

What it means to be a citizen



NAHELA NOWSHIN

WHAT does it mean to be a 'citizen'? Does being a citizen simply mean having the right to live in one's birthplace, having the right to vote, and being accorded the formal recognition of basic rights and liberties?

The concept of 'citizenship' as we understand it today is synonymous with, first and foremost, belonging to a nation-state, attaining legal status, and having fundamental equal rights. But this predominant notion of citizenship is one which is simplistic and incomplete, and fails to capture the many facets of what citizenship entails in practice.

Citizenship is necessarily linked to the very idea of 'nationhood', which itself is based on an essentialist category of birthplace, and dictates who is included and more importantly, who is not. There can be no citizen without a nation, and no nation without citizens. The very logic of birthright citizenship means that immigrants who seek to be citizens of a country must be 'naturalised' or made 'normal', and must prove themselves to be deserving of the title of 'citizen'.

With its genesis in nationhood, citizenship is a powerful exclusionary tool that imposes the homogenising identity of 'nationality' and serves to weaken all other forms of identity such as ethnicity, language, religion, etc.

The intersectionality of race, ethnicity, birthplace, sex, age, class, etc., makes citizenship a site of contested identities. What does being a 'Bangladeshi citizen' mean for someone from the minority Hindu community? Does the tag of 'Bangladeshi' make the Hindu citizen belong any less to his/her homeland where the majority of Muslim Bengalis have become the sole proprietors of the term 'Bangladeshi' in the public imagination? What about the Urdu-speaking Bihari or the Buddhist Chakma?

While the idea of citizenship has taken on a universal definition (i.e. owning a passport of a certain country), its meanings and outcomes are far from the same. 'Citizenship'

encompasses an extremely broad sociological perspective and any attempt to simplify it would result in a reductive definition, ignoring the multitude of complexities the term has accumulated since it first began as a subject of study of democratic governance and Western philosophy.

Starting from its earliest form in the ancient city-states of Greece where citizenship implied being freed from the private sphere of household (*oikos*) into the public sphere of political life (*polis*), to Imperial Rome where a two-tiered system of citizenship reserved 'active citizenship' only for the patricians, leaving out the plebeians, citizenship has always been by default selective and exclusive in nature.

The modern notion of citizenship first emerged in the ideas of the Enlightenment. In particular, the social contract theory – according to which persons' moral and political obligations are dependent upon a 'contract' to live together and form a society under common laws – was extremely influential in the conceptualisation of citizenship through the assertion of free will and rethinking of the individual's relation with the state. The French Revolution and Magna Carta further propelled the cause of 'individual rights' in the struggle to establish the concept of citizenship. The decline of feudalism and dissolution of landed privilege along with the rise of private property led to people's demands for civil and political recognition, giving 'citizenship' universal status. In the context of emerging civilisations and a shifting sociopolitical landscape, the idea of citizenship has evolved and expanded over time.

In the present day, amidst an atmosphere of rising xenophobia and hateful political rhetoric against refugees, migrants, or the 'threatening brown body', the reevaluation of citizenship is not only pertinent, but also a moral obligation. From the recent U.S. travel ban on citizens of seven Muslim-majority countries to the outright denial of citizenship to Rohingyas in Myanmar, the politics of inclusion and exclusion of citizenship is *very real* as a potent tool of political strategy leading to the persistent marginalisation of those deemed to be 'outsiders'.

President Donald Trump's executive order that sought to close America's borders to legal workers, students, visitors and residents from



It is estimated that there are more than 300,000 Biharis in Bangladesh, half of whom live in 116 camps throughout the country. PHOTO: STAR

entering the U.S. simply because of their citizenship is, in recent memory, one of the most blatant examples of how the State weaponises citizenship to exclude a selected few. The order cloaked under the disguise of 'national security' is an extension of the rising tide of xenophobia and fear of foreign-born individuals who never quite live up to the high expectations of the 'ideal citizen' in the eyes of the white majority.

In America, exclusion laws are not new. The Chinese Exclusion Act of 1882 barred Chinese labourers from entering the U.S. and required non-labourers to obtain certification from the Chinese government to be able to immigrate to the U.S. This discriminatory Act was finally repealed sixty-one years after it was passed.

At home, the story of stranded Biharis, who are largely consigned to camps

throughout Bangladesh, reflects a different kind of narrative of exclusion through the denial of passports and other facilities, and social stigma. In 2008, thanks to a landmark High Court decision around 150,000 Biharis who were minors during the Liberation War in 1971 were given citizenship rights. But Bihari refugees who were adults at the time of the war remain out of the purview of citizenship. The lack of economic rehabilitation coupled with discriminatory policies and bureaucratic procedures to obtain a passport mean that they are unable to enter the job market or acquire an education, remaining in a vicious cycle of poverty and misery. Moreover, the issue of repatriation of Biharis to Pakistan makes the topic of citizenship even more complex and contentious.

Whether it is the Rohingya fleeing state-

sanctioned violence in Myanmar, the Syrian refugee escaping a civil war that sees no end in sight, or the Bihari trapped in a squalid camp in Bangladesh, citizenship makes for a powerful mechanism for the State to delineate both the internal and external borders of political community and belonging through exclusion from within and without.

Founded on the idea of excluding non-members, citizenship has been, throughout history, a terrain of fractured identity and a device for the denial of basic rights and resources, alienation and ostracisation of those we deem foreign. If history has taught us anything, it is that inclusion and exclusion are two sides of the same coin.

The writer is a member of the Editorial team at The Daily Star.

Mobile courts can make a difference

SOHEL RANA

I was informed one morning that Takia road, a local wholesale market in Feni, was flooded with palm and super edible oil labelled under the name of soybean oil. I was on duty to conduct a mobile court in that area. While I started preparing for the court, I was thinking about the nature of the problem and finding possible ways to confront it effectively. I was weighing possible options that could be chosen by the state to solve such crimes and protect the rights of the consumers.

The reason local wholesalers and retailers are involved in such fraudulent practices is simple economics. Palm oil is much less costlier than soy bean oil, and thus selling it in the name of soy bean (which is what consumers demand) is simply more profitable. But such deception is also a criminal act. I was part of the state's check and balance mechanism to curb and control such crimes, and was asked to act on behalf of the state. A few questions instantly struck my mind: Why are buyers accepting this? Which state agencies are responsible to check such fraud? How do I fit into the situation? What is the best possible solution to such everyday problems?

The public usually expects such criminal activity to go unobstructed because of a long held perception that the concerned state-agencies and departments are fully aware of the criminal activity and yet they don't



A mobile court tests mangoes to check for toxic chemicals at a warehouse in Karwan Bazar in the capital. PHOTO: STAR

bother to do anything about it. This inaction from the state's part is tantamount to an unofficial approval to this crime. Thus, in the eyes of the public, complaints against such fraud have little chance of being registered.

While this might not be the case at all, perception of this kind is not hard to find among common people. As a result, buyers might not turn to the agencies because of their

assumption that they will be refused. The government is certainly working hard to alter this apparently popular perception. But how is the government doing this?

State agencies involved in intervening in such cases include the district administration, police department, Rapid Action Battalion, the consumer protection department, etc. Police can register a complaint as

a criminal offence, and take the accused to the appropriate courts under the session and district judge or under the courts of chief judicial or metropolitan magistrate. This is the general system of the state providing judicial services to the people. Two things currently limit the effectiveness of this system. On the one hand is the huge pile-up of cases in these courts which make the

system slow to act, and on the other, an inadequate number of police personnel constrain them to act promptly.

Another form of limited criminal judicial service is the mobile court which can more than compensate for these two limitations of the general system. With a growing popularity among the people, these

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to justice within a few hours.

Executive magistrates with a limited penalty power under the Mobile Courts Act, 2009, offer three major components (complaint filing and prosecution, cognisance and trial) of bringing a criminal case to justice within a single unit under the framework of the mobile court and it all happens in an astonishingly short period of time - maybe an hour or two. This greatly revolutionises the quality of judicial services within a limited scale. And it makes everyone better off - the judges of the criminal judiciary who are overburdened with cases, the police, and most importantly the people.

Limitations are inherent in every system and mobile courts are not without them. Considering all the limitations, however, these moving courts can tremendously improve the overall efficiency of the judicial service for social crimes (crimes enlisted in the mobile court schedule) and major crimes like drug related ones on a limited scale. When consumers saw that after dialing my number the super oil container almost disappeared from the market in a matter of a day, they realised that it was possible to get justice against such fraud. Many such consumers might actually be encouraged to lodge such complaints to executive magistrates now.

The writer works as an Assistant Commissioner and Executive Magistrate at DC office in Feni.

A WORD A DAY

ENCAUSTIC

(adjective)

Using pigments mixed with hot wax and burned in as an inlay, especially in painting and ceramics

CROSSWORD BY THOMAS JOSEPH

ACROSS

- 1 Startled cry
- 6 Raise an auction price
- 11 Biting
- 12 Concert setting
- 13 Brake, for one
- 14 Arrive
- 15 A bit more than three light-years
- 17 Feasted
- 18 Freud topic
- 19 They tote bags
- 22 Grass coating
- 23 Ordeals
- 24 Personal log
- 25 Target of modern mapping
- 27 Planet
- 30 Evil
- 31 Fresh
- 32 Bat material
- 33 Goddess of wisdom
- 35 Vicuna's cousin
- 38 Hawkkey
- 39 Fork features
- 40 44th president
- 41 Worries

DOWN

- 1 Barked
- 2 Glacial period
- 3 Lisa of "Friends"
- 4 Greek vowels
- 5 Choice
- 6 Chips buy
- 7 Fuming feeling
- 8 Fine point
- 9 Brings together
- 10 Window sections
- 16 Term of endearment
- 20 Movie job
- 21 Calendar box
- 24 Genetic stuff
- 25 Like old streets
- 26 Flammable fuel
- 27 Street type
- 28 Give a new handle to
- 29 Safari chiefs
- 30 Sea dogs
- 34 Boxcar rider
- 36 Kitten cry
- 37 Cart puller

1 2 3 4 5 6 7 8 9 10

11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42

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YESTERDAY'S ANSWER

NOW IN TAMED
ALICE ALAMO
TENOR RANIN
ENDS BYTE
LASS ADAM
EBB ADAMANT
FLUTE MARIPO
TERRORS RPIO
GINA MISS
WOOD PLEA
ASHES EDGAR
GLINT NIECE
SOOTY TASTY

BEETLE BAILEY

by Mort Walker

THE CHAPLAIN HAS BEEN PRAYING FOR TEN MINUTES

MY FOOD CAN'T BE THAT BAD!

GREG + MORT WALKER

BABY BLUES

by Kirkman & Scott

NICELY DONE! IF ONLY LIVING-ROOM-SALON WAS A REAL SPORT.