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Activist citizenship in non-Western and non-democratic contexts: how to define ‘acts of citizenship’

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ABSTRACT

The acts of citizenship framework emerged as an important innovation to the previous status- and practice-focused understanding of citizenship with a landmark edited volume *Acts of Citizenship* (2008). While the theorisation of citizenship through acts has emerged predominantly from democratic context, the theory holds that acts of citizenship can happen in various cultural and political contexts, and should be studied in multiple and overlapping sites and scales, rather than solely those linked to nation-states. Yet, what happens when acts of citizenship take place in contexts, where rights are severely curtailed, and the very notion of activist citizenship is rejected as unlawful? And how are acts of citizenship performed differently when they respond to particular cultural sensibilities? This essay aims to extend the repertoire of acts of citizenship, by emphasising why and how acts of citizenship need to be treated differently in different cultural contexts and under varying political regimes.

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The ‘acts of citizenship’ framework was developed to account for the understanding of citizenship beyond the fixed legal notion of rights and existing citizenship practices (*habitus*), aiming to capture agent-driven, ephemeral and singular forms of citizenship (trans)formation. It is this instance of citizenship transformation, understood as putting into question various aspects of existing structural citizenship (citizenship discourse, status or *habitus*/established practices), that differentiates an act of citizenship from simply an action performed in the public space. Unlike the traditional approaches to ‘active citizenship’, understood as enacting of the rights inscribed into the law, the ‘act of citizenship’ framework defines ‘activist citizenship’ as going beyond the law, or even breaking it (Isin 2008, 39).

The theorisation of citizenship through acts can be seen as part of the decolonising movement in citizenship studies, as it allows for conceptualizing citizenship away from the legal-ideological features, which characterised the development of citizenship in the European context (De Weerd 2021, 37). Indeed, the rupture in structural citizenship can happen in various cultural and political contexts, and should be conveyed via categories of sites and scales (Isin, 2009), rather than solely those linked to nation-states. However, theoretically, the framework has been embedded in radical democratic theory, which is

part of the republican strand of citizenship theory, squarely located within Western democratic and liberal theories. As such, it has not always reflected the full spectrum of ways in which citizenship transformation through acts takes place under non-democratic regimes or in non-Western cultural contexts. Under such circumstances, the confrontational quality of 'acts of citizenship' is not necessarily an appealing rallying call for the activists, and might actually be counterproductive to effective ways of political subjectivity-formation and citizenship transformation. The definition of 'acts of citizenship' as acts that necessarily question the law, or which undermine state-centric forms of governance, risks foreclosing sometimes the only possible means of negotiating and transforming citizenship in such contexts.

This article provides some preliminary thoughts on why and how the 'acts of citizenship' framework needs to be re-theorised to take into account a greater variety of cultural and political contexts, and to be able to include many ways in which acts of citizenship are performed. Taking China as a case study, this article proposes to take into account a wider repertoire of acts of citizenship than the one usually presented in the discussions embedded in the Western and democratic contexts. The article points, in particular, to the importance of non-confrontational acts of citizenship under authoritarianism, which often stand in contrast to more confrontational acts dominating our understanding of acts of citizenship under democratic regimes. Concomitantly, the cultural characteristics of acts of citizenship are equally important to observe: in order to be effective and answerable, acts must use repertoires which appeal to audience's sensibilities, which are often culturally shaped. While the confrontational/non-confrontational binary seems to be a defining feature for the overall trend of how acts are performed in democratic versus authoritarian regimes, it is important to emphasise that we can find both obvious and subtle, confrontational and subversive repertoires in both democratic and authoritarian regimes.¹ However, what clearly emerges from the discussion is the need to expand the repertoires that we study as acts of citizenship in both types of regimes.

Before moving to empirical details, it is important to reflect on the problematic notions of 'non-Western' and 'non-democratic', and their mutual relationship. How do we distinguish cultural characteristics of acts from those which are an effect of the political context? How does the particular of the 'non-Western' cultural aspect relate to a more universal factor of political regime-type? The attempts to answer these questions rely intrinsically on the mutual influence between the cultural characteristics of citizenship practice and the character of the political regime, which determines state-society relations, a crucial factor shaping the possibilities and forms of acts of citizenship. In the case of China, the distinguishing between 'cultural' and 'political' characteristics of citizenship is itself a politicised issue: the Chinese Communist Party (CCP)'s unwavering position is an argument that the criticism of its domestic model of governance is equivalent to the criticism of the country's culture. In this article, the 'cultural' characteristics are understood to be those characteristics of citizenship, which stem from predominant ideologies and beliefs, such as Confucianism or collectivism (socialism). On the other hand, 'political' aspects of structural citizenship are understood as those related to the governance of civil society actors by the state. This differentiation is not intended to deny the close relationship between the 'cultural' and 'political', which have together defined space and character of 'acts of citizenship'. For instance, in the case of China, Confucianism has for centuries justified and entrenched authoritarian model of

governance, and authoritarian rulers used Confucianism to justify their rule. However, the distinguishing between ‘cultural’ and ‘political’ is still useful to avoid essentialist notions of uniqueness of Chinese experience of citizenship when so much of the characteristics of how acts of citizenship are performed in Chinese context stems from more universal ‘political’ factors, which are replicable. This allows us to avoid the trap of Occidentalism, opening space for the search of more universal definition of ‘acts of citizenship’, which takes both non-Western and non-democratic characteristics into account.

Culture-specific characteristics of citizenship in China

It is not possible to refer to all the cultural and ideological influences upon the Chinese civic culture in this article. Below I will focus on the discussion of Confucianism, as it is perhaps the most important philosophical tradition shaping citizenship due to its long-lived influence upon the way in which societal actors have acted in the public sphere. Additionally, Confucianism has been revived particularly strongly over the last 20 years as an instrument of authoritarian rule.

In terms of its impact on citizenship practices, Confucianism has long been credited as the main ideological driver behind the maintenance of unequal socio-economic relations due to its insistence on the preservation of the hierarchical social order, on the one hand, and docile citizenship and conformity in the name of maintaining peace and harmony, on the other hand. As such, Confucianism terms any attempts to rupture social norms as chaotic and disruptive, which goes to explain why ‘acts of citizenship’ might be a culturally alien concept for public action in China. While this incompatibility between the ‘acts of citizenship’ framework and the Confucian characteristics of citizenship in China seems apparent, it is important to bear in mind that Confucianism also promotes certain modes of ‘citizenship transformation’. Indeed, the idea of self-transformation is fundamental to the Confucian ethics: an individual is encouraged to self-perfect, gain education and imprint a positive impact on society (Lin 2017). Moreover, Confucianism encourages the idea of public morality (*gongde*) as a fundamental obligation of an individual to the collective (Zarrow 1997, 6), an observation somehow echoing ancient Greek ideas of ‘*bios politicos*’, one of the inspirations behind the ‘acts of citizenship’ framework. Similarly, Chinese history abounds in instances of Confucian scholars opposing the authority of the emperor when he failed in Confucian moral standards. Therefore, while it is tempting to assume that Confucianism has shaped Chinese society to be muted and passive, the often internally contradictory and multifaceted character of Confucian teachings should not be ignored, and should allow for a less deterministic understanding of cultural characteristics of citizenship practice in China. This, compounded with the richness of philosophical tradition in the Sinocentric world, including alternative worldviews of legalism, familialism, Taoism, Buddhism, Maoism and many others, presents a complex cultural foundation shaping citizen action nowadays.

Moreover, if passivity, complicity and adherence to an authoritarian order are often regarded as the fundamental traits of Chinese citizens-subjects, how do we apply this cultural logic to understand the plethora of civic organisations, citizenship practices and even cases of civil disobedience in contemporary China? Despite the authoritarian constraints, public protest in China is commonplace: in 2010 alone the figure was

between 180000 and 230000 protests a year (Göbel and Ong 2012, 8), with new records set in 2015, under an even more restrictive policies under Xi Jinping. While some forms of protest might take confrontational characteristics or display democratic aspirations (Woodman and Guo 2017, 744), it is worth noting some culturally specific forms, which differ from those discussed in the ‘acts of citizenship’ framework in the Western cultural context. One such form, ‘collective walking’ (*jiti sanbu*) in silence (Liu 2019, 33), as it took place in the 2008 PX Xiamen protest for instance, can be regarded as a collective act of citizenship, which steers clear from the disruptive character of open public manifestations familiar in the Western context. Similarly, ‘kneeling down’ in public, as seen for instance in the case of students protesting in the Tiananmen in 1989, or which can be witnessed among the lone protestors across China, is an act with striking appeal in Chinese cultural context, as it denotes the offering of one’s vulnerability to the authorities and society in hope for a compassionate and just response (Liu 2019, 37). Also, an act of ‘petitioning’ (*yuan*) central authorities by writing letters and pilgrimaging to the capital in a desperate attempt to seek social justice which the local government failed to deliver can be seen as an example of culturally specific acts. The belief behind such acts is that those in government have the responsibility and ability to redress the injustice suffered by the subjects over which they rule (Pils 2018, 14). While this list is not exhaustive of the variety of culturally specific public forms of protest in China, it gives an idea of how in order for acts of citizenship to be effective, they must be answerable to the specific cultural sensibilities.

However, the question remains as to the extent to which these acts, despite being often characterised by submission to the authority and non-disruptiveness, are able to transform citizenship. In order to answer this question, it is necessary to go beyond the focus on their cultural specificity and observe how the political system of governance shapes the possibility and forms of acts of citizenship. Even the forms of ‘culturally specific’ citizenship discussed above clearly are not simply driven by local cultural practices or ingrained philosophies, such as Confucianism, but also by the constraints of the political system of governance.

Authoritarian state and ‘acts of citizenship’

Moving away from the discussion of the cultural characteristics of acts of citizenship, this section, instead, questions the uniqueness of the cultural specificity of acts of citizenship, by analysing the role that the political model of governance, in the case of China, authoritarianism, plays in the context-sensitive redefinition of ‘acts of citizenship’. The authoritarian system of governance requires certain strategies of activist citizenship, which are not necessarily China-specific, but rather political regime-specific. An overview of state–society relations in Russia, for instance, suggests that the strategies of performing acts of citizenship in a culturally different, yet politically like-minded context, necessitate similar strategies to those found in China: the reliance on ambiguity, liminality, and infrapolitics associated with ‘everyday tactics’ (Fröhlich and Jacobsson 2019).

From my own research on acts of citizenship in China, it emerges that performance of acts of citizenship under an authoritarian regime often relies on the strategy I call ‘resistance through accommodation’ (Jakimów 2017). ‘Resistance through accommodation’ does not openly oppose authority, break established laws, or alter ingrained

customs, but instead, works with these actors and systems to exert long-term change in structural citizenship. This mode is different from the one discussed as transformative of citizenship in the ‘acts of citizenship’ framework. Particularly with regard to the law, instead of breaking it, acts performed with the use of ‘resistance through accommodation’ strategy utilise existing laws. The activists do so in a dual manner. First, they might engage with the law by educating the vulnerable groups whose rights are routinely infringed, hoping that such education would bring empowerment and citizenship rights consciousness, this way coaching those previously unaware of their political subjectivity into (active) citizens. Second, the activists might be the only parties seeking to enforce the existing rights, which are often routinely violated in the face of a powerful state-capital alliance. For instance, at the time of my fieldwork, labour activists in China used to represent migrants in courts and lead collective bargaining cases relying on the existing laws as a form of protection against the crackdown. They also trained migrants in legal and collective bargaining self-representation, sharing the legal knowledge and instruments to allow migrant workers to undertake their own action. Indeed, in the country where the authorities are often above the law, the instances of enforcing and upholding legal rights has a power to question the existing citizenship practices that rely on corruption or submission to the whims of the powerful elites. In such context, an act of upholding and enforcing the law becomes more transformative, and effective, than the act of breaking it.

The prioritisation of ‘acts’ over ‘practices’ is another important facet of the original formulation of ‘acts of citizenship’ (Isin 2008). However, when an authoritarian context is taken into account, it is essential to take stock of how acts of citizenship can lead to the establishment of new citizenship practices in order to account for the long-term impact and effectiveness of acts of citizenship. Moreover, in the context where singular acts are less visible due to censorship over the flow of information, repeated acts that establish practices are not only often the only ways in which acts can be noted but they also reflect the effectiveness of acts to affect structural citizenship. The patterns of repeated acts of citizenship can also tell us much about state–society relations and the long-term tendencies in transformation of citizenship. For instance, in the Chinese context, an act of setting up an organisation by migrant workers, particularly when it focuses on law-training or workers’ rights, goes against the prescribed habitus and political taboos, and can be therefore regarded as an act of citizenship. As such organisations have been discouraged legally and financially by the state, the experience of one organisation setting up is an important example that can inform other activists, allowing for the act of citizenship to be repeated and to become an informal citizenship practice. While within a democratic context, this would rarely count as an act of citizenship,² in a context hostile to civic organising unauthorised by the state, this becomes an act of transgressing the expected civic behaviours and circumventing legal constraints, and if repeated, may lead to the emergence of new citizenship practice. In the Chinese case, where in recent years the political system has acquired even more repressive strategies of dealing with cases of activist citizenship, including the introduction of the so-called digital totalitarian methods of surveillance, the ‘tactics of everyday’ (De Certeau 1988, 37) and those using ‘resistance through accommodation’ strategy, become even more important, if not the only, sites of performing acts of citizenship.

Towards culturally and politically sensitive re-theorisation of 'acts of citizenship'

The tension between the essentialism of the 'cultural' and the universalism of the 'political' remains at the heart of any attempt to decolonise West-originated theories such as 'acts of citizenship'. The discussion in this essay points to the dilemma of how to define acts of citizenship so that the definition allows for the variety of their culturally- and politically specific characteristics. This is important not only for the decolonisation of citizenship studies as a field but also to properly account for the richness of repertoire of acts of citizenship, and their actual effectiveness.

In this article, I argue that such adjustment must recognise that what counts as a meaningful or effective act of citizenship rests upon the specificity of political and cultural contexts. It is important to broaden the repertoire to include acts that are both confrontational and accommodative towards the authority, as well as evoking culturally specific practices and sensitivities. This broadening should occur across both democratic and authoritarian political regimes, as well as within each of the political contexts, both democratic and authoritarian, in order to find these more complex repertoires within them.

In this article, I specifically provided examples of culturally specific acts, which expand the repertoire of bodily performances that we are familiar with from discussions of acts of citizenship in Western cultural contexts, and under democratic regimes. I also discussed how the acts, which are permissible and effective under the democratic system of governance, may be counterproductive under authoritarianism. For instance, when demanding new rights and using the transnational language of human rights might work in democratic states, the demands to uphold the existing law and using legal instruments to train underprivileged actors into active citizens might be more effective form of citizenship transformation in authoritarian contexts. Taking these observations into account, the expanded definition of acts of citizenship should rethink the importance of law as a site of citizenship transformation (and not just as an object of attack), as well as account for the cultural sensitivities and political constraints when qualifying an action as an act of citizenship.

However, the cultural specificities and political constraints of acts of citizenship in the Chinese context are often intertwined, and enmeshed together in the performance of acts of citizenship. A key ideology, which influences these acts, Confucianism, serves a dual role. On the one hand, it is deployed as the official justification of the state's approach to society, and on the other, it is also an ideology driving social behaviours, which trickles down into the specific repertoires of acts of citizenship. These two aspects serve as an example of intertwined political and cultural factors explaining the characteristics of China-based forms of citizenship. The compliantly resistant acts of citizenship, which emerge from that socio-political foundation provide an important example widening our hitherto understanding of acts of citizenship. At the same time, in the Chinese context, acts of citizenship remain transgressive of existing patterns of citizenship, because by the inclusion of 'commoners' as the main actors performing acts of citizenship, they rupture the Confucian understanding of hierarchy, which determines that only political elites have a right to define and perform citizenship. When the word 'citizenship' is forbidden in public discourse (as it takes place in China via the 'seven no speak' campaign), acts of

citizenship become ever more relevant mechanism of transgression, and their cultural specificity serves to open possibilities of their performance under authoritarian regimes. However, it is important to note that the compliantly resistant character of acts of citizenship in the Chinese context may also serve to further entrench the Confucian hierarchies and authoritarianism-induced inequalities between state and society, due to their frequent deference to authority as the ultimate arbiter of social conflict.

Notes

1. This variety is even more prominent in hybrid regimes, which this paper does not have space to discuss, but which can be found for instance among the South East Asian or some Central-Eastern European states.
2. Although it is worth mentioning that the work of some NGOs helping the so-called ‘illegal’ migrants, for instance, has been similarly criminalised in democratic states.

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