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Towards a Citizenship of the European Union[1]

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The whole concept of citizenship and of the rights and responsibilities of citizens has in the past twenty years again been called in question by the development in Europe of a quasi-federal supra-state, the European Union. In the new European Union, the complex of rights and duties which have traditionally gone under the name of citizenship, and which in former times were exercised by (some of) the inhabitants of smaller territorial units, such as a city or, at most, a nation-state, are now in large measure shared by, and common to, citizens of all the different EU member states. Citizens of EU states resident in another member-state may not formally be enfranchised or have full voting rights at member-state level, but they mostly have rights of residence, of employment, and they have legal protection in ways which were previously the preserve of the citizens of these smaller polities. Specifically, the Maastricht treaty (1992) and the Amsterdam treaty (1997) conferred on all nationals of an EU member state what was in effect the new concept of a European Union citizenship, additional to national citizenship, and according particular rights of access to European institutions (parliament, council, the ombudsman, and to vote in European and local elections), of free movement, residence, and employment, and against discrimination on grounds of nationality. Prior to this, moreover, in the earlier age of competing nation-states, the privileges and obligations of individual national citizenships had deliberately been set out and developed in an oppositional manner – *vis-à-vis* the outsider, the foreigner, the neighbouring state. These definitions in exclusive terms had reflected the prevailing prejudices of the period: for instance, the holding of dual citizenship was frequently forbidden. Now, however, the progressive dismantling of Europe's internal frontiers and boundaries, notably through such initiatives as the Schengen Agreement, has highlighted the need for a reconsideration of what these various national citizenships, and their predecessors, might have had, and did have, in common. It is evident, for instance, that attitudes towards present political structures – whether local, regional, national, or European ones – vary considerably in different parts of the EU, and that in large measure these differences reflect both the particular political cultures and heritages in different regions which have come down from earlier times and also the diversity of paths towards and away from the EU's stated model, or norm, of participatory citizenship. Thus, in highlighting the need for this reconsideration, we must also ask how far it is possible to identify a common range of historic ideas and rights which may be associated with citizenship in these earlier times?

In posing this question, we also need to be careful not to project our ideas of participatory citizenship in the 21st century back into the past. In the opening volume of our series, we tried to chart the development of modern citizenship rights in the various historical periods and the different European countries in terms of when these rights were acquired. The volume focused on particular historical cases, however, and its individual chapters also had little to say about what individuals actually did as citizens, once they had acquired these citizenship rights. There was also very little in the volume by way of definition or theoretical clarification of the actual concept of citizenship.

The danger in this type of approach is of course that, if citizenship is defined in terms of what is now, in a present-day European context, understood as best practice – and particularly one associated with Western states with a long tradition of democracy, in the aftermath of the Cold War and the collapse of the Soviet Bloc – we may end up, not so much understanding the concept of citizenship and how this has changed over time, but rather supplying a pseudo-historical narrative purveying the illusion of triumphant progress towards the present. We need here, therefore, to sidestep the problem that, in some academic traditions, and particularly from the perspective of modern and contemporary history or historical anthropology, the concept of citizenship is closely linked to modern civic society. By contrast, pre-modern specialists would see the complex of rights and duties which make up the concept of citizenship in terms of active participation in the political life of the polis, town, city, region, or state in whatever period of history. The one perspective offers us an approach which is manifestly skewed towards the making of the present; the other runs the danger of a definition which is so broad as to be meaningless.

There are, however, a number of ways around this problem. One is to look more closely at the etymology of the word for 'citizenship' in the different European languages. A second is to establish that the nature of citizenship rights varies in accordance with the type of society and state in which people live. In what follows, this chapter will first review some of the evidence concerning the etymology of the term, including some case studies. There then follows a more extended consideration of the relationship between citizenship rights and the norms and values of the society in which they develop.

Turning to the first question, then, the etymology of the word for 'citizenship' in the different European languages provides an important clue as to the particular origins and development of the concept among those peoples in which the language developed. Also, what in English is called 'citizenship' is rendered in other European languages by a variety of terms which, in many cases, reflect the particular balance of political, legal, or social conditions obtaining in each of these polities at different periods of their history. To take an obvious example, the German term *Staatsbürgerschaft*, which denotes citizenship in the sense of a feeling of belonging to the nation or state[2], contrasts with the Irish (Gaelic) word, *saoránacht*, meaning citizenship in the sense of freedom: the one word reflects political conditions in a large territorial entity; the other in a small entity overshadowed by a powerful neighbour. In both languages, however, the concept of citizenship may also be translated by words which reflect a more traditional sense of enjoying political rights in a particular town or city: *Bürgerrecht* in German, *cathróireacht* in Gaelic. Many other European languages have a similar pair of words to denote citizenship, reflecting an original distinction in regard to citizenship rights and national identity: for instance, in French, *citoyenneté* (the modern notion of *citoyen*, originating in the French Revolution) and *nationalité*; in Greek, *υπηκοότητα* (citizenship) and *εθνικότητα* (ethnicity); in Romanian, *cetăţenie* (state membership) and *naţionalitate* 'ethnic origin'. These language pairs are rough equivalents but the etymology and precise nuances of each term reflect the prevailing circumstances in each national tradition in which the term developed. In other words, what we have here, arguably, are a complex of rights and duties which are closely associated with the concept of citizenship but which, through the operation of physical frontiers or mental boundaries in each separate tradition, have developed in somewhat different directions.

In a brief study like the present one, it is of course impossible to trace all the different patterns of state formation which promoted citizenship concepts, but it is nonetheless instructive to offer a few brief case studies. In the first place, there is the French tradition. Citizenship in France, as elsewhere, was not an immutable essence, but a historical construction in constant evolution. The concept covers questions of individual rights *vis-à-vis* the state, as also those of nationality or of

national belonging; and as a principle of political legitimacy, citizenship stems from the French Revolution. The sociologist Dominique Schnapper has summed up the juridical meaning of citizenship by positing the notion of a legal subject (*sujet de droit*) enjoying particular civil and political rights: personal freedom, freedom of conscience and of expression, freedom of movement, freedom to marry, equality before the law, a presumption of innocence upon arrest, judgment by a legally-constituted court, and defence by a trained lawyer[3]. In early modern times, the status of being French was a function of a feudal relationship: it simply meant being native ('*naturel*') to the kingdom of France, viz. born in a territory ruled by the French king: it had nothing to do with any cultural, ethnic or linguistic qualities. Peter Sahlins has used the concept of an 'absolute citizen'[4] to denote nationality under the *Ancien Régime*, viz. a common status as French. Using his sovereign power, the king might also accord various privileges to foreigners, such as a right of residence in France or exemptions from taxes or the *droit d'aubaine* (seizure by the king of a foreigner's inheritance), according to their profession, nobility or services to the kingdom. So-called naturalization procedures ('*naturalité*') allowed foreigners, by payment of a tax, to receive the same rights as the French ('*Français naturels*'), contributing also financially to the kingdom of France. Indeed, the status accorded by the '*admission à domicile*' – granting civil rights but with an exemption from military obligations – was only abolished by a law of 1889.

Apart from feudality, the main criterion of political belonging under the *Ancien Régime* was religious identity. Before the French Revolution, being French generally implied being Catholic: baptism was not only a religious sacrament, but also a ritual of integration into the jurisdiction of the state[5]. In consequence, the Protestant Reformation constituted a major challenge to monarchical authority. The promulgation of the Edict of Nantes (1598), acknowledging the existence of a French Calvinist community with religious rights of its own, offered a temporary political compromise to preserve the civil unity of the kingdom. It did not, however, sacrifice religious unity for civil peace: the monarchy remained Roman Catholic, the Edict was revoked in 1685[6], and religious pluralism was generally denied by the authorities until the Toleration Edict of 1787, which accorded their own vital record to Protestant subjects. In everyday life, "the distinction national/foreigner was seen as a modality of the opposition between familiar/unknown [...]: the foreigner was above all an individual who could not offer the guarantee of being rooted in local society, in particular by having a property, a home, a family"[7]. Whether French or not, these were all indistinctly designated as outsiders ('*forains*') by the inhabitants and the local authorities. Recent research has suggested that, notwithstanding the paradigm of a centralist state, the concept and definition of a 'foreigner' at city level was complex[8]: status was very fluid, depending on relationships at national or local level, or according to religion or profession.

The French Revolution undoubtedly marked a fundamental shift in attitudes by construing the political world in terms of the national sovereignty of citizens. The revolutionaries proclaimed that the citizens as a whole formed the 'Nation' which was the source of political power. Michel Vovelle thus defines *citoyenneté* as "the implementation of popular sovereignty, constitutive of a social contract established by a constitution and ruled by the laws made by the people or its representatives"[9]. The Revolution thus defined citizenship in accordance with a philosophy of natural rights, linking it to universal human rights and the right to political participation as an expression of civil liberty (see the *Déclaration des Droits de l'Homme et du Citoyen*, August 1789). The concept of *citoyen* was the opposite of the concept of *sujet* (subject), and its early introduction in the Revolution marked a significant shift in traditional perspectives on political belonging, from a vertical and hierarchical order to a horizontal and egalitarian community. Under cover of Enlightenment philosophy and as a reaction to the Catholic monarchy's religious intransigence, the new national community was also emancipated from religious belonging. The *Déclaration des*

Droits de l'Homme et du Citoyen mentions religious freedom, which was legally reasserted in the Constitution of 1791, thereby integrating all the kingdom's Protestant and Jewish subjects into the new political community[10].

This change was not, however, as radical as it first seemed. The proclamation of universal principles formally legitimized political authority and eventually claimed to foster a new humanity: but this universalist and prophetic conception of citizenship was contradicted and subverted by the practical conditions of political participation, by traditional social belonging, and by the French Revolution's historical development in the 1790s under the pressure of wars. Already in 1789, the influential abbé Sieyès (1748-1836) distinguished between an 'active citizen' and 'passive citizen' so as to restrict effective political participation through a franchise based on the poll tax, thereby excluding so-called 'dependents'[11]. Indeed, the history of the French Revolution was partly determined by ideological conflicts around the modalities of political participation, so reshaping notions of citizenship as a political community. As the political and ideological epicentre of modern liberalism in Europe, France experienced an early connection between nationality and citizenship: the citizen was first and foremost a member of the nation, deemed the only relevant political community, despite the universalist wishes of some *révolutionnaires*[12].

The late modern and contemporary nation is a political and cultural construction built onto the national state, and likewise the notions of nationality and national community. For the first time in history, by proclaiming the equality and the rights of those who have the status of citizen ('*qualité de citoyen*') and therefore the status of being French ('*qualité de Français*'), the Revolution established an essential distinction between French and foreigners[13], basing citizenship on nationality. Nationality[14] – a term which appeared in the dictionary of the *Académie française* in 1835 – referred not to cultural or ethnic identity but to a relationship to the state, indissoluble from the formation of the nation-state, that is to say from the creation of an abstract entity (the nation) framed by an extensive legal and administrative system (the state). Gérard Noiriel analyses how, in late modern times:

> the question of the relationships of dependency between the various nationals and their state (nationality in its present meaning) is not yet really distinguished from the problem of the political participation of citizens in public life (citizenship) ... The abstract reality of a 'national community' (comprehending millions of individuals who are unacquainted with each other, and are extremely diverse in regard to language, customs, resources, etc.) has not really been thought out[15].

This relationship had been reinforced during the course of the 19th century, and formally acknowledged by law under the Third Republic. Inter alia, French liberal conceptions were summed up in 1882 by Ernest Renan's aphorism about nationality as an "everyday plebiscite": this definition of nationality clearly refers to a metaphor of political participation; it pretended to exclude any reference to an ethnic identity or any 'objective' features of identity (for instance, race or language) even if this statement was obviously made under the weight of circumstances and did not entirely live up to reality[16]. This liberal and universalist statement gave birth to a so-called 'republican model' of citizenship which believed in the virtue and possibility of a cultural assimilation and cultural integration and the emergence of a true civic religion.

Throughout modern times, French national citizenship has become an increasingly regulated status, typical of a large-scale bureaucratization of an identity. Consequently, the French model of citizenship may operate both in terms of a rhetoric of boundary maintenance or as a tool for boundary subversion[17]. The building of the Nation-State is accompanied by a process of identification of the individual: "the administrative procedures of civil identification are by themselves powerful factors of national assimilation"[18]. This is the function of the secular registers of birth

and death (*état civil*) established since the Revolution by the smallest administrative subdivisions (*communes*). As in the rest of Europe, there was an increasing tendency to "administer identity"[19], to create new ways to categorize people and to determine those who enjoy nationality. The evolution of the passport is thus very significant. At the outset, it was a simple 'permission of passage' (so the term) given for a particular journey across the territory of the kingdom. It was only at the end of the 19th century that internal passports were finally suppressed. Since World War I, the passport has acquired "a new role: to substantiate the membership of the individual in regard to the community (the nation) and to testify to their personal identity"[20]. At the same time, frontiers were closing between the territories of the different Nation-States.

As a country of low demographic growth, the France of the Third Republic needed 'to make French people', in the context of a return to the protectionism of the 1880s and of a growing immigration of foreign workers. The American sociologist Roger Brubaker – who developed a socio-historical comparative perspective on citizenship, nationalism and ethnicity[21] – identified a French "assimilationist nationalism": the "republican faith in assimilation"[22] provided a distinctive French path to nation-statehood. The growing homogenisation of the nation arises out of its republican structures (the army, the school system, etc.) which promote equality among some very different individuals and a variegated population. The 'nationality Act' of 1889 is one of the founding laws of the republican regime. It exhibits an open conception of citizenship which combines rights of kinship (*jus sanguini*) inspired by Roman law, and a capacious right based on place of birth (*jus soli*) in regard to the second generation born in France from foreign parents. Even so, the Act also included clauses discriminating against naturalised persons (restricting their exercise of some political rights) and (until 1927) withdrawing the citizenship of French women who married a foreigner. Yet this French republican model faced its obvious limits during the same period, in French colonies where the inhabitants were both French nationals and subjects, dependant and unable to acquire formal citizenship, except in some individual extraordinary cases. In 1865 the Second Empire declared French all the inhabitants of colonial Algeria and gave plenary citizenship to all who asked for it provided they renounced their Muslim civil status. They could then join the civil service and be accorded political representation in local institutions (albeit in a specific electoral college). But the colonial population refused this model and imposed in its place a segregated indigenous code (1881). Except in the 'little hold colonies' (some islands and four Senegalese cities) and in regard to Algerian Jews[23], the other French colonial subjects remained uniformly excluded from the assimilationist statement of the Republican model.

In Germany, by contrast, the concept of citizenship evolved along rather different lines. In point of fact, the German term for a citizen (*Bürger*) – in modern Germany a term with different meanings – is not a direct heir of the medieval burgher/townsman (*Stadtbürger*), who was a member of a propertied and privileged group among the town dwellers united by an oath enjoying the prerogatives and sharing the duties of a freeman. The word *Bürger* derives rather from the fortified castles (*Burgen*), and later towns, which were able to defend themselves. It was a legal term which during the 19th century became a social category (*Bürgertum*) which is still in use today. Within the Holy Roman Empire, the *Stadtbürger* were accepted as a separate estate (*Bürgerstand*) and represented at the rare meetings of the imperial diet. Early modern political theory used the term *Bürger* (Lat. *civis*, citizen) without social or local qualifications to denote the subject (Lat. *subditus*) of the state or states as opposed to mere servants and slaves. These *Bürger* were, as members of the Empire (*Reichsbürger*), in theory entitled to political participation, not as individuals but through their representatives[24].

Modern concepts of natural law promoted the idea of a political contract between the sovereign and his subjects. This abstract contract construed them as equals as subjects by natural law and

made them theoretically free as citizens within the framework of positive laws set by sovereign. In this sense the term citizen of the state (*Staatsbürger*) – or, in the German territories, of a state – became common at the end of the 18th century[25]. Today *Staatsbürger* is still a legal term as evidenced by an identity card or passport. But the *Staatsbürger* (pl.) of the 19th century did not form an active social group nor did they see themselves as participants in political issues. Yet among a minority of influential voices, such as the philosopher Immanuel Kant, some authors maintained Rousseau's conception that a *Staatsbürger* has by definition a vote in the law-giving body. Kant immediately mitigated this privilege, however, by restricting it to independent property owners. Pressures to extend citizenship (*Staatsbürgerschaft*) to new groups found expression in publications like *On the Civil Improvement of the Jews* (C.K.W. Dohm, 1781) or *On Improving the Civil of the Status of Women* (Th.G. von Hippel, 1792). The *Staatsbürger* of the late 18th century simply lacked the emotional values of the French *citoyen*. In 18th-century Christian texts we also encounter the 'citizen of this world' (*Erdenbürger*) who hopes to be or to become a citizen in the City of God. More important and more prominent was the catchword of the Enlightenment: 'the citizen of the world' (*Weltbürger*) who as a co-citizen (*Mitbürger*) of the human race mentally transcended local and national boundaries (cosmopolitan = *weltbürgerlich*). New-born babies were greeted as *neue Weltbürger*.

After the French Revolution the concept of a politically active *citoyen* stimulated democratic expectations, programmes, and demands, but the constitutional reforms and electoral laws of the 19th century in the German states perpetuated in various ways the concept the *Bürger* as a member of an estate (*Bürgertum*) consisting of people with property in real estate, the right to exercise a craft, or to carry on a trade. The *Staatsbürger* remained an abstract and depoliticised concept.

In a more general sense, *Bürger* were that category of subjects who were neither nobles nor peasants, nor were they servants or foreigners. If one talks about misalliances a *Bürgerliche(r)* is a non-aristocratic commoner. The more active and the more prosperous part of the *Bürgertum* was called 'the Bourgeoisie', and more recently historians have talked about *Besitzbürgertum*, *Großbürgertum*, or *Wirtschaftsbürgertum*. The political aspirations of these categories were mainly directed towards securing greater economic freedom. Less well-off people, or the lower middle class, were styled *Kleinbürger* (Fr. *petit bourgeois*), and these were clearly separated from, and often opposed to, the working class. Since the middle of the century the group of higher public servants and professionals, such as academics, lawyers, artists, engineers, politicians, and doctors, have regardless of their wealth or leisure activities been described as society's educated elite (*die gebildeteten Stände*): scholars now call them *Bildungsbürger*[26]. They were proud of their status achieved by their own efforts, and they saw themselves as a cultural elite – substituting intelligence for property. But the bourgeois and the *Bildungsbürger* did not see themselves as members of the same social group, and the distinction between entrepreneurial activities and service to the state hampered common political action among the German *Bürgertum*. The habits and tastes of the *Bürger* were decent and civilised (*schicklich*, *gesittet*), their life style was *bürgerlich* (i.e. modest, restricted to the family and the private sphere, negatively and pejoratively: cf. *spießbürgerlich*, narrow-minded, parochial). A special virtue of the *Bürger* was and still is that of *Bürgersinn* (citizenship, public spirit), exhibited in a commitment to tasks of a public nature. Civil society (*bürgerliche Gesellschaft*) was made up of these groups, and in Germany they were conceived of as more and more separated from the state. Politically they preferred reform to revolution, and occasionally women were also included among them.

The failure of the revolutionary attempts of 1848 constituted a severe but short-lived check to these ambitions. The authorities were confronted with claims of the *Bürgertum* for political participation by suffrage and civil liberties, e.g. freedom of speech, freedom of the press, and freedom

of assembly. Yet bourgeois liberals were reluctant to use the term *Bürger* because it promised political equality to the lower classes; but at the same time they needed the term so as to emphasize their equality before the law *vis-à-vis* the aristocracy. Two major thresholds, both precipitated by catastrophies, marked the transition of the German *Bürger* to an individual *citoyen* with full political rights. These were the end of the monarchy and the Weimar constitution of 1918/19 and the federal constitution (*Grundgesetz*) of the *Bundesrepublik* (West Germany) in 1949.

Due to the close ties between the Scandinavian languages, the term for "citizenship" is the same in Danish (*statsborgerskab/medborgerskab*), Norwegian (*statsborgerskap/medborgerskap*), Swedish and Neo-Norwegian (*statsborgarskap/medborgarskap*). However, the two different terms did not originally have the same meaning: this spectrum of meaning reflects variations in the linguistic uses of the term in the different Scandinavian countries. *Statsborgerskap*[27] and *medborgerskap* are each used to describe particular aspects of what is understood by the term "citizenship" in English. While the term *statsborgerskap* refers to certain juridical and political aspects of citizenship in regard to the rights and duties of a single citizen, the term *medborgerskap* has a more social and cultural dimension in regard to an individual's participation in a society. The two terms overlap semantically for the most part but their meanings are not precisely the same. In other words, an individual in a (Scandinavian) country may be a *statsborger* without fully being a *medborger* and vice versa.

Etymologically the term(s) *statsborger(skap)* are derived in the first half of the 19th century from the German *Staatsbürger(schaft)*[28] – reflecting the significant German cultural influence in Scandinavia until the beginning of the 20th century. The term *medborgar(skap)* – German *Mitbürger(schaft)* – is older and may be found in, for instance, Swedish terminology as early as in the middle of the 18th century[29].

In all four languages, the word is based on the word *borger*, and corresponds to the French word *bourgeois* and the German *Bürger. Borgerskap* is the Scandinavian term for the French *bourgeoisie* or the German *(Groß)Bürgertum.* The most striking aspect of the concept, as well as the most common in contemporary popular use, is its implication of social belonging. The *borger* is an individual with economic responsibilities: historically, and as with the word *bourgeois* in French, the *borger* belonged originally to an urban elite. More specifically, the noun *borg* refers etymologically to a castle and, by extension, a city (in Latin *civitas*). Widely employed in European topography (Strasburg, Edinburgh, Freiburg ...), it implies a place of power and consequently, a political community.

In the Danish language, the listing of the term *statsborger(skab)* in dictionaries may be traced back to the 1830s. While older dictionaries do not include the term *statsborger*, only *borger*[30], it is first found in Christian Molbech's dictionary of 1833[31], using the term as a synonym for a "member" of a state, but without further explanation. Later, *statsborger(skab)* is frequently found in Danish dictionaries, for instance, the monumental *Ordbog over det Danske Sprog* [Dictionary of the Danish Language], which surveys the Danish language between 1700 and ca. 1950 and which was published between 1918 and 1956 (with a supplement published between 1992 and 2005). In this dictionary, *statsborger* is a person who legally resides in a particular country, but with the further remark that this means especially holding the citizenship of that country. *Statsborgerskab* is therefore defined as the legal relationship between the citizen and the state[32]. The supplement to this dictionary adds the interesting point that during the Occupation in World War II the term *statsborger* was understood as a term for a Danish Nazi[33]. Modern dictionaries understand the term exclusively in regard to the legal relationship between the individual and the state: *statsborgerskab* refers in this respect to the rights and duties which an individual receives by birth or naturalisation[34].

A survey of various Norwegian dictionaries indicates that the term *statsborger* was already in use in the 19th century, a linguistic inheritance of the Danish-Norwegian Union. In a dictionary of the year 1881 the term *statsborger* was – without further explanation – equated with the term *borgar*[35]. The first volume of the Norwegian *Riksmålsordbok* from 1937 lists the term *statsborger* as a second meaning of the word *borger*[36], whereas in the second volume (published in 1957) *statsborger* is glossed as a citizen within a state and the particular rights and duties which follow from this[37]. A Norwegian-Danish etymological dictionary from the middle of the 20th century does not, unfortunately, include an entry for either of these terms[38]. In contemporary dictionaries *statsborgerskap* is – as with Danish use – linked to the legal relationship between the individual and the state[39]. The terms included in Neo-Norwegian dictionaries do not disclose any significant differences[40]: here *statsborgar(skap)* corresponds in the 19th and 20th centuries to usage in Norwegian. In some of the older Norwegian dictionaries the term *samfundsborger* may be found[41]. Its meaning is related to (active) participation and/or good behaviour in a society and is therefore rather normative. In fact, the term *samfundsborger* corresponds largely with *medborger* and in contemporary Norwegian has been replaced by it. In early 19th-century Norway *borgere* were citizens/subjects according to the Constitution of 1814: the term refers officially to an explicit (and new) political community. Throughout the 19th century, the term was also employed to describe a particular social group, known as the academic bourgeois (*akademiske borgere*), which meant all those persons who had passed the entrance examination at the University of Christiania (Oslo). This may be a particular usage in regard to a country which did not have any significant nobility, and in which the prosperous patricians of the 18th century had been ruined by the Napoleonic wars. From 1814 until the 1870s, the academic bourgeois were one of the most powerful social groups in the country, and usually occupied key political positions. The prefix *stat* (State) was afterwards added to *borgerskap*, in order to mark a distinction between the social meaning and the strictly legal meaning of the term. *Statsborgerskap* (citizenship) is thus the word used in the first citizenship law (1888)[42]. But in a context of a heightened nationalism, this word did not just refer to the simple idea of a political community: it became partly an ethnic-based and to some extent exclusive concept, although the premise of territoriality still seemed predominant. Even today, the word is synonymous with nationality. The distinction between *statsborger(skap)* and *medborger(skap)* in Norway thus became politically important in a period in which Norway was becoming a country of immigration[43].

In Sweden, the use of the term *medborgarskap* seems more usual: while the term *statsborgarskap* exists, it is quite old-fashioned[44]. There is no entry for the terms *medborgar(skap)* in several etymological dictionaries[45], but their history can be traced back to the 18th century. The term *medborgarskap* has been in use since 1789, but the term *medborgare* is already found as early as in 1746[46]. Östergren's *Nusvensk Ordbok* [Dictionary of contemporary Swedish] from 1934 gives two meanings of the term *medborgare* – the first in regard to a particular state, the second with regard to a society as a community[47]. Here also the term *akademisk medborgare* is mentioned, but without any further explanation. The Swedish counterpart to the above mentioned monumental Danish dictionary – the *Ordbok över Svenska Språket* [Dictionary of the Swedish language], published in the first half of the 20th century, gives four different meanings of the term *medborgare*, with regard to a particular city, university (*akademisk medborgare*), state, or society (community), whereas the term *medborgarskap* refers only to the quality of a *medborgare* as a "member" of the society from which the state is built[48]. Interestingly, the two points of reference for the different terms – state and society/community – are here linked with each other. Furthermore, the *Ordbok över Svenska Språket* lists the term *samhälls-* in the sense of *stats-medborgare* (community-citizen as state-citizen)[49]: in this respect they are synonyms. This notion of synonymity is confirmed by Strömberg's *Stora Synonymordboken* [Large Dictionary of Synonyms], which gives *statsborgare*

as the first synonym for *medborgare*, and *statsborgarskap* – in a legal meaning – as a synonym for *medborgarskap*[50]. Contemporary dictionaries support this picture: the term *medborgarskap* is almost exclusively related to the relationship between the individual and the state and certain rights and duties on both sides[51].

Although both terms – *statsborgarskap* and *medborgarskap* – are nowadays largely synonymous, the prefix *med* (with) suggests a slightly different perception of contemporary citizenship in this country: rather than a vertical political membership of a state, with its legal rights and duties, it suggests a horizontal/social/relational sense of belonging in the broadest sense of the term. The core of the definition is adhesion to a set of values and norms representing the status of citizens as ideal members of a society: the concept thus reflects rights, participation and political culture[52]. A possible interpretation of the contemporary use of *medborgarskap* rather than *statsborgarskap* in Sweden may be the historical weight of social democracy and the welfare-state in this country, and the importance of the so-called Swedish model in the 1950s and 1960s: *medborgarskap* is implicitly a more inclusive, egalitarian notion, with a larger meaning than the strictly legal concept of *statsborgarskap*.

Probably because of the proximity of Sweden, *medborgerskap* has been more extensively used in Norway in recent years, especially in academic literature. A reason which has been proposed to explain the contemporary coexistence of both terms in Norway are the recent waves of immigration, which may have fostered a more precise distinction between the legal norms of political belonging, and the existence of a set of social, economical and individual rights which may be enjoyed by foreigners independently of their actual legal participation in the national political system[53]. More generally, the word *medborgerskap* has a strong ethnic and symbolical dimension, and might sometimes be translated in English as community rather than citizenship. It has also been observed that these words have been increasingly used in public debates since the 1980s, possibly because *statsborgerskap* has partly lost its significance in regard to exclusive national norms due to European agreements and globalization[54].

The case of Italy represents another important European tradition. As in many other parts of Europe, the term 'citizen' derives from the Latin term *civitas*, which meant the condition or *status* of being a citizen, with particular reference to the Roman citizen. In Rome *civitas* connoted above all a juridical rather than a political condition: the Roman citizen was protected by Roman public and private law, and this aspect, rather than a possible participation in political life, was emphasized. In imperial times the right of citizenship was extended gradually from the free men of Rome to include the inhabitants of Latium and finally the inhabitants of the Empire[55].

Following the development of citizenship concepts in the medieval Italian city-states, it is probable that, by the beginning of the communal age, the concepts of resident (*habitator*) and citizen had converged. Residence in fact appeared to be a necessary condition for carrying out civil and military functions. The citizen intervened in the assemblies, elected and was elected, but also had some specific duties, amongst which were those of residing in the city, paying the taxes, and sometimes of possessing a house or lands[56]. The term *civitas* then came to indicate the city itself, that is an urban agglomerate, the seat of a bishopric, and the terms *cittadino*, citizen, and *cittadinanza*, citizenship, referred only to the inhabitants of the cities and to their status, but not all those who lived in the city were included. Between the 13th and the 15th century, in fact, the right of citizenship, that brought with it full access to public activity, was strongly restricted because of social and political limitations or 'closures'[57]. The specific norms varied from city to city and in each single city, over time, there were often very relevant changes. In general residence (*ius soli*) and descent (*ius sanguinis*) were no longer sufficient requisites for the right of citizenship to be recognised, but it was also necessary to have paid taxes for more or less extended periods of time.

In the modern period, the formation of the territorial state did not bring with it relevant modifications in the concept of citizenship, which continued to be linked to the single cities. In its first edition (1612), the famous *Vocabolario* of the *Accademia della Crusca* (based in Florence, the Academy aimed to preserve the purity of the Italian language and published its authoritative views in Dictionaries of many volumes) explained the term *cittadinanza* as a 'gathering of citizens', whereas for the term *cittadino*, it indicated 'he who is capable of [enjoying] the honours and the benefits of the City'[58], thus referring to the privileges of citizenship without mentioning the duties inherent in this condition. The subsequent editions of the *Vocabolario* (1623, 1691, 1729-1738 and 1863-1923) made no changes, with the exception of the last edition (1863-1923) which for *cittadinanza* offered the definition, 'title and degree of citizen, the capacity of having and exercising the rights and privileges of citizen'[59], whereas it explained *cittadino* as 'he who legitimately participates in the duties and right of a city, and today also of a state and is subject to the civil law of the latter'[60]. In the definition of *cittadino*, hence, two important modifications were introduced: the definition continues to refer to rights, but now also to duties and a new political reality was taken into consideration, the state.

It is perhaps worth looking more closely, too, at the specific context of developments over a much shorter timeframe in another heavily urbanized region which also bears in other ways considerable resemblances to Italy, the Netherlands (including the southern Netherlands, Belgium). The concept of citizenship in Dutch history has been widely explored both in recent and in older historiography. It might even be argued that the *burgher* or *poorter* is at the heart of Netherlandish history and identity. Most recently, the study of citizenship has been explored utilizing theories and methodologies of the German *Begriffsgeschichte* (critical conceptual history)[61]. More than their German colleagues, Dutch researchers have explored the concept and its use not just in strictly historical texts, but in literature, art, architecture, linguistics and law. These studies have emphasized that citizenship as a concept with legal, social and cultural implications has been widely used since the 15th century. While the connotations associated with the concept may have shifted from the late middle ages to the 21st century, the *burgher* is still, it has been argued, the most important frame of reference for Netherlandish citizens in Europe today.

As Marc Boone has demonstrated, the terms *burgher* and *poorter* in the late medieval Netherlands associated citizens with cities, as was the case in Italy. Burghers were first and foremost members of a municipal community rather than, for instance, a territory under the sovereignty of a prince or monarch[62]. The political and social conflicts of the 13th-century – mainly Flemish and Brabant – towns and cities led to a differentiation of the two terms with *burgher* now denoting a landowning, trading elite and *poorter* used as a (self-)descriptor for the aspiring artisan class. Both groups claimed moral superiority over their rivals as being the better representatives of what were then further specified as civic values. Citizens were in charge of upholding and supporting the well-being of the community. Citizenship thus entailed both rights and obligations. In the course of the civic conflicts of the period *burghers*, members of the urban patriciate, rediscovered and increasingly referred to the ancient republican traditions. *Burghers* in this context had a moral obligation to their *civitas* which entailed leading exemplary, virtuous lives and putting public interest before private gain. The relationship between the *burgher* and the surrounding territory, be it a province or the wider political entity of the Burgundian, and later Habsburg, Empire remained vague. The direct connection between *burghers* and the state was the product of the Eighty Years' War (1568-1648). Pieter de la Court, for instance, regarded *burghers* as members of any political community, be it a city, a republic or a monarchy[63]. In his interpretation of citizenship, virtuosity, morale and civic culture acquired through a refined, rounded education, were closely linked with a spirit of commerce. The concept of the *Mercator sapiens*, which was so eloquently propagated

by 17th-century intellectuals such as Caspar van Baerle epitomized the image of the Dutch mercantile patriciate in cities such as Amsterdam, Haarlem and Leiden. Moreover, good citizenship practice was based on good governance and virtuous conduct was supplemented and supported by virtuous, efficient institutions.

In practice, citizenship rights remained linked to residents of cities[64]. They entailed legal, economic, political and social privileges, which, although in theory equally available for all citizens, were often restricted to a distinct group of prominent families. Distinctions between citizens and non-citizens were further defined with the introduction of the category of "inhabitant" introduced in 1668. "Inhabitants" were not citizens but could, for instance, join guilds, thus obtaining important employment and career opportunities. In the 18th century the concept of citizenship became more closely, but not exclusively, linked to the state. It also had moral transnational connotations highlighting bourgeois qualities and virtues as an alternative to the classical aristocratic or regent elite. The French Revolution and its consequences for the Netherlands led to the development of an imminently political interpretation of the term. Citizens had political rights in the new state. Citizenship thus became less locally defined, but also more abstract. Similar developments occurred elsewhere, such as in the German-speaking lands where, particularly from the time of the French Revolution and under its influence, *Bürger* were those who participated in government and *Untertanen*, subjects, were 'those who do not rule'[65].

In the course of the 19th century, the term *burgher* became increasingly used as a marker of class and social status expressed through cultural practices and habitus. While the socio-economic role of the bourgeois middle class was still fully recognized in the Dutch and Belgian Revolutions of 1848, the growing appreciation of the economic importance of the industrial working class gradually eroded *burgher* values as being essential for the well being of the state. The cultural values of the term reached, perhaps, their lowest point in the 1960s when the bourgeoisie was associated with conservatism and an adversity to cultural change. Nonetheless, civic awareness is currently resurfacing in the Netherlands and in Belgium. Discussions in the Netherlands are closely linked to immigration debates and the rights and obligations of immigrants and new citizens. They address questions of what Karin Tilmans has called the third substantive innovation in the citizenship concept: that of European citizenship[66].

In the case of Germany, Italy and the Netherlands, the major cities in medieval and early modern times all had substantial rural territories attached to them over whose inhabitants they had jurisdiction. At some point, the concept of citizen shifted to include this wider rural population, as well as the privileged inhabitants of a city. As the earlier discussion of pairs of terms (citizenship and nationality) has suggested, however, another path to citizenship rights lay through the concept of nationality. Italy and the Netherlands were heavily urbanized from earlier times, but in Renaissance England, for instance, the jurisdiction of the town or city ended at the town wall, beyond which lay the county or shire, administered through a separate royal official, the sheriff. Obviously, in such circumstances citizenship rights developed rather differently. The English state, however, was the classic example of a conquest state, having a highly centralized administrative system with uniform structures of local government. 'Citizens', so described, were simply the enfranchised inhabitants of cities. What was much more significant in this context were the rights and duties of freeborn English subjects who had right of residence in the realm, could possess land or goods there, who paid taxes (and customs duties at preferential rates), and were afforded legal protection in the king's courts. Until the mid-16th century, moreover, English 'subject-ship' (if we can coin this word) had a pronounced ethnic (or national) quality: English subjects had to be English by language and culture too, and to be born of English parents (*ius sanguinis*). Thus, in the English case, the path to modern citizenship rights lay through an extension of the rights of free

subjects to the population at large (including Irish, Welsh, and the unfree). It had very little to do with the enfranchised inhabitants of towns and cities, except by analogy with citizenship rights elsewhere[67]. Even the introduction of the term 'British citizen' is a very recent development: it refers primarily to the inhabitants of the United Kingdom with right of residence there; but until 1949, they were officially described as 'British subjects' along with other inhabitants of the British Commonwealth of Nations who, until 1983, also had right of residence in Britain[68].

The pattern of developments in eastern and east central Europe was very different from the position in the West. This was on the whole a less urbanized region, and it is worth noting that, in the early modern Polish-Lithuanian commonwealth, the term 'citizenship' was used chiefly as an alternative to the term 'nobility'. Stanisław Sarnicki, for instance, in his *Statuta i metryka przywilejów koronnych* [A Codex of privileges in the Kingdom of Poland, 1594] described himself as "*szlachcic i obywatel chełmskiej ziemi*" [nobleman and citizen of Chełm Land in the Ruthenian voivodeship][69]. Around 8% of the Commonwealth's population (perhaps ca.500,000 people) enjoyed some form of nobility, and civil and political rights were restricted to this relatively large group of landowners[70]. In the modern period, however, large multi-ethnic monarchies of an absolutist character dominated this traditionally less urbanized region, ruling through elites of a different language and culture what had earlier been smaller independent states. These differences inevitably altered the relationship between subjects/citizens and the state. Perhaps typical of this pattern of citizenship rights is the case of Romania where questions of nationality were more important, as in England, but where the major developments came rather later and were particularly shaped by the state's fluctuating boundaries. In modern Romanian usage, the word for *citizenship* covers an interesting spectrum of meanings with multiple significations in respect of historical conditions and in particular changes in the area of law. Deriving from French legal terminology, it has circulated for almost a hundred years in the form of *nationality*, reacquiring its original connotation after the Second World War, when a clear distinction was made between *citizenship* as "pertaining to the state" and *nationality* in regard to "ethnical origin"[71]. From a methodological point of view, Constantin Iordachi identified two institutional dimensions of the term *citizenship*: the first one implies a sense of belonging to a state, understood as a territorial unit, with political frontiers legally delimited; the second reflects the rights and obligations that derive from the quality of being a member and participant in a community, whether a civil, political or social one[72].

The first juridical definition of citizenship doctrine within the modern Romanian state can be found in the *Civil Code* (1864), whose eighth article established *ius sanguinis* as fundamental to the granting of citizenship at birth. Influenced by 19th-century nationalist dogma, selective naturalization politics in regard to foreigners supported Romanian attempts to limit or even exclude altogether the non-Romanian elites (Greeks, Armenians, Jews) from retaining the power and influence they had previously enjoyed before the middle of the 19th century. Two years later, in 1866, the *Constitution* clearly stipulated the criteria necessary for naturalization – the Christian religion and Romanian ethnicity – so confirming the discriminatory measures of the *Civil Code*. Associated with the phenomenon of Jewish persecution in the Romanian kingdom, the constitutional articles produced, within the offices of European chancellors, and more especially in the press, an extremely critical reaction towards the Romanian state. For example, Henri Martin pleaded in the "Siècle" in favour of those Jews considered to be foreigners in Romania: "This way, against their will, they are part of the population continually on the move. Make them citizens. We don't ask you to make them citizens without condition, but assimilate those Jews who were born in Romania or those who have been living there for 30 years (one generation) with other Romanian citizens, and let the rest be considered just like any other foreigner who can be naturalized. Without any doubt, this is neither excess nor utopia"[73]. In 1879, under international

pressure, "Romanian nationality" (with the meaning of *citizenship*) was extended even to Jews, but only by process of "law and individually". Even so, by 1900 only 85 Jews had been naturalized[74]. At the same time, the Romanian state debated the position of the ethnic Romanians living in Romanian provinces under foreign occupation (Bessarabia, Transylvania, Bukovina), invoking the so-called practice of "admitting citizenship" for the purpose of ensuring their access to the Romanian Parliament[75]. It is no coincidence that in the *Enciclopedia română* published by C. Diaconovich in 1898, the term *citizenship,* which meant affiliation to a state and the ability to discharge public office, was associated with that of being a *Romanian.* From a political point of view, a *Romanian* was one who was born of Romanian parents, even on a foreign land and this because – as the author noted and as was relevant in regard to the principle of *ius sanguinis* – "the place of birth does not count"[76].

The First World War and Romania's territorial reconfiguration inaugurated transformations, strategies and legislative politics, in regard to the newly heterogeneous character of the state from an ethnic and confessional point of view. The *Constitution* in 1923 acknowledged citizen rights and liberties for all the inhabitants of the Romanian state, regardless of their ethnicity, language, religion or social class. Also, the means of obtaining Romanian citizenship was the object of the *Law* of 1924, when to *ius sanguinis* was added the variant of marriage to a Romanian man, as well as naturalization after ten years spent in Romania. But, the change in demographic structure after 1918 brought about a series of difficulties and unexpected conflicts. Towards the end of the 1930s a re-evaluation occurred of the meaning of naturalization in regard to Jews, a clear distinction being introduced between "Romanian citizens" and "naturalized Romanians". Commonly, Romanian citizens of Jewish origin were prohibited access to public and private institutions in Romania. The citizenship of the de-naturalized inhabitants was restored in 1947 when all the decrees and anti-Semitic laws were declared null and void.

Under the Communist regime, the conditions for acquiring or forfeiting citizenship were redefined in Romania. The Constitution of 1948 established, in absolute terms, the word *citizenship*, while the conceptual meaning of the word *nationality* was redrawn to denote ethnic origin, with the parallel introduction of the phrase "co-inhabiting nationalities". New rules were introduced with the aim of demonstrating the connection between the *citizen* and the "socialist nation". The conferring of Romanian nationality at birth, in accordance with *ius sanguinis*, could be done either paternally or maternally on condition that at least one parent had lived in Romania. Even so, upon adulthood, children born of mixed marriages had to choose between the mother's and the father's nationality: dual nationality was prohibited. Politically, the granting of citizenship might reflect the "democratic attitude"[77] of the applicant. As regards the withdrawal of citizenship, in addition to the well-known reasons that exist in international law, as far as Romania was concerned, this might be invoked when a person "conspired against the Popular Republic", prejudicing its good name and reputation or absenting oneself for more than two months after the expiration or revocation of personal papers. Afterwards, in the spirit of the new national Communist ideology, *citizenship* became "the expression of the socio-economic, political and juridical relationship between the individual and the socialist state", a feature of "honour" and of great "civic responsibility". Without being too precise about the nature of these relationships, the attribute of *citizenship* rested more on feeling and honour than on judicial principles. From this derived the rather confused definition offered by a specialist in constitutional law: "*citizenship* is a bouquet of profound feelings and high aspirations, of convictions and deeds for the benefit and prosperity of one's country and people, serving, also, the supreme ideals of the whole of humanity"[78].

The fall of the Communist regime and the gradual democratization of the political system modified certain criteria in respect of Romanian citizenship. From a juridical perspective, the defini-

tion of citizenship remained ambiguous in that it upheld the 1971 formula asserting this affiliation to the Romanian state, without specifying the effects of the affiliation. The main innovation concerned the reacquisition of Romanian citizenship by those who had lived in the territories lost by Greater Romania after the Second World War and who had been deprived of their Romanian citizenship against their will or for reasons beyond their control. The new regulations were to be applied not only in these cases but also in respect of those who had migrated due to political persecution or because their citizenship had been revoked by the Communist regime, including "all former citizens and their descendants". Although the 1991 Law does not specifically mention the main beneficiaries of this political restoration, they are the inhabitants of the former Soviet Socialist Republic of Moldavia, as well as those from Northern Bukovina and Southern Bessarabia in the present Ukraine. After the Soviet wartime occupation, the inhabitants of these provinces had been forcibly stripped of their Romanian citizenship, being granted Soviet citizenship. Moreover, the 1991 Romanian law allows those re-naturalized to preserve their foreign citizenship also, thus creating a category of non-resident Romanian citizens, a fact that has generated international debates concerning the problems surrounding "multiple citizenship" and the "loyalty of citizens with dual citizenship".

In these circumstances, an important object in regard to the development of a common citizenship for the new Europe must be to reassemble, to take account of, and to encompass the breadth and wealth of meaning contained in each of these different citizenship traditions. It is, for instance, not the case that citizenship was always 'a good thing', a goal to which people invariably aspired and strove. In eastern Europe, attitudes towards citizenship remain much more ambiguous and continue to be shaped by the legacy of totalitarian regimes, that is, historical periods when citizens were usually unable to play an active role, and when the term citizen was used sparingly, normally bereft of its individuality, in situations intended to highlight the subordination of the citizen to the state. Likewise, the frequent changes of regimes and borders across central and east-central Europe has meant that the concept of citizenship there is devoid of the emotionality which it usually possesses in western Europe. People identified more readily with their homeland and/or nation than with the state.

This brings us to a second important variable which has shaped the concept of citizenship, that is, the nature of the state in which it is exercised. The kind of 'participatory dictatorship' of the people which developed in East Germany, for instance, successfully harnessed for much of its existence the active participation of most citizens in state activities, including of course voting in national and regional elections; but in practice 'real existing socialism' concentrated real power in the hands of a very small elite[79]. The extension of the franchise and of other citizenship rights did not necessarily go hand in hand with the extension of individual freedoms and a wider power base. In many ways, 'the middling sort' of 16th-century England had more real influence in the political system known as Tudor absolutism than had 20th-century *DDR-Bürger* in East Germany[80].

Nevertheless, one pointer to an understanding of the actual value placed on these citizenship rights is the particular meaning of the German term, *Staatsbürgerschaft*, which reflects the willingness of the individual to identify with the state in which he/she lives[81]. In a modern context, we may analyze the complex of citizenship rights and duties in terms of its civic, social, and political dimensions, including such things as freedom of religion and of speech, equality before the law, civil rights, and the safeguarding of private property[82], but surely the main point in all this is whether or not the citizen is prepared to accept the legitimacy of the state. Throughout much of eastern and central Europe, the rights and duties of citizens of the totalitarian states of the last century were extensive and specific. States run on socialist lines, for instance, did indeed have some success in reinforcing a sense of community spirit among their citizens; but the real question

was how far the citizens of these states could be persuaded to identify with the state. In addition, even in states where democratic citizenship in the Western sense existed, the formal recognition of political rights, as in the case of universal suffrage, does not necessarily translate into effective participation in the political process. Either by specific practices, or through the operation of particular norms and values, various categories of the population ('travelling people' or Romanies in modern society, for instance) may be excluded from political participation. In other cases, exclusion may take the form of self-exclusion, in that citizens may not perceive their participation to be useful or meaningful. This last case was of course also relevant to the Soviet Bloc regimes and other one-party states in which voting and elections were primarily a mechanism to secure popular endorsement of pre-existing policies. In this context, the distinction in German between a state which is perceived to be based on law, a *Rechtsstaat*, and an illegitimate state remains useful. A distinction purely based on law is of course much too narrow: it conjures up again the modern notion of equality before the law. What is rather needed here is a distinction based on consensus, which is, in this context, a much more universal value.

We may argue, for instance, that political consensus in any kind of polity, whether a medieval city-state, a feudal kingdom, an early-modern conglomerate state, or a modern nation-state rests in large part on a general acceptance by its inhabitants that the modes of governance in that polity reflect the pervading norms and values of the particular historical period in which it operated. Thus, while ethnic discrimination was pervasive in medieval Europe, and religious discrimination in early-modern Europe, as well as other institutionalized inequalities such as on grounds of gender at other times, polities which practised these forms of discrimination were nonetheless based on political consent because such practices accorded with the accepted norms and values of those eras. Early-modern confessional states, for instance, policed the boundaries of confessional norms quite rigidly, expending considerable energy on this task: those few states which extended a measure of freedom of conscience to their subjects – thus anticipating more modern ideas – did not necessarily generate greater political consent, and indeed were often viewed by contemporaries as the weaker for it. Even in modern times, the necessary degree of political consent may nonetheless exist in states which promote collective patterns of behaviour and restrict individual freedoms in favour of 'the common good', building on earlier bourgeois values. Certainly, Soviet socialism failed because it lacked political consent, but the Western democracies have struggled to devise means of consolidating the community.

Looked at in this way, therefore, we have a means of measuring the rights and duties of citizens which reflects 'best practice' in any historical period. A *Rechtsstaat* is a state which commands this kind of political consent; 'citizens' are those inhabitants who are 'enfranchised' in accordance with the prevailing norms and values of that particular period; the complex of rights and duties relating to citizenship are those which are likewise consonant with those norms and values. By this approach, we avoid the conceptual trap of seeking to define citizenship in terms of the espousal of modern Western values, and then in effect elaborating a perspective which simply charts the inevitable evolution of more modern concepts of citizenship from the customs of earlier epochs. Thus, in so far as the new European Union has developed a viable concept of citizenship, this is not because it accords more rights and privileges to its citizens, but because such rights and privileges as it enshrines in law are, to a greater or lesser degree, in tune with the norms and values of the societies which it encompasses. This perspective, in turn, offers a new 'take' on such vexed questions as the problem of accession states like Turkey. Since freedom of religion is supposedly a modern Western value, the question of Turkey's accession should, in theory, be a non-issue: that it remains an intractable issue is in part because the legacy of Christianity remains – to a surprising degree in this allegedly 'post-Christian era' – so central to European norms and values. In practice,

'freedom of religion' in Europe means a freedom to choose between a rather more limited menu of beliefs and customs which do not cut across European norms and values. Conversely, attempts by the former United States' president, George W. Bush, to export 'freedom and democracy' to non-European societies like Iraq and Afghanistan are so out of tune with local norms and values that they fail utterly to build political consensus or to nurture 'good citizens'.

This line of argument may appear to run the danger of advocating a relativist concept of citizenship. In practice, however, it makes no comment on the particular moral values enshrined in citizenship concepts in any particular period of history. What it does do, is to suggest that those states whose models of governance were more closely aligned with contemporary norms and values were more likely to command the ready support of their 'citizens', based on political consent. The various strategies developed by different kinds of state in various ages in order to harness the support of its citizens and to achieve this consent are accordingly very relevant to the development of citizenship concepts in the new EU.

Notes

[1]   This chapter has been written by Steven G. Ellis on the basis of discussions during the TWG meetings and materials prepared by the co-authors – for France: Laure Teulières, Aladin Larguèche; for Germany: Gerhard Dohrn-van Rossum; for Scandinavia: Katya Rosenbaum, Aladin Larguèche; for Italy: Anna Maria Pult Quaglia; for the Netherlands: Raingard Eßer; for England/UK: Steven G. Ellis; for Poland: Rafał Szmytka; for Romania: Harieta Mareci Sabol, Ioan-Marius Bucur; Elena Mannová and Jaroslav Ira gave useful contributions to the debate that led to the formulation of the chapter.

[2]   See the discussion below and the references there cited.

[3]   D. Schnapper, *Qu'est-ce que la citoyenneté?* [What is Citizenship?], Paris 2000; see also her article, *Citoyen & Citoyenneté*, in the *Encyclopaedia Universalis*, http://www.universalis.fr/encyclopedie/citoyennete/

[4]   P. Sahlins, *Fictions of a Catholic France: The naturalization of Foreigners 1685-1787*, in "Representations", 1994, 47, pp. 85-110; Id., *The Eighteenth-Century Citizenship Revolution in France*, in A. Fahrmeir, O. Faron, P. Weil (eds.), *Migration Control in the North Atlantic World*, New York - Oxford 2003, pp. 11-24; Id., *Unnaturally French: foreign citizens in the Old Regime and after*, Ithaca 2004.

[5]   In 1539, the royal ordinance of Villers-Cotterêts made French the official language of the administration, requiring priests to institute the recording of baptisms. Henceforth, the Church became a central agent in the construction of an absolutist State in the early modern period.

[6]   See E. Birnstiel, *La conversion des protestants sous le régime de l'édit de Nantes (1598-1685)*, in M. Bertrand, P. Cabanel (eds.), *Religions, pouvoir et violence*, Toulouse 2005, pp. 111-135.

[7]   G. Noiriel, *Surveiller les déplacements ou identifier les personnes? Contribution à l'histoire du passeport en France de la Première à la Troisième République*, in "Genèses. Sciences sociales et histoire", March 1998, 30, pp. 77-100.

[8]   H. Sonkajarvi, *Qu'est-ce qu'un étranger? Frontières et identifications à Strasbourg, 1681-1789*, Strasbourg 2008.

[9]   M. Vovelle, *Les mots de la Révolution*, Toulouse 2004, p. 20.

[10]   From 1870, in the aftermath of the recognition of religious freedom, the political privileges of the Catholic Church, which had remained a State church for most of the 19th century, were increasingly contested. They were finally abolished in 1905 by the Law of Secularity (*laïcité*). The French Republic guarantees religious freedom and liberty of conscience, but does not acknowledge nor support any cult.

[11]   About xenophobia under the French Revolution, see S. Wahnich, *L'impossible citoyen : l'étranger dans le discours de la Révolution française*, Paris 1997.

[12]   C. Laborde, *Republican citizenship in France*, in R. Bellamy, D. Castiglione, E. Santoro (eds.), *Lineages of European citizenship: rights, belonging and participation in eleven nation-states*, Basingstoke 2004, p. 52.

[13]   M. Rapport, *Nationality and Citizenship in Revolutionary France: the Treatment of Foreigners, 1789-1799*, Oxford 2000.

[14]   P. Weil, *Nationalities and Citizenships. The lessons of the French experience for Germany and Europe*, in D. Cesarani, M. Fulbrook (eds.), *Citizenship, Nationality and Migration in Europe*, London - New York 1996, pp. 74-87; Id., *Qu'est-ce qu'un Français? Histoire de la nationalité française depuis la Révolution*, Paris 2002.

[15] G. Noiriel, *Socio-histoire d'un concept: les usages du mot «nationalité» au XIX* siècle*, in "Genèses. Sciences sociales et histoire", April 1997, 27, pp. 25-54.

[16] The necessity of justifying the Frenchness of Alsace-Lorraine against German rule which was legitimated by ethnic arguments.

[17] C. Laborde, *Republican citizenship in France* cit., pp. 54-55.

[18] G. Noiriel, *L'identification des citoyens. Naissance de l'état civil républicain*, in "Genèses. Sciences sociales et histoire", October 1993, 13, pp. 3-28.

[19] V. Denis, *Administrer l'identité. Le premier âge des papiers d'identité en France XVIII*-milieu XIX* siècle*, in "Labyrinthe", winter 2000, pp. 25-42.

[20] G. Noiriel, *Surveiller les déplacements ou identifier les personnes? Contribution à l'histoire du passeport en France de la Première à la Troisième République*, in "Genèses. Sciences sociales et histoire", March 1998, 30, pp. 77-100.

[21] R. Brubaker, *Citizenship and Nationhood in France and Germany*, Harvard 1992.

[22] Id., *De l'immigré au citoyen. Comment le «jus soli» s'est imposé en France à la fin du XIX* siècle*, in "Actes de la recherche en sciences sociales", September 1993, 99, pp. 3-25.

[23] The so-called Crémieux decree (October 1870) granted French citizenship to all "the indigenous Israelites of Algeria".

[24] For the history of the term, see M. Riedel, *'Bürger', 'Gesellschaft, bürgerliche'*, in *Geschichtliche Grundbegriffe. Historisches Lexikon der politisch-sozialen Sprache in Deutschland*, eds. Brunner O., Conze W., Koselleck R., vol. 2, Stuttgart 1975, pp. 719-800.

[25] P.-L. Weinacht, *Staatsbürger. Zur Geschichte und Kritik eines politischen Begriffs*, in "Der Staat", 1969, 8, pp. 41-63; M. Stolleis, *Untertan - Bürger - Staatsbürger. Bemerkungen zur juristischen Terminologie im späten 18. Jahrhundert*, in R. Vierhaus (ed.), *Bürger- und Bürgerlichkeit im Zeitalter der Aufklärung*, Heidelberg 1981, pp. 65-99.

[26] W. Steinmetz, *Die schwierige Selbstbehauptung des deutschen Bürgertums: begriffsgeschichtliche Bemerkungen in sozialhistorischer Absicht*, in R. Wimmer (ed.), *Das 19. Jahrhundert. Sprachgeschichtliche Wurzeln des heutigen Deutsch* (Institut für deutsche Sprache, Jahrbuch 1990), Berlin - New York 1991, pp. 12-40.

[27] For reasons of clarity, the term *statsborger(skap)* in the sense of *medborger(skap)* is rendered here in the Norwegian (*Bokmål-*)form instead of the various other forms used in other Scandinavian languages. The use of the Norwegian term, however, does not reflect any particular preference on the part of the authors.

[28] N.Å. Nielsen, *Dansk etymologisk ordbog. Ordenes historie*, 2nd ed., Copenhagen 1990.

[29] Språkdata (ed.), *Nationalencyklopedins Ordbok*, vol. II, Hoganäs 1996, p. 364.

[30] O. Kalkar, *Ordbog over det Ældre danske Sprog (1300-1700)*, Copenhagen 1881-1885, which offers a survey of the Danish language from the 14th to the 18th centuries, does not know the term. The term is also not mentioned in a dictionary of 1824: J. Baden, *Almeennyttig Alphabetisk Ordbog over de danske Skrifter og i Omgangssproget mest brugelige, af fremmede Sprog laante, Ord, Talemaader og Konstudtryk; samt de til den græske, romerske og nordiske Mythologie henhørende vigtigste Personer og Gjenstande; med hosføjet kortfattet Forklaring. Anden meget forøgede og forbedrede Udgave*, Copenhagen 1824.

[31] C. Molbech, *Dansk Ordbog indeholdende det danske Sprogs Stammeord: tilligemed afledede og sammensatte Ord, efter den nuværende Sprogbrug forklarede i deres forskjellige Betydninger, og ved Taalemaader og Exempler oplyste*, Part 1, Copenhagen 1833, p. 111.

[32] Det Danske Sprog- og Literaturselskab (ed.), *Ordbog over det Danske Sprog*, vol. XXI, col. 1020f.

[33] Det Danske Sprog- og Literaturselskab (ed.), *Ordbog over det Danske Sprog*, Supplement, vol. V, col. 1378.

[34] E.g., Ch. C. Becker-Christensen (ed.), *Politikens Nudansk Ordbog*, 19th ed., Copenhagen 2005.

[35] K. Knudsen, *Unorsk og Norsk eller Fremmedords Avløsning*, Kristiania (Oslo) 1881, p. 776.

[36] Riksmålsvernet (ed.), *Norsk Riksmålsordbok*, vol. I, 1st semi-volume, Oslo 1937, p. 410.

[37] Riksmålsvernet (ed.), *Norsk Riksmålsordbok*, vol. II, 2nd semi-volume, Oslo 1957, p. 2107.

[38] H.S. Falk, A. Torp, *Norwegisch-Dänisches etymologisches Wörterbuch*, 2nd ed., Heidelberg - Oslo 1960.

[39] E.g., *Aschehoug og Gyldendals Store Norske Ordbok*, 4th ed., Oslo 1994, p. 572.

[40] E.g., Det Norske Samlaget (ed.), *Nynorsk Ordboka*, Oslo 1986.

[41] E.g., Riksmålsvernet (ed.), *Norsk Riksmålsordbok*, vol. II, 1st semi-volume, Oslo 1947, p. 1339.

42   S. Trollstøl, K. Heidar, *Statsborger eller medborger, hva snakker vi om? Et notat om to ord: deres betydning og bruk*, Oslo 2004, p. 3.

43   *Ibid.*, p. 1.

44   *Ibid.*, p. 13.

45   O. Hellquist, *Svensk etymologisk ordbok*, 3rd ed., Lund 1948; E. Wessén, *Våra ord. Deres uttal och ursprung*, Stockholm 1969, do not list the terms.

46   Språkdata (ed.), *Nationalencyklopedins Ordbok* cit., p. 364.

47   O. Östergren, *Nusvensk Ordbok*, vol. IV, Stockholm 1934, col. 467.

48   Svenska Akademien (ed.), *Ordbok över Svenska Språket*, vol. VII, Lund 1945, col. M 579-582.

49   *Ibid.*, col. M 580.

50   A. Strömberg, *Stora Synonymordboken*, Stockholm 1979, p. 362.

51   Cf. S. Allén, *Prismas Svenska Ordbok*, Gothenburg 2003, p. 704, as well as Språkdata (ed.), *Nationalencyklopedins Ordbok* cit., p. 364.

52   Ø. Østerud, K. Goldmann, M.N. Pedersen (eds.), *Statsvitenskapelig leksikon*, Oslo 1997, p. 156.

53   Trollstøl, Heidar, *Statsborger eller medborger* cit., p. 1.

54   *Ibid.*, p. 18.

55   D. Zolo, *Cittadinanza. Storia di un concetto teorico-politico*, in "Filosofia politica", April 2000, XIV, p. 8.

56   P. Costa, *Civitas. Storia della cittadinanza in Europa*, vol. 1, *Dalla civiltà comunale al Settecento*, Rome - Bari 1999, p. 5; D. Quaglioni, *The Legal Definition of Citizenship in the late Middle Ages*, in Molho A., Raaflaub K., Emlen J. (eds.), *City-States in Classical Antiquity and Medieval Italy*, Ann Arbor 1991, p. 161.

57   M. Berengo, *L'Europa delle città. Il volto della società urbana europea tra medioevo ed Età moderna*, Turin 1999, pp. 181-201.

58   *Vocabolario degli Accademici della Crusca*, Venice 1612, sub voce.

59   *Vocabolario degli Accademici della Crusca*, vol. III, Florence 1878, p. 77.

60   *Ibid.*, p. 78.

61   O. Brunner, W. Conze et al. (eds.), *Geschichtliche Grundbegriffe*, 8 vols., Stuttgart 1972-1997. On Dutch approaches to Begriffsgeschichte see K. Tilmans, *Applying Begriffsgeschichte to Dutch History. Some remarks on the practice and future of a research project*, http://www.karintilmans.nl/pdf/begriffsgeschichte.pdf

62   M. Boone, *'Cette frivole, dampnable et desraisonable bourgeoise': de vele gezichten van het laatmiddeleeuwse burgerbegrip in de Zuidelijke Nederlanden*, in J. Kloek, K. Tilmans (eds.), *Burger. Een geschiedenis van het begrip 'burger' in den Nederlanden van de Middeleeuwen tot de 21ste eeuw*, Amsterdam 2002, pp. 33-53.

63   H. Blom, *Burger en Belang: Pieter de la Court over de politieke betekenis van burgers*, in Kloek, Tilmans (eds.), *Burger* cit., pp. 99-112.

64   C. Barlaei, *Mercator Sapiens. De conjungendis Mercaturae & Philosophiae Studies Habita. In Inaugurationem Illustris Amstelodaemensium Scholae 1632*, Amsterdam 1632. The Dutch translation appeared in three editions soon afterwards: *Verstandighe coopman, of oratie handelnde van den t'samen-voeginghe des Koop-handels ende der philosophie*, Enkhuyzen 1641, reprints 1662 and 1689. See S. van der Woude, *Introduction* to the new translation, Amsterdam 1967. See also, in comparison, D.V. Coornhert, *De Koopman*, Amsterdam 1630.

65   The quotation comes from early-modern English terminology.

66   K. Tilmans, *The Concept of the Dutch Citizen*, http://www.karintilmans.nl/pdf/citizenship.pdf

67   S.G. Ellis, *Citizenship in the English State in Renaissance Times*, in S.G. Ellis, G. Halfdánarson, A.K. Isaacs (eds.), *Citizenship in Historical Perspective*, Pisa 2006, pp. 85-95.

68   http://www.ukba.homeoffice.gov.uk/sitecontent/documents/britishcitizenship/informationleaflets/ See under 'British citizenship', and 'British subject status'.

69   S. Sarnicki, *Statuta i metryka przywilejów koronnych*, Krakow 1594, p. 2r.

70   J. Bardach, B. Leśnodorski, M. Pietrzak, *Historia ustroju i prawa polskiego*, Warsaw 2000, p. 192.

71   http://eudo-citizenship.eu/index.php?option=com_content&view=article&id=120&Itemid=44

72   C. Iordachi, *Politics of citizenship in post-communist Romania: Legal regimes, restitution of nationality and multiple memberships*, in R. Bauböck, B. Perchinig, W. Sievers (eds.), *Citizenship Policies in the New Europe*, Amsterdam 2009, p. 177.

[73] C. Iancu, *Evreii din România (1866-1919). De la excludere la emancipare* [The Jews in Romania. From Exclusion to Emancipation], Bucharest 2006, p. 73.

[74] *Ibid.*, p. 196.

[75] Iordachi, *Politics of citizenship in post-communist Romania* cit., p. 179.

[76] *Enciclopedia Română* [*Romanian Encyclopedia*], vol. III, Sibiu 1904, p. 788.

[77] The 11th Article from the *Decree* no. 125, 7 July 1948 regarding the Romanian citizenship stipulated the following: "a foreign citizen can ask for citizenship provided that he has settled in the country, that he has lived there for at least five years without interruption, that he undertakes to renounce his foreign citizenship, and that he is of good behaviour and does not harbour attitudes which are antidemocratic or against the interests of the People's Republic of Romania".

[78] I. Deleanu, *Cetățenia română* [Romanian citizenship], Cluj Napoca 1976, p. 5.

[79] The phrase 'participatory dictatorship' is Mary Fulbrook's. See her *The people's state: East German society from Hitler to Honecker*, New Haven - London 2005, pp. 12 (quotation), 182-194, 291-298.

[80] S.G. Ellis, in P. Blickle, S.G. Ellis, E. Østerberg, *The Commons and the State: Representation, Influence and the Legislative Process*, in P. Blickle (ed.), *The Origins of the Modern State in Europe*, vol. 5, *Representation, Resistance and Community*, Oxford 1997, pp. 118-121, 126-128, 138-146.

[81] A. Wiener, *Editorial: Fragmentierte Staatsbürgerschaft, Zeitschrift für kritische Sozialwissenschaft*, in "Prokla", 105, 26, 1996, pp. 488-496 ("*Generell drückt Staatsbürgerschaft Zugehörigkeit aus. Zugehörigkeit meint einerseits einen legalen verfassungsmässig verankerten Status und andererseits eine emotionale Bindung. Legale Zugehörigkeit ist über Staatsangehörigkeit – häufig als 'Nationalität' bezeichnet – definiert und schließt Rechte und Pflichten von StaatsbürgerInnen gegenüber dem Staat bzw. dem Gemeinwesen ein. Emotionale Zugehörigkeit ist dagegen abhängig von Identität, die ebenfalls oft und mißverständlich als Nationalität verstanden wird*"). See also D. Heater, *Citizenship: The Civic Ideal in World History, Politics and Education*, London - New York 1990; W. Kaplan, *Who Belongs? Changing Concepts of Citizenship and Nationality*, in Id. (ed.), *Belonging: The Meaning and Future of Canadian Citizenship*, Montreal 1993, pp. 245-264; M. Everson, U. Preuss, *Concepts, Foundations, and Limits of European Citizenship*, Bremen 1995, ZERP Discussion paper.

[82] T.H. Marshall, *Citizenship and social class and other essays*, Cambridge 1950, p. 45; Id., *Class, citizenship and social development*, Chicago 1973, p. 78.

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