad the prophet, governing the relations between the believers and Muslims of Quraysh and Yathrib, and those who followed them and joined them and laboured with them.

They are one community (umma) to the exclusion of all men.

The Quraysh emigrants according to their present custom shall pay the bloodwit within their number and shall redeem their prisoners with the kindness and justice common among believers.

The B. 'Auf according to their present custom shall pay the bloodwit they paid in heathenism; every section shall redeem its prisoners with the kindness and justice common among believers. The B. Saida, the B. 'l-Harith, and the B. Jusham, and the B. al-Najjar likewise.

The B. 'Amr b. 'Auf, the B. al-Nabit and the B. al-'Aus likewise.

Believers shall not leave anyone destitute among them by not paying his redemption money or bloodwit in kindness.

A believer shall not take as an ally the freedman of another Muslim against him.

The God-fearing believers shall be against the rebellious or him who seeks to spread injustice, or sin or animosity, or corruption between believers; the hand of every man shall be against him even if he be a son of one of them.

A believer shall not slay a believer for the sake of an unbeliever, nor shall he aid an unbeliever against a believer.

God's protection is one; the least of them may give protection to a stranger on their behalf. Believers are friends one to the other to the exclusion of outsiders.

To the Jew who follows us belong help and equality. He shall not be wronged nor shall his enemies be aided.

The peace of the believers is indivisible. No separate peace shall be made when believers are fighting in the way of God. Conditions must be fair and equitable to all.

In every foray, a rider must take another behind him.



The believers must avenge the blood of one another shed in the way of God.

The God-fearing believers enjoy the best and most upright guidance.

No polytheist shall take the property of person of Quraysh under his protection nor shall he intervene against a believer.

Whoever is convicted of killing a believer without good reason shall be subject to retaliation unless the next of kin is satisfied (with blood-money), and the believers shall be against him as one man, and they are bound to take action against him.

It shall not be lawful to a believer who holds by what is in this document and believes in God and the last day to help an evil-doer or to shelter him. The curse of God and His anger on the day of resurrection will be upon him if he does, and neither repentance nor ransom will be received from him.

Whenever you differ about a matter, it must be referred to God and to Muhammad.

The Jews shall contribute to the cost of war so long as they are fighting alongside the believers.

The Jews of the B. 'Auf are one community with the believers (the Jews have their religion and the Muslims have theirs), their freedmen and their persons except those who behave unjustly and sinfully, for they hurt but themselves and their families.

The same applies to the Jews of the B. al-Najjar, B. al-Harith, B. Sai ida, B. Jusham, B. al-Aus, B. Tha'laba, and the Jafna, a clan of the Tha'laba and the B. al-Shutayba. Loyalty is a protection against treachery. The freedmen of Tha'laba are as themselves. The close friends of the Jews are as themselves.

None of them shall go out to war save the permission of Muhammad, but he shall not be prevented from taking revenge for a wound. He who slays a man without warning slays himself and his household, unless it be one who has wronged him, for God will accept that.

The Jews must bear their expenses and the Muslims their expenses. Each must help the other against anyone who attacks the people of this document. They must seek mutual advice and consultation, and loyalty is a protection against treachery. A man is not liable for his ally's misdeeds. The wronged must be helped.

The Jews must pay with the believers so long as war lasts.

Yathrib shall be a sanctuary for the people of this document.

A stranger under protection shall be as his host doing no harm and committing no crime.

A woman shall only be given protection with the consent of her family.

If any dispute or controversy likely to cause trouble should arise it must be referred to God and to Muhammad the apostle of God. God accepts what is nearest to piety and goodness in this document.

Quraysh and their helpers shall not be given protection.

The contracting parties are bound to help one another against any attack on Yathrib.

If they are called to make peace and maintain it they must do so; and if they make a similar demand on the Muslims it must be carried out except in the case of a holy war.

Every one shall have his portion from the side to which he belongs.

The Jews of al-Aus, their freedmen and themselves have the same standing with the people of this document in purely loyalty from the people of this document. Loyalty is a protection against treachery. He who acquires ought acquires it for himself. God approves of this document.

This deed will not protect the unjust and the sinner. The man who goes forth to fight and the man who stays at home in the city is safe unless he has been unjust and sinned. God is the protector of the good and God-fearing man and Muhammad is the apostle of God.

From A. Guillaume's *The Life of Muhammad*.

With the beginning of the second half of the 17th century, citizenship appeared again as an essential topic of political thought and then of social and anthropological thought. Many concepts and theories on citizenship, citizenship issues and methods of application have appeared. These questions are still subject to discussion and argument in universities, research centres and political circles. Moreover, they continue to inspire many peoples denied freedom under tyrannical governments to rise to struggle. If this vitality means something, it means that citizenship is not a complete achievement that can be derived from a textbook or from a living condition; it is a developing process throughout history and geography; it is a human requirement that has to be realised if people want to live in conciliation and peace. This way, we can understand the efforts made by the different civilizations to “localize” citizenship. We say that it appeared in Mesopotamia at the middle of the third millennium BC. Europeans, however, say that the concept appeared in Athens in the fifth century BC, when the free citizens (and not slaves) discussed freely the affairs of their city in the agora. Historians of Muhammad’s Message say that citizenship appeared, in its pure Islamic form, in the Charter of Al-Madina.

In fact, citizenship is the offspring of all peoples that agreed to coexist in a state that ensures everyone’s rights. It is a living concept that is enriched by every society and every civilization, and simultaneously enriches the human heritage of maintaining human freedoms and rights in society.

## Chapter 2

# Citizenship (Definitions and Basics)



## 1. Definition

The optimal definition of citizenship is that it is:

“A status that characterizes an existing relation between a citizen, on the one hand, and the State (or State institutions), society (that is to say, other citizens) and the space of coexistence, on the other hand. This status is based on well-established principles: responsibility, freedom, participation and equality. It also implies a number of citizenship values, mainly: courtesy (public morals), solidarity, civil consciousness and humanism.”

We have chosen this definition for two reasons:

i. Citizenship is not a static given fact. It is a process and practice; it starts with the legal recognition of an individual as a citizen (acquiring citizenship) and develops continually with the changing conditions of the given country. Ideal citizenship is nothing but a utopia that has never been realized in any country of the world and will never be realized as long as the world is changing. This explains the on-going worldwide struggle for better citizenship. Based on that, countries vary in how they realize citizenship for their citizens. In the countries that pay no attention to the principles and values of citizenship, it turns into deficient or incomplete citizenship.

In the countries where the authorities disrespect one or more principles of citizenship, which is the case in countries governed by authoritarian regimes, citizenship relationships vanish and may completely disappear, as is the case with stateless people, who may not obtain an ID card, even though they might be permitted into certain government jobs (army, police). As for slavery, it is the typical case in which citizenship is utterly absent.

ii. A homeland is defined by three elements: 1. Land or place; 2. People or citizens; and 3. State or institutions. Thus, citizenship is practically defined according to the nature of the relationship between a citizen/individual, as a member of a political entity known as the “homeland,” on the one hand, and each of the three homeland formation conditions, on the other hand, i.e. his/her relationships with the **institutions**, through which his/her legal existence condition is realized, his/her relationships with members of **society**, through

which his human existence is realized, and his/her relationships with the **place**, through which his/her natural existence is realized. Understanding citizenship from this perspective brings us closer to a perspective of studying citizenship that views it through two types of relationships: vertical relationship (citizen-State) and horizontal relationship (citizen-society). We shall add a third dimension, however: a relationship that criss-crosses the other two dimensions; namely the relationship with the space within which a citizen lives, because citizenship cannot discard environmental issues or communal issues, such as the natural, cultural, and all vital resources affecting a citizen's existence, who, in turn, affects their existence and maintenance.

Thus, citizenship becomes a whole greater than the sum of its parts, which cannot be achieved prematurely or reduced to one of its components. This means that any partial approach to citizenship will, in effect, debase it and magnify its deficiencies. With deficient citizenship, no citizen can enjoy decent life anywhere.

## 2. Principles and values of citizenship

First, we must note the great complexity faced by anyone who tries to define citizenship principles and values. This is attributable to many causes: first, there is close overlapping between the principles and the values, and it is difficult to distinguish conceptually between "a value" and "a principle". Anyone may argue: can a principle be adopted as a principle, without having value by itself, especially when a human being's life is concerned? Based on this initial overlapping, each consequent overlapping would be justifiable, if not inevitable. Therefore, in some cases, we may be unable to classify a concept as a principle or as a value. "Responsibility" is only a clear example of this complexity: is "responsibility" a principle only, a value only or both? In fact, we tend towards the third option, in which "responsibility" is a prerequisite for citizenship, while simultaneously being a necessary value for daily life. The same can be said for "freedom", whose importance as a value cannot be overlooked, but is, in spite of that, and prior to that, an absolute principle in the formulation of the social contract. Another reason behind that complexity is the absence of an international document,

providing final definitions of these concepts and preventing interpretive views, as is the case with the International Declaration of Human Rights. Having said this, we assure that it is impossible to have such a document, because citizenship concepts are not utter; rather, they develop through history. A consequence of this is the confusion occurring when classifying the elements; a theorist may classify an element as a principle, another may classify it as a value, and a third may discard it completely.

In this Handbook, we distinguished between principles and values based on two criteria:

(1) **Necessity:** In the matrix of principles, we list the elements without which citizenship may not exist, i.e. the elements that distinguish citizenship from other concepts. While, in the matrix of values, we list the elements whose existence gives citizenship more value and approbation, but which do not affect its actual existence.

(2) **Measurability:** In general, principles are measurable and comparable. For example, it can be said that participation is of different levels, depending on the type of relationship between the citizen(s) and the government, or that equality is respected by the laws to this degree or that. Values, however, are desired feelings and conducts that come as the result of a long and intangible educative process, rather than through laws and orders.

## 2.1 Principles of citizenship:

Regardless of the approach to the concept of citizenship, and regardless of the method followed to achieve citizenship and the citizenship state, it has to be built on stable concepts that have to be available in all the relations of a citizen, since s/he has chosen to belong to a homeland. These principles are usually put together in this short definitional sentence:

**“Citizenship is the free participation of equal and responsible individuals.”**

Breaking this definition down, we get four principles: participation, freedom, responsibility and equality.

2.1.1. **Participation:** primarily speaking, participation means that any issue, decision, law, procedure, etc., concerning the general life of a citizen(s), may not be taken by any authority whatsoever, unless the citizen(s) is aware



of it, and upon his/her participation, directly (responsibility, membership, referendum, etc.) or indirectly (representation, delegation, mandating, etc.) Practically, this means that there are many and various forms of participation, starting by informing citizens of the considerations relevant to them, as well as the details of the discussions carried out by the authorities responsible for the administration of their affairs, and ending with self-management of community affairs, at both the local and functional levels, and organizing direct referendum on laws and important decisions.

Citizenship of a state is enrooted as much as the state commits itself to involve its citizens in their life affairs. This participation starts from the local community where a citizen chooses to live, or from the workspace that s/he can acquire, up to the highest institutions of the legislative, executive or judicial powers of state.

## Levels of Participation

### “Arnstein’s Ladder”

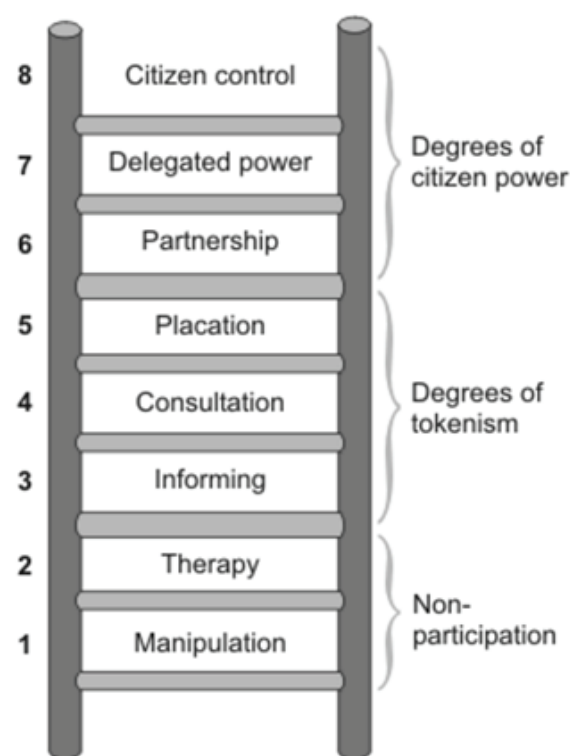
We can illustrate the levels of citizen participation in public domain, using the ladder of citizen participation, named after its designer Sherry Arnstein.

The Ladder consists of eight ascending rungs corresponding to the extent of citizens’ participation and the effectiveness thereof. These rungs are divided into three main groups:

- **Non-participation:** in this group, the participation is illusory and the government tries to cover it with a touch of truth through manipulating the citizens’ awareness and giving them a fake sense of participation in the decision-making, or silencing their demands for participation through some therapies that do not really change the government’s monopoly on decision-making.

- **Tokenism:** in this group, citizens have a relative role; information is shared with them, i.e. the government does not surprise them with a decision, rather, it informs them of its intention to make a decision, but they do not have the right to give their opinions or change the decision. Then, there is opinion participation, where the government informs the citizens of its decision, consults them, but does not necessarily act upon that consultation; also, citizens lack the power to check if their views will be heeded by the power-holders, or not. Finally, there is placation, in which the final decision is made by the government, but the citizens can express their views, and the government may change its decision accordingly.

- **Citizenship power:** at its lowest degree, the citizens participate in the decision-making. Then, at a higher degree, the government delegates the decision-making to the citizens. At the highest (top) degree, it gives the citizens the right to operate a program or institution, or to be responsible for a proposed policy to manage their locality.



**2.1.2. Freedom:** freedom is the cornerstone of man's existence and the essence of man's life; a man is free, or is not a man. That absolute freedom, however, needed some controls, when man changed historically to citizenship, i.e. when the first forms of population gathering existed, when individuals had to live together and to accept each other. In spite of everything, freedom has remained man's dearest heritage, and throughout history, it remained man's noblest slogan of struggle; it will not be an exaggeration to say that the history of man is the history of the struggle to reclaim relinquished freedoms, which man had been obliged to relinquish by the necessities of coexistence with other free individuals. The necessity to reconcile citizens' longing for freedom, on the one hand, and the impossibility of common living without an order constraining that freedom, on the other hand, is the heart of the idea of social contract. The social contract is essentially that, among other things, the citizens, who agree to live together, make an agreement on the extent of individual liberties that they can relinquish in order to bring order to their common life. Based on this conception, freedom, from the perspective of citizenship, can be defined as follows: citizens are free to do what law allows them to do, and to refrain from what law does not oblige them to do.

"For to be free is not merely to cast off one's chains, but to live in a way that respects and enhances the freedom of others."

**Nelson Mandela**

Achieving citizenship means, in the first place, recognizing the rule of law, i.e. the controls and rules governing natural liberties. It must be stressed here that citizenship controls liberties and does not suppress them; because freedom is the natural condition of man's existence; citizenship enhances this condition via control and never tries to diminish it.

Social Contract

The founding theorists of the “social contract” differed in their definitions, but there has been a single common element: people, by nature, have natural rights, but the progress of humanity necessitated the political organization of their societies; thus, they made a contract (the social contract) to organize this transition from the natural state to the organized state.

<b>Thomas Hobbs (1588 - 1679)</b>	<b>John Locke (1632 - 1704)</b>	<b>Jean-Jacque Rousseau (1712 - 1778)</b>
<p>In his natural state, man loves himself, is selfish and seeks, through his work, to achieve his personal interests only. This has caused chaos and war and led, consequently, to the domination of the powerful over the powerless. The “instinct of survival,” however, generated the idea of contract, according to which, all citizens relinquish their liberties and rights to one powerful leader to lead them and organize their common affairs, without relinquishing his rights. This contractual formula justifies autocracies, where only one authoritative individual has natural rights, while the rest of society has only to conform and obey.</p>	<p>Man’s natural state is not bad, but seeking for a better life, individuals thought that it would be necessary to make a contract with a view to nominating a group (or an individual) to represent everyone and assume the responsibility of organizing the society’s daily affairs. The individuals would commit themselves to obey that group (or individual) as long as the latter does not violate the conditions agreed on. However, that group (or individual) would, in return, establish justice among the members of society and maintain the rights that the contract had not obliged them to relinquish. This formula of contract establishes the restricted power of rulers, and gives the individuals the right to revolt against them, if the contract terms are broken.</p>	<p>Accepting the common life means, initially, relinquishing the state of nature that people are used to living in. This relinquishment, however, is not made to an individual ruler; rather, a man relinquishes his/her rights to the society, on the one hand, and it does not lead to man’s loss of his/her natural rights, because these rights will be replaced by civil rights recognized and protected by the state. This formula places the collective will in the place of individual will, and abolishes the autocracy principle with a view to establishing the democracy principle, represented by the rule of law as the optimal expression of the public will of individuals.</p>

**2.1.3. Responsibility:** the meaning of citizen responsibility conforms to its general meaning; it is defined as “accepting the results of conscious deeds.” Whatever the deeds done by a citizen, whether verbal or physical, s/he will accept the consequences of these deeds.

Responsibility stems from power, which determines the existence of responsibility and its extent. We can say that without power(s), there is no responsibility. The first power is the power of one’s self. In other words, a human being is the master of his/her self and destiny. From it stems the responsibility of an individual to maintain his/her life, as well as others’ lives, to pay attention to his/her interests first, and to the interests of others, at the same time.

“When a man assumes a public trust, he should consider himself as public property”

**Thomas Jefferson**

Responsibility, in the first place, is duties and not rights. It varies in degree from one citizen to another depending on their position and status. Thus, citizens who have more powers have more duties and consequently assume more responsibility towards other citizens and the public space.

Responsibility is associated with freedom; it is a prerequisite thereof. As long as a person’s freedom means that s/he has the competence to differentiate and choose: (a person who does not have the capability to choose between committing and non-committing a deed will not be responsible for a disgraceful deed), and as long as it means that s/he has a feeling of his/her value and competence to endure the results of his/her deeds, s/he, logically, must be responsible for all his/her deeds.

Responsibility is also a social value. A person who respects his/her responsibilities will gain a position and a status in society. Moreover, the more a citizen respects his/her responsibility, the higher his/her social value is.

Eventually, attention must be drawn to the fact that responsibility, as a principle of citizenship, means that citizens, through their assumption of the duties imposed on them by their responsibilities, express their commitment to their coexistence in the space that they have chosen to stay in, according to the laws and controls that they have participated in the formulation thereof, i.e. their commitment to citizenship.

## Responsibility, Religion and Existential Perspectives

The deep spirit here is bravery, the bravery of responsibility. In our cowardice and bad faith, we flee from responsibility for our own lives and for the world. We, from a cowardly and puny spirit, make excuses for ourselves and blame the world situation on others, or on fate, or on circumstances. All the while, the world rests on our shoulders, whether or not we acknowledge it, or take on the charge of that accountability. The world still rests on our shoulders even as we choose death and inertia, the life of a piece of moss, or a chair, or rock, the life less than that which is designed for us by God, or Nature, or Existence. Authentic life, in the eyes of God, or in the eyes of Life, is the life of accountability, and those who live it suffer the despair and anguish of that life, but they are also the beings who truly deserve the designation "human." They have iron wills and brave hearts that push them forward amidst their distress into ever expanded domains of responsibility for everyone and everything. These individuals are the true heroes of humanity; and it is on their backs that the world is made. As both Gülen and Sartre affirm, human society always has been, and will continue to be, what we human beings make of it.

From Jill Carroll's *A Dialogue of Civilizations*, Chapter 5, Gülen and Sartre on Responsibility, p. 100.

There are countless kinds of responsibility; some of them concern individuals and some concern communities. The following are examples of the kinds of responsibility:

**Criminal responsibility:** when a person commits a crime and is penalized for it.

"Ignorance of the Law Is No Excuse"

**Civil responsibility:** when law obliges me to fix the damages caused by my deeds or deeds committed by people, animals or objects under my responsibility.

**Environmental responsibility:** a person who causes immediate or delayed harm to the environment has to pay for the repair of such harm (the Polluter Pays Principle).

**Ministerial responsibility:** in a parliamentary regime, the government resigns if the Parliament withdraws confidence from it.

**Ethical responsibility:** it is considered an ethical value and is associated with an individual capability to make decisions consciously without referring to a higher authority. It manifests as remorse for committing a shameful deed or refraining from a good deed that one has been able to do.

2.1.4. **Equality:** it means that all citizens, regardless of their race, religion, sect, gender or partisan and political affiliation, must be treated equally with the same degree of dignity, and must have the same rights and abide by the same duties.

### ***Forms of equality***

Equality is an undividable totality, i.e. the aforementioned meaning thereof must be taken as a whole. Equality, therefore, can take different forms; it can be:

- **Ethical equality:** this is the highest form of equality and aims to achieve citizens' dignity and to respect their freedom.
- **Legal equality:** it aims to achieve equality among citizens in law and before law; no law may be discriminatory in its text; no citizen or community may be privileged over another citizen or community.
- **Social equality:** it aims at achieving equality with regard to living conditions; no citizen or community may be favoured at the expense of another citizen or community.
- **Political equality:** it aims at giving all individuals and groups (political parties) equal opportunities for political participation; everyone has the same rights and duties.
- **Economic equality:** it aims to guarantee that everyone enjoys the same economic rights and share burdens in a manner proportionate to their ability (progressive taxes for example.)



***Realisation of Equality***

The equality principle must be realised in reality. It manifests in many areas of the daily life of citizens, such as:

**Equality in law and before law:** Lawmakers abide by non-discrimination among the people concerned, both in legal texts and application thereof. A text meant for equal citizens may not use double standards; examples of those are the interdependent legal articles, concerning the so-called “honour crimes,” the perpetrator of which is protected, with the pretext of his having an “honourable” motive, and declared not-guilty, or sentenced to a penalty that is disproportionate to the crime perpetrated. Moreover, judicial institutions implementing the legal rules must abide by non-discrimination among the people governed by those rules unless the rule itself stipulates otherwise.

**Equality before justice:** this means that all citizens have the right to litigate equally before the same courts without discrimination with regard to race, belief, sex or personal thoughts and views. From equality before justice, the following legal controls are derived:

- A. Justice singularity: it means that all citizens litigate before the same courts of the same degree, which necessitates the absence of special or exceptional courts for specific individuals, sects or communities.
- B. Equality before the law and punishments: it means that litigators must be equal in terms of the laws applied in conflicts arising among them, and there should be no discrimination in penalties; consequently, perpetrators of the same crimes must be subject to the same punishments.
- C. Free-of-charge litigation: equality before justice demands equal ability of resorting to justice, which can be achieved only if litigation is made free of charge. This, however, is a controversial issue; litigation is still expensive, in general, owing to the costs of litigation as well as the fees of lawyers.

**Equality in the use of public utilities:** a public utility is an achievement by a public body (government, municipality, etc.) to fulfil the needs of public welfare; it exists, by nature, to serve the society and everyone’s interests. Thus, everyone must benefit from it with no discrimination of any kind.

**Equality in the use of public property:** different laws suffer from a clear



confusion with regard to defining the concept of public property. We, however, can adopt a common definition that considers public property to be all real estates and movables owned by the state or by public artificial legal persons, and allocated for a public purpose either in deed or by virtue of a law, decree or decision from the competent ministry. Since public property is, by definition, allocated for public purposes, it is definitely used by citizens; this is called “the public use of public property.” This use is based on the principle of users’ equality, i.e. that all users of public property are equal, and therefore must be treated equally, as long as they have equal legal status.

**Equality of opportunity in public employment:** all must have equal opportunities to assume public jobs and to receive equal salaries, wages, promotions and allowances, as long as they have the same legal status.

- *Equal opportunity principle:* the equal opportunity principle is not limited to equality in assuming public offices; rather, it encompasses all opportunities of political participation, educational attainment, acquisition of knowledge, carrying out useful work, acquiring wealth, and leading a decent and dignified life.

- *Quota principle:* the quota principle seems to be a violation of the equal opportunity principle. In fact, it is a legitimate exception thereof. It is indeed an allocation rule, through which positions or appointments are distributed according to specific ratios, but it is used to correct for disproportionate representation in certain cases. The quota principle is used to guarantee fair representation of all citizens. It is particularly useful at times of instability, when a better representation for women or minorities is desired. However, it is necessary to limit the period of resorting to quotas, and to exert, during such periods, more efforts in order to enact laws and regulations

“Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.”

**CEDAW, Article 4 -1**

and implement policies that would enable balanced representation regardless of the quota principle.

**Equality in public charges and burdens:** public charges are all expenditures paid by the government for the benefit of all members of society. In order to be able to pay all such expenditures, the government needs sufficient resources. As these resources are expended for the benefit of all citizens, all the members of society must contribute in payment according to a just taxation law. It is completely impermissible for the payments to be made by certain individuals only.

Even though equality might differ from justice, it cannot be achieved without justice, unless the latter is its objective.

## **CEDAW**

### **Convention on the Elimination of All Forms of Discrimination against Women**

The Convention is part of a comprehensive international human rights legal framework directed at ensuring the enjoyment by all of all human rights and at eliminating all forms of discrimination against women on the basis of sex and gender. Under Article 2 of the Convention, State Parties must respect their obligations to respect, protect and fulfil women's right to non-discrimination and to the enjoyment of equality<sup>(\*)</sup>. Article 2 reads as following:

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;

(b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;

(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;

(d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;

(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;

(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;

(g) To repeal all national penal provisions which constitute discrimination against women.

By the ratification of the Convention, State Parties have to embody items of the Convention into their national regulations, or give them the appropriate legal effect in their national legal regulations in order to ensure the enforceability at the national level.

(1) General recommendation No. 28 on the core obligations of States parties under article 2 of the Convention on the Elimination of All Forms of Discrimination against Women.

## 2.2 Citizenship values:

Citizenship has principles that must be established in the Constitution, as well as laws and decrees to be implemented in a country. Likewise, it also has values that should be assimilated in both culture and life. While the principles are drawn according to measurable evidence and criteria, the values appear immeasurable outside the ethical system used in the same space. Ethics, therefore, are prerequisites for value realisation. The following are the major values associated with the realisation of citizenship:

**2.2.1. Public moralities (courtesy):** courtesy is the practical expression of the culture of respecting other people and the common public space. Authorities may set in place procedures and controls contributing to the establishment of some courtesy appearances in life, but educational institutions remain the optimal channel to transfer that culture and implant its values.

Courtesy is the result of a set of values acquired from socially inherited religious and ethical beliefs and deeply rooted habits, traditions and customs, as well as the education received from the family and schools. These values are relative and change by place and time. There is, however, a common set that is not affected by changes, affects a person's conducts and provides them with preferable attributes regarding all kinds of dealing with the society, such as respect, gentleness, tolerance and kindness, or with the common space, such as enthusiasm for environment cleanliness, care about all common things of public utilities, natural resources or cultural heritage. These are the values meant in the context of citizenship.

**2.2.2. Civil awareness:** it is the awareness of citizens' rights and duties. It is an acquired awareness and a continuous awareness-raising process. This awareness is the source of all practices and activities that citizens carry out in order to prioritise public welfare to private interests. These practices stem from citizens' abidance by law and coexistence principles, and educating their subjects according to that. It must be taken into account that the absence of civil awareness does not necessitate accountability before law; for example, the one who does not want to take part in public life, may do that without being subject to legal consequences.

**2.2.3. Solidarity:** the value of solidarity rises from citizens' belief that they are not side-by-side citizens, with each acting based on his/her private

perspective and for his/her private interests, but a community that has a common life project, which can be realised only if they all participate in. This belief makes it possible for an individual citizen and other citizens to build citizen relationships with each other.

### Awnah or Faza'ah

These two words are used in rural areas of the Eastern Mediterranean region to describe an important phenomenon of citizen solidarity. The word “*Awnah*” means that the locals of a village cooperate in seasonal activities that each family has to do, but which can be achieved faster and better if done by a big group. An example of these activities is the restoration of the roofs of mud houses before the rainy season. The village men apply mud to the roof and press it with a roller that still has its Aramaic name: *Ma'arjlineh*, a heavy cylinder of stone pulled to-and-fro many times on the roof. When the men finish the restoration of a roof, they would move on to another one on another day and so on. Some learned cultural researches say that, in the region's heritage, the well-known song of *Ala Dala'aouna* is a call for cooperation (*Ala al Aouna*). This song was used by cooperating individuals to control pacing or to entertain themselves during olive picking, for example. The *Faza'ah* is also a solidarity activity, in which the people of one village or several adjacent villages rush to help someone if struck by a catastrophe, such as fire, looters, or a flood.

**2.2.4. Humanism:** the value of humanism is directly connected to the value of solidarity, but it surpasses it in terms of realisation. Humanism is the belief of people, individuals and groups, that they are not isolated from the other people living with them on the same planet, but rather that they share the same resources and blessings and are subject to the same dangers and destinies. Political reality divides the world into various states and political and national blocs, but this does not negate the fact that people are the same, wherever they exist and whatever their nationality is. Neither does this negate the fact that the planet's resources, that enable everyone to survive, are, in practice, shared. If they stop to exist or deplete in this or that place, then all people will be affected. This scientific fact has become clearer with the development of urbanisation

and the appearance of climate threats all over our planet. Phenomena like greenhouse gases, global warming, polar ice melting, ozone hole widening, and the extinction of thousands of living species every year have negative impacts, not only on the citizens of a specific part of the world, but everyone, regardless of his/her nationality, has to deal with such issues as if they were domestic. If some people fail to do so, under the pretext that they are not threatened now, soon they will be; otherwise, future generations will also be victims, and then, it will be in vain to repeat the words of sorrow or recall the story of the proverbial white bull.

### **A Story from Arab Folklore**

#### **The White Bull**

Once upon a time, there were three bulls living together near a pond. The three bulls never disunited, which annoyed a lion that ambushed there unable to approach them. He was afraid that together they would defeat him. The Lion became so hungry, and as the king of the forest, he called the biggest and strongest bull, which happened to be red. "Oh! My friend!" he said, "I'm the king of the forest and you are the king of bulls. How come that, with your high status, you allow the white bull to graze, walk and associate with you so closely? Don't you see how this degrades your status in the eyes of other animals?"

The red bull was pleased by the lion's praise. "What can I do?" he asked, ecstatically.

"Don't do anything," said the lion, "I'll relieve you of him. When he goes to the water, stay far and keep your friend, the black bull, near you.

The red bull acted the way proposed by the lion. In a few minutes, the latter was thrusting his canines into the throat of the white bull, who was alone with no one to defend him.

A few days later, the lion became hungry again. He addressed the red bull: "The animals of the forest now recognise your greatness, but they blame you for keeping the company with the black bull. With his black colour, he is deforming your image and harming your status."

The white bull's story was repeated with the black one; the lion ate him when he came alone to the pond to drink.

After a few more days, the lion was hungry again. He approached the red bull roaring; the bull startled, but alas! He had only few moments to say: "I was eaten when the white bull was eaten!"

### 3. Potential citizenship and active citizenship

The **citizen** is the cornerstone of citizenship and relationships thereof. S/he is the pillar that a democratic system relies on, and her/his welfare is the target that such a system aims to realise. No person is born a citizen of his/her society, but becomes so merely by being registered on the general registry of citizens of the state to which they belong. At that moment, they start to acquire a citizen status, which is further enrooted with the education they receive, the experiences they undergo and the expertise they acquire.

In this process, an individual goes through three phases: pre-citizenship, potential citizenship and active citizenship.

**3.1. Pre-citizenship or non-citizenship:** we can say that, in this phase, the individual is in a state of nature, where his/her belonging to the place (homeland), where he lives, is no more than a sentimental feeling stemming from the intimate relationships s/he has with the land, over which s/he was born, and the social milieu, within which s/he grows up. These relationships stem from common language, common daily life and common destiny. This basically-sentimental state forms the fertile land for tyrannical regimes, which, using a populist discourse, exploit the patriotic feelings and exaggerate in their focus on the sentimental individual-with-homeland relationship at the expense of citizen relationships. Thus, it is not surprising that the zealous patriotic discourse of a tyrannical regime is inversely proportional to the amount of civil and political rights it allows. The fewer civil and political rights a tyrannical regime allows, the more zealous patriotic discourse it produces and the more means it uses for its expression through its ideological organs. In such a state, an individual may enjoy all natural rights stemming from being a human being, but s/he does not enjoy some (perhaps all) of their civil and political rights.

In some societies, there may exist persons living under conditions denying them the citizen status for reasons relevant to regimes' policies and regulations. Under the state of complete absence of civil and political rights (complete non-citizenship), there are "stateless" persons, who live in countries that do not recognise them as citizens, do not allow them to acquire citizenship, and thus



deny them the status of citizen. In this category, there are also the refugees, who, as refugees, have some special rights, but do not enjoy the citizen status in the country of asylum.

As for partial non-citizenship, it is the absence of some civil and political rights. This includes civil deprivation, a situation in which citizens are deprived of their civil rights, and may be denied some basic rights, such as electoral rights and the right to hold a government job.

**3.2. Potential citizenship:** an individual become a citizen, virtually at least, from the moment of having his/her name listed on the civil registry of the country, i.e. from the moment the state has recognised him/her as one of its subjects, which means recognising all his/her rights and deeming him/her accountable for all duties.

In this case, citizens naturally, i.e. unintentionally, join the society. This, basically, means that they enter into inevitable relationships with others, with the state, and with the public space within which they move and live, according to the principle of rights and duties. Some rights and duties become necessary from the first moment, while some are delayed for a certain number of years. States have different considerations regarding the age at which the right to establish a family is granted; the same applies to the age of eligibility for candidacy and electoral rights. In this case, all citizens are subject to the legally determined duties; no one is exempted, save in the cases determined by lawmakers (exemption from military service, for example). As for rights, the state and the institutions running the affairs of life are obliged to guarantee them, but citizens are not obliged to enjoy them. A citizen may refrain from affiliation to a political party or an NGO and from practicing his candidacy and electoral rights. We can say that s/he can live citizenship at its lowest level. Acting this way, a citizen does not affect his/her citizenship, but it becomes a passive, inactive citizenship, and the consequences of that are assumed by him/her alone. As for the state, any hesitation in fulfilling the rights and enforcing the duties makes citizenship incomplete and necessitates fighting for it.

In this state, a citizen's involvement into society takes the form of affiliation to natural constituents, such as family, neighbourhood, tribe, sect, sex, age, etc., i.e. to those forming the so-called "native society," since the word "native" may refer to the relatives connected together with natural relationships dictated by the harmonious and variant human natures. This natural belonging generates



feelings of security, protection, partisanship and difference, and establishes the simple meaning of identity (the things that unite me with some people and differentiate us from others).

By moving from the state of non-citizenship to the state of potential citizenship, a person moves from the state of **common existence** in society to the state of **common living** in society, where “living” means that there are relationships governed by controls, obligations and duties that cannot be avoided as long as one has chosen to live in the same place; this however doesn’t mean that s/he has given up the patriotic feelings acquired in the initial state.

**3.3. Active citizenship:** in this state, citizenship status does not change in terms of rights and duties; what changes is the citizen’s conduct; s/he does not pick and choose whatever rights s/he desires (of the set granted to him/her) and execute the duties s/he is obliged to; rather, s/he exerts efforts to realise complete citizenship through participation in public affairs and assuming a responsibility, or many responsibilities, in the milieu where s/he lives. An active citizen refuses the passive state of a potential citizen, and exerts efforts to build a better citizenship and, thus, a better and stronger homeland. In this state, the natural belonging to the natives and a clan is not the basis of citizen’s relationships, rather broader and more complicated relationships develop among citizens with different natural belongings, but they share the same goals, ambitions and visions regarding the welfare of the society as a whole, or regarding their common interests that do not contradict the overall interests. In order for active citizens to realise their purposes, they unite in political parties, organisations, NGOs, trade unions, brotherhoods, clubs, etc., which creates the civil society, which is the practical incubator of citizenship building projects and the real area to check its accomplishments.

Moving from the state of potential citizenship to the state of active citizenship, a citizen does not give up his/her patriotic feelings acquired in his/her initial natural state of existence, and does not contradict the common living state, which characterised the state of potential citizenship, but now s/he does not accept that living as it comes. Rather, s/he mobilises his/her and his/her counterparts’ intellectual and sentimental capabilities, as well as their practical experiences and expertise to make that state concordant with citizenship principles and corresponding to its values. Now, the situation lived is no more the state of **common living**, but the **common will** to build the optimal state of this living.

**Citizenship realisation**

Based on the aforementioned, we can say that the realisation of citizenship requires three conditions in practice:

1. Acquiring a nationality;
2. Enjoying the rights and complying with the duties stemming from the acquisition of nationality; and
3. Participating in public life.

Citizenship will be incomplete if one of these three conditions is not achieved completely. It will be incomplete if the country contains citizens denied its nationality, if the principle of equality before law is not respected, or if social participation is not available. Therefore, if we look deeply into the different countries' situations, we will, with no difficulty, realise that citizenship is incomplete in most of them.

## Acquiring Nationality

Most constitutions agree on the use of one right, or more, as a basis to acquire nationality; these rights are often the following:

- **Jus sanguinis:** nationality is passed from parents to children. This means that a new-born would have the right to acquire naturally the nationality of the state of his parents. The general rule is that nationality is passed from either parent, which means that, a baby whose father is unknown or without nationality will automatically receive its mother's nationality.

- **Jus soli:** based on this right, an individual naturally acquires the nationality; a state nationality is granted to the individuals born on its territories; also, a state nationality is granted to foreign subjects who have resided legally on the country's territories for a certain number of years.

- **Naturalisation:** it is a grant. A state controls the conditions of granting citizenship based on its interests. Thus, the conditions of naturalisation vary by legislation.

- **Nationality by marriage:** a case of naturalisation in which a spouse is entitled to acquire the other's nationality. Many countries have restricted the possibilities of naturalisation via marriage with the spread of "fake marriages".

There are special cases of granting nationality right, which are in contradiction with the foregoing rules:

- Many Muslim countries restrict the jus sanguinis to the father's children only; children do not have the right to acquire their mother's nationality, under

A French woman, married to a Syrian man, gives birth on an American plane, while the plane is on the ground of a Canadian airport. Which nationality may the new-born be granted?

Answer:

It may have three nationalities:

- Syrian, as the Syrian law grants the child his/her father's nationality;
- French, as the French law permits a new-born to acquire its mother's nationality.
- Canadian, as the Canadian law grants nationality to whoever was born on a Canadian territory.

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A Syrian woman, married to an English man, gives birth on a Saudi plane, while the plane is on the ground of a Spanish airport. What is the new-born's nationality?

Answer: English only.

the pretext that Islamic Sharia recognises paternal lineage only. This however is a feeble pretext as lineage is a religious and social issue, while nationality is a legal issue to which religion is irrelevant.

- Israel uses a special law deeming Israeli any Jewish citizen in his native country, even if he has never visited Israel; this is a typical racial law.
- Some countries do not grant nationality to the migrants living on their territories, unless they prove that they have transferred an amount of money from abroad and deposited it at one of their banks.
- Some countries never grant nationality to a group of population, or to the migrants residing in them, thus creating “stateless people”, such as those in Kuwait for example.
- Finally, some states enforce their nationality on the population of an occupied territory belonging to another country. This is the case of the population of Golan Heights under the Israeli occupation and it is a violation of the international law as long as the international legitimacy does not recognise the annexation of Golan.



## Chapter 3

# Citizen and the State



# 1. Human Rights

## 1. Rights

### 1.1 The concept of human rights

The United Nations defines human rights as, “universal legal guarantees protecting individuals and groups against actions by governments which interfere with fundamental freedoms and human dignity”. The international human rights law makes it obligatory for governments to do certain things and to refrain from doing other things.

Human rights are inherent rights for all humans, regardless of their nationality, place of residence, sex, national or racial origin, colour, religion, language or any other consideration. All these rights are correlated, interdependent and indivisible.

### 1.2 The International human rights law and the international humanitarian law

The international human rights law contains what has come to be known as the International Bill of Human Rights, which includes the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, as well as the



two Optional Protocols thereof. Now, in addition to the International Bill of Human Rights, the international human rights law includes the international conventions on certain individuals and groups, such as:

- Convention on the Elimination of All Forms of Discrimination against Women;
- Convention on the Rights of the Child;
- Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment;
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
- International Convention for the Protection of All Persons from Enforced Disappearance;
- Convention on the Rights of Persons with Disabilities;
- International Convention on the Elimination of All Forms of Racial Discrimination.

The international humanitarian law is applicable to armed conflicts, and according to the ICRC, it is “a set of rules which seek, for humanitarian reasons, to limit the effects of armed conflict. It protects persons who are not or are no longer participating in the hostilities and restricts the means and methods of warfare.”

#### **A comparison between the international human rights law and the international humanitarian law**

	<b>International human rights law</b>	<b>International humanitarian law</b>
<b>Applicability</b>	Applicable during peacetime and wartime	Applicable during wartime
<b>Possibility of restricting certain rights</b>	Certain rights can be restricted for some time in special or emergent cases.	Validity of this law cannot be halted because it has already been set for states of emergency and exceptional circumstances.
<b>Responsibility for enforcement</b>	It is usually the state's responsibility towards individuals and groups.	The responsibility is assumed by all parties in conflict, both official and non-official.
<b>Sources</b>	International Bill of Human Rights	The four Geneva Conventions.

1.3 Civil and Political Rights

This category of rights is considered the first generation of human rights; they aim to achieve two goals: first, to ensure the persons’ human dignity and to protect them against governments’ arbitrariness and interference; second, to ensure persons’ participation in political life. The most important right established by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights is the right to equality and non-discrimination.

Human Rights Attributes		
They focus on human individuals	They enjoy legal protection	They are internationally guaranteed
They protect individuals and groups	They oblige the states and those acting on behalf of the state	They cannot be waived
Equal	Interrelated	Universal

All international conventions, declarations and treaties make it obligatory for the states to apply their provisions without any discrimination on a basis of race, colour, sex, language, religion, political or non-political opinion, national or social origin, wealth, lineage, etc.

### **Some civil and political rights provided for in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights**

#### **- Right to life**

Every human being has the right to life, and states have the responsibility of providing protection for them. Some countries deem this right absolute, i.e. no person's life may be terminated for any reason. Some other states deem it permissible to terminate some persons' lives, in certain cases, under specific legal conditions and procedures (such as the case of capital punishment). Human rights

organisations deem that capital punishment is improper, as, according to those organisations, such a punishment deprives a human being of his/her most important right, the right to life; moreover, it is an incorrigible or irreversible punishment. Additionally, it has not been proved that such a punishment deters crimes; the number of crimes has not declined in the countries that apply the capital punishment compared with those that have abolished it.

Between 1976 and 2014, 143 persons, who had been sentenced to death in the USA, were proved to be innocent.

#### **- Right to security of person and dignity**

Every human being has the right to security of person and dignity, and states have the responsibility of protecting him/her against all forms of torture and cruel, inhuman or degrading treatment or punishment. This is an absolute right that may not be violated under any conditions or at any time, whether in peacetime or wartime, under exceptional circumstances or in states of emergency.

#### **- Right to liberty**

Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his/her liberty except on such grounds and in accordance with such procedure as are

established by law. Individuals shall be entitled to take proceedings before a court, in order that that court may decide on the lawfulness of their detention. If such arrest or detention is proved to be unlawful, the state may be held accountable and compensation may be claimed.

- **The right to a fair trial**

This right is closely correlated to the rule of law principle, according to which, all people are equal before the law. According to this right, everyone is entitled to have his/her lawsuit considered by a competent, independent and impartial tribunal established by law, a tribunal that respects the procedures of fair trials of evidence, defence, pleading, hearing of witnesses and delays.

- **Right to privacy**

Everyone is entitled to have his/her private life; and no one has the right to interfere with or know about that life, as long as s/he does not violate the law and the public order, and does not affect others' rights or freedoms.

- **Freedom of movement**

Everyone has the right to freedom of movement and residence within the borders of his/her country and to leave it and return to it without restrictions or obstacles. In certain cases, such as wars, states of emergency and disasters, a government may restrict the citizens' freedom of movement for a period of time, and in specific cases, it may prevent some people from accessing certain places.

- **Freedom of thought, conscience and religion**

This right includes all issues in connection with personal belief and an individual's relationship with his/her notions, beliefs and creeds. It includes all beliefs, whether they believe in God, or not, as well as the right to practise the ceremonies and observances in connection with that belief.

- **Freedom of opinion and expression**

The right of everyone to embrace and adopt, without force or compelling by anyone, whatever she/he wants of opinions; more importantly, is the right to introduce these opinions to the public by all means of expression and media means, provided that these opinions respect the rights of others and don't break the public order and moralities.

- **Freedom of peaceful assembly and association**

The right of everyone to assemble peacefully with others and to form and join associations and trade unions. No one may be compelled to belong to an association. No restrictions may be placed on the exercise of this right other than those which are prescribed by the international human rights law.

- **Right to political participation and participation in the government**

The right of everyone to participate in the management of his/her country's public affairs, directly or through freely elected representatives. It is the right of an individual to elect and to be elected and to hold public offices, without any pressure, force or discrimination.

- **Right to found a family**

Every individual shall have the right to found a family; men and women of marriageable age shall have the right to marry and to found a family. It is the state's responsibility to protect such a family, to ensure equality of rights of spouses and to provide the necessary protection for children, during marriage and at its dissolution.

- **Right of self-determination**

This right is stated in Article 1 of both International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights. It reads as follows: "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." The Human Rights Committee ascribes special importance to the right to self-determination, because its fulfilment is a prerequisite for actual guarantee and actual respect of individual human rights and to promote and enhance these rights.

It is noticeable that some of these rights and freedoms are civil and political at the same time, such as the freedom of opinion and expression, which are fundamental civil rights for individuals, but also are fundamental for individuals to exercise their political rights.

### **1.4 Economic, Social and Cultural Rights**

The economic, social and cultural rights are the second generation of human rights. At first, these rights were viewed as means for development from the perspective of social justice policies. A great development occurred in 1966 with the issuance of the International Covenant on Economic, Social and Cultural Rights, which was adopted by the UN General Assembly and introduced for signature, ratification and joining simultaneously with the International Covenant on Political and Civil Rights. Thus, these rights became of the same level and value of the political and civil rights, and all these political, civil, economic, social and cultural rights became an inseparable part of the human rights system. They ensure decent, healthy and proper life for individuals, and place many obligations on the states with the aim of providing sufficient food, adequate housing, health services, job opportunities and freedom to enjoy cultural rights in society.

**Some of the economic, social and cultural rights  
provided for in the International Covenant on Economic,  
Social and Cultural Rights**

**- Right to work and workers' rights**

This right includes a wide range of rights that are provided for in the International Covenant on Economic, Social and Cultural Rights, and detailed in most ILO conventions, such as the conditions of work rights, the freedom to choose a work, the right to receive sufficient wages, the right to limited working hours, as well as planned weekends and annual vacations, the right to equal pay for equal jobs, the right to equal treatment and non-discrimination, the right to safe and healthy conditions of work.

**- Social security**

The right to social security means that an adequate standard of living is guaranteed for all individuals of society, under all ordinary and emergent situations, through packages of aids in cases of unemployment, illness, disability, pregnancy, delivery, old aging, support to poor children etc.

**- Right to adequate food**

This right means that everyone, whether a man, a woman or a child, must have, individually or in association with others, the material or economic means to obtain adequate food in all times, or to use a base of appropriate resources through which she/he can purchase via means consistent with human dignity.

**- Right to appropriate housing**

The right to appropriate housing goes beyond the concept of a shelter, four walls and a ceiling, to include the right of the person to live safely, peacefully and decently in a certain place, with his/her family members, regardless of his/her income or financial resources. A person's housing fulfils his/her living, psychological, social and material needs. States have to provide appropriate housing for all population.

- **Right to health and hygiene environment**

The right to health means that everyone is entitled to the enjoyment of the highest attainable standard of physical and mental health. States have to take the necessary measures to ensure the full exercise of this right. It includes a set of hygienic and social measures concerning food, clothing, housing, medical care, provision of material and public resources, building of public health networks to provide primary health care, improvement of all aspects of environmental and industrial hygiene, and protection of biodiversity.

- **Right to education**

Everybody has the right to education, which must be free and mandatory in the basic and primary stages, and delivered on a basis of equality, non-discrimination and the right to choose the kind and content of education. This means the equality of enjoyment of the educational opportunities and facilities, the equality of accessing them and the freedom of affiliation to any existing educational institution without force and on a basis of efficiency and professionalism.

- **Cultural rights**

Cultural rights are among the most controversial issues of human rights, starting with their definition, up to their various issues and problems, such as cultural specificity, rights of minorities and indigenous population, women's rights, identity, etc. Usually, these rights are listed in international charters under the title of the right to take part in cultural life, to enjoy the practice of arts, to contribute to scientific progress and intellectual property.



### **1.5 New Generation Rights (the third generation of human rights)**

As we have already seen, the first generation of human rights (political and civil rights) sought to protect individuals from the interference of governments in individuals' fundamental rights and to ensure their rights to participation and decision-making within the state. The second generation (economic, social and cultural rights) sought to expand human rights in order to guarantee a decent standard of living and health in all times and in all health and education fields, as well as job opportunities, making a living and exercise of cultural activities.

The third generation of human rights came to raise a wide range of issues in connection, not only with the present, but with the future of human beings as well, such as environment issues, reservation of natural resources, right to development, poverty reduction and peace.

For example, the Declaration issued by the Earth Summit (Rio de Janeiro Conference on Environment and Development) stated that "Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature." In 2012, a preliminary report was submitted to the UN Human Rights Council about the relationship between human rights and development.

The Declaration on the Right to Development, issued by the UN General Assembly in 1986, stated in Article 1 thereof: "The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized."

The Draft Declaration on the Right to Peace, issued by the Human Rights Council in 2012, stated that "All individuals have the right to live in peace so that they can develop fully all their capacities, physical, intellectual, moral and spiritual, without being the target of any kind of violence." The Preamble of that Draft stated that "Convinced that the prohibition of the use of force is the primary international prerequisite for the material well-being, development and progress of countries, and for the full implementation of the human rights and fundamental freedoms proclaimed by the United Nations."

## 2. Duties

Fulfilment of duties is a prerequisite for the enjoyment of citizenship rights. Rights and duties are inseparable in all the relationships that exist between a citizen, on one side, and the state, society and space (or common living domain), on the other side. Citizens' due duties differ from a citizen to another depending on the position and status they occupy; they also differ from a country to another.

There are two kinds of duties: legal duties that are set forth in the law, and they result in legal responsibility and legal punishments; and optional or ethical duties that are performed by citizens upon their free will; they result in ethical responsibility without legal or penal consequences.

A distinction must be drawn between duties in the human rights domain, and duties in the citizenship rights domain, in terms of the enjoyment of these rights and in terms of violation of these rights. In the human rights domain, the violation, or failure to fulfil, a specific legal duty, or the rule of "Ignorance of the Law Is No Excuse", may not be used as a justification or pretext to deny a person the enjoyment of his/her fundamental human rights. Failure to implement any of the optional or ethical duties is not a violation of human rights. While in the citizenship rights domain, failure to implement the duties enforced by the law, results in a denial of the person to enjoy some of his/her citizenship rights, and failure to implement or fulfil some ethical or optional duties is deemed a violation to citizenship principles and values.

### **The duties listed in the American Declaration of the Rights and Duties of Man:**

- Duties to society.
- Duties toward children and parents.
- Duty to receive instruction.
- Duty to vote.
- Duty to obey the law.
- Duty to serve the community and the nation.
- Duties with respect to social security and welfare.
- Duty to pay taxes.
- Duty to work.
- Duty to refrain from political activities in a foreign country.

*Example:*

A person's failure to pay taxes may not be taken as a pretext to torture or arbitrary arrest him, but definitely leads to the person's deprivation of some rights in accordance with the law, such as denying him the right to political participation as a voter, or to stand as a candidate in elections, or his properties might be confiscated.

Refrainment from the duty to help others, when such help is needed or deemed necessary, is not a violation of human rights, but can be a violation to the principles and values of citizenship in certain contexts.

**2.1 Duty to obey the law**

The law organises the relationships within the state and society. It alters and changes continuously. In democratic states, the law reflects the political, social, economic and cultural relationships in the state. The duty to obey and respect the law is a major duty to be assumed by citizens and a prerequisite for their enjoyment of citizenship rights. A citizen has to obey the law regardless of others' abidance by it.

Obedience of the law is not based on the mere idea of punishment, i.e. the fear of punishment is the only motivation to respect the law; rather, it is the result of many factors such as civil awareness, habit, culture, reputation, etc. The higher an individual's civil awareness is, the more s/he respects the law. Education and school are major factors that contribute to the acceptance of the compulsion and respect of the law.

**2.2 Duty to pay taxes**

The duty to pay taxes is closely connected with the concept of citizenship, which is defined as a set of legal, political, cultural and economic relationships between the citizens and the homeland. This duty is based on the principle of collective participation with the state in assuming public burdens. A tax is an amount of money collected by the state from persons and institutions with the aim of funding and covering the state's expenditures. Taxes are: mandatory and not voluntary; solidarity-based and participatory in the meaning that they are not paid for a certain service; they are exclusively imposed by the state and its representatives; they are permanently collected; they may be imposed only by a

law; they differ from one state to another in terms of kind, i.e. they can be direct or indirect, as well as in the way of collection.

Taxes started as voluntary payments to cover a government's financial needs, which tremendously increased, particularly because of the wars and battles that states wage. The equation was that funds were paid to the government in return of a political role as part of power sharing, i.e. in return of political representation and participation in power. Then, they became mandatory and a manifestation of citizenship relationships between the citizens and the state.

### **2.3 Duty of military service**

The duty of military service means to contribute to defending your homeland and citizens together with the state, whenever such defence is needed, especially in cases of war and conflict. Some believe that this is, not only one of citizenship major duties, but a sacred one when the country is under the threat of foreign attacks or assaults; This duty contributes to education on citizenship and values thereof through the training and education of soldiers on equality, freedom, participation, solidarity, humanism, rejection of sectarianism and tribalism, and enhancing the loyalty and belonging to a homeland.

This duty and its compulsoriness differ from one country to another. By the end of World War II, military service was compulsory in most countries of the world. Today, most countries have abolished the compulsory military service in favour of professional armies. Some other countries have replaced it with the so-called civil service. In normal circumstances, this service ranges between one and three years.

Though no one discusses the importance and necessity of military service during wartime and when the country is under the threat of assault, as well as its relationship with citizenship, the question is about its feasibility during peacetime. Interviewed by the Russian TV, many young people expressed their astonishment and resentment of this duty, saying that they would not sacrifice one year of their lives to fulfil a duty that they did not understand and whose reasons and justifications were unclear. The question becomes more complicated when a person refuses the military service abroad, or for reasons not related to the defending of the country, as was the case in Vietnam, when some American young people refused the military service in Vietnam, and in Afghanistan, when

some Russian young people refused to serve in the army and fled the country. The biggest problem is when the person concerned, not only flees the service or refuses to join the army, but fights against that army, as was the case in many civil wars or exceptional events experienced by the countries, examples of this case are the Spanish civil war, Vichy Government during World War II, and the events experienced by Syria since 2011.

*The question is: is the refusal of military service in situations similar to the aforementioned examples considered a violation to citizenship principles and values?*

The first and basic rule here is that: if the rejection or refusal of military service is made for reasons in connection with human rights or the international humanitarian law or with humanity and universal solidarity among people, it is definitely not a violation of citizenship duties, because it is motivated by rights and duties higher than the duty of military service.

The second rule is that, when the rejection to do military service arises from reasons in connection with democracy and rejection of dictatorship, or from reasons relevant to reluctance to attack or assault others' legitimate rights, such rejection also will not be considered a violation to this duty nor to citizenship duties and rights.

In a nutshell, the duty of military service must not be in contradiction with citizenship values and principles, human rights and democratic systems.

### **3. The Concept of conflict and conflict resolution**

#### **3.1 Conflict:**

Conflicts are defined and classified in different ways; most of them are based on the conflicting goals, interests, stances, ideas or behaviours of the struggling parties; moreover, some tend to define it according to their needs and wishes.

Raymond Aron, for example, thinks that a conflict is the result of a dispute between two persons, groups or political units to control the same goal or to achieve inhomogeneous goals. Wilmort and Hocker think that a conflict is an actual struggle between two parties, or more, who perceive incompatible goals,

scarce resources and interference from others in achieving their goals. Mitchell believes that it is any situation in which two social parties conceive their goals as incompatible.

We may mention many forms of conflicts, such as armed and non-armed conflicts, international and non-international conflicts, analogous and non-analogous conflicts (conflicts between similar parties, and conflicts between dissimilar parties, majority-minority, and government-rebels), legal conflicts, administrative conflicts, labour conflicts, political conflicts, tribal and clan conflicts, familial conflicts, racial and religious conflicts, cultural conflicts, intellectual and ideological conflicts.

A conflict is usually divided into three phases: pre-conflict, peak of conflict or conflict and termination of conflict.

Domestic (non-international) conflicts have a relationship with the concept of citizenship, how much citizens enjoy their fundamental rights and duties, and how much civic education, civic awareness and delicacy are deep in society. Conflicts are often connected to oppression, repression and violence against individuals and groups and how much those individuals and groups are denied their fundamental rights and freedoms, and to the ignorance of the other side's cultures and conducts.

Studies have shown that the ability to deal with and contain conflicts, and to keep them within the legal, non-violent and legitimate frameworks, is related to individuals' freedom, their participation and accessibility to public offices, their enjoyment of fundamental rights, how much the rule of law principle within the state is applied, and the ability to communicate and learn about the different cultures within the society.

Within the concept of citizenship, conflict is connected with the concepts of culture and identity. Culture, in its broad meaning, is all spiritual, material, intellectual and emotional characteristics that define the identity of a society or a social group. In this context, it defines the conducts and ways of dealing with others. In multi-cultural societies, ignorance or disregard of these cultures, or denying the individuals or communities the right to express their cultures, often lead to a conflict, this way or that. Sub-national, sub-cultures play an important role in the formation of individual personalities within the community. These identities often come to surface during the conflicts and crises that a state and a society go through. Disregarding or effacing these identities is a major factor in the emergence of conflicts inside a country.



Thus, the development of a conflict is closely related to the realisation of citizenship principles and values within the society and state. The more citizenship is derogated, and rights of individuals and groups are violated, the higher are the potentials of a conflict to rise, aggravate and become a violent and armed one. On the contrary, the more advanced citizenship principles and values are, and the more the citizens' fundamental rights are exercised and enjoyed, the higher are the ability and potentials to contain conflicts and solve them peacefully and amicably.

### Elements of conflict

Elements of conflict are divided into three elements: context, relationship, causes or sources.

1. Context: It is the political, social, economic and cultural context in which a conflict occurs.
2. Relationship: It is a set of links set up by persons and groups with each other, within which a conflict occurs, with a focus on cultural factors and their role in the emergence and development of the conflict.
3. Sources or reasons<sup>(\*)</sup>:
  - a. Relationship conflicts prosper in environments of strong emotions, stereotypes, poor communication and historic negative patterns.
  - b. Value conflicts erupt when people have different ways of life, deeply rooted goals or varying criteria on how to evaluate behaviours.
  - c. Structural conflicts result from structural inequities in control, ownership, power, authority or geographic separation.
  - d. Interest conflicts occur when there are actual or perceived scarce resources such as physical assets (money or other tangible things), procedural issues (how decisions should be made) or psychological issues (who is in the wrong emotionally).
  - e. Data conflicts arise when information is lacking, differently interpreted or withheld.

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\* Christopher W. Moore, "The Mediation Process", California 1966

### 3.2 Conflict resolution:

The conflict resolution term includes all processes, efforts and means that aim to bring a conflict to an end, to build peace and re-build confidence among the conflicting parties. This is a citizenship issue of priority during wartime. A conflict resolution process includes an analysis of the conflict root-causes, the causes that fuelled it, and a consideration of all internal and external factors in connection with it.

Conflict resolution can be done via peaceful or non-peaceful means, such as: negotiations; intermediation and good offices; arbitration; investigation, conciliation and reconciliation; juridical means; resorting to international and regional organisations and agencies; and military actions.

Some scholars of conflict resolution theories see that a conflict resolution must meet the fundamental humanitarian needs; others believe that, in certain contexts, it must meet the fundamental identity-based needs. In all cases, the successful examples of internal conflict resolution are the ones that managed to reach a national consensus on the reality of what had happened in a country, and adopt mechanisms ensuring that what had happened would not be repeated.

Conflict resolution is closely related to citizenship and, then, to human rights. Citizenship aims to provide citizens with the best conditions of common life, which cannot be achieved as long as there are conflicts. Citizenship, in its principles and values, does not contradict the existence of differences, but contradicts the existence of disagreements and conflicts, which makes conflict resolution a citizenship issue of priority. Through training, dissemination of citizenship culture and topics of identity, culture, coexistence, dialogue, peace and non-violence, it contributes to the social fabric restoration and rebuilding of relationships among groups and individuals on a basis of respect to citizenship rights and human rights.

It may be sufficient here to remember that most conflicts, that have been resolved at the expense of citizenship rights and human rights, have failed to realise a long-lasting peace (Lebanon as an example), and continued to live in a state of fragile peace that can be exploded at any moment; they failed to realise a comprehensive reconciliation though years have passed since the agreement to terminate the struggle was reached.



#### 4. The concept of dialogue

Among the topics of citizenship, dialogue has an exceptional importance; it is a basic tool to realise the principles and values of citizenship. Dialogue can only be done with the other, the other who is different from us culturally, politically, religiously, ethnically or ideologically. Among other things, dialogue is characterised by the fact that it:

- contributes to understanding others' cultures, customs, traditions, ideas and visions.
- contributes to dismantling the animosities and building peace bridges between opponents, because people are enemies of what they're ignorant of, and dialogue dispels the ignorance regarding others.
- represents the central tool to discard violence and extremism, to solve disagreements peacefully, and to contain the crises striking the country.
- represents an essential tool for human development, and to gain knowledge, experience and values.
- contributes to highlighting the commonalities among the ethnic, religious and ideological groups and communities, as well as to the formation of a collective culture and memory of the country.
- contributes to reaching the highest levels of community participation, and solidarity among its various components, especially in time of crisis.
- correlates closely to courtesy, which is the practical expression of respect to others' culture; no dialogue can be imagined unless it is based on a set of controls, ethical and moral standards that respect the dignity of all interlocutors.

Hence, the role of educational institutions which aim to teach the culture of dialogue with and respect to the other, and to manage the differences in a constructive way in a space of freedom and equality.

#### 5. The risk of resorting to violence

Violence is any conduct or act that causes, or is likely to cause, physical, psychological or sexual harm or suffering for others. There are various types of violence depending on the theme, such as gender-based violence, violence

against children, sexual violence, school violence, career violence, political violence, domestic violence, religious violence, legal violence, legitimate and illegitimate violence, media violence, sectarian violence, nationalist violence, racial violence, justified and unjustified violence, and economic violence.

Resorting to violence impedes citizenship realization and contradicts its values and principles. It contradicts freedom because it deprives others of their freedom and will. Also, it eliminates the principle of participation because it forces others to do what they do not want to do, and forcibly prevents them from participating in any act to fulfil their interests. Additionally, it destroys the principle of equality, because no equality can exist with the absence of parity of power and the dominance of fear.

The most serious type of violence is the violence exercised by the state, which takes us to the classic question: when is the state's use of violence considered lawful? It is commonly said that the essence of power is the exercise of violence, and that only the state possesses this right and legitimacy to use it. This stems from the social contract theory in which citizens waive their right to use violence to the state, and thus, it becomes the only one who is entitled to use it. Often, this is not a controversial topic in democratic countries, which have free elections, a judicial system operating in accordance with the international standards for fair trials, strict surveillance system to monitor government performance, and free media institutions. The problem, however, begins when authoritarian and dictatorial regimes try to legitimize their violations and justify their actions based on this argument, where any outlaw action, or any human right violation, becomes justifiable as the violence exercised by the authority is legitimised.

In citizenship, no one, including the state, can use violence except in accordance with rules provided for in the law and according to human rights standards and fundamental freedoms. Moreover, accountability must be guaranteed when such use is abused, or when it occurs outside the framework of law or the stated rules.

## 6. The rule of law

The UN Secretary General sets it clear, in his Report on The Rule of Law and Transitional Justice, that the "rule of law refers to a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publically promulgated, equally enforced and

independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal transparency.” [UN Document, S/200423 ,616/ August 2004]

Usually the rule of law system includes four basic elements:

First, the government, its employees and agents, as well as other individuals and legal persons, must be responsible under the law.

Second, the laws must be clear, published, stable, fair, equally applicable to all without discrimination, and must not contradict the international human rights standards.

Third, the process of law making and implementation must be transparent, impartial and effective.

Fourth, justice must be attained within appropriate timeframe and neutrally, impartially and transparently.

No real and effective citizenship can be imagined without the application of the rule of law principle; there will be no freedom, equality, responsibility or participation without the existence of legal standards and principles respected by all, and applicable to all without discrimination or favouritism.

The rule of law principle enhances the principle of participation, through the sense of everyone that they have equal opportunities to gain access to the different posts, agencies and positions, and that they have a real capacity to change, and that the government is obliged to deal with them transparently and in accordance with the principles of good governance.

Freedom, from a citizenship point of view -i.e. when citizens are free to do what the law allows them to do, and to refrain from doing what the law does not oblige them to do- cannot be imagined without the rule of law principle. When a citizen sees that everybody, including the state, institutions and individuals, respects the law, s/he will automatically tend to obey and respect the law. Conversely, when a person sees that the law favours some citizens, or that the state and its institutions tend to apply the laws, while violating and infringing them, s/he will inevitably exercise his/her freedom of violating these laws and do whatever may be beneficial to him/her.

The rule of law is based on the principle of equality, so, the absence of the rule of law inevitably means that there will be discrimination, favouritism and bias within the state and society.

Enforcing the rule of law principle is inconceivable without the application of the principle of responsibility. When we apply the duties and responsibilities of a citizen to persons and exclude others for reasons irrelevant to the law, such as favouritism, personal relations, corruption, power, etc., we, then, create an appropriate space to evade responsibilities and duties.

## 7. Constitution

A constitution is a form of social charter. It includes a set of rules that govern the operation of the state's main organs and their interrelationships, as well as with the citizens. "Maurice Duverger" defines the constitution as "a legal text that is superior to all other texts, which are derived from it and whose validity is derived from it." Accordingly, the constitutional provisions and principles are superior to all other legal texts and rules in the state, hence the importance of having the principles of citizenship, human rights and fundamental freedoms stated clearly and explicitly in the body of the constitution; thus each legal text, that is inconsistent with these principles, will become unconstitutional and should be cancelled. The recognition of rights and freedoms has no value if they are not exercised and if no guarantees are set in place to prevent their violation or infringement.

A constitution is usually divided into many sections:

- A section for the general principles and values, upon which the state is based, such as the principles of state's independence and sovereignty, people's sovereignty and democracy.
- A section for state form, administrative and political divisions, and whether it is a federal or a confederal state ...
- A section for the government form: presidential, parliamentary, royal ...
- A section for state's powers: executive, legislative and judicial, as well as the mandate of each and the principle of separation of powers.
- A section for the rights and freedoms: in some constitutions this appears

in the preamble as a bill of rights, in others it is incorporated into the constitution in order to prevent any interpretations about the constitutional power of these rights and freedoms.

Citizenship is the foundation on which a constitution must be built. All citizenship principles and values of participation, freedom, equality and responsibility must be established and provided for in the body of the constitution. Citizenship is a set of legal, political, social and cultural relationships that are practically embodied through incorporating them in constitutional rules and principles that inform the state and its values, as well as the individuals' rights and duties.

The constitution, through the provision for the fundamental human rights and freedoms, defines the state's duties and responsibilities towards individuals, which is based on the duty to respect and protect the rights and to ensure the enjoyment of them. Also, through the provision for a set of rules in connection with economic and social rights, it enhances social relationships, values of solidarity, protection and social interdependence, protects family relationships and establishes equality between women and men. And through cultural rights, the constitution contributes to the building of values, collective culture and national identity, ensures the cultural rights for all components of the state and maintains their cultural specificities.

## 8. Elections

Elections are the highest level of participation; they constitute a process to assess the performance of institutions, and are one of the most important decision-making processes and policy-making within the society and the state. This form of participation is the optimal expression of the democratic process; it is the materialisation of state's respect to human rights and citizenship principles. According to Article 21 of the Universal Declaration of Human Rights, "everyone has the right to participate in management of public affairs of his country, directly or through freely chosen representatives." Elections must be free, impartial, periodic, and confidential, and must be freely exercised away from force and coercion, on a basis of "one person, one vote." Moreover,

a fair representation ratio for women must be ensured, minority rights must be maintained, needs of the people with special needs must be taken into account, and must not contradict the principles of human rights enshrined in the International Bill of Human Rights.

Election means that an individual has the possibility to contribute to the selection of whoever s/he deems appropriate to hold an office or position in an organization, association, body, government or parliament; all that must be through rules, regulations and laws tailored for each of these bodies.

Electoral systems vary from one country to another. The process of selecting an electoral system is one of the most complicated issues in the state; it is determined by a number of political, legal, social, economic and cultural determinants. An electoral system may raise the level of women's representation in the parliament to the half; another system may deny them political participation. The results of elections and the distribution of seats in local councils and parliaments depend entirely on the nature of the electoral system in place. Adopting the first winner system, for example, leads to the exclusion of small parties and to a weak representation percentage of minorities, while it may be useful for big parties and political blocs.

### **Women and elections:**

the issue of women's representation is one of the most important issues that must be taken into account when developing any electoral system. The system of proportional representation and the electoral systems that rely on large constituencies are the most suitable systems for women's representation in parliament. The quota system is the most used mechanism to ensure women's representation in parliament. The quota is either provided for in the body of the constitution (such as Afghanistan and India), or in the law of elections (Bolivia and Peru), or through internal quota of the political parties to ensure the nomination of a number of women for the elections (African Congress Party, the Labour Party in Australia).

### Five Electoral System Options: Advantages and Disadvantages

Electoral system	Advantages	Disadvantages
<b>List proportional representation (List PR)</b>  (Turkey, South Africa, Cambodia)	<ul style="list-style-type: none"> <li>- Proportionality</li> <li>- Inclusiveness</li> <li>- Minority representation</li> <li>- Few wasted votes</li> <li>- Easier for women representatives to be elected</li> <li>- No (or less) need to draw boundaries</li> <li>- No need to hold by-elections</li> <li>- Facilitates absentee voting</li> <li>- Restricts growth of single-party regions</li> <li>- Higher voter turnout likely</li> </ul>	<ul style="list-style-type: none"> <li>- Weak geographical representation</li> <li>- Accountability issues</li> <li>- Weaker legislative support for president more likely in presidential systems</li> <li>- Coalition or minority governments more likely in parliamentary systems</li> <li>- Much power given to political parties</li> <li>- Can lead to inclusion of extremist parties in legislature</li> <li>- Inability to throw a party out of power</li> </ul>
<b>First Past The Post (FPTP)</b>  (Canada, USA, India, Britain)	<ul style="list-style-type: none"> <li>- Strong geographical representation</li> <li>- Makes accountability easier to enforce</li> <li>- Is simple to understand</li> <li>- Offers voters a clear choice</li> <li>- Encourages a coherent opposition</li> <li>- Excludes extremist parties</li> <li>- Allows voters to choose between candidates</li> <li>- Strong legislative support for president more likely in presidential systems</li> <li>- Majority governments more likely in parliamentary systems</li> </ul>	<ul style="list-style-type: none"> <li>- Excludes minority parties</li> <li>- Excludes minorities</li> <li>- Excludes women</li> <li>- Many wasted votes</li> <li>- Often need for by-elections</li> <li>- Requires boundary delimitation</li> <li>- May lead to gerrymandering</li> <li>- Difficult to arrange absentee voting</li> </ul>



<b>Two-round system</b>  (France, Iran, Congo)	<ul style="list-style-type: none"> <li>- Gives voters a second chance to make a choice.</li> <li>- Less vote-splitting than many other plurality/majority systems</li> <li>- Simple to understand</li> <li>- Strong geographical representation</li> </ul>	<ul style="list-style-type: none"> <li>- Requires boundary delimitation</li> <li>- Requires a costly and often administratively challenging second round</li> <li>- Often need for by-elections</li> <li>- Long time-period between election and declaration of results</li> <li>- Disproportionality</li> <li>- May fragment party systems</li> <li>- May be destabilizing for deeply divided societies</li> </ul>
<b>Parallel voting</b>  (Russia, Japan, South Korea)	<ul style="list-style-type: none"> <li>- Inclusiveness</li> <li>- Representation of minorities</li> <li>- Less party fragmentation than pure List PR</li> <li>- May be easier to agree on than other alternatives</li> <li>- Accountability</li> <li>- Few wasted votes</li> </ul>	<ul style="list-style-type: none"> <li>- Complicated system</li> <li>- Requires boundary delimitation</li> <li>- Often need for by-elections</li> <li>- Can create two classes of representatives</li> <li>- Strategic voting</li> <li>- More difficult to arrange absentee voting than with List PR</li> <li>- Does not guarantee overall proportionality</li> </ul>
<b>Mixed Member Proportional (MMP)</b>  (German, Italy, Mexico)	<ul style="list-style-type: none"> <li>- Proportionality</li> <li>- Inclusiveness</li> <li>- Geographic representation</li> <li>- Accountability</li> <li>- Few wasted votes</li> <li>- May be easier to agree on than other alternatives</li> </ul>	<ul style="list-style-type: none"> <li>- Complicated system</li> <li>- Requires boundary delimitation</li> <li>- Often need for by-elections</li> <li>- Can create two classes of representatives</li> <li>- Strategic voting</li> <li>- More difficult to arrange absentee voting than with List PR</li> </ul>

Source: Electoral System Design: The New International IDEA Handbook, p.119.



## 9. Citizenship and Human Rights

Citizenship and human rights are closely intertwined and correlated. The clearest evidence of this correlation is the full title of the 1789 Declaration: “Declaration of Rights of the Man and Citizen”. Reviewing the Universal Declaration of Human Rights, adopted by the United Nations General Assembly on December 1, 1948, we see that it presents, in many places, the principles of citizenship as part of the body of civil and political rights that lay down the foundation for the rights and duties of citizens. The whole of Article 7 is about equality; it reads: “All are equal before the law and are entitled without discrimination to equal protection of the law”. Article 21 sets the foundations of the participation principle; the first clause thereof states: “Everyone has the right to take part in the government of his country, directly or through freely chosen representatives”. Similarly, we see the principles of freedom and responsibility included in many articles of the Declaration.

In spite of the close correlation between the two subjects –citizenship and human rights- we cannot say that they are identical, because of the following:

1. Human rights constitute a theoretical frame of reference that is, to a certain extent, constant throughout different times and places. They include the six international documents brought together under the title of the International Bill of Human Rights. On the other hand, citizenship is a huge set of relationships covering all aspects of social life; it is based on stable principles, whose manifestations change with time and place.

### The International Bill of Human Rights

1. The Universal Declaration of Human Rights.
2. The International Covenant on Civil and Political Rights.
3. The International Covenant on Economic, Social and Cultural Rights.
4. The First Optional Protocol to the International Covenant on Civil and Political Rights on the submission of complaints by individuals.
5. The Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.
6. The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

2. Human rights are the theoretical legal frame of reference for human beings as human beings, i.e. as natural beings, regardless of any later acquired identity, be it cultural (religion, ethnicity, tribe, gender, etc.) or political (acquired by merely being listed in a country's registry of citizens). Thus, human rights are about human beings, whether they are inside or outside their countries of nationality. A person might be a tourist, refugee, astronaut or a traveller in international waters that are not under the control of any state in the world. However, this would not change anything in terms of his/her competence to enjoy these rights. This is what makes these rights universal. Citizenship, on the other hand, is a relationship within a country (even though now we can talk about universal citizenship). This means that a citizen is accountable for his/her deeds and enjoys the rights granted by the laws of the country of which s/he is a national.

3. Human rights affirm the doubtless necessary rights that a human being is entitled to, while neglecting to identify the duties assigned to him/her. Citizenship, on the other hand, consists of a balance of both duties and rights, without the scale tipping to either side.

These differences between human rights and citizenship, though limited, require attention when reporting on the violations that citizens may suffer. Usually, violations of human rights are highlighted, whereas citizenship violations are forgotten or concealed, even though they are sometimes of equal seriousness and gravity.

## 10. Violations

A violation is any deed conducted by an individual, group or authority, which leads to a citizen being deprived of fully realizing his/her citizenship, or hinders his/her efforts to realise citizenship and build citizenship relationships. These violations are observed on the three levels of the citizen-homeland relationship.

### Examples of violations of the principles and values of citizenship

	<b>Relationship with government institutions</b>	<b>Relationship with other citizens</b>	<b>Relationship with the common space</b>
<b>Participation</b>	Hindering the participation of citizens in the formulation of local and national policies.	Hindering the establishment of civil society organisations.	Hindering citizens' utilization of natural or cultural resources (e.g. denying a village or a group of villages access to water)
<b>Freedom</b>	Hindering citizens' use of their own property.	Formation of mafias and terrorist networks.	Hindering enjoyment of material resources (antiquities) and immaterial resources (restricting the practice of rites or events of spiritual and sentimental importance)
<b>Responsibility</b>	The institutions controlling the regions evade their responsibility of securing citizens' rights.	Practicing slavery.	Seizure of, smuggling and trafficking in natural resources (oil wells for example) or cultural resources (antiquities). Environment pollution
<b>Equality</b>	Discrimination in rights, based on sex, ethnicity or religion.	Sectarianism, racialism, and scorning some communities based on religion, sex or race.	Discrimination in securing access to natural and cultural resources.

<b>Public moralities</b>		Practices that hinder tolerance and mutual respect.	Destroying, deforming or writing graffiti on antiquities.
<b>Solidarity</b>	Refraining from treating citizens' affair or hindering them without reason. Counterfeiting or spoiling the registries.	Hindering relief processes.	Preventing the practice of rites of a participatory nature (popular feasts...)
<b>Civil awareness</b>	Hindering equal education for all. Developing discriminatory religious curricula.	Spreading racial or sectarian ideas.	Spoiling sites of public utilization.
<b>Humanity</b>	Manipulating the internationally recognised national borders.	Spreading chauvinist ideas or ideas hateful of other peoples.	Spoiling anything that belongs, officially or by default, to the world's cultural heritage.



## 2. Democracy

### 1. The concept of democracy

The term democracy is defined the “government of the people, by the people, and for the people.” Since the people, as a whole, cannot exist in government institutions, it chooses some individuals to represent it. This is done through elections whose forms vary according to the applicable electoral systems. However, representation is a responsibility and a duty rather than a gift, which means that the representatives chosen by the people should act according to their constituents’ interests, which requires that they keep close to those constituents and always listen to their demands. Democracy, in essence, is based on the principle of power distribution in society. Therefore, democracy in a society increases when the citizens thereof have more opportunities to regulate and run their lives as deemed suitable for them. This can be the case only in a society where the foundations of citizenship are well established; citizenship sets the floor for democracy. Democracy, on the other hand, protects and fosters citizenship; thus, citizenship decays and vanishes if states shift from democracy to tyranny.

As long as there is one dictatorship, myself won't consent me to criticize a democracy.

**Jean Rostand, 1967**

## 2. Pillars of democracy

Democracy is based on pillars that must be in place, otherwise it will be a deformed democracy:

### 2. 1 Free Elections

Democracy is based on the principle of competitiveness among representatives of citizens, who run public affairs with a view to fulfilling the best interests of those who have selected them. Thus, the former will be accountable before the latter for their performance of their responsibilities. Democratic elections, thus, suppose that the principles of competitiveness, monitoring and accountability are respected.

Competitiveness necessitates the existence of partisan pluralism, in which political parties compete in a context of **periodical** (with no delays), **free** (no group of society dominates the others), **impartial** (no forgeries), and **meaningful** (not formal with already determined results) elections. The competing parties enjoy the same rights to use official media means and to access government facilities (such as providing spaces in the public sphere for electoral campaigns, or getting subsidies....).

Monitoring is primarily the responsibility of civil society; it is exercised mainly during the procedural stage of elections when NGOs undertake the mission of election monitoring to ensure that they are confidential, impartial and compliant with the constitutional standards. This monitoring is often carried out under the supervision of an independent, impartial and efficient committee that treats everybody equally without any bias. Also, the civil society monitors the elected councils' performance, detecting any defects in representatives' conducts or any retreat in the performance of political parties, compared with the slogans raised during electoral campaigns.

### 2.2 Circulation of power

Democracy can, in no way, be built if the persons in power remain permanently in their posts, even if they have come to power via a valid democratic process.

Therefore, democratic constitutions limit the terms of holding sensitive positions, such as the post of the president, so that the term does not exceed a specific number of years (often five years) and may not be renewed for more than once.

### **2. 3 Participation**

Participation is a fundamental principle of both citizenship and democracy. It means that any matter, decision, law, procedure, etc., which is relevant to citizens' public life, may not be taken by any authority, whatsoever, unless upon the knowledge and direct, or indirect, participation of the stakeholders from among the citizens. Citizens have the main role in a democratic system. This role is reflected in their participation in the overall democratic process and public life. However, citizens choose the general issues prompting their interest and stimulating their feelings so as to unite to defend their stances of them. Thus, they form associations or political parties, select their representatives to power positions in order to realise their visions about these issues. Additionally, they monitor the performance of those representatives with a view to helping them, if such help is needed, or hold them accountable in case of failure. It is through this series of successive processes that participation is realised and democracy is achieved.

### **2. 4 The rule of law**

The rule of law means, simply, that the state is governed by law.

Of course, this is meant to include all aspects of the state: land, people and institutions. Therefore, the rule of law assumes the existence of a hierarchical structure of legal rules that cover all joints of state and society. When applying those rules, the supreme ones have precedence over lower ones. At the top of the hierarchy, there is the constitution and the preamble thereof, which contains the general constitutional principles which are superior to the constitutional provisions; then, there are the general principles of law and the international treaties duly ratified; after that, there are the ordinary laws enacted by the legislature; then the legislative decrees, followed by the regular decrees and ministerial orders and their subsequent administrative orders issued by central or decentralized units of administration.



The rule of law emerges, not only from this accurate structure, but also from two important norms that have to do with the form and content of law.

At the formal level, laws must be stable, general and applicable to all. Citizens, whether active or passive, are equal before the law regardless of their ethnic, religious, sexual or regional differences. Citizens are also equal in terms of their duties before the law.

In terms of content, provisions of the laws have to be compatible to the freedoms and rights enshrined in the International Bill of Human Rights, the complementary covenants and the constitution.

The rule of law principle is the shield that protects the state and the citizens from rulers' authoritarian tendency or authorities' arbitrariness; it also monitors the breaches that legislative and executive powers may tend to.

## **2. 5 Ensure and protect human rights**

Democracy and human rights are inseparable and complete each other; while democracy recognizes the majority rule, human rights protect the dignity of individuals and minorities, and set limits to majority dominance. These rights are protected in democratic states, and guaranteed by the international treaties and conventions ratified by the state concerned. A democratic system is the natural environment that guarantees the citizens' freedoms and rights.

### **Human Rights and Democracy**

Article 25 of the International Covenant on Civil and Political Rights reaffirms the States' duty to ensure that: "Every citizen shall have the right and the opportunity [...] to take part in the conduct of public affairs, directly or through freely chosen representatives; to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors; to have access, on general terms of equality, to public service in his country".

### 3. Democracy and Citizenship

Citizenship is the fertile land for democracy building, because it, in essence, suggests the application of the principles of participation, responsibility, freedom and equality. These are the principles that a state must meet in order to be able to build democracy. Additionally, it is citizenship that guarantees the same rights and duties for all citizens without discrimination on grounds of sex, ethnicity, religion, creed or regional or ideological affiliation.

### 4. Electoral democracy and authentic democracy (established)

Elections alone do not make democracy. It is not enough for a state to organize elections and voting through ballot boxes to claim that its regime is democratic. This, somehow occasional, democracy remains an electoral one, while authentic or established democracy assumes two prerequisites: the rule of law and civil liberties, as well as the elections and ballot boxes.

### 5. Nomenclatures of democracy

Democracy has one unchangeable essence, regardless of the changing conditions and circumstances of the country in which it is applied. The loose speech in some countries about a “specificity” of democracy is no more than creating smokescreens to blur described authoritarian practices. There are, however, some differences in the form of the exercised democracy, leading to distinctions among democracies by specific nomenclatures:

**5.1 Direct democracy:** it is the original form of democracy in which people exercise the power directly, (Jean-Jacques Rousseau believed that democracy cannot be indirect, depending on the idea of natural rights of human beings and the social contract that united them.)

**5.2 Indirect democracy:** in this form of democracy, citizens elect their representatives who are authorized to enact laws on behalf of them (the legislative power) and to implement those laws (the executive power). Representatives have also to implement and defend the programs on the basis of which they have been elected. The people's sovereignty here is essential, but the people's exercises it only in times of elections.

**5.3 Liberal democracy:** this term has been used during the Cold War as the opposite of the "people's democracy" that was used in the socialist countries. This democracy is characterized by the existence of a political order that sanctifies individual freedoms and a capitalist economic system regulated by the market power.

**5.4 Participatory democracy:** it refers to a set of systems and laws that allow a wider participation of citizens in the political life, giving them a greater role in the law-making process. This concept has emerged in a context of criticisms to representative democracy. Participatory democracy is a mixed system of the representative (indirect) democracy and the direct one, where the people select its representatives who propose and vote over laws, but at the same time, it keeps the power to decide on some crucial issues.

**5.5 People's democracy:** this is the system followed by the Socialist States since 1945 until the collapse of the Soviet Union in 1990. In Communist ideology, people's democracy is a transitional phase on the way towards a classless society. However, the concept of democracy here is radically different from the authentic democracy; throughout the Socialist experience, we have not seen any respect to human rights that mounts to the level required for democracy building.

**5.6 Representative democracy or parliamentary democracy:** in this democracy, citizens exercise power through their elected or chosen representatives, who vote on draft laws and monitor the governments.

**5.7 Semi-direct democracy:** it combines direct and representative democracies; the citizens elect their representatives who discuss, vote on and enact laws. But citizens retain some direct legislative powers; they pass some legislation through referendums. A referendum may be invited upon the people's

initiative (Switzerland, Italy), or upon a recall allowing the citizens to vote in referendum for the dissolution of an official's contract or for the abolition of his/her job.

### Recall

(In 2003, some citizens in California organised a petition demanding the deposition of State Governor Gray Davis; they managed to collect enough signatures to force the government to organise a special referendum on the issue; it took place on 7 October 2003, and the Governor was deposed by a majority of 54% of votes).

## 6. Democratic systems of government

Today's democratic systems of government in the world fall into two main systems, each of which has its own advantages and disadvantages: the parliamentary system and the presidential system. The main difference between the two systems stems from the question of separation between the executive and the legislative powers. In a parliamentary system, the separation between the two branches is flexible; they monitor each other, and each has the right to depose the other: the parliament can withdraw confidence from the government, and the government can dissolve the parliament. The executive power is binary; there is the head of the state (president, king, prince, etc.) and the prime minister, who is changed with every new government. In a presidential system, the separation of powers is complete. The parliament may not withdraw confidence from the government, nor does the government have the right to dissolve the parliament. However, the executive power is unilateral; the head of state is the head of the government.

There is a hybrid system that takes from both systems and has two characteristics:

1. The head of the state is elected through public voting, and enjoys special and wide powers.
2. The government is accountable before the lower chamber of parliament, which can depose it at any time.

<b>Presidential system</b>	<b>Parliamentary System</b>
Separation between the legislative and the executive powers is full and complete	Separation between the legislative and the executive powers is flexible
The legislative branch is often made up of two chambers: a lower chamber (the House of Representatives, Parliament, the House of Commons, Congress, etc.) and an upper chamber (the Senate)	The legislative branch is often made up of two chambers: a lower chamber (the House of Representatives, Parliament, the House of Commons, Congress ...) and an upper chamber (the Senate)
The lower chamber is elected via public ballot	The lower chamber is elected via public ballot
The President enjoys almost absolute powers, and he is often the president and the prime minister at the same time	The lower chamber of parliament may withdraw confidence from the government at any time
It is very difficult to depose a president	The head of state can dissolve the lower chamber of parliament
The president is elected via direct or indirect public ballot	The head of state is elected by the parliament (the two chambers) or inherits the position (Kingdom, Principality ...)
President's terms are limited (one or two terms)	The head of the state chooses the prime minister, and the government is accountable before the lower chamber of Parliament
The president is the center of power	The Council of Ministers is the center of power
Winner takes all	The wins are distributed among political parties
The system may be more stable	Parliamentary countries may experience stages of disorder, and a government is formed every few months
The government and the parliament are separated (it is impermissible to combine the two posts). Ministers may attend parliamentary sessions only as visitors	Government members are already members of parliament
The executive power may not propose laws and may not dissolve the parliament	The government may propose laws and may dissolve the parliament
The parliament may not withdraw confidence from the president.	The parliament may withdraw confidence from the government.

### Despotism

“Despotism is a property of an actually and potentially autocratic government, which deals with the subjects’ affairs without any control or accountability ... The worst level of despotism is the autocratic rule of an individual who inherits the throne, leads the army and possesses a religious power ... A despot controls the affairs of people according to his own will, and not according to their wills, and governs according to his passion, and not according to their laws; deep in his self, he knows that he is an oppressor and assaulter who treads on millions of people’s mouths, preventing them from saying the truth and from making any complaints. A despot is the enemy of right, the enemy of freedom and the killer of both.”

*“The Nature of Despotism, Abdel Rahman al Kawakebi, edited by Muhammad Jamal Tahhan, Aleppo, 2006, p. 24*



## 3. Education

It will not be an exaggeration to say that the future of countries is determined at their schools; our schools today are the mirrors of our countries tomorrow. This serious role of educational institutions is not limited to certain countries; it is true for all countries of the world, but it is more important in under-developed countries, where there are fewer capacities and more problems. As for the countries suffering from internal wars, educational institutions face emergent risks placing them before big responsibilities, the major ones thereof are how to fill the educational gap, which is the result of children's dropping out during war years, restore the destroyed infrastructure, unify the curricula throughout the country, set aside the original responsibilities of educational institutions.

### 1. Responsibilities of educational institutions

During peacetime, educational institutions perform roles that can be classified according to the goals expected from them; thus, we see four interrelated and parallel roles that can be defined as follows:

I. **The teaching role:** is the first, given and traditional role of educational institutions. It aims at providing students with a sufficient scientific and cultural base to be engaged in society and life. The curricula contained in the textbooks



in use are the main domain, through which this role is played, but the curricula alone are not sufficient for the institutions to fulfill their educational role, because, in addition to the curricula, education needs a mediator that can transform the written texts into understandable ideas; that mediator is the teacher. In order to complete this intended transformation process, a living medium that allows the process to be completed is needed; this medium is not only a material one that can be a room (class), a building (school) or an edifice (university), but a set of relationships that govern it. They are positive, and somehow sentimental, power relationships ranging between duties and rights, and governing the parties of the educational process.

These three elements of the educational institutions' educational role (curricula, teachers and relationships) are not stable through time; they change with circumstances and degree of development and are subject to a continuous questioning process that aims at evaluating and balancing them.

**II. The educational role:** throughout history, education has been closely associated with teaching and sometimes it has been even more important that some countries prioritise education to teaching and incorporate the latter into the former, giving the ministry in charge of teaching the name of "Ministry of Education".

The educational goals assumed by educational institutions change with the changes and requirements of times. The educational goals, at the time of globalisation and telecommunication revolution, which open windows to uncontrollable and unlimited possibilities, are considerably different from those goals at the time of national liberation and independent state building, though the final end of both cases remains the same: building the learner's thinking and character to be a competent citizen who can face life and fight its battles with a great deal of wisdom and good management.

**III. The qualifying role:** in addition to the theoretical sciences they provide, the educational institutions provide the students with the necessary practical experience. Here, we do not mean the technical experience for which special technical schools are established, but, in the first place, life experience which results from daily practice within the classrooms, during the breaks, and through the supportive activities carried out by the school, such as trips, visits and social initiatives, which aim to qualify the students to be citizens, to the full meaning of the word.

IV. **The cognitive role:** knowledge is concerned with the universe, but it starts with learning how to know the universe. Therefore, it will be a mistake to think that the school is sufficient, by itself, to acquire knowledge; the school, with its curricula, teachers and governing relationships, open a paved road that students may follow to attain knowledge. There is no school in the world that is sufficient to know the world, but it can open a door to that knowledge, when those in charge of educational institutions, believe that the school is the key to science oasis, and not the oasis itself; that textbooks are only means on the way to that end, and not the end itself; and that teachers are only guides on the ways of thought, and not infallible prophets.

## 2. School and Citizenship

All school-related studies agree that the school is the factory of citizenship; it is the societal institution in charge of citizen building and of mental and practical establishment of citizenship. Citizenship is not literature to be learnt by heart, though it has its own literatures, but a culture that is acquired and modified throughout one's lifelong. The school is the space, where the foundations of this culture are set; it is the factory of citizens, where belongings to primary cultures are fused to form a common feeling of belonging to a homeland, in which all citizens are equal in rights and duties without distinction on a basis of sex, ethnicity, religion, or social origin. In the school, citizen's rights and duties are recognised and understood, differences are assimilated and the bases of accepting and respecting the differences are set.

School responsibility, in this context, seems paradoxical, and it is really so, because it grows, or should grow, the recognition, understanding and respect of differences and, at the same time, it should construct the unity in which these differences are fused. The paradox here is that the school, while seeking to enhance unity, in spite of the differences, safeguards the differences within that unity. It seeks to build equal citizens who are united in their belonging to one homeland, but it works also to maintain students' individualities and pushes them to be distinguished among their peers.

In other words, the contest or competition between one individual and the other is not of this type: either mine or yours, or either I or you; rather, it is: you and I together, or yours and mine at the same time.

In order to reach this end, the school has to confront the natural or sub-national differences that arise from primary cultures and help students read these differences properly with no intention to abolish them, but to equalize them, and implant the culture of acceptance of differences in students' minds. These differences, as previously mentioned, are:

1. **Sexual difference:** sexual differences are not completely hidden; a male child knows that he is different from a female child, and vice versa. This difference is managed by the natural social life, but the school responsibility lies in the work to place this difference on the level of natural comparison and to eliminate every distinction –social or cultural- between the sexes that goes beyond this natural difference. This means to read the difference away from the value system, in which a woman is a synonym of Devil, a key of scandals, an equivalent of shame and a sister of evil, while a man enjoys the ideal values, to the degree that the adjective derived from his name (manly) becomes a value by itself; it is to read the sexual difference a gender reading away from the system in which the female sex is linked to certain roles (necessarily inferior), such as housework or “female” professions, while the male sex is linked to the outer world, especially to some valuable professions in this world.

2. **Religious difference:** this difference is a reality that may not be disregarded, especially in the East Mediterranean societies, which knew the birth of the divine religions and where the disturbances of history produced different doctrines, each of which is a culture by itself, with its safeguards, believers and followers.

The function of school, in the face of these natural religious differences, is a very careful one, which requires a lot of objectivity. It has to contribute to the child's learning of the religious dimension, which is part of his/her, and his society's culture's composition, but religious education should not become a doctrinal education. This latter is not of the (national) school business; it is the business of the household or religious schools. Also, the school has to dismantle the socially erected barriers among the different religions; i.e. they have to raise children's awareness of the religions coexisting in the same society, if not in the world. They have also to teach how the difference in creed must be respected.

So, there are three functions: educating the child objectively of his/her religion, as a sociocultural dimension; educating the child objectively of the other religions coexisting in the country, as a national cultural dimension; and

teaching the child how other religions and their followers must be respected, as a human cultural dimension.

The biggest risk of dealing with the religious reality lies in the lack of knowledge and ignorance concerning the others. This ignorance is the source of myths, fantasies and prejudices that would definitely result in child's close-mindedness and isolation within the religious culture acquired out of the school, which would contribute to a state of enmity towards others; a human being, in the final analysis, is the enemy of what s/he is ignorant of. Therefore, a national school must not enhance the ignorance of others; on the contrary, it must raise awareness of the others and their cultures and their views of universe, existence, death, eternity and so forth. More important, the school has to normalize the differences.

3. **National difference:** in the world of today, there is nothing that we can call "nationally pure society." The tries made by totalitarian regimes to singularize the national culture; a process that tries to twist the history's neck with a view to bottling it in an authoritarian ideological discourse that does not see, or does not want to see, the realities of societies and history. This process might repress and compress national sentiments until they have a chance to explode, but it cannot solve fairly and soundly the problem of coexistence of the different nations.

4. **Regional difference:** the different dialects spoken at school, or the different habits that students carry with them from their original regions, play a hindering role in terms of realising coexistence at school, owing to the prejudices and stereotyped images they bring to school from their communities. A city community, for example, usually tells arrogant narratives about rural communities and there are always insulting clichés and expressions uttered against the citizens of this city or that, and the followers of this cultural group or that, but the school can solve this problem through some measures, such as uniforms, sports, trips, etc.

The history teaches us that citizenship, which is based on acknowledging others and their cultural rights within one national unity, managed by a state of law; i.e. a state that safeguards those rights and prevents their holders from exaggeration, is the optimal solution to cultural difference issues, and the school is the main crucible in which this difference is read and learnt about, and where the necessity to respect it is highlighted.

## Education for Citizenship in the School

One may refer to four main possibilities that are used in education for citizenship at school:

- Training on democratic life in the heart of school work and class management;
- Participating in collective projects at the local level, where the school exists, or at the regional, national or world level.
- Exploring the citizenship-related topics in the different programs used in school curricula.
- Incorporating a special program for education for citizenship into the school curricula.

The use of these possibilities takes different forms from one country to another and from one school to another, but they must exist in any curriculum that pretends education for citizenship. In fact, it seems disapproved for a school today to pretend that it teaches citizenship, while it does not provide the students with any possibility to participate in the development of school life rules or in the making of the decisions relevant to them. Moreover, not only school life must be more democratic, but the classroom as well through the students' greater participation and strengthening of their control over their education. The strategies of education in cooperation (between the school and the students) provide suitable tools for success in education, without losing the control over the classroom.

(...) away from the democratization of school life and class activity, the education for citizenship requires opening up to the local community and the world. This is called the "citizen initiatives," which are initiatives that enable the students to engage in countless community projects, depending on their contribution to a tangible experience. There is no doubt that this is an effective tool that allows the complex education that students have to tolerate in the school in order to become active and responsible citizens.

*Intercultural Education and Education for Citizenship* (in French), Fernand Ouellet, VEI, Enjeux, issue 129, June, 2002, p. 159.

## 4. Secularism

### 1. The concept of secularism

The concept of secularism has gained many meanings that are sometimes contradictory, which makes it very difficult to ascribe one fixed meaning to it. However, the deep idea of secularism can be summarized by the notion that the material affairs of life, with which people deal, must be understood, solved and interpreted according to temporal laws, while the affairs of the upper world of faith, creed and spirit have their own supernatural laws, and the two worlds must not be mixed. Whether it is about state organization or how to solve the problems faced by the world and people, we come to the same secular notion of the necessary separation between the two worlds and their laws. This position does not make secularism the opposite of faith, because the former does not deny the latter, but denies approaching faith as if it is the law that governs people's life. Secularism reminds us that the world of faith is a spiritual and sentimental world, while the world of earth is a material and sensual world, and that, while the material laws are unable to understand the spiritual world, the latter's laws cannot run the affairs of material world.

«Secularism is a proposed solution for society, while religion is a personal choice of an individual».

**Hani Fahs**

This understanding of secularism solves the common misunderstanding of the term, which is, for the majority of people, an equivalent of non-religiousness principle (secular = non-religious). Non-religiousness is a doctrine shared by very broad sectors of humanity; the essential idea thereof is that one cannot be one-hundred per cent sure that a higher supreme god does really exist (which is different from atheism that disbelieves in the existence of God) while the existence, or non-existence, of a god is not a central question in the concerns of secularism. It should be emphasized here that secularism keeps with non-religious ideas the same distance it keeps with the religious ones, no more and no less. This means that secularists are not necessarily non-religious, and believers are not necessarily non-seculars. This overlap between the parties, however, becomes invalid when religious people change the direction of their spiritual relationship from seeking the heaven's content to seeking the control of earth.

In one aspect thereof, secularism seems to be a doctrine similar to other integrist doctrines, which deal with the universe via a set of solid, inflexible and unchangeable principles. There is, however, a historical, evolving secularism that keeps up with the developments occurring in each society to provide the optimal processing of the problematic relationship between heaven and earth, divinity and humanity, and between the religious and the temporal. This secularism deals with doctrines, including the doctrinal secularism itself, in pragmatic neutrality with a view to solving the problems of the world depending on the experience of the people of the world. It is a principle of state organisation implying that the political and administrative power is managed by officials working in politics and administration, where religion, or their religion, has nothing to do with their job. It also means that religious authorities do not participate, or interfere, in state administration. A secular state is a state that is independent from religions; it has the same distance from religious and non-religious communities in society, which means that state representatives may not show any appearance reflecting their belonging to a certain religion or doctrine.



“... Distinction must be made between religion and state, because this distinction is now a major requirement of the time and place, in which we live; if our common people do not recognise that, our elite will be in great danger. If you ask our common people today about this issue, you will see that they are convinced that no religion can survive without a state, and no state can survive without a religion and that they are interrelated and cannot be disunited. This is a clear mistake, because the purpose of the state and the end that a state seeks to realise in our time is a pure temporal end; it is to safeguard people’s souls, honors and monies and enact fair laws for them, while the end of religion is the same regardless of time and place; it is the righteousness of people in the world on the hope of entering the paradises of blessing in the afterlife.”

Abdel Rahman al Kawakebi

Practically, in the context of the dominant Islamic culture, the discord between secularism and religion occurs when Islam is intended to become the principle of state organisation, i.e. when it is viewed, not only as a religion, but as a religion and a state. The difference between two viewpoints in Islam can clearly be felt; the first -represented by Ali Abdel Raziq- believes in state secularism and independence from religion, while the second -represented by Yusuf al-Qaradawi- not only believes that state must be religious, but accuses of unbelief anyone who does not have the same belief (see the box below). We may notice here that Islam has a broad range of views; therefore, we may see currents that have no political concerns, such as most sophist schools, and radical currents that adopt the principle of “*hakimiaah*”\* which refuses any temporal interference in government and legislation.

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\* It means that Allah is the Highest Governor, the Ruler and the Supreme legal authority.



Ali Abdel Raziq	Yusuf al-Qaradawi
«The Messenger's authority over his people was a spiritual one, arising from the faith of the heart and its true and complete submission, and followed by the submission of body, while a ruler's authority is a material one that controls the body without having any connection with the heart. The first one is the authority of guidance on the way to God, while the second is the authority of managing life affairs and populating the lands. The first is the religion and the second is the world. The first is for God and the second is for people. The first is a religious leadership and the second is a political one, and politics is very far from religion.” (p. 69)	“Secularism deems religion, namely Islam that has been sent from God as comprehensive system of life, as its enemy. Islam also deems secularism as its enemy because the latter denies Islam its religious power to lead and guide the society's ship according to God's orders and bans and governance pursuant to what God has sent.” (p.70) “A secularist who basically denies the principle of religion governance, is only a Muslim by name, but he is certainly an apostate, who should be asked to declare repentance until there are no doubts about him and he is proved innocent, otherwise he will be sentenced as an apostate.” (p. 67)
<i>Islam and the Foundations of Government</i> , Egypt Printing House, Cairo, 1925.	<i>Islam and Secularism, Face-to-Face</i> , Wehbe Library, Cairo, 1997.

## 2. Secularism and citizenship

Citizenship is not concerned with secularism, in its doctrinal or philosophical aspect; that is a matter of individuals' beliefs and choices; citizenship claims and seeks no power on consciences; for it, it is the same for a citizen to be secular or non-secular; both have the same rights and obligations. However, when we talk about secularism from a practical, procedural perspective, the situation is different; secularism and citizenship have many points in common:

1. **Freedom of conscience:** every human being has the right to choose the ethical system and the principles that s/he deems suitable and wants to

arrange his/her life affairs in accordance with them; and everyone has the right to exercise the beliefs relevant to that choice. Naturally, freedom of conscience means that a human being has the right to choose the religion s/he wants, or to choose no religion so that s/he remains without religion.

**2. Equality among citizens regardless of their beliefs or doctrines:** doctrinal, religious or sectarian belonging does not give any privilege or advantage to a citizen over another, and may not be taken as an excuse for any disrespect, degradation or discrimination. All belongings are equally respected; every citizen may believe in whatever s/he wants and such belief may not be a reason for discrimination before the law.

**3. No religion or doctrine may dominate the state:** in a citizenship-based state, sovereignty is the citizens' sovereignty, but the state is the instrument of sovereignty, which it exercises and protects; any domination of a social constituent on the state would undermine the citizens' sovereignty and lead to a state that is not for all citizens.

However, this interrelation between citizenship and secularism does not mean that the existence of the former would automatically lead to the second; there are many examples of states where citizenship is realised, but are not secular (the old Greek city-states, Britain, etc.) and there is a fewer number of states that are secular, but citizenship is not realised in them (the former Soviet Union, Mexico, Turkey under the Generals, etc.)

### 3. State secularism

It is always necessary to pay attention to the prevailing wrong idea that discusses secularism, putting it against religion, while secularism is a principle of state and not of religion. State secularism is defined by a set of properties, mainly:

**1. State neutrality towards religions:** the state has the same distance from all religions;

**2. Religions are free from any subordination to the state:** religions are independent from the state and do not submit to its institutions;

3. **No religion is privileged over other religions:** all religions are equal before the law with no discrimination or distinction;

4. **Freedom of belief:** with regard to his/her beliefs, or his/her refusal to believe in something, a citizen is not subject to any power, except the power of conscience; and

5. **Freedom to exercise rituals:** exercising the rituals relevant to people's faith may not be interfered in, as long as they do not violate the civil peace.

## Chapter 4

# Citizen and Society



# 1. Civil Society

## 1. The concept of Civil Society

The term “society” refers to a number (whether large or small) of individuals who live together, are interconnected by relations (which may be strong or ephemeral), are subject to common rules, and share a number of feelings arising from the common life of the community, such as patriotism and enthusiasm for common symbols.

In such a broad society, citizens are interlinked with relationships that are imposed by humanity’s social nature, human instinctive needs, or common circumstances or joint interests. Such relationships are generally harmonious, because they link individuals who have things in common; they start with the child’s relationship with his/her mother and then develop to his/her relationship with the other family members, with the children of the neighbourhood, the school, and so on. An individual grows and his/her groups become progressively larger, with the expansion of his/her vital sphere: from his mother’s lap, to family, to neighbourhood, to school, to work and to the other paths dictated by the nature of the life that s/he has chosen to lead or has been forced into. In every new relationship in a person’s life, common elements with new people create new groups (family group, language group, faith group, sex group, play group, school group, work group, sport club group, trade union group, political

party group, etc.). Each time, these common elements form the foundation of a new identity, which is added to preceding ones to draw the complex identity of each human being.

Thus are groups, large and small, formed within human society, and thus do people fall into them, sometimes by default and sometimes by intention. As such, there are two types of groups: native groups and civil groups.

## 2. Native Groups and Civil Groups

**Native groups:** people do not join such groups because of their conceptions of life, their political ambitions or their views of the universe, nature, society or the state. Rather, they find themselves naturally part of such groups without intention and without choice. Members of such groups are tied together with feelings of kinship, intimacy, enthusiasm and tribalism, and they can better be described as familial, i.e. relatives by kinship, subordination, residence, etc. such as descending from the same family, tribe, sex, age group, or neighbourhood. Such affiliation might be associated with (perhaps a cause of) certain properties and relationships that an individual may not want, and yet may spend his/her life subject to their dictates.

### **“Tribalism”**

*“My brother and I would stand against a cousin; my cousin and I would stand against a stranger.”*

A Levantine proverb

**Civil groups:** an individual’s awareness is the basis of his/her belonging to these groups, which s/he joins because s/he finds a desired pleasure in them, such as enjoying a movie, practicing a certain sport, or spending leisure time (clubs); or because s/he finds in them an opportunity to work with others to defend their common rights or to improve their working conditions (trade unions), or an opportunity to improve an aspect of life, such as advocating for the environment or cleaning a park or a water course, or because s/he finds the ideas and goals expressed by these groups identical to his/her ideas and goals regarding the life of society, homeland or humanity as a whole. These groups are the fertile grounds for active citizenship; through which a citizen seeks to build, with other citizens, their common life in a way that they consensually agree on.

### 3. Native Society and Civil Society

Based on the above, we can say that native groups constitute the so-called native society, while civil groups constitute the civil society. Based on the formation mechanisms of these groups, it seems that the free and conscious will of citizens is the distinguishing factor. While a native society is formed independently of such will, its active presence is a precondition for the formation of civil society. However, in reality, there are several other notable differences between these two types of social groups, and consequently between the two types of society:

1. Citizens who make, of their own free will, a decision to join a civil group with social or political goals, are active citizens, because they seek to exercise their right to take part in the decisions relevant to their lives, and do not allow the will of their governments to determine their destiny.

2. Civil groups lead change in society and politics; they are the ones that embrace reformative or revolutionary ideas that point to the illnesses of the current situation, show their risks and propose suitable remedies.

3. Native groups often have their own customary laws, which are considered above state laws and are applied, given the opportunity, regardless of public laws. This is a serious obstacle on the way to equality and, consequently, to citizenship in the country.

4. Tyrannical governments favour native groups and seek to gain their consent in order to avoid conflict with them. Such governments fight civil groups viciously, because they monitor the government, reveal its violations and try to correct the policies and laws that fail to fulfil citizens' needs and secure civil peace.

5. Native groups seek to **maintain the common existence of the different citizens** (groups living next to each other), while civil groups seek to create **mechanisms of common living** (individual citizens living with each other).

6. During their formation, native groups basically utilize natural (primary) cultures, while civil groups utilize acquired (secondary) cultures.



#### 4. Civil Society factors

There are countless definitions of civil society, but the most comprehensive and acceptable one is: “civil society is all organisations that are formed voluntarily (of the members’ free will) and fill the social space between the family and the state (government institutions). These organisations work for the welfare of all citizens or the welfare of a specific group of citizens (provided this would not harm other citizens); their members work voluntarily, and they accept difference and diversity”.

Thus, civil society has a number of factors distinguishing its organisations, whose existence is a precondition for the establishment of such organisations; those factors are:

1. **Voluntary affiliation:** the citizens who affiliate to civil society organisations (CSOs) do so voluntarily and upon their full and aware will, with no force or compulsion exercised on them by any person, authority or individual. This means that, inter alia, native groups are not automatically classified as civil society organisations, as the members find themselves within these groups without choosing that freely.

2. **Accepting others:** the citizens who affiliate to CSOs do not view their organisations as ones enjoying rights that other organisations do not. They defend the rights of other similar organisations and their members to operate with freedom similar to the freedom they have, and to have opportunities similar to the ones they have.

3. **Refraining from acting against the public good:** CSOs work for the welfare of society, which is inclusive of all citizens, whether they are active citizens or not, because the essence of civilization is that a citizen respects his/her partners in homeland, and keeps loyal to the society in which s/he lives. There is, however, a large percentage of CSOs (associations, trade unions, leagues, clubs, brotherhoods, amicales, etc.) that concentrate their efforts on their members’ interests. This should not be deemed a violation of their civil nature, provided that those interests do not contradict the public interest of society.

4. **Refraining from direct involvement in politics:** CSOs are not political parties. While attaining power is the highest aim of any political party, CSOs refrain from the struggle for power. This in no way means that civil organisations are “non-political”; such a thing is actually meaningless, because all civil society roles are in the core of politics, in the noble sense of the word, i.e. working in public affairs, developing them and improving the conditions of life for all citizens.

5. **Voluntarism:** the citizens affiliating to CSOs participate in civil activity because they are convinced of the importance of participating in the management of their own affairs, because they desire to assume responsibilities that help their society improve the conditions of common life, and because such participation gives them a feeling of self-satisfaction as they realise an aspect of their humanity. Voluntarism presupposes work without material return or wages from anyone, but in many cases CSOs may award members for assignments that they ask them to perform, and whose performance requires considerable time and effort.

## 5. Civil Society Overlaps

CSOs operate within the social space between the family and government institutions; this space, however, is the free area that embraces other organisations that operate in other fields of social activity, such as politics, economy, culture, etc... Therefore, while we do try to accurately delimit the terminology, in order to avoid semantic confusion and the consequent confusion of ideas and methodology, we see that reality imposes a certain degree of ambiguity, thus reducing our ability to define terms in a scientific and conclusive manner. This is the case because many civil organisations overlap with other fields of social activity, thus blurring the borderlines of civil society. In this context, we may face the following overlaps:

1. **With the native domain:** civil society organisations overlap, first of all, with native society organisations; we may find organisations that spring from a native foundation, but extend into civil projections working for the welfare of a bigger mass than the one defined by the civil society space. An example of those is brotherhoods, whose membership is limited to the faith group of a church,

but nonetheless provide social and charitable services to citizens who do not necessarily belong to that church. Large relief organisations are another well-known example of this civil/native overlap, such as the Red Cross and the Red Crescent; in spite of their symbolic religious background, they do not limit their interventions to a specific faith group.

2. **With the political domain:** we use the term “political society” to mean all political parties and organisations operating competitively within a democratic society with a view to coming to power and leading the country (either alone or through an alliance with other organisations with similar views and ambitions) in accordance with their own vision of public welfare and the country’s form of political life. For example, purely political organisations may form civil organisations with a view to disseminating the general intellectual and ideological values governing their political activity; such civil organisations seem in principle to be neutral and independent, but in reality are civil appendices of political organisations. A visible example is the NGOs established by the big parties in the Republic of Germany; those NGOs report to the parties, but are very active civil players at both the national and international levels.

3. **With the government domain:** when we define government institutions as one of the two parties of civil society, we cannot ignore the fact that democracy, exercised at all levels of the state, leads at its narrower extent (municipalities) to a form of local civil society exemplified by the municipal council or local council, which acts as a civil organisation. We see the same thing in cases of state absence, where the natives of a locality elect a local council to assume the responsibilities of an absent government, maintaining its original civil nature.

4. **With the economic domain:** making profit is the main goal of economic organisations and establishments, which seems to be contradictory to the principle of voluntarism of civil organisations. There are, however, activities which are economic in nature and goals, but nonetheless operate in many aspects as CSOs, such as media institutions that cannot survive without continuous profit, but at the same time play a vital role in civil society and perform one of its original roles. In this group fall specialized cultural institutions such as theatres, museums, private music troupes, publishing houses and even private universities.

## 6. Civil Society Roles

The roles of civil society stem from the extraordinary and serious position it occupies in homelands. It is like a fence surrounding the citizens and separating them from the state and its organisations. Through this position, civil society plays the role of a mediator, with in  $\Rightarrow$  out interventions (protection of citizens from the state, monitoring the state, etc.) and out  $\Rightarrow$  in interventions (helping the state, realizing active citizenship, etc.). Major examples of these roles include:

1. **Protection from the state:** the state is a monster that will not shy away from committing any violent action if it seems necessary to enforce its control and implement its development plans and strategies. In so doing, the state may violate, or threaten to violate, the citizens' rights. Since an individual citizen is often helpless before the state, civil society assumes the responsibility of protecting him/her from state violations.

2. **Monitoring the state:** free media institutions are the main bearers of this vital civil society task. Whether those media institutions are concerned with the economic or political fields (partisan media), or not, they play an active role in revealing issues that a citizen may not easily come to know, such as state arbitrariness, power abuse, cases of corruption, etc. This monitoring role becomes complete when media institutions not only reveal the problem to citizens, but propose solutions as well.

3. **Rationalization of state work:** due to their huge duties and bureaucratic inertial force, the state and the institutions thereof suffer from obstructions hindering their performance of their basic functions of good management and good response to citizens' aspirations. Some of those obstacles may arise not only from the institutions' work conditions, but also from defects in their structure or the structure of the legal system controlling them. In both those cases, and in many others, civil society and CSOs will point to, examine and propose effective solutions to state obstructions.

4. **Helping the state:** civil society contains potentials, capabilities and expertise much greater than those of the state and its apparatuses; therefore,

it becomes normal to see CSOs carrying out some tasks that the state fails to assume, especially in abnormal circumstances, such as natural disasters, wars or deep-rooted conflicts. This means that CSOs help the state carry out its duties when it fails to do so.

**5. Realisation of active citizenship:** civil society is the real incubator of all forms of citizen activity, regardless of its nature. All such activity, whether it is a participatory activity to elect citizen representatives to the parliament (electoral campaigns, for example), an individual activity to affect society in general (dissemination and discussion of new ideas), a collective activity to advocate a usurped right (demonstrations, protests, strikes, etc.), or any other form of citizen effectiveness, is bound to take place within the civil society framework and its success will depend on the vitality of this society.

**6. Formation and renewal of elites:** in society, there are different mechanisms through which citizens can employ their skills and abilities (whether mental, vocational, or physical, whether innate or acquired) to reach high social positions, which, when combined, will constitute the social elite. Some of those mechanisms belong to the government sector, but others are part of the natural mobility of the structures, institutions and organisations that constitute civil society. In normal situations, these two sections are integrated so that each of them produces its own elites, and in many cases, the state apparatuses assimilate a large portion of the elites produced by civil society in order to make use of their potentials to run state bodies.

## 2. Culture

### 1. The concept of Culture

The term “culture” has different meanings, depending on the different intellectual contexts in which it is employed. With the scarcity (or perhaps absence) of scientific approaches to the study of culture, which is now the exclusive domain of the media and political literature, the meaning of the term, as used in those two domains, has come to dominate. Culture is now a concept with only one meaning: intellectual production and creative activity (thinking, literature, art, music, etc.) exercised by an individual. Individuals who deal with such productions came to be described as “intellectual” or “cultured”. Later on, this adjective became a noun signifying a distinctive identity. While formerly a sentence such as “he is an intellectual person” meant that the person in question had wide-ranging knowledge and experience, saying today that someone is “an intellectual” means that his/her work involves culture, exclusively in the unilateral significance mentioned above.

“Culture may now be said to be the whole complex of distinctive spiritual, material, intellectual and emotional features that characterize a society or social group.”

**World Conference on Cultural Policies, Mexico City, 1982**

In our discussion of culture and the relationship between culture and citizenship, we intend the anthropological meaning of the term “culture” (as adopted by the UNESCO), and not the common wide-spread meaning. We approach culture as a human activity that encompasses all mental, spiritual, emotional and material aspects of human activity, or in other words thinking, faith, feelings and experience. These activities include all forms of relationships that individuals, or people belonging to a community, build with the world.

According to this concept of culture, everyone is a “cultured” person, a bearer of a culture or cultures, according to which s/he deals with the neighbouring worlds, near and far. In this meaning, all are equal, regardless of the number of books they have read and the knowledge they have attained, and regardless of their academic attainments or practical expertise. Everyone has culture, varying in degree, and everyone deals (i.e. builds relationships) with his/her space according to his/her culture.

This definition is extremely useful in the study of societies; it allows us to view culture as an active system in society, i.e. as a set of immaterial powers and relationships affecting individuals and communities and prompting them to take a stance, adopt a behaviour or create a product (artistic, literary, musical, etc.) that changes the form of their lives, as individuals and communities, and consequently, allows many observable phenomena and mechanisms in society to be understood. In this framework, chauvinism, as a system of feelings and attitudes that define an individual’s orientations in the world, becomes a culture; and the same applies to the sense of belonging to a tribe, clan or family. In the same framework, religiosity, as an arsenal of principles and rules governing the individual’s existence in the world, also becomes a culture, and so does doctrinism, sectarianism and even atheism. Eventually, and in the same framework, the positivist systems, guiding individuals in society, whether ideologies, intellectual doctrines, philosophies, etc. (including, for example, citizenship) become cultures as well.

In this meaning, culture touches the *habitus* concept of the French sociologist Pierre Bourdieu. We can briefly define this concept as “the mentality that directs spontaneous behaviour.” However, to go in details, it means: a system of cognitive formations acquired by time through education, upbringing and social conditions. The *habitus* is the actual energy that directs the behaviours of the individual or the group, based on a certain authority that is deeply rooted in the



mind-set, directing the behavioural practices and activities of both individuals and communities.

## 2. Classification of Cultures

Man is born untouched culturally. Science has not confirmed, so far, that cultures, or cultural attributes, can be transmitted genetically from one generation to the next, though some studies proclaim that such transmission is probable. This, directly and immediately, means that Man's cultures cannot be but acquired ones. There is no culture by birth. Life choices made for persons at or before their birth, coupled with their own wilful subsequent choices, make a person into an active cultural being that builds distinctive relationships with the social and natural space in which s/he lives; those relationships are the ones determining the form of his/her existence.

Therefore, a person starts to acquire his/her cultures since his/her early childhood. This is done in different ways that can be classified into two main groups, depending on method of acquisition.

**2.1 Primary cultures (acquired without intentional intervention):** cultures acquired by a human being who has no power to refuse acquiring them (that is to say, s/he cannot intervene in the acquisition process). S/He can subsequently modify, exchange, or give up some of these cultures, but s/he cannot prevent their initial acquisition. We classify this group of cultures as primary or natural. It mainly includes: sex, religion (or sect), nation and regional affiliation.



## Primary Cultures

- **Sex:** based on his/her sexual nature, a human being acquires a distinct culture relating to his/her sex. This culture arises from the natural biological functions that one sex can exercise, while the other cannot. Women, for example, by the nature of their physiology, can bear and give birth to children, while men are incapable of that. However, the difference is limited to this capability; the feminineness of childcare and housekeeping duties is not a result of women's biological nature, but a result of the social life in which a human acquires a masculine culture that deems these functions purely feminine.

*"Men's natures are alike; it is their habits that carry them far apart"*

**Confucius**

- **Religion:** a person is not born with a religion, doctrine or sect, but is brought up to them. A baby is circumcised, receives the Adhan whispered in its ear, or receives baptism in order to become of the religion chosen and imposed upon it by its parents, which is, of course, their own religion. A child's relationship with the religious culture starts from the first day of his/her life. This culture fills every moment of the baby's life, starting with the basic language of communication, and extending up to the most complicated symbols. While growing up, a child assimilates the religious elements so that s/he automatically belongs to the religion, doctrine or sect into which s/he was born.

- **Nation:** acquiring a national belonging is similar in mechanism to acquiring religious belonging, but the national symbols, which creep into a child's consciousness, are more direct and spontaneous; they start with the language utterances transmitted to the child from the person closest to him/her: the mother. These utterances accumulate gradually to become his/her mother language via which s/he conducts his/her life affairs.

- **Regionalism:** the milieu people live in (with its environmental and geographic characteristics) will inevitably affect their lives and their relationships with the world. As such, people will develop cultures that match the places where they live. These cultures, however, are the most changeable of natural cultures, because national states seek to form common national identities by having a unified educational system and a single national army, and because increasingly more people change their places of residence due to migration or globalisation and the opening of international markets.

**2.2 Secondary cultures (intentionally acquired cultures):** these are cultures that a human being acquires because s/he desires to do so via his/her life and activity (ideology, life style, languages, etc.), or is forced to do so because of the necessity to adapt to changes happening during the course of his/her life (such as changing the place of residence, having a permanent disability, etc.). The secondary cultures that a human being may acquire, intentionally or otherwise, throughout his/her life, are innumerable. The number of cultures that a human being can acquire is affected by many social, psychological, political, health, financial and other factors. The more a human being is liberated from social restraints, and the more opportunities s/he may have to open to the world and discover new worlds affecting and changing him/her, the more cultures s/he acquires, and depending on the political and social regimes governing his/her conduct, s/he acquires cultures controlling his/her relationship with the world. The following are examples of acquired secondary cultures.

## Secondary Cultures

- **Culture of Fear:** tyrannical regimes resort to implanting the culture of fear among citizens to frustrate their spirit of initiative to achieve their active citizenship, and deactivate their attempts to leave the state of passive citizenship and engage in actions, activities and initiatives of public interest. The culture of fear is the mortar applied by tyrannical authorities to society, in order to stiffen its joints and halt its movement. Such authorities do not lack the means needed to make the citizens internalize fear to the degree of making them inactive, or if active only in circumspect ways, such as displacement, equivocation, metaphors and symbols. Some government actions toward that end are among the basic functions of the

“We shall crush you down to the point from which there is no coming back. Things will happen to you from which you could not recover, if you live a thousand years. Never again will you be capable of ordinary human feeling. Everything will be dead inside you. Never again will you be capable of love, or friendship, or joy of living, or laughter, or curiosity, or courage, or integrity. You will be hollow. We shall squeeze you empty, and then we shall fill you with ourselves.”

**George Orwell, *Nineteen Eighty-Four***

state, such as using legitimate force to maintain public peace. Tyranny, however, exaggerates in the use of force and applies it arbitrarily to generate fear among citizens. Moreover, tyrannical governments create legal and administrative mechanisms and use them for that end, such as controlling the movement of employed citizens, or making activists' dealings with state institutions very complicated, as well as other terrifying measures that aim at making a citizen think many times before making any citizen initiative.

- **Culture of voluntarism:** the material consumerist lifestyle pushes citizens to believe that nothing is done without something in return, even if it

stems from the core of human nature and adds some priceless value to life. Such belief may itself become an acquired culture hindering displays of human solidarity (itself a major value of citizenship). On the other hand, another desirable and valuable culture may arise and help the realization of humanity and citizenship; this is the culture of voluntarism, which pushes the citizens to take part, voluntarily and by pure personal desire, in work for the welfare of others, whether individuals or communities. Examples of that are: assistance in case of natural disasters, refugee assistance, helping sick old people or the neglected, and adoption, which is a high degree of voluntarism and unselfishness, because it is a lifelong voluntary commitment.

### Advantages of the Culture of Voluntarism

For the Individual	For the Community
<ul style="list-style-type: none"> <li>• Exercising a major citizenship value (solidarity).</li> <li>• Enhancing the skills acquired or acquiring new experiences.</li> <li>• Utilizing leisure time in useful things.</li> <li>• Realizing a remarkable status in society.               <ul style="list-style-type: none"> <li>• Enhancing self-confidence.</li> </ul> </li> <li>• Acquiring moral and religious feelings of satisfaction.</li> </ul>	<ul style="list-style-type: none"> <li>• Strengthening the social fabric.               <ul style="list-style-type: none"> <li>• Absorbing the potential energies of the youth and directing them to useful activities.</li> </ul> </li> <li>• Increasing social skills relevant to common living.</li> <li>• Mitigating the burden assumed by the state, especially in circumstances where it cannot shoulder it.</li> <li>• Strengthening civil society.</li> </ul>

- **Masculine culture:** masculine culture descends from the moral values and historical practices established by religious institutions through their long centuries of domination over power and society. Through time, these values and practices became rites and laws that even women submit to. Masculine culture is summarized by the establishment of a structure of opinions and values that places the male in the position of a lord who has a positive and superior status, while

putting the female in a subordinate position with a passive and inferior status. This is summarized by the term “guardianship.” This culture justifies such attitudes using pretexts about women’s biological and mental imperfections, even though in reality, no sex has been proven to have an advantage over the other. To the contrary, women’s physiology allows them to perform functions that men cannot perform; bearing and giving birth are only typical examples.

- **Culture of fanaticism:** an individual, any individual, is a multicultural being. His/her cultures increase positively with the expansion of his/her world and with the accumulation of experiences. Each new culture grants its acquirer some added value that makes him/her richer in terms of both knowledge and civilization; this is something that an individual can be proud of; it is not wrong or shameful for a person to proclaim his/her cultural belongings and to be proud of them and of their diversity. However, an individual may select, from among his/her cultures, a culture to which s/he attributes an extraordinary value and deems unique, over and above other similar cultures that s/he shares with others. The notions, feelings, attitudes and judgments that s/he expresses or commits to, as a natural result of his/her own cultural belonging, become the only correct or acceptable ones, and everything else is considered wrong or meaningless. When belonging shifts from a natural acceptable state that deems one’s cultures equal to others’ cultures to a discriminatory attitude that rejects others’ cultures or deems them inferior, it becomes fanaticism. This fanaticism becomes a culture when it generates a system of feelings and attitudes determining the individual’s orientations in the world. This culture can be primary or secondary. As a primary culture, we may find it under the name of chauvinism when the nation is concerned; under the name of sectarianism when a doctrinal culture is concerned; of male chauvinism when sex is concerned; and under the names of regionalism and tribalism when the region, tribe or clan are concerned. As a secondary culture, it is the foundation of totalitarianism, which deems one ideology as the country’s leading one and prohibits everything else; an example of this is sport competitions, where a beautiful performance is no more the motive of supporting a certain team, but loyalty to that team regardless of its performance.

### Minors

*“We grew up hearing my father repeating that women are minors, inferiors to men, and that marriage is a shield for women! My father married me off when I was fifteen years old, to a man who was 20 years older than me. Now, I’m forty-five, and I feel that I live with a dead man.”*

Testimony of a working woman; see: Discrimination in Personal Status Law in Syria: a Comparative Study, prepared by a team of female researchers, p.47, Published by Atar Publishing House, Damascus, 2010.

### Guardianship in the Abrahamic Religions\*

Judaism	Christianity	Islam
<p>The concept of guardianship exists in the Jewish Law of Personal Status. This means that man is superior to woman in everything, as many articles of this law attest.</p> <p>For example, Article 73 states that, “when a wife is carried to her husband’s house in marriage ceremony, it will be her duty to obey him and submit to his orders and his lawful ‘do not’s’”.</p> <p>Article 74 states, “A wife has to serve her husband by her person in all ways not humiliating to her”.</p> <p>Article 75 states, “A man is entitled to his wife’s earnings of her work, to her finds and to yields of her money and when she dies, he shall inherit her”.</p> <p>Article 85 states, “It is forbidden for a woman to spend her money without her husband’s permission”.</p> <p>The Law also gives the father absolute guardianship over his children and to marry off his daughters.</p>	<p>Men’s guardianship of women appears very clear in Christianity.</p> <p>The letter of Paul the Apostle to the Ephesians in 60 A.D. states: “Wives, submit to your husbands as to the Lord, because the husband is the head of the wife as also Christ is the head of church”.</p> <p>That is why when a priest addresses the woman in a marriage ceremony, he says, “Woman! Submit to your husband... maintain his bed...” while he addresses the man asking him to love and protect her, in addition to other guardianship values that the powerful are asked to show towards the powerless minors.</p>	<p>In Ibn Kathir’s interpretation of Koran, he states</p> <p>“ ‘Men are guardians over women,’ means that man is in charge of woman, i.e. he is her chief, senior, ruler and corrector if she errs, because ‘Allah has made some of them excel others,’ which means that men are better than women and man is better than woman because ‘they spend of their wealth,’ which means the dowries, expenses and charges that Allah, through His Book and His Prophet’s Sunna ordered men to pay to women. Man, by his self, is better than woman, and is superior to her and does favours to her. For that it is proper that he is her guardian as the Almighty says, ‘men are one step higher than women’”</p>

\* See: Discrimination in Personal Status in Syria: a Comparative Study, prepared by a team of female researchers, p.47, Published by Atar Publishing House, Damascus, 2010.



### 3. Cultural Diversity

Based on the aforementioned classification of cultures, it is a matter of fact that cultural diversity is the obvious and natural property shared by the citizens of any region (whether they were born there or have chosen to live there). Even if natural cultures, such as regional, doctrinal and ethnic cultures are similar, life paths and turns, along which each individual runs, and the experiences s/he lives, create diversity of his/her culture, and then diversity in the community's cultures. Thus, it will be unacceptable and illogical to talk about one culture for a whole community, even if this community shares a common culture. All Bedouins, for example, share a common culture, the culture of Bedouinism, but it is not the only culture distinguishing everyone defined as a Bedouin. Inevitably, the different social positions of families along the Bedouin societal hierarchy produce attributes and properties that make the members of those families have different relationships with others and with the space where they live. Similarly, millions of Muslims around the world have one culture in common, which is religion, but this would not allow us to say that Muslims of the world are of a single culture.

What we see at the level of a human community is seen, to the same degree, at the level of individual human beings. An individual is so culturally diversified that if we give each culture a colour, each human being will be like a cultural rainbow, with a wide range of colours. If some colours look sometimes clearer than others, it is because the individual attributes higher value to them or focuses more on them. This diversity is unlimited; it is like a personality fingerprint; no two fingerprints are the same; similarly, no two personalities are the same in their cultural rainbows. In any case, no matter how much the colours of an individual's rainbow change, s/he remains similar in humanity to any other individual in the world, and equal in citizenship to any other individual in the country.

This *duality of difference and similarity*, which allows us to identify what is unique in an individual and what is common with others, is the cornerstone without which no citizenship can exist; all citizenship principles and values

stand on the basis that citizens are similar in being citizens, enjoying the same rights, and submitting to the same duties, regardless of their cultures, and that they are different and unique as individuals, belonging to private cultures that dictate specific forms of relationships with others and with the world.

### 3. Gender

#### 1. The concept of Gender

The word ‘gender’ is taken from the Latin word ‘genus’ and is translated into Arabic in many ways.

British anthropologist and sociologist Ann Oakley used the term in the 1980s, ascribing a different meaning to it in sociology. She explained that sex refers to the biological physical differences that are unchangeable, while gender refers to the roles played by men and women in society.

Sex	Gender
<ul style="list-style-type: none"><li>- Nature</li><li>- Male/female</li><li>- Primary or secondary sexual properties</li><li>- Unchangeable organs/functions</li><li>- Individuals</li></ul>	<ul style="list-style-type: none"><li>- Culture/habits and traditions/economy/politics</li><li>- Woman/man</li><li>- Social/cultural/status properties</li><li>- Roles/relationships changeable by time and place.</li><li>- Society/milieu/institutions</li></ul>



Women's organisations, throughout the world, have adopted the term "gender", which is an important term in the jargon of women's movements campaigning for women's rights and for the elimination of all forms of discrimination against women. Supporters of the concept of gender believe that it reflects the overcoming of the last barrier on the way towards equality between men and women, because it includes the change of attitudes and practices in all societies.

The following definition is globally agreed upon<sup>(\*)</sup>:

**The roles and responsibilities defined by society and attributed to men and women in a certain place (a country or a society) in a certain context (economic, political, historical...) in the framework of a certain culture. Members of a society, men and women alike, learn these roles and responsibilities, which are changeable by time.**

Gender attributes have been added to the definition; they are:

- A relative cultural social concept that differs from a society to another and from a time to another, and may differ within the same society. For example, clothes of women and men differ between rural and urban regions and between European and Arab societies.
- A changeable concept; society changes the concept according to the different social, economic, political and environmental circumstances it goes through.
- It includes women and men and their relationships with each other, and doesn't concentrate on one side without the other, because gender emphasizes the principle of participation and changing the stereotypical roles of both women and men.
- It helps identify the social, cultural and economic factors causing the lopsided balance in the development of men and women. This is confirmed by most international development-related indicators, and appears clearly in the percentages of women in education, labour and decision-making.
- It helps deal with social development pitfalls toward the achievement of comprehensive and sustainable development through the involvement of both women and men. This process is called *bridging the gender gap* through the development of strategies aiming to mainstream women in all political, economic and social areas.

<sup>\*</sup> <http://www.womenforpeaceandjustice.org/>

## 2. Why do we focus on gender?

Because the concept is new in the Arab World, because of its wrong and distorted interpretations, and because of other reasons, including:

1. Ambiguity of the concept in the minds of many people.
2. The suggested Arabic term (al-nau al-ijtima'i) is difficult to understand.
3. Wrong understanding of the concept in the minds of many of the concerned with women's issues; they view the concept of gender as merely a repetition of "women's rights".
4. Disagreement among those who are closely working on the issue; some of those concerned with women's issues and some women's rights advocates believe that gender neglects the physiological and reproductive role of women.
5. Intentional distortion of the concept by some social circles, especially religious ones, connecting it to homosexuality and condemning woman activists adopting it as faithless (Yemen, for example).
6. The increasing activity of the newly founded civil organisations acting in the field of human rights and women's issues in the "Arab Spring" countries, but the concepts of citizenship and gender are not well comprehended owing to the policies of the totalitarian regimes that restrain the activities of civil associations in the areas of citizenship rights, human rights and women's rights.
7. The adoption of the concept of gender by some extremist currents, which deal with the man-woman relationship as a zero-sum relationship with no common grounds between men and women. They call for a community of women on the basis that it is the only community where absolute equality exists among community members; those currents stir negative reactions even among advocates of women's issues.

## 3. Gender roles

Large sections of society believe that women, because of their nature/sex, cannot perform certain functions that require physical and mental strength,

but can, according to the same sections, perform other activities. Based on this, women are often referred to as the feeble sex, gentler sex, emotional creatures, etc. On the same basis, women are affirmed to be incapable of assuming leadership as they are governed by their emotions. Thus, it is society that, through its conceptions and values, defines what women can and cannot do. It is society, as well, that attributes to men the physical properties of strength, courage, reason, wisdom and sober rationality. Most manifestations of those stereotypical images are seen in popular proverbs, oral memory and “religious” cultural traditions.

So, it is society that ascribes certain properties to women and others to men, certain activities as suitable for women and others as suitable for men. It also draws rules to frame the relationships between men and women. Thus, the daily life circumstances of women and men and the relative position of each within their society are governed by the provisions of social, cultural, political and economic frameworks and institutions.

According to the concept of gender, society defines the roles of men and women in the private space (family) and the public space (society), as follows:

### **The reproductive role**

It is performed by both women and men, and represented by the responsibilities of child care and upbringing, elderly care, and other family duties.

Children’s upbringing and domestic responsibilities are traditionally attributed to women, but this has nothing to do with physiology; those responsibilities can be assumed by men as well. Based on that, gender roles are different from biological sex roles; gender roles are interchangeable between the sexes, while sex roles are stable.

### **The productive role (monetary or non-monetary role)**

It is performed by both women and men. It includes the production of consumer commodities and services, commerce, and other types of business. This is the type of work that is socially and economically acknowledged and celebrated, and listed on public account systems, if it is monetary.

As for non-monetary work, such as domestic activities and work on the family’s properties, it is not listed on public accounts, because it is invisible and not monetarily evaluated. It is often performed by women.

### The social role

It is performed by both women and men and includes affiliation to civil organisations, parties and clubs and carrying out activities at the community level to provide services and resources needed by the community, such as healthcare, awareness raising, education, etc. It is deemed voluntary, unpaid work.

Gender roles are the roles performed by both sexes and formed by social circumstances rather than by biological differences.

## 4. What are the frameworks of using the concept of gender?

For the aforementioned reasons, and others more, many activists in the fields of citizenship and women's rights (both men and women) have sought to raise awareness of gender, focusing on the uniqueness of this concept, which aims basically to replace the binary sexual division of citizens into males and females with a woman-man duality whose two parts are intertwined by social, cultural, and professional relationships that change depending on people's diverse and changing roles.

According to this view, gender becomes an analytical tool, interpreting the relationships between women and men and their consequences and effects on women's role and status in society. It analyses **the different economic, social, cultural, political and religious factors and their impact on work value, especially in the reproductive roles that can be performed by both women and men**, with a view to reducing the burdens assumed by women in the family, such as taking care of the children and the elderly and enabling them to participate in productive and social roles.

This gender analysis is based on three **basic pillars**:

1. Knowing and analysing the different forms of gender relationships.

2. Identifying the forms and reasons of imbalanced gender relationships, and trying to find ways to treat the imbalance.

3. Adjusting and developing gender relationships, not only between men and women, but among all society members, including family members, and especially children.

Based on these pillars, gender analysis is used to deconstruct the roles generally attributed to men and women (such roles are considered products of economic, social and cultural factors, more than biological ones); to redistribute the roles between men and women on a basis of participation that is more useful to society; and to guarantee equivalent opportunities for men and women to discover their potentials and provide them with useful skills to play new socially beneficial roles. Gender analysis aids in understanding the women-men relationship, which is based on the concept of power, where men's power lies in the superior position they occupy in most societies, relative to women. Gender relationships, which are based on participation, can only be balanced by replacing the negative concept of power with the positive concept of empowerment. This entails a change from using power for control and domination to sharing power (be it knowledge or skill) with others, by empowering men and women to achieve, and by working to create the circumstances that help both men and women to meet, together, their current and future needs.

Gender analysis also serves in identifying the inequality of opportunities between men and women in the majority of countries, which, in itself, constitutes a development challenge because it implies the existence of impediments hindering women's empowerment, the mainstreaming of their contribution to development, and the resulting consequences thereof for women and for society as a whole.

It is not sufficient to know and/or recognise the essential cause of the inequality of opportunities; relationships based on inequality between men and women must be changed through strategies that reduce opportunity gaps between men and women at the national and international levels, with the aim of realising equality between sexes as a prerequisite to policies that can achieve development goals. The goal, however, must be achieving equality between the roles of women and the roles of men in society.

### 5. Where does the gender gap appear?

Gender gaps are most evident in education, health, labour market and political participation. Though there have been many attempts to improve the conditions of women, global statistics show great inequality between men and women in all fields (see the table below):

Condition of Women, Worldwide	Condition of Women, in the Arab World
<ul style="list-style-type: none"> <li>- 70% of illiterate people in the world are women.</li> <li>- 20% of industrial jobs are occupied by women.</li> <li>- Only 5% of presidents in the world are women.</li> <li>- 13% of parliamentary seats are occupied by women.</li> <li>- 6% of ministerial posts are occupied by women.</li> <li>- Women's domestic and family work is unpaid and is not included in public income accounts, even though it may constitute 25 – 30% of that income.</li> <li>- Inequality of wages between men and women for the same jobs reaches up to 30%.</li> <li>- Most of the poor and unemployed people in the world are women; hence the term "feminisation of poverty" has been adopted.</li> </ul>	<ul style="list-style-type: none"> <li>- Illiteracy in a country like Morocco touches around 90% of women.</li> <li>- Most Arab laws discriminate against women, and protect and legitimise violence against women (such as the so-called "crimes of honour").</li> <li>- Women's participation in the parliaments of Arab countries is no more than 4%.</li> <li>- Arab Constitutions recognise equality among citizens, but do not specify equality between men and women.</li> <li>- 99% of maternal deaths at delivery occur in developing countries and 90% of such cases can be saved by better service provision.</li> </ul>

In any case, it is hardly sufficient to use quantitative indicators (e.g. "the number of women in parliament or ministries") to measure the gap in development

reports and by UN organisations. It is our belief that filling the quantitative gap is not, necessarily, an indicator of the advancement of women in a certain country. For example, increasing the percentage of women representatives in houses of representatives does not necessarily mean that suitable decisions to empower women will be taken, if female legislators' awareness of women's issues is poor. Therefore, quantitative as well as qualitative indicators must be used to assess the participation of women, so that international and local organisations can consider the real needs to fill the gaps through the development of plans and strategies aiming to empower women economically, politically and cognitively (empowerment of women's rights) and through providing them with skills enabling them to assume decision-making posts at all levels of the state.

Moreover, and in order to remove the obstacles hindering women's participation in the formulating of governments' overall policies, current policies have to be gendered; this process is done through the involvement of women and men in all planning processes, including law-making, policy-making and program-development in all regions and at all levels. This strategy makes the concerns and expertise of men and women basic elements in the design, execution and evaluation of the policies and programs in all political, economic and social contexts with a view to guaranteeing that men and women would equally benefit from those policies and programs.

## 6. Citizenship and Gender

In this section, we will focus on the connection between gender and citizenship. As mentioned at the beginning of the Handbook, citizenship is a political, legal and cultural state, established in the Constitution, organised by the laws and sponsored by values. The realisation of citizenship is pre-conditioned by three things:

1. Acquiring a nationality;
2. Enjoying the rights and complying with the duties stemming from the acquisition of nationality; and
3. Participating in public life.

As for gender, it should be emphasized that citizenship would be incomplete if one, or more, of these three points is not realised completely for citizens,



men and women alike; it would be incomplete if, in a country, there are citizens (men or women) who are denied the country's nationality, or if the principle of equality "between men and women," in and before law, is not respected, or if social participation of men and women is not available.

Depending on what has been said in the Gender Roles section, we see that the aim of redistributing the roles is to provide men and women with equal opportunities to realize their potentials and with useful skills to play new roles that are beneficial to society. This aim is directly related to the right of participation in public life.

The relationship between gender and citizenship arises from the principles of citizenship (participation, freedom, responsibility and equality), which can be summarized, as we have seen, in the following definition:

**"Citizenship is the free participation of equal and responsible individuals."**

Citizenship cannot be realised in any country that violates any of those principles, and there are many countries violating most, or some, of them.

A gender analysis of participation opportunities for men and women shows that there are legal and social hindrances before women; they appear in discriminatory laws and the dominating stereotypical images of the roles of women and men, which are socially established owing to customs, habits and traditions. Those hindrances do not allow women to participate with all their potentials, starting with the local community, where a citizen chooses to live, or from the work space that s/he can acquire, up to the highest institutions of the legislative, executive or judicial powers of state.

Gender analysis also shows that the principle of freedom is not only diminished and restrained for citizens, women and men, but is far from being realised in many women's freedom-related areas in the countries whose laws restrain women's freedom of movement, of choosing a husband, and of divorce, among other legal articles and dominant social customs.

As for the principle of responsibility and the realisation thereof, gender analysis reveals that the stereotypical roles of men and women deny women power over themselves (in which a person is the master of his/her self and destiny); women do not control their lives and thus are denied the first level of responsibility. We see this in the legislation of some countries whose laws are formulated according to the patriarchal, masculine principle of guardianship



and tolerate the killing of women under the so-called “crimes of honour”. We see it also in the scarcity of opportunities made available to women to attain decision-making positions because they are denied education with a view to marrying them off early, and because they are not provided with practical skills that would enable them to enter the labour market; This renders half the society inactive, owing to the systems in some states that give up their responsibilities towards their citizens (men and women), referring them to religious authorities.

## 7. Gender-based discrimination against women

Article 1 of CEDAW defines discrimination as follows:

*“the term ‘discrimination against women’ shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”*

After World War II, the United Nations realised the importance of adopting, defending and advocating women’s issues; thus, it issued the International Declaration of Human Rights (1948) and the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political, (1966); Those international covenants concern individuals’ rights with no sex-based discrimination and affirm the non-discrimination principle and equality of men and women in rights. The UN also adopted a package of conventions concerning women, such as the Convention on the Political Rights of Women (1952), the Convention on the Nationality of Married Women (1957), the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1962) and the Complementary Recommendation thereof (1965), the Declaration on the Elimination of Discrimination against Women (1967),

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\* Convention on the Elimination of All Forms of Discrimination against Women, adopted by the United Nations General Assembly, and introduced for signature, ratification and affiliation by its Resolution 34180/ on December 18, 1979 and entered into force on September 3, 1981, according to provisions of Article 27 (1).

the Declaration on the Protection of Women and Children during Emergency and Armed Conflicts (1974), CEDAW (1979) and the Optional Protocol thereof (1999), the Declaration on the Participation of Women in Promoting International Peace and Cooperation (1982), the Declaration on the Elimination of Violence against Women (1993), the Nairobi Forward-looking Strategies for the Advancement of Women (1985), the Beijing Declaration (1995), as well as the Security Council's Resolutions concerning women, especially Resolution 1324 and the Annexes thereof. In addition to that, there are many international documents and recommendations seeking the advancement of women and supporting their issues in the world. The United Nations has sought to develop the necessary mechanisms to set this huge women-related body of texts into effect and for that end, it created many agencies, which, later on, formed the so-called the UN Women, which is a new agency created by virtue of a Resolution by the UN General Assembly (2010). It includes the Office of the Special Advisor on Gender Issues and Advancement of Women, the UN Division for the Advancement of Women, the United Nations Development Fund for Women (UNIFEM) and the UN International Research and Training Institute for the Advancement of Women (UN-INSTRW).

The reports issued by governments, CSOs and international organisations affirm that women's conditions in countries of the world, especially the Third World countries, are worse than what has been expected in the 20<sup>th</sup> century.

## Manifestations of Discrimination against Women in Arab Constitutions

### **“Examples from the Syrian and Tunisian Constitutions”**

Elimination of discrimination, as defined by CEDAW, has not been adopted by most Constitutions of the Arab States; they merely contain cloudy and vague texts in the clauses directly affecting women’s rights and issues. For example, the Syrian Constitution mentions complete equality between males and females in rights and duties only in a very “reticent” manner in Article 33, which states:

***“Citizens are equal in rights and duties without discrimination among them on grounds of sex, origin, language, religion or creed.”***

While the Tunisian Constitution, which is distinctive among other Arab Constitutions, states in Article 21 that:

***“All citizens, male and female, have equal rights and duties, and are equal before the law without any discrimination.***

***The state guarantees freedoms and individual and collective rights to all citizens, and assures all citizens the conditions for a dignified life.”***

With regard to candidacy for the office of President of the Republic, the Syrian Constitution states implicitly that this office may be held only by males; Article 84 (4) states:

***“A presidential candidate may not be married to a non-Syrian woman.”***

While the Tunisian Constitution states frankly that women may stand as presidential candidates; Article 74 thereof states:

***“Every male and female voter, who holds Tunisian nationality since birth [...] shall have the right to stand as a candidate to the position of President of the Republic.”***

## 8. Discrimination in Personal Status Laws, as an example

Some states enact different personal status laws corresponding to the different religions and sects that make up the social fabric. This discrimination among citizens, whatever their sex is, within the same country diminishes citizenship rights and is a very significant indicator of mismanagement of diversity and a state disowning of its duties of organising family status and relationships by referring those duties to the religious authorities of each community.

In order to realise citizenship in a country, all forms of legal discrimination against women have to be eliminated; such discrimination appears most prominently in personal status laws, which are based on religious teachings<sup>(\*)</sup> and adopt the principle of guardianship and custodianship of family males over its females, thus diminishing the rights of women and establishing their absolute subordination to the males of the family.

Therefore, policies to fill the gender gaps have to be developed, because the destiny of the development process, in general, and the development of women, in particular, depends on the developing and execution of those policies. They guarantee equality for women and women's right to run their affairs in all aspects, create empowering environment for them, and enhance their valuable contributions to comprehensive

As in the previous constitutions, there are no clauses about equality between men and women, prohibition of discrimination or criminalization of violence against women in the new Syrian Constitution (2012). On the contrary, the Constitution mentions, for the first time since the Independence, the religions and sects at the expense of women's rights; Article 3 (4) states that "The personal status of religious communities shall be protected and respected," which constitutionalises the discrimination against women, as appears in the Personal Status Laws of the six big cults, as well as the Nationality Law, the Penal Law and some other laws and legislation.

\* We see such a thing in countries like Syria and Lebanon. In Lebanon, there are 17 sectarian personal status laws, and in Syria, there are eight. In other countries, there is one personal status law with Islamic authority.

and sustainable development. This is based on the correlation between the development of women's status in the family, the development of women's participation in public life, and overall development in the country.

Citizenship is interlaced with human rights and the human rights of women, especially with regard to non-discrimination among citizens, regardless of their sex, religion, sect, beliefs, or race. This is the basic connection between citizenship and gender; women, in a country that respects citizenship rights, realise their citizenship and actively participate in the country's sustainable development.

Moreover, the realisation of citizenship requires the emancipation from stereotypical gender discriminations, the equality between sexes in rights and duties, the empowerment of women to fully realise their potentials, the enhancement of their contribution to sustainable development, empowering them to take part in policy-making, and increasing their access to the basic services of education and health so that they have better access to work, production and decision-making positions.

Diminishing the rights of women is an explicit violation of citizenship

## Chapter 5

# Citizen and Common Space



# Sustainable Development

## 1. The concept of Sustainable Development

Everyone agrees that sustainable development is defined as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs.”(\*)

Today, the term is used as an anchor to confront the three evil groups characterizing the world at the time of globalization, and can be set together as the 3Ms,\*\*) namely:

1. **Menaces**, which are threatening the globe, such as desertification, pollution, climate change, and extinction. Confronting these risks forms the environmental dimension of sustainable development.

2. **Miseries**, which the humanity is suffering from, such as: increased poverty, unequal growth, shortage of water and food. Confronting these miseries forms the social dimension of sustainable development.

3. **Maladies**, which are affecting the global system, such as: lack of equality

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\* Our Common Future, Chapter 2: Towards Sustainable Development; available on:  
<http://www.un-documents.net/ocf-02.htm>

\*\* In French, they are: Menaces, Misère and Manques.



in international relationships, inability to set out controls that allow the provision of material needs and requirements of human beings, lead to the improvement of their well-being and upgrade the efficiency of the individuals and institutions concerned with the implementation of educational programs. Confronting these maladies forms the economic dimension of sustainable development.

### Dimensions of Sustainable Development

**It will be a mistake to restrict sustainable development to its common definition and to forget that it is an approach to development that abides by three dimensions that must be respected in any development planning:**

**The social dimension:** the social dimension concentrates on the alleviation of poverty and unemployment, and expansion of social justice among present generations, and among them and the future generations.

**The environmental dimension:** it is about the necessity of environment preservation and the optimal use which contributes to the survival of human, animal, and plant life.

**The economic dimension:** it is intended to fulfill human beings' material needs and requirements, improve their well-being, upgrade the efficiency and effectiveness of the individuals and institutions concerned with the implementation of development programs, and ensure that environmental pressures will not be exported to poor countries.

## 2. Principles of Sustainable Development\*

- **Balance between development and environment:** this principle refers to the need to prioritize development projects according to their compatibility with sustainable development.

- **Planning:** it refers to the need to adopt data that balance between the real needs of citizens and the available resources; it also balances between the

\* Environmental Education and its Role in Sustainable Development - a field study in mid education institutions in Baskara city <http://bit.ly/1Jjlexy> 2012- 2013

provision of present generations' needs of resources and the future generations' right to them.

- **Citizenship participation:** sustainable development depends on the participation of all citizens; it seeks to develop people through investment in their capacities. People may not be excluded from participation in the holding of their responsibilities towards sustainable development, because that leads to political and social instability.

- **Strengthening civil society and media:** sustainable development contributes to the strengthening of civil society and its institutions through the entire roles played by the civil society, especially with regard to the surveillance of state and rationalization of its work. Sustainable development depends heavily on the media to mobilize public opinion for its issues, and to press constantly to make a change in attitudes and behavior.

- **Solidarity:** sustainable development contributes to the strengthening of "horizontal" solidarity among citizens in community, and "vertical" solidarity among citizens through successive times.

- **Social justice:** sustainable development intersects with social justice in a large number of subjects, especially the subject of future generations and their right to development.

### Principles of Sustainable Development according to the Rio Declaration

- Human beings are entitled to a healthy and productive life in harmony with nature.
- The right to development must be fulfilled so as to equitably meet developmental and environmental needs of present and future generations.
- Eradicating poverty as an indispensable requirement for sustainable development, in order to decrease the disparities in standards of living and better meet the needs of the majority of the people of the world.
- Environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it.
- Women's full participation is essential to achieve sustainable development.
- International actions in the field of environment and development should address the interests and needs of all countries.
- States should reduce and eliminate unsustainable patterns of production and consumption.
- States must promote appropriate demographic policies.
- Peace, development and environmental protection are interdependent and indivisible.

### 3. Citizenship and Sustainable Development

The relationship between citizenship and sustainable development is based on the importance it ascribes to the role of individual citizens in public space, so it seeks to instill in citizens a set of values and interests in environmental issues, as a first stage, and then to motivate them to be active members in the advocacy of these issues, and in the working to maintain and conserve environment.

The importance of each principle of citizenship to enhance the principles of sustainable development can be touched one by one:

#### 1. Participation:

An individual's participation to the concerns of his/her environment issues, such as climate change, drought, desertification, water scarcity, and all kinds of pollution, is, in fact, a form of his/her exercise and realisation of citizenship.

Participation levels vary according to circumstances and contexts, and depend on the individuals and their interest degree; they also depend on their ability to assemble and create lobby organizations and groups, and, thus, on the extent of their involvement in public space activities, and their pressure to incorporate these issues as essential issues into political parties and gatherings, as well as in their demands of their representatives in municipalities, city councils or in legislative power institutions; and, finally, on their ability to act on the international level and to pressure through their participation in international conferences or through the shadow reports and reports prepared by the environmental organizations concerned.

#### 2. Freedom:

The importance of freedom appears through the freedom of expression that contributes to highlighting the thorniest environmental issues, and to the creation of a platform to express the causes and consequences of these issues on future generations. It also appears in the ability to access, use and disseminate information freely and transparently on the broadest scope in society, so as to be a key element in urging people to participate and identify those who are responsible for environment abuse.

In this context, the importance of freedom principle emerges through the media addressing of sustainable development-related issues and through the pressure it can exercise on governmental or non-governmental officials or on international bodies.

### **3. Responsibility:**

Responsibility of work for sustainable development is everyone's responsibility, and is reflected in a lot of practices, including:

1. Individuals' exercise of responsible life patterns, in which their conducts, patterns of consumer behavior and impact on their milieu are consciously consistent with sustainable development requirements, such as sorting and recycling wastes, using energy-saving devices or devices that use renewable energies.
2. Society or community collective adoption of sustainable behavioral patterns, such as the adoption of thermally insulated and energy-saving buildings.
3. Companies' allocation of part of their activities to society and environment.
4. The State's commitment to the principles of sustainable development during the development of public policies, and during the implementation of its programs and projects. As well as its commitment to join international conventions to participate in sustainable development conferences.
5. Media addressing of environmental issues and the issues concerning sustainable development, working to create popular awareness of them, and moving to advocate their issues.
6. Community's effort to protect the components of tangible, intangible and natural cultural heritage, as they are assets that future generations are entitled to learn about and to exploit.

### **4. Equality:**

Citizenship assumes that the principle of equality among citizens is realised regardless of their origin, religion, sex, regional or political belonging. This equality principle must be taken into account when planning, implementing and evaluating the sustainable development-sensitive policies and projects. Insuring gender equality for example, is one of the basic things in sustainable development. Also poor and marginalized groups must be taken into account.

Here rises the regional development as a development policy that achieves equality in development within the same country. The “cultural map” plays an important role in achieving regional development that respects the principles of sustainability.

### **The Cultural Map**

The cultural map is a technical and methodological tool that helps in the drawing of a development policy for a specific region, based on its cultural resources. Cultural resources are classified into four categories:

- Tangible immovable resources (antiquities, architectural monuments...)
- Tangible movable resources (archaeological finds, handicrafts, artistic works...)
- Intangible resources (beliefs, tales, folk celebrations, literatures...)
- Natural resources (caves, trees...)

## **4. Education for Sustainable Development**

Education for sustainable development seeks to create an “environmental citizenship” that aims to:

1. Develop learned behavioral patterns in citizens’ dealing with the biosphere.
2. Consolidate citizenship values that guide such behavioral patterns, such as: civic awareness and solidarity.
3. Consolidate citizenship values that are geared to improve and maintain the quality of life and to preserve the cultural and natural heritage.
4. Work to create opportunities to learn about the issues concerning sustainable development of individuals and groups.
5. Acquire diverse knowledge and expertise, understand the environment and its problems, and help individuals and groups to acquire abilities and the delicate sense of the various aspects of environment and the relevant problems.

Practical steps can be developed to realise education for environmental citizenship through a number of contexts:

### 1. Knowledge:

- Disseminate knowledge of sustainable development issues, and knowledge of the mechanisms to implement these issues and the principles of sustainable development and the Earth Charter.
- Motivate citizens to gain a clear understanding that humans are an integral part of a system consisting of humans, society and environment and that humans are capable to change the relationships within this system.
- Disseminate profound and comprehensive understanding of the environmental problems facing the human being in the present time, and raise awareness on the effects of economic and social activities on the environment.
- Work directly “on the ground”, link theoretical knowledge with the reality and understand the special structure of each problem and the multiple factors and interlocking interests.
- Develop research, investigation and analysis skills.
- Develop the skills needed to solve problems and conflicts.
- Work on communication skills, conveyance and expression skills necessary to solve environmental problems.

**The Earth Charter** is a declaration of major ethical principles for the building of an international community that enjoys justice, sustainability and peace in the 21st century. It seeks to stimulate a sense of common responsibility and international solidarity for the welfare of the whole human family, the large community of life and future generations.

Have we ever thought of the clothes we wear? Where has their textile come from? Where have they been made? Where have they been woven? Have poor children been exploited to manufacture them? How have they been transported to our place of existence? How much energy has been used in this process? How much carbon emission is in our clothes? What is the relation between the clothes and sustainable use of resources?

The mere consideration of these questions represents a minimum attention to sustainable development issues.

### 2. Attitude:

Change the attitudes of citizens of the issues and problems relevant to sustainable development in order to become interested in, and then supporters, to it; i.e. to become, minimally, supportive of the efforts that deal with sustainable development issues in each location they exist in, at home, at work, at university or in the religious institution, etc.

### 3. Behavior:

Change some aspects of citizens' behavior in terms of sustainable development issues, such as the adoption of personal behaviors regarding the use of public transport as an alternative to SUVs, or to stop wasting water, for example.

## 5. Sustainable Development Agreements

Features of sustainable development began to appear clearly when the economy was incorporated into environment between 1972 and 2002.

Three international conferences of particular importance have been held: **the first** was held in Stockholm (Sweden) in 1972, under the title of "The United Nations Conference on the Human Environment"; **the second** was held in 1992, in Rio de Janeiro (Brazil), under the title of "The United Nations Conference on Environment and Development"; **the third** was held in 2002, in Johannesburg (South Africa), under the title of "The United Nations Conference on Sustainable Development".



## Earth Summit

**(The United Nations Conference on Environment and Development  
- Rio de Janeiro, 1992)**

The Earth Summit is one of the most important conferences specified to sustainable development, emphasizing that it is an essential methodology to overcome the environmental deterioration. In this Summit, it was recognized that development, if not a sustainable one, that fulfills the environmental conditions similarly to its fulfillment of human needs, will be a harmful development.

Sustainable development now concentrates on 7 components that constitute the biggest challenge for humanity:

1. Human population control; 2. Human resources development; 3. Food production; 4. Biodiversity; 5. Energy; 6. Industrialization; and 7. Urbanization.

In the Conference (which was attended by representatives of 108 countries), three main agreements were adopted with the aim of changing the traditional approach of development:

1. **Agenda 21**: a comprehensive global action plan in all areas of sustainable development; it was set out with a view to meeting the challenges facing the world in the 21st century.

2. **Rio Declaration on Environment and Development**: it is a set of principles defining the rights and responsibilities of states in the field of sustainable development.

3. **Statement of Forest Principles**: it is a set of principles on which the sustainable development of forest in the world is based.

Additionally, two legally binding agreements have been introduced for signing by states, namely:

- The United Nations Framework Convention on Climate Change; and
- The Biological Diversity Convention.





