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Social Conflicts and Citizenship in the Context of Societal Complexity

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Abstract. This article addresses the issue of the legal expansion of citizenship in the context of increasing societal complexity. Social conflict has historically played a driving role in the enlargement of citizenship, but in the current phase it no longer seems to fulfil this function. The contribution aims to reflect on the conceptual tools needed to analyse social conflict related to the emergence of new forms of citizenship at a global scale. In the first part of this article, I focus on the inadequacy of classical analytical tools for the study of social conflict and the desirability of expanding the sociological canon with new concepts including its relation to social change. In the second part, I put forward the proposal to use some analytical tools – in particular the concepts of *ius nexi*, scale and lateral oscillation – to reconnect social conflict and the expansion of citizenship in social and legal terms.

Keywords: citizenship, social conflict, societal complexity, *ius nexi*.

Riassunto. Questo articolo affronta il tema dell'espansione della cittadinanza nel contesto della crescente complessità della società. Il conflitto sociale ha storicamente svolto un ruolo trainante nell'espansione della cittadinanza, ma nella fase attuale non sembra più svolgere questa funzione. Questo contributo si propone di riflettere sugli strumenti concettuali necessari per analizzare il conflitto sociale associato all'emergere di nuove forme di cittadinanza su scala globale. Nella prima parte dell'articolo, mi concentro sull'inadeguatezza degli strumenti analitici classici per lo studio del conflitto sociale e sull'opportunità di ampliare il canone sociologico con nuovi concetti, tra cui il rapporto con il cambiamento sociale. Nella seconda parte, propongo di utilizzare alcuni strumenti analitici – in particolare i concetti di *ius nexi*, scala e oscillazione laterale – per ricollegare il conflitto sociale e l'espansione della cittadinanza in termini sociali e giuridici.

Parole chiave: cittadinanza, conflitto sociale, complessità sociale, *ius nexi*.

INTRODUCTION

This article sets out to analyse the chances of citizenship expansion driven by new forms of social conflict in a situation of societal and systemic complexity. The analysis starts from the assumption, widespread in the sociological literature, that social conflicts have historically contributed to

the expansion of citizenship (Dahrendorf 2017; Turner 1993). The main question is whether social conflicts are capable of fulfilling this function today in the face of the normative challenges posed by ubiquitous societal complexity. The contribution aims to reflect on the conceptual tools needed to analyse social conflict and its transformation. The ability to assume appropriate heuristic tools enables the conception of new forms of citizenship at a global scale. To this end, the article adopts a neo-pragmatic approach which rejects notions of universal truth as well as incontrovertible objectivity. Instead, the focus is on pluralistic worldviews and the recognition of contingency, while «normatively oriented towards open-ended, democratic processes of negotiation» (Kühne *et al.* 2021: 2). This choice is based on the awareness that different methods and theoretical perspectives are required for complex research objects with functionally and contingently interconnected structures.

In the first part of this article, I focus on the inadequacy of classical analytical tools for the study of social conflict and the desirability of expanding the sociological canon with new concepts including its relation to social change. In the second part, I put forward the proposal to use some analytical tools – in particular the concepts of *ius nexi*, scale and lateral oscillation – to reconnect social conflict and the expansion of citizenship in social and legal terms.

1. CONFLICT AND SOCIETAL COMPLEXITY: A THEORETICAL FRAMEWORK

It should be emphasized that the category of conflict has a particular history in sociological thought, often including normative dimensions and implying a value judgement, especially in the functionalist view: Durkheim and Parsons were much more attentive towards the disruptive functions of conflict than to its ability to contribute to positive social change or even to social integration. On the other hand, other sociologists – including Weber, Simmel, Coser, Dahrendorf and Collins – consider conflict a type of social relationship that ensures change or even cohesion in society, and, notwithstanding their different approaches, a normal form of social life. The repeated, out-of-control crises that have emerged since the 1980s, the processes of individualization and cultural and value change, and new social risks have once more made it central to address the issue of conflict. It needs to be dealt with in a fresh way, in parallel with the emergence of new subjectivities and the dynamics of intersubjectivity and mutual recognition linked to the new role of civil society, civil movements

and the idea of emancipation (Touraine 1998; Honneth 2002).

One particular phenomenon emerges from recent research (Kühne *et al.* 2021): the overt tendency to moralize conflicts, namely overstating one's own worldview, and stigmatizing the adversary as not legitimate. Awareness of alternative interests is gained in concomitance with their pathologization. There is no social consensus on the framework in which conflicts are to be dealt with, nor a third authority that sets binding rules. So, conflicts played out via moralization can be seen as negatively productive for the expansion of citizenship. This process is fuelled by social media first of all, where particular morals are consolidated and absolutized via echo chambers, and then by traditional media. Changes in the structure of social conflicts undermine the possibilities of their regulation following the same rules that worked in the past, which reduced their violence and intensity, while at the same time leading towards social dialogue based on mutual recognition between opposing parties. This lack of conflict regulation also removes the preconditions for expanding citizenship via the legal system, in the form of widening social inclusion to previously excluded individuals/social groups.

In order to understand whether there are new forms of conflict at the societal level that can also produce an expansion of citizenship, we need to introduce new categories that grasp the processes behind the social changes associated with globalization and glocalization.

It is the very same systemic complexity that requires us to rethink and relocate the analytical categories that once enabled us to interpret the forms and dynamics of social conflict. We can list at least three social conflict production process markers that have been disrupted by the changes of «second modernity» in the Beckian sense: a) the shared space, b) the principle of opposition and c) the principle of identity (Wieviorka 2013). According to these markers, for there to be conflict there has to be a sphere of action – a shared space – in which the relationship between opposing subjects can take shape, as well as the temporal unity and autonomy of the agents involved. This shared space allows the opposing actors fighting to control the same resources, values and power to recognize the commonality of the issues at stake in the conflict. Through the principle of opposition each actor is defined in relation to the adversary and self-defines through the principle of identity.

These three markers worked for the analysis of industrial societies characterized by class conflict linked to the world of production and consumption, within the framework of national constellations (Habermas 1999). However, they lost their effectiveness when applied to the

complex societies that emerged in the second modernity. During the 1970s, 1980s and 1990s, societies in which it had been possible and legitimate to speak of class conflict and the labour movement began to emerge from the classical industrial era. During this period, the forms of work organization evolved considerably, the Taylorist factories where workers were subjected to 'scientific' ways of managing and organizing production – such as the «McDonaldization» analysed by George Ritzer (1997) – gave way to other types of work, flexibility, 'participatory' management, and the outsourcing of activities that until then had been provided internally. Since then, capitalism has undergone profound changes, as shown for example by Richard Sennett (2005). Contrary to a rather superficial idea, workers have not disappeared, but they have lost their capacity for communal existence and collective action, as well as their centrality and visibility as such. There has been a historical decline in the central conflict that pitted workers against capital and shaped all community life, informing politics, the coherence of the social fabric and intellectual discussion. Neoliberalism had seemingly swept everything away, totally eliminating the classical class conflicts. The end of the great narratives (Lyotard 1979) and the entry of society into an era of generalized individualism coincided with the idea that social conflict was destined to disappear. But this is not what happened. Social conflicts exist, but in a complex and globalized world, and it is difficult to analyse them using the 'markers' of the past. In fact, we can ask ourselves: a) Can the category of shared space be used when tensions arise between cultural, religious and ethnic entities that are not 'social' in the strict sense of the word (i.e., associated with work, income, consumption, education, etc.)? b) How are opposing identities defined, when memberships are not really negotiable and often there is no shared sphere at all?

Since the 1990s, these conflicts have taken a new turn because of their inclusion in globalization. Their actors are no longer limited to the traditional framework of the nation-state, which in any case no longer has a monopoly on them. They are part of a new culture of communication and make large-scale use of social networks (Castells 2009). They have gone 'global', leading protests worldwide. The new protest movement has ushered in an era of global conflicts which link the global and other national or even local dimensions (Pleyers 2010). The protests have paved the way for the construction of a conflictual sphere with strong cultural dimensions, a space of struggle weakened, however, by the difficulties in defining the adversary (Wieviorka 2013). Since then, new topics of discussion have come to the fore: for example, the relationship between the social and cultural spheres and between struggles against

forms of inequality and in favour of social justice and recognition (Frazer and Honneth 2003). In these new conflicts, the cultural dimension is much more pronounced than in the conflicts that were the driving force behind industrial societies. Their protagonists invent ways of living together or advocate cultural values and change. They have also sought another form of militancy, for example, no longer accepting the principle of deferred gratification which, in the industrial era, made militant workers into actors whose aim was to create a 'better world tomorrow'. Their demands to be considered as individuals with a personal subjectivity are much more evident than in the past; they want to choose to be involved on their own terms and to be able to leave whenever they want. Now collective action does not exclude individualism.

These new conflicts cannot be analysed except in relation to globalization and its effects on individuals, networks and communities with respect to their environment. Globalization does not create global people, and the large-scale, standardized changes imposed by neo-liberal economics or climate change do not cause the same effects everywhere. Places remain different, as we saw during the pandemic crisis. The numerous reproductive crises are perceived individually and collectively as a threat to autonomy and the right to decide on one's own life. There is a growing awareness of this risk, but it takes on very different meanings and produces different effects of social disorder made up of reactions of protest, contestation and antagonistic social groups. As Susen points out:

there are substantial differences between early modern forms of political organization and late modern forms of social mobilization. Whereas the former are oriented towards the effective institutionalization of social struggles, the latter are aimed at the constant autonomization of social struggles. The former are primarily legal, political, and social; by contrast, the latter are primarily cultural. The former are embedded within the institutional structures of the state; the latter are located outside, and in fact seek to bypass, the institutional structures of the state. While the former are founded on systemic processes of indirect participation through representative forms of democracy, the latter are based on lifeworldly processes of direct participation through deliberative forms of democracy (Susen 2010: 28).

2. REINVENTING CITIZENSHIP IN THE FACE OF GLOBAL FLOWS OF PEOPLE. THE PRINCIPLE OF *IUS NEXI*

Citizenship is not a single natured legal category: it can be described as a set of both practices and rights

and duties (civil, political and social) that define individual social membership (Marshall 1964). The analysis of citizenship, like that of social conflict, also requires reconceptualization in the light of increasing societal complexity and globalization processes. In contemporary society, the practices from which citizenship takes shape reflect the complexification of social systems and the concomitant specialization and fragmentation of functional domains (Susen 2007: 67-71). Consequently, new forms of citizenship must be complex enough to reflect the emerging pluralism and diversification of the forms of social organization and mobilization at different levels of scale. The main question is how to translate the growing complexity and diversification of citizenship demands coming from social practices into a legal form that is equally as complex and not anchored to a state entity, so that its holder can have it recognized in different contexts at both local and global levels.

One of the main and most interesting proposals is to restart from the principle of belonging to the social and political community in which one participates as a citizen: «In a world of increased cross-border mobility, the traditional territorial (*jus soli*) and parental (*jus sanguinis*) principles for allotting membership no longer serve as sufficiently refined predictors for determining who shall actually reside in this or that country» (Shachar 2010: 6). Since citizenship has hitherto been conceived of as exclusively based on national belonging, it clashes with a complex world in which globally shifting flows of people require new entitlements. According to Ayelet Shachar, when addressing the issue of the status of mobile and migrant persons, instead of merely focusing on the legalese of a person's status, one should look at the nexuses

between right and duty, actual participation and membership status, social connectedness and political voice... This approach enables the development of a legal framework that accounts for actual, on-the-ground (or "functional") ties that give rise to the jus nexi citizenship principle. I call this new principle jus nexi, because, like jus soli and jus sanguinis, it conveys the core meaning of the method through which political membership is conveyed: by connection, rootedness, or linkage (Ivi: 9).

Citizenship has a socio-relational basis that has never been static except in an artificial sense: «instead of making citizenship turn solely on the initial, almost frozen-in-time moment of entry, some proximity or nexus must be made between full membership status in the polity and an actual share in its rights and obligations» (Ivi: 10). Shachar emphasizes that the expansion of citizenship requires «the establishment of genuine

ties and actual "stakeholding" in the political community» (*Ibidem*).

She states that:

This broader perspective permits us to see citizenship regimes not only as generating intricate rules that define the allocation of membership, but also as bearing considerable effects on the distribution of voice and opportunity among those residing on the same territory who nevertheless do not share equal access to the government-distributed status of membership (Ivi: 15).

In my opinion, it is precisely on the meaning that can be attributed to the definition of «same territory» that the possibility of rethinking the expansion of citizenship and its empowerment in the world as a complex system is at stake. The principle of *ius nexi* can be useful when developed in relation to the issue of the different scales at which conflict can play an enabling role in the expansion of citizenship. What extension and boundaries do these territories have in the globalized world? Is this principle of *ius nexi* only valid on a local scale or does the interconnected society of flows allow it to be referred to on a global scale?

2.1. New scales of social conflicts as an engine for the expansion of global citizenship

In order to explore a satisfactory definition of «same territory» for an understanding of the new social conflicts, I refer to the notion of scale, as formulated in sociology (e.g., Sassen 2008) and in cultural anthropology. The notion of scale, conceptualized in terms of «space, social organisation, cognitive universes and time horizons» (Eriksen 2017: 172), can help to analyse the nature of conflicts in complex societies in the global context. Scale is cognitive in that it refers to cultural representations at the level of individuals and social groups. But social- and cultural-level scales may not correspond. For example, people involved in global processes may or may not achieve awareness or a level of reflexivity. Here, a decisive role is played by symbolic communication between individuals who, despite their relative isolation and distance, may have a high degree of awareness of their own position and interests. The timescale on the basis of which people orient themselves and make large-scale decisions is relevant because it refers to the time horizon imagined in the relationship between present and future.

As Eriksen (2017) rightly points out, increases in scale lead to new asymmetries of power that transfer responsibilities to a higher level and leave local actors

on the sidelines. Hence they develop a sense of powerlessness and frustration at the objective changes in their living conditions. New inequalities are generated, giving rise to new conflicts. Conflicts can potentially take place between all these levels of scale: for instance, with reference to the problem of environmental sustainability, friction is created between the local scale where environmental policy decisions are made, and the global scale where climate change occurs. Certain decisions made at the international level may be interpreted as inadequate, limiting and reducing the autonomy of actors operating in local contexts and provoking reactions of protest and contestation. Conflict may even occur between cognitive systems based on abstract principles, when they clash with knowledge gained in local contexts. There is often incongruence between the timescales of political actors (short-term, for electoral confirmation) and environmental movements (long-term). The increase in scale of economic activities is in itself a source of conflict between local and global actors. It is rare for there to be congruence between scales, for example, between political and cognitive scales, as was the case in the nation-state, ensuring individuals' identification with the national collectivity.

Conflicts between different levels of scale pertaining to knowledge – knowledge matured in the world of experience and expert knowledge – are even more evident. The experience-based and abstraction-based cognitive worlds are often difficult to reconcile (e.g., adopting behaviour in daily life and consumption in accordance with abstract knowledge about climate change). In the complex and changing society where knowledge is exposed to contestation, different knowledge regimes compete to assert their legitimacy and influence (Douglas 2013) not only at different levels of scale but also within the same scale, as was evident in the pandemic crisis. Indeed, during the pandemic, when two types of knowledge seemed at odds, people often chose to trust their own experience. Trust in abstract systems, as Giddens (1994) tells us, rests on predictability, but there is little awareness of reciprocity in the sharp divide between local and global and in a framework of great uncertainty and accelerated change. This is one of the areas that emerges as most problematic for the maturation of conflicts on cooperative grounds: on the contrary, it favours their moralization and opposition on non-negotiable grounds (Kühne 2020).

The analysis of conflict is complicated by the difficulty of assigning responsibility for choices: here, too, there is opposition between different cognitive models which assign responsibility by individualizing it or attributing it to systemic factors. It is also difficult

to identify how to orient social criticism in multiscale societies. The scale levels of social phenomena not only shift upwards and downwards at the same time, but also laterally. The type of upward and downward shift in complex societies is different to what happened in early modern societies: the upward shift made it possible to deal with social problems and relegated conflicts to a higher level by finding the conditions for creating trust, reciprocity and social bonding at the lower-scale level. For example, it was possible to identify individuals and small-scale communities with imagined communities, as shown by the birth of the nation-state, driven by a large-scale homologating logic which found legitimacy in lifeworlds located in small-scale contexts. In global modernity, this kind of dynamic between small scale and larger scale no longer seems possible: the tension in globalization dynamics is not so much between global and local as between abstract and formal, universal and particular, disintegration and integration.

I would like to draw attention to a shift in scale that can be observed and may be significant to grasp the link between scale conflicts and scale solidarity: lateral oscillation within the same scale. Lateral scale oscillation can operate at different systemic levels. It works at global level (activism in international organizations) or in networks of reciprocity between people who share a social bond but are far apart. In these lateral oscillations we can see alliances between individuals, groups and populations sharing the same problem across geographical boundaries, as is increasingly the case: for example, populations living in atolls that will be flooded due to global warming; alliances between indigenous peoples; the Fridays for Future movement.

Dense but deterritorialized communication networks create a sphere of action embracing both the principle of opposition and the principle of identity: they circumscribe the world of discussion both by fuelling conflicts of scale between locally and specifically developed visions and large-scale visions, and by fostering a solidarity of scale. The process of creolization and cultural hybridization is not an obstacle but a factor that fosters convergence in cultural references, common interests, an understanding of other points of view and new areas for negotiation. Even the concept of national identity acquires new values, incorporates new diversities and people change their sense of social belonging, recreating ties on new bases.

This is where the process of institutionalizing conflict comes into play: another cultural anthropologist, Appadurai, clearly illustrates this process that links conflict and the creation of social bonds. Open forms of communication and confrontation between individuals

adhering to different moralities create the possibility of understanding. Hence, conflict can be channelled into forms of recognition and cooperation without necessarily achieving consensus. The result is the construction of a shared sphere of action and the ability to define opposing sides and identities. These processes arise from local, every day, family practices that do not restrict themselves to the confines of the village but extend beyond these confines in a cosmopolitan scalar logic. The shift caused by various experiences oscillates between the horizontal and the higher scales, tending to create new bonds of solidarity, to build global affinities and to combat power inequalities at the local level. The new transnational links take on the form of 'alliances' because they involve multiple actors in positions of power and with different life chances in different places (Appadurai 2013), necessarily constituting a fictional substitute for the «same territory» to which Shachar refers. Appadurai analysed the Mumbai house movement which developed links with similar movements in South Africa, the Philippines, Nepal and Thailand. Through these links, they shared mobilization strategies, techniques, knowledge and formed a global alliance of activists. They learned and shared strategies to lobby local and national governments and international organizations to improve housing conditions for the poorest people living in slums and access to credit for communities. They cooperated with countries on three continents, sharing their concerns over extreme poverty and social exclusion. A context of institutional democracy is important because it is civil society that mobilizes and discovers the affirmation of entitlements to be a driving factor in the expansion of citizenship.

The new forms of conflict are capable of expressing citizenship demands of a new kind, which necessarily address multiple centres of power and regulatory authorities at various levels of scale. The result seems to be more a fragmentation of citizenship rights and obligations rather than an expansion capable of including differences and a plurality of demands. The literature on law and globalization (de Sousa Santos and Rodriguez-Garavito 2005), marked by a discourse of cultural decolonization, has highlighted the mechanisms that have made the grassroots resistance to neoliberal institutions and initiatives for alternative legal forms invisible. By contrast, it has pointed out the emergence of a subaltern cosmopolitan legality as an alternative source of law, concrete examples of which are the motions for the global regulation of intellectual property and labour rights by activists, human rights lawyers, workers and marginalized communities in the Global South. These actors have successfully pushed for new legal frameworks, enabling the

production of affordable medicines for all and fighting against exploitative conditions in global factories.

3. CONCLUDING REMARKS

Social conflict transformation in globalized societies and complex social systems is a preliminary issue to tackle in the question of whether there is room for the expansion of citizenship. I have introduced the concepts of moralization, *ius nexi*, scale and lateral oscillation in order to analyse changes in the structure of social conflicts and the potential for creating new social ties and social alliances. What emerges is a framework that is open to change and gives impetus to claim entitlements for the expansion of citizenship on a new basis. We have seen that lateral oscillations take shape from particular conflicts of scale: for example, from the borderless activism mobilized to seek national and multilateral policies to protect the environment, to fight against poverty and to fight for human rights, intellectual rights, women's rights, etc. These are popular, transnational civil society movements, inclusive of both individuals and collectives, linked to specific interests, with a variety of different scopes of action. They empirically show «the value of an actual, real, everyday and meaningful web of relations of human interaction» in constructing citizenship (Shachar 2010: 17).

These alliances are based on strong internal/external, open solidarity, which also implies linguistic negotiation and continuous translation because they belong to different cognitive universes. They are bearers of a situated cosmopolitanism (Pendenza 2017) that is based on the politics of rights, resources and recognition and involves social practices. Appadurai (2013: 211) points out that, in these 'messy' processes, negotiation is the only really useful instrument of struggle: «all cultural transactions require negotiation and all negotiations possess a cultural dimension». These are conflictual processes that incorporate practices of social dialogue and transform them into a multiscale habitus in the Bourdiesian sense. In this framework, the notion of citizenship rights goes beyond the liberal ideal of individual autonomy and incorporates solidaristic conceptions of rights also based on alternative forms of legal knowledge. This is evident, for example, in the multiple grassroots struggles for collective rights to common goods, culture, land and traditional knowledge.

Horizontal scales contribute to the glocal creation of «a web of relations that are imbued with obligations towards promoting the public good rather than merely satisfying individual preferences and entrenching existing

power relations» (Shachar 2010: 58). In this web, a new legal form of citizenship based on *ius nexi* may allow its expansion beyond borders and territorial barriers. Citizenship based on this principle tends to be cosmopolitan, because it allows individuals to hold it wherever they live and relate to others. The bigger question is which legislative bodies can achieve the goal of establishing a right to citizenship based on *ius nexi* on a glocal scale: the international courts of justice and human rights? the constitutional courts¹ associated on a horizontal scale and combining different legal traditions? While this remains an open question that needs to be addressed, it cannot be developed within the limits of this article.

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¹ See, for example, the Association of Asian Constitutional Courts and Equivalent Institutions (AACC) and the Conference of European Constitutional Courts.