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20 years of steering the European Citizenship – How to Get Europeans on Board?

A Constructive Study of the European Commission's
Expectations on European Citizens

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Abstract

This thesis has the constructive aim of analyzing the European Commission's normative expectations on European citizens and exploring the prerequisites for their realization. To this purpose, three main perspectives in citizenship theory, liberalism, republicanism and communitarianism are used in the analysis of official Commission documents. The main sources are the regularly published Citizenship Reports which allow for a tracing of the concept's development. The analysis points towards a thickening of the concept over time. From having been defined in mainly liberal terms, the citizenship concept has thickened and demands increasingly from citizens in terms of participation and identification through the introduction of an ethical component. The norm suggests actively participating European citizens united in a European identity acting in a European public space. In order for these expectations to be met by citizens, enabling conditions must be created at both the EU and Member State levels. To this purpose, some of the thesis' proposals are a stronger focus on duties in the Treaty, open political contestation and mechanisms of complexity reduction enabling participation.

Key words: European citizenship, citizen obligations, European Commission, constructive analysis, citizenship theory

Words: 18871

Table of contents

1	Introduction.....	1
1.1	European citizenship	2
1.2	European citizenship in the literature.....	4
1.3	The European Commission and European citizenship.....	5
1.4	Aim and research questions.....	7
1.5	Scope and contributions	7
1.6	Disposition	8
2	Methodology	9
2.1	Constructive research	9
2.2	An altered constructive model.....	11
2.3	Material	12
2.4	Strengths and weaknesses of research design	13
3	Assessing expectations	15
3.1	What are citizen obligations?	15
3.2	Citizenship.....	17
3.3	The liberal “rights-based” tradition.....	19
3.3.1	Citizen obligations in the liberal tradition.....	20
3.4	The republican “participation-based” tradition	21
3.4.1	Obligations in the republican tradition.....	21
3.5	The communitarian “identity-based” tradition.....	22
3.5.1	Obligations in the communitarian tradition	23
4	Norm: The European Commission’s expectations on European citizens.....	24
4.1	Liberal “rights-based” perspective: <i>the market citizen</i>	24
4.2	Communitarian “identity-based” perspective: <i>the European demos</i>	26
4.3	Republican “participation-based” perspective: <i>the active citizen</i>	27
4.3.1	Participation	28
4.3.2	Creating a public sphere.....	29
4.4	Concluding the European Commission’s norm	30
5	Empirics: Identified obstacles	32
5.1	Constitutional uncertainties: “ <i>an ambiguous contradictory conceptual space</i> ”.....	32
5.1.1	The EU <i>telos</i> – “un objet politique non-identifié”	32
5.1.2	Citizenship without a <i>demos</i> ?.....	35
5.2	European citizens and the EU	36

6	Constructive proposals: Creating conditions for <i>active</i> European citizens.....	38
6.1	Strengthening the liberal dimension: Introduce a set of citizenship duties.....	39
6.2	Strengthening the communitarian dimension: Embrace open political contestation	40
6.3	Strengthening the republican dimension: Complexity reduction.....	41
7	Concluding remarks	43
8	Executive summary.....	45
9	References.....	48
10	Appendix.....	54

1 Introduction

"Citizenship of the Union is hereby established. Every person holding the nationality of a Member State shall be a citizen of the Union". Through this grandiose formula, European citizenship¹ was bestowed upon nationals of EU Member States in article 8 of the 1992 Maastricht Treaty. Today, the title of "European citizens" brings together the over 500 million nationals of the 28 Member States, for whom the status is "complementary" or "additional" to their national citizenship.

EU citizenship was not fought for in a bloody revolution, or class struggle. Instead, it was introduced as a peculiar "top-down" construction, as a result of high politics taking place at the EU level, launching the "human dimension" of European integration from above. From the start, Union citizenship was a seemingly rigid legal construction merely gathering the already existing rights already targeting Member State nationals under a single heading. However, it was specified that the new institution of "Citizenship of the Union" was "essentially dynamic in nature" and envisaged to be "strengthened or supplemented in the future" following the logic of European integration (CEC 1993: 2).

Notwithstanding the concept's initial innocent content, the mere wording of "citizenship" to depict Member State nationals' relation with EU institutions, a notion strongly associated to the rights and duties, political participation and belonging of citizens in a nation-state, seemed remarkable to many, provocative to some and not only a little curious at the time of the Maastricht Treaty. By the time, European integration was still primarily operating in the economic realm of interest to ordinary citizens only in the extent to which they were involved in economic cross-border activities.

The dynamic concept of European citizenship is still today, both in content and in the popular perception, far from the "rounded creature" that citizenship represents in the national context where it is loaded with political significance and substance connecting the citizenry to the state (Shaw 2010: 2). According to recent statistics, only six out of ten Europeans see themselves as, or "feel they are" citizens of the European Union² (Eurobarometer 2012). However, recent developments in the EU institutions' communications of EU citizenship suggest a "thickening" of this, up until now rather "thinly" formulated *sui generis* citizenship. These developments are most likely spurred by the immediate policy

¹ "European citizenship", "EU citizenship", "Union citizenship" and the original name "Citizenship of the Union" will be used interchangeably.

² Answering the question: QD3.1 For each of the following statements, please tell me to what extent it corresponds or not to your own opinion. You feel you are a citizen of the EU.

context –the global economic and financial crisis severely and asymmetrically affecting Europe, continuous low turnouts to European elections and a growing “euroscepticism”, a renationalization of European politics and the rise of right-wing populism –potentially threatening the very legitimacy foundations of European integration. It is time, it seems, to strengthen the bonds between citizens among themselves as well as between citizens and European institutions, to make of the rigid right-based status a full-blown and relevant citizenship –on its own terms, of course.

This year of 2013’s “European Year on Citizens” is a clear sign of the political significance the European Commission attaches to the role of citizens in the EU polity. Awareness-raising campaigns, events, think-tanks and conferences are organized in Brussels and elsewhere in Europe with the aim to encourage debate, change attitudes and influence policy-makers. With its unclear definition and goal, its dynamic nature and potential, the concept of European citizenship can be a useful instrument of creating a bond between citizens and EU institutions (Bellamy 2001: 5). In this view, the European Year on Citizens along with other institution initiatives can be considered as not only striving to reinforce and promote the performance of a statically defined role of the “European citizen”. Rather, this campaign is part of the very making of EU citizenship.

What then, is the form of citizenship envisaged by the European Commission? How can a citizenship be meaningful outside the realm of the nation-state and, especially, what are the responsibilities of European citizens to make this happen? First, we will need a closer look upon the strange creature of European citizenship.

1.1 European citizenship

The idea of a European citizenship is old. Already in 1943, the Italian Federal Movement (Movimento Federalista Europeo) imagined a European continental citizenship with direct political and legal relationships within a European federation (Maas, 2007: 12). After the Second World War, the issue of cooperation in Europe became urgent. Winston Churchill argued for “a European group which could give a sense of enlarged patriotism and common citizenship to the distracted people of this turbulent and mighty continent” (*ibid*). The Hague congress of 1948 gathered hundreds of European leaders discussing political cooperation and the future of the continent declaring the “urgent duty of the nations of Europe to create an economic and political union” (*ibid*: 13). The first steps towards European integration culminated with the announcement of the French foreign minister, Robert Schuman of a plan for a European Coal and Steel Community (*ibid*). A European citizenship, in a yet to be defined form, was thus intrinsic to the construction of Europe from the start and served an important political goal.

In May 1990, Spanish Prime Minister Felipe González Márquez addressed a letter to the European Council raising the question of a European citizenship. Proposals on European citizenship followed in September 1990 and in February the following year. The argument of the proposals was that current transformations of the community in the transition towards a political union, including an Economic and Monetary Union and a Foreign and Security Policy, raised demands on a more integrated Community, in which citizens would play an important part. A political union was needed to balance Economic and Monetary Union. This “European citizenship” should be “a personal status” for all nationals of Member States. There would be specified rights and duties for European citizens in the Treaty on European Union and the possibility of recognition of this status outside of the community was imagined (Gil Ibanez, 1992: 106). The proposal held that European citizenship was to be a dynamic and encompassing concept: “The concept and content of citizenship are conceived of as having an evolving dimension and as being an element which should inform all the policies of the Union.” (*ibid*: 325). Moreover, the preamble states that the proposal is “resolved to lay the foundations for an integrated area serving the citizen, which will be *the very source of democratic legitimacy* and a fundamental pillar of the Union, through the progressive constitution of a common citizenship, the rights and obligations of which derive from the Union” (*ibid*).

This proposal contained three main provisions of on European citizenship. First, basic rights for European citizens (freedom of movement, free choice of residence, free participation in political life in the place of residence and respect for human rights, freedom of speech, association and assembly). Second, it included provisions for EU citizens outside EC borders. Third, it introduced the idea of an Ombudsman guarding European citizenship.

These rights represented the “starting point of the Community's human dimension, leading in the future to a dynamic concept of European citizenship.” (Gil Ibanez 1992: 107). The proposal was advanced by the “Adonnino expert group”, an expert group created after the 1984 European Council meeting in Fountainebleu with the aim to create a People's Europe, who insisted on the need to enhance the Member State nationals commitment to European integration (Hansen 2000: 143).

As mentioned in the introduction, the concept of European citizenship was first established in the Maastricht Treaty. This Treaty established the European Union and entered into force November 1st 1993. European citizenship was to exist over and above national citizenship and include all nationals of EU Member States. European citizenship is thus automatically acquired and cannot be renounced. In the Amsterdam Treaty that entered into force six years later, in 1999, the link between European and national citizenship were clarified (ToA, articles 17-22). It was stated that “citizenship of the Union shall complement and not replace national citizenship”.

This had two implications: first, in order to become a European citizen, one first needed to be a national of one of the Member States and second, European citizenship was *complementary* and *supplementary* to national citizenships. This emphasis on the complementary nature of European citizenship has to be seen in

the light of a Decision adopted at a European Council meeting the year before (European Council, 1992). The Danish voters had turned down the Maastricht Treaty in a referendum which led to its delay. An important reason for this was the fear of the inclusion of European citizenship in the Treaty. Therefore, it was agreed at the European Council to clarify the complementarity of European citizenship, it would not, in any way, substitute national citizenship.

The Lisbon Treaty inserts a reference to citizenship into the Treaty on the European Union. In the Lisbon Treaty, European citizenship is expressed as being held in *addition* to national citizenship, instead as, in the Amsterdam Treaty, being *complementary* (European Commission, legislation summary). As a residue from the failed Constitutional Treaty, with the purpose of creating a single constitution of the existing Treaties but remained unratified, the Lisbon Treaty also introduced a new forum for citizens' participation in EU politics, the Citizens' initiative which provide means to invite to legislative proposals if a million signatures are collected. Moreover, the Lisbon Treaty introduced a chapter on participatory democracy in the European Union.

Secondary legislation and case law has served to build up and thicken the citizenship concept that is defined in relatively thin terms in the Treaty (Shaw 2010: 6). Examples of secondary legislation include the Citizenship Directive, the Long-Term Residence Directive, the Municipal Parliaments Directive and the European Parliament Elections Directive Judgements (EUDO Observatory on Citizenship).

1.2 European citizenship in the literature

When navigating in the vast academic literature on European citizenship, it becomes clear that the concept has two main cores, which give rise to two fundamentally different discourses and research. One is a *legal* stream, mainly investigated by lawyers and legal scholars concerned with the implications of this status within the framework of the Treaties, the acquisition of citizenship, migration, case law development in the field of free movement etc. This perspective on EU citizenship is well-researched and developed.

The other discourse or research field constitutes the more *political and symbolic* side of EU citizenship and is concerned with issues of democratic legitimacy, the possibilities of new postnational political constellations and the inherent challenges to European citizenship in relation to national citizenship.

Based upon this initial division, Rainer Bauböck speaks of a *skeptical* and a *visionary* approach to European citizenship (2007: 454). The skeptical stream, consisting of legal scholars, are not interested in political potentials of citizenship, it is conceived as mainly a legal status and the Treaty provisions and case law constitute the only interesting research objects. In the visionary stream, however, introducing the value-loaded and symbolic institution of citizenship at the EU-

level constitutes a real political innovation, and scholars analyze the consequences, possibilities and challenges of this office.

While these two streams constitute theoretical perspectives of analyzing an institution with, arguably, the same legal base in the Treaty, they provide for entirely different foci and analyses. I would like to be clear, already at this stage that I am joining with the political or visionary stream, leaving issues of the status of European citizenship as a legal status, largely aside. Instead, my interest lies in the political and symbolic features of European citizenship, starting with outlining the European Commission's role in its making.

1.3 The European Commission and European citizenship

Notwithstanding the Treaty's formulation of citizenship as limited to a rights catalogue, the application of the concept in EU institutional discourse opens up for a broader interpretation. European citizenship is a status and practice "in the making" involving not only rights, but norms, organizing principles and a set of procedures, in a fashion that is more or less similar to citizenship regimes throughout history, despite its *sui generis* nature (Jenson 2007: 53). In a national context, citizenship is a complex institution involving three main dimensions: legal rights and duties, political participation and a common sense of belonging bringing the citizens, or *demos* together (Bellamy 2008, Olsen 2008).

Many argue that European citizenship is of an entirely different nature than national citizenship, expecting less of citizens in terms of identification and participation, merely focused on a catalogue of rights. This was even explicitly stated by the European Commission in 2001, with the aim to clear up the confusion regarding this new status. "When considering the scope of citizenship of the Union, attempts to draw parallels with national citizenship should be avoided. Because of its origins and the rights and duties associated with it, citizenship of the Union is *sui generis* and cannot be compared to national citizenship of a Member State" (CEC 2001: 4). This seems about right, due to several factors, not least the limited political authority of the EU in policy areas relevant to the common self-understanding of citizens, social policy and taxation to mention two examples and the lack of a commonly defined *demos*.

However, European institutions and especially, ironically perhaps in light of the above quote, the European Commission, imply a "thicker" understanding, bringing in notions to the citizenship concept primarily associated with states. A quote will serve as example: "Citizenship of the Union conferred on nationals of all Member States (...) is meant to make the process of European integration more relevant to individual citizens by increasing their *participation*, strengthening the protection of their *rights* and promoting the idea of an (sic!) European *identity*" (CEC 1997: 2, my emphasis). In this Commission document from 1997, all three

dimensions of conventional citizenship, rights, participation and belonging or identity are present. These dimensions will be developed below.

Among the many specificities of European citizenship is, as we know, the fact that it is a top-down construction, its inception and development were and are primarily driven by decisions in EU institutions, leaving citizens a limited role in constructing their own citizenship. Instead, the citizens, the very objects of EU policy-making were only invited posthumously through the launch of the human dimension of a “people's Europe”. It is odd, ironic almost, for the institutions of a polity to impose a sense of belonging upon a citizenry who shows varying interest in the project, instead of the other way around, a defined nation fighting for rights. Expectations are thus constructed from above, rather than, as it has often been historically in national contexts, in one way or another appearing as a logical consequence of the emergence of citizenship and the historical and cultural ties binding a nation together and informing the political, social and cultural status of the citizens. The rights and features of citizenship are, instead, bestowed, or imposed, from above through a “top-down process of institutional engineering” (Smismans 2007: 599). Consistently, the way European citizenship is framed and expressed by European institutions does not only reflect a description of an existing status of membership, but constitutes an ideal-building activity. In this way, the way they frame and communicate the features of citizenship, become interesting in its own right.

The European Commission is a key actor in this norm-creating activity. European citizenship is a status and practice in the making, the European Commission plays one, but not the only role in this creation. The insertion of “Citizenship” in the Commission Directorate-General for Justice and Home Affairs, currently headed by Commission vice-president Viviane Reding is a sign of the increasing importance the European Commission attaches to the issue of citizenship. So are the multiple Commission-funded programmes devoted to citizenship, especially “Europe for Citizens” (2007-2013) and the forthcoming version covering the years of 2014-2020. Furthermore, many initiatives in the field of “Education and training” have over the years aimed at educating to European citizenship. In 2008, the Norwegian scholar Andreas Føllesdal compiled results of research projects on European citizenship executed under the Commission-funded “5th Framework Programme in the social sciences”. Concerning the roles of the institutions in “educating to Union citizenship”, the gathered results made Føllesdal include a “policy warning”: “the Union should avoid policy campaigns for Union Citizenship, since the requisite processes take longer time, and obvious PR campaigns are likely to backfire in the public eye”. Instead, he argues, more effective policies would include showing that the Union works, and show the EU as a source of rights and social benefits (Føllesdal 2008: 9). Nevertheless, this campaign strategy seems to continue, contemplating not least the current 2013 “European Year on Citizens”.

Moreover, the European Commission appears as particularly interesting in its attempt to create a “thick” citizenship including dimensions of citizenship normally found within the realm of the nation-state. Of all accounts of European citizenship, the European Commission's view can be assumed to be the most

visionary as they generally represent the European view and prefer more integration than the Member States (Hix and Høyland 2011: 37). In a recent speech, Viviane Reding called for a federal European state, "A United States of Europe" (Reding 2012). Therefore, the gap between expectations on citizens and the current institutional arrangements and citizens' self-understanding should be the widest.

1.4 Aim and research questions

The overarching purpose of this thesis is to explore the apparent gap between the European Commission's *expectations* on European citizens and the current potential of the institution of European citizenship to fulfill them. In other words, this thesis has the constructive aim of analyzing the Commission's expectations on Europeans within the institution of European citizenship against what seems to cause the main obstacles to fulfill them in order to conclude in a constructive analysis proposing conditions for their realization.

First, I will seek to understand what the European Commission expects from the citizens based upon their understanding of European citizenship. This will be done answering the question:

- *What expectations on citizens are implied by the European Commission through the institution of European citizenship?*

Secondly, I intend to assess whether this norm is reasonable in light of present conditions, and perform a constructive analysis proposing conditions for enabling the realization of the European Commission's norm answering the question:

- *What prerequisites need to be present in order for these expectations to be fulfilled?*

1.5 Scope and contributions

A few words about the scope and contribution of the thesis are in place. To save initial confusion, I would like to be clear about a few aspects that will be touched upon, but not be considered this thesis' primary aim. As the topic of EU citizenship touches upon several key values, closely related to citizenship in

theory and in practice, such as *democracy*, *legitimacy* and *identity*, I would like to be clear that my aim is not to assess the level of democracy in the EU democracy, entering the "DemDefLit"³. Nor do I aspire to enter into a debate on the legitimacy of Union decision-making. The issue of European identity is a vast study area which will be touched upon only in so far as it tangents to expectations on citizens. Also, the aim of this thesis is not to develop a normative framework investigating the potentials of European citizenship. Instead, my constructive ambition refers to the prerequisites that need to be in place in order for the European Commission's norm to fulfill.

The contribution of this thesis instead lies in the task of 1) constructing of a framework for assessing "citizen obligations" on the EU level. The relatively unexplored territory of "citizen obligations" - or "expectations" is particularly under-researched in the context of the EU, therefore a large part of the thesis is devoted to developing a suitable theoretical framework for analyzing this. 2) Identifying some of the institutional and constitutional obstacles complicating the emergence of a "thick" kind of citizenship. 3) Reconstructing the European Commission's norm of European citizens over time. 4) Proposing a few conditions enabling the realization of the norm.

1.6 Disposition

The introductory part presented the research problem, defined the scope and contributions of the thesis and positioned it in the existing literature. In the following chapter, the methodological considerations and the method will be introduced. The third chapter structures the relevant literature on citizenship and is concluded by the creation of a theoretical framework that draws upon insights from three main perspectives on citizenship, liberalism, republicanism and communitarianism. The fourth chapter contains the analysis of the European Commission's expectations on citizens. In the fifth chapter, main factors causing obstacles for developing European citizenship as well as citizens' perceptions are presented. In the sixth part, three enabling conditions for the realization of the European Commission's norm are proposed. Finally, the findings from previous chapters are revisited along with recommendations for further research.

³ Joseph H. H. Weiler's abbreviation for the literature on the EU's "democratic deficit" (1999: 268) The literature on the EU's democratic deficit consists of five main sets of claims: increased executive power-decreased national parliamentary control, the European Parliament is too weak, there are no "European" elections, the EU is too distant, policy drift. (Hix and Høyland, 2011: 132f)

2 Methodology

This chapter describes the methodological choices I make in order to answer my research questions. Considering the many theoretical dimensions that necessarily must be taken into account when studying the concept of European citizenship, I will strive towards being as clear as possible. The chapter first identifies the kind of constructive research design I intend to use. Further, it presents and motivates the specific method I intend to use answering my research questions.

2.1 Constructive research

This thesis is within the hermeneutic tradition of social science and constitutes a case study with a constructive aim. As opposed to the positivist tradition, the aim is not to measure or test the empirical material, but rather to organize and structure it from different theoretical perspectives (Fernández 2005: 39).

As explained above, the overarching methodological rationale of this thesis is a constructive approach. This should not be confused with social constructivism as a theoretical perspective, but constitutes a broader approach to research in the social sciences. A distinction is often made between *empirical*, *normative*, and *constructive* research. These three types represent different methodological ambitions and answers different questions. *Empirical* research answers the question of how something *is*. Normative research answers what something *should be*. Constructive research operates in the gap between the two and fuses the answers of the normative and empirical findings, the *is-* and *should-*questions, in order to formulate what something *can be* and how it is to be achieved (Badersten 2006: 38).

In order to conduct constructive research and develop a constructive approach, we consequently first need access to two types of theories: normative and empirical. If we know what something *should be* and what something *is*, we have the necessary foundation to assess what something *can be* and how we should act in order to achieve it in a specific context (Lundquist 2001: 16). Thus, in constructive research, neither the ideal (the norm, what something *should be*) nor the actual state of being (the empirics, what something *is*) is the main subject of analysis. Rather, constructive research deals with what is between them, the changes that need to be done in the actual state of being in order for the ideal to realize (Fernández 2005: 44). It presupposes answers both to the *is*-question and to the *should*-question. A general constructive research question can be formulated as: “Given what is desirable (*should*) and given the prevailing

circumstances (*is*), what *can* we achieve, and how do we achieve it?” (Badersten 2006: 38).

Constructive proposals must, consequently, identify conditions assumed to have a crucial importance for the relation between existing (*is*) circumstances and the desirable (*should*) circumstances in order to tell us how to move from the one to the other. Proposing constructive proposals therefore means to discuss these conditions and to speculate on their extension (Fernández 2005: 44). This is, as we know, the aim of practical politics –to formulate opinions about how something *should* be and to launch practical proposals on how this is to be achieved given current circumstances. Applied to the research context, however, constructive analysis is sometimes considered hazardous due to its necessary components of *speculation* and *uncertainty*, two words that intuitively should provoke the fight-or-flight response among serious researchers. Furthermore, there is no reliable and tested way to perform constructive analysis (*ibid*). Fernández presents two factors which reduce, or, at least, control the elements of speculation:

First, constructive proposals should be formulated in a concrete context on the basis of knowledge of the context's practical preconditions. Constructivism is an ambition that is very context-sensitive and should not be subject to generalizations.

Second, constructive proposals must be characterized by openness and precaution. This may be seen as paradoxical as the constructive approach is far from humble. The constructive approach should settle for formulating *general* principles for the norm to realize (Fernández 2005: 45f).

This thesis, with its constructive aim, largely follows the constructive model developed above in the meaning that empirics and norms are put against each other to result in a constructive analysis. However, the method used here cannot be described as normative in the usual sense of the word. My aim is not to provide for a norm of European citizenship based on, for instance different value systems or justifying principles. Rather, the “normative part” of the constructive analysis consists of *reproducing* the European Commission's normative expectations of European citizenship. Further, the empirics refer to both the theoretical insights of the complexities of the institution of citizenship and, to some extent European's perceptions towards the same. The constructive analysis will provide for a few conditionally stated conditions that need to be in place in order for the European Commission's norm to realize.

By using a, surprisingly, un-explored angle on the subject-matter: that of *expectations* on citizens, I hope to be able to provide for a somewhat altered framework of investigating European citizenship as a normative institution. The theoretical framework will take inspiration from a variety of theoretical elaborations and the resulting image of European citizenship is not necessarily more or less true than any other – rather it has to be considered as a theoretical construction fitting my purposes and research question. Throughout the exposition, I will aspire to be self-conscious and self-critical and present the methodological choices that I do along the way in order for the reader to follow my thoughts in the widest possible extent. Humbleness and prudence are two

catchwords that will permeate this exposition. This will, however, not impede the search for interesting and useful conclusions. Rather, in my view, the researcher holding a certain extent of humbleness and prudence necessarily is necessary to all endeavors striving to reach new insights in the social sciences.

2.2 An altered constructive model

The underlying logic of this thesis is built upon the formulation of a *norm* that is put against *empirics* resulting in *constructive* proposals. The main part of the analysis will consist of the reproduction of the European Commission's expectations on citizens over time.

In the absence of a document explicitly describing what the European Commission expects from European citizens, I will need to develop a theoretical framework for assessing this. Reconstructing the European Commission's *norm* will constitute the main part of the analysis. It will be reproduced through the use of the three main schools of thought in citizenship theory: the liberal, republican and communitarian perspectives, inspired by Bellamy (2008). A theoretical framework develops these three conceptions as three different models through which the material, European Commission documents, is analyzed. The three different models have different views on fundamental issues, such as the role of the individual in a polity and the primary purpose of citizenship. An optional way of analyzing the material could be to use "ideal-types" in the Weberian sense. Ideal-types are used to refine traits of the material in order to formulate hypothesis (Bergström and Boréus 2005: 159). Using dimensions instead means departing from more general models with support in political philosophy (*ibid*: 164). With this thesis general aim, the quantity of documents analyzed and the taking into account of political developments, using dimensions in a broader sense appeared as a more suitable method. The three citizenship dimensions will be presented in turn and be concluded by a set of main ideas.

It is important to remember that modern social sciences and political theory are characterized by "methodological nationalism". This means that the analytical "tool-box" holding the political scientist's theories and notions is developed to be applied on a specific type of research objects, namely nation-states, and that they are often non-or poorly applicable on other kinds of phenomena (Fernández 2005: 32). This is a common headache to theorists of postnational phenomena, notably the EU. The EU's *sui generis* character problematizes theoretical ambitions insofar as results are hard to generalize to other contexts as well as the opposite; it is difficult to apply findings and theories developed in nation-state to the EU context. As there are very few systematic conceptualizations about the European Commission's expectations on European citizens, I will necessarily have to borrow some theoretical insights developed with tools from the nation-state "tool-box".

This needs not necessarily cause problems if one agrees with Fernández that the EU is partly unique, but not because of any unique qualities, but because of the qualities particular conceptualization in the specific context (2005: 37). At this point, it should also be remembered that the very office of European citizenship is built on this exact premise, taking a notion from the nation-state context and applying it to the EU context. European citizenship implies a fusing of the two contexts, which causes popular confusion and theoretical challenges. This provides for another reason of using a variety of theories developed within the European context as well as the national.

In a second step, current complexities with the concept of European citizenship and the main factors hampering its thickening will be introduced. This part aims at highlighting the main problems identified by researchers and will constitute the *empirical* part against which the norm will be assessed.

Finally, in the third part, the norm and the identified problems will be fused in order to provide for constructive proposals enabling the European Commission's expectations to realize.

2.3 Material

With the aim of finding sources outlining the European Commission's view of citizenship, a variety of documents have been reviewed.

Since the introduction of European citizenship in the Maastricht Treaty 1993, the European Commission has published "Citizenship Reports" every three years, outlining relevant developments in the field of European Citizenship. This is a Commission requirement with a legal base in Article 25 of the TFEU⁴. When analyzed through the theoretical framework, these documents provide for invaluable documentation when it comes to the way in which the European Commission frames the issue of citizenship, which aspects are considered important and how the future is envisaged. These, six in total, Citizenship Reports, will provide for a firm basis of tracing the citizenship concept over time.

Further, the Commission's understanding is outlined in key documents, such as the 2001 "White Paper on Governance" and the 2005 "Plan D for Democracy, Dialogue and Debate". Some programs of the three individual Directorate Generals that are concerned with European citizenship (DG Education and Culture, DG Communication and DG Research) will be treated. In these programs, European citizenship is often developed in more detail. Finally, the documents leading up to the European Year on Citizens and documents published in the preparation for the 2014 European elections will be used. The "EUODO Observatory on Citizenship"⁵, a web platform hosted at the Robert Schuman

⁴ See Appendix

⁵ <http://eudo-citizenship.eu/about>

Centre of the European University Institute in Florence has provided for an open database of documents which has proven very helpful in the search for relevant material.

The time frame for the selection of documents ranges therefore from 1993 until today. While there is no possibility of going through all the documents available, it is my conviction that using the regularly published “Reports on citizenship” as a structure, I do not run the risk of missing out on important information. Moreover, by using documents from all three DGs involved in citizenship policy, I aspire is to get a broad picture. The concluding picture may be far from unitary as different DGs tend to accentuate different features and with varying emphasis. While this may be the case, we will nevertheless end up with a normative framework plausible to bring our analysis forward. The resulting framework will very much be a product of methodological decisions made during the way. Therefore, I will be cautious in providing for transparency and intersubjectivity while making those choices. It is not the aim of the thesis to evaluate the success of the subsequent programs or look at the specific actions and methods by which the aspirations will be realized. Rather, the purpose is to use these documents in order to find underlying assumptions and norms of the European citizenry.

2.4 Strengths and weaknesses of research design

The thesis operates on a fairly theoretical and abstract level. The reason for this is the time frame of the material used and the vast majority of actors involved in the creation and performance of European citizenship. My ambition is that this broad approach will lead to interesting insights taking a variety of factors into account and provide for a broad framework analyzing the complexities of European citizenship from a broad perspective. This is also line with the constructive approach I am using in which the aim is to provide for general conditions. The scope of the thesis does not allow for empirical research on the factors conducive to facilitate or hamper the realization of the Commission's ideal.

Moreover, this analysis will treat the EU as a three-level-system composed by the EU level, the national levels, and the individual/citizen level. This analytical delimitation necessitates leaving out important features of political practice at regional, local and grassroots levels. Further, the “citizen level” refers to the individual, average EU citizen and not to civil society organizations or other forms of organized groupings. For practical reasons, existing political structures, channels and developments in the different Member States, such as differences in media reporting, presence of EU politics in the discourse of national political parties, consequences and severity of the euro crisis or national formulations of citizenship etc. will not be treated, though they may be strongly assumed to play a large part in variations between countries. Instead, the Member States will be treated, quite bluntly indeed, as a whole.

While criticism may be raised against this choice, it has to be born in mind that the analysis is concerned with broad trends identified at the European level. Moreover, the European Commission discourse on citizenship invokes, with few exceptions, the collective name of “citizens”, for instance the claim of constructing “a Europe for its citizens”, which is “close to its citizens” (Shaw 2010: 6). For this reason, the aim is to create a construction of opportunity structures for the European citizenry as a whole. The current lack or presence of these in the respective Member States falls outside the scope of this thesis.

3 Assessing expectations

This part creates a theoretical framework for analyzing the European Commission documents. It starts with a general discussion on citizen expectations, or obligations, develops the citizenship concept and ends with the creation of the three models on citizenship, the liberal, republican and communitarian model respectively, with a specific emphasis on the expectations on citizens that are put forward by the respective dimensions.

3.1 What are citizen obligations?

Discussing the "expectations" on citizens held by a polity brings us to the wider topic of citizen obligations. Speaking of obligations in the context of citizenship may be controversial. The subject became especially taboo after the totalitarian regimes in the first half of the 20th century (Janoski 1996: 52, 73). For this reason, the topic is relatively underexplored. This "frequent amnesia" regarding citizenship obligations, both in citizenship theory and among citizens themselves, is nevertheless curious due to the commonly assumed correlation of rights and duties⁶, the constraining effect of obligations on rights and the constitutional role and importance of citizens in a democracy (ibid: 53, Janoski 1998: 5). Critique against this amnesia has primarily arisen from two separate perspectives. Some have criticized the "greedy citizen", only concerned with the rights that citizenship entail, ignoring the reciprocal responsibilities and obligations. Another critique arises from those seeking to construct a "social society" where citizen participation plays a crucial part (Janoski 1996: 52). In Lundquist's view this diminishing focus on citizen responsibilities is a consequence of the neo-liberal turn in politics. This has produced a change in the arena in which citizens act – from the political system to the market. The very *ethos*⁷ of citizens have shifted from being political actors playing an important role in shaping their own society and community to a view of citizens conceived of mainly as clients in a market (Lundquist 2001:222).

What are then citizen obligations? How do we conceptualize the responsibilities citizens have towards the political system and towards each other?

⁶ For an excellent study on the "Correlativity of rights and duties", consult Lyons 1970 article with the same title

⁷ Disposition, character, or fundamental values peculiar to a specific person, culture or movement (www.thefreedictionary.com: "ethos")

And how do they differ in intensity and quality between different political regimes? Sociologist Thomas Janoski creates a framework for understanding citizen obligations in different political regimes. These obligations range from normative responsibilities to more tangible concrete legally enforceable obligations. In brief, they constitute the wide range of duties, obligations, demands, expectations and virtues that citizens have towards each other and towards the political system. A first classification is the division of duties into “legal”, “political”, “social” and “participation” obligations. In this classification, legal obligations include all obligations associated to the legal system, for instance “Respect other's rights to liberty, free speech, religion and property”, “Respect laws duly made by government” and “Provide resources for the legal system”. Political obligations include “Vote and participate in politics”, “Be informed and exercise the franchise wisely”. Social obligations include more vaguely stated responsibilities, such as “Pursue prudent health care”, “Raise a loving family”. Participation obligations include “Duty of those receiving services to actively pursue work” and “Respect all groups in participatory processes” (Janoski 1996: 54). As becomes clear from these examples, the wide array of citizen obligation ranges, in Janoski’s view, from legally enforceable obligations to more normatively loaded virtues that are nevertheless needed for the balance and survival of the political and economic system of the polity. A broadened definition of obligations allows us to include also these vaguely stated norms that, while not legally enforceable, are highly informative of what is expected of the citizens of a specific polity.

Depending on the political regime in question, Janoski argues, whether “social democratic”, “traditional”, “liberal” or “mixed”, different emphasis will be put on different types of obligations. Moreover, obligations may conflict with each other, for instance, the respect for law may conflict with the obligation of overthrowing an undemocratic government (*ibid*: 56).

While this is clear enough, Janoski's theoretical framework is highly state-focused; the EU holds no authority to enforce legal obligations such as taxation duties or military service. Even though assuming the EU to openly encourage citizens to for instance "raising a loving family" may sound farfetched, more vaguely stated norms like these can be found in other policy areas, especially within social policy. The current health program 2007-2013 for instance puts "active and healthy ageing"⁸ as a primary goal, a large part of which is devoted to EU citizens own responsibility for their health throughout the life-cycle through "citizen empowerment" (CEC 2007:4). However, the focus here lies primarily in political expectations.

For our purposes, the normative side of obligations should be of the most interest. But first, can we even speak of *obligations* in the EU context? The context from which obligations arise, Janoski argues, is crucial to take into consideration. An important difference is the one between *accepting* or *receiving* right (*ibid*: 59). Acceptance means that the citizen strived to obtain the right, in

⁸ The "European Year" of 2012 was devoted to "Active ageing and solidarity between generations".

which case obligations are formally entailed. In the case of receiving a right, citizens may benefit from the right, but not readily recognizing or accepting it, in which case obligations are more difficult to impose.

This division between accepted and received rights is crucial in light of the EU. Citizenship was being bestowed upon the Member State nationals and rights were as such *received*. Moreover, it seems clear enough that Europeans are not aware of their rights as citizens. Only 54% of Europeans are “familiar with the rights of European citizens” according to recent surveys⁹, and 63% “wanted to learn more”. Regardless of how assiduously we interpret these numbers, they suggest a lack of knowledge among citizens of the rights included in EU citizenship. We will not linger in the issue of legitimizing obligations. However, the issue here is not to judge whether the expectations are morally defensible, but whether they are reasonable, whether the prerequisites for their realization correspond to actual conditions. Therefore, instead of using “obligation”, the term “expectation” seems more appropriate for our purposes and still allows us to use Janoski’s framework in a broad sense.

The next part will create a theoretical framework which will allow us to analyze citizen expectations, in Janoski's broad understanding of the term in the EU context. To this purpose, I will provide for an understanding of citizenship which allows us to detach the citizenship concept from the state context.

3.2 Citizenship

"There is no notion more central in politics than citizenship, and none more variable in history, or contested in theory" (Maas, 2009: 267)

The centrality of the concept of citizenship in Western political thought cannot be overstated. Citizenship is "one of the central organizing features of Western political discourse" (Lister 1997:1). It may even be "the oldest institution in Western political thought" (Dell'Olio 2005: 17). With both a normative and empirical core, citizenship is a theoretically encompassing concept with roots in law, ethics and politics (Fernández 2005: 12f). Moreover it is one of the most contested concepts in political thought as the institution that connects a polity with its members as well as the members among themselves, hence a concept loaded with content and soaked with normative aspirations. At its broadest, citizenship concerns the *relationship of the state and the citizen*, especially concerning rights and obligations (Janoski 1996: 12). Applied to the EU, we will have to alter this definition as the *relationship of the **polity** and the citizen*.

⁹ Answering the question QD3.2-3 For each of the following statements, please tell me to what extent it corresponds or not to your opinion... You know what your rights are as a citizen of the EU; you would like to know more about your rights as a citizen of the EU.

Citizenship became a "buzz word" among political thinkers in the early 1990's (Kymlicka 1997: 2). It reemerged as a research field in the social sciences and the humanities due to globalization and postmodernism shedding new light upon and altering rationalities of government, emergence of new international government regimes as well as new social movements fighting for recognition and redistribution (Isin, Turner 2002: 2).

As with most concepts of great theoretical and practical relevance, trying to pinpoint a universal meaning of the term means searching in vain. Its content has changed over time, following society's needs. While it might be tempting to conceive of the citizenship concept as following a certain continuity over time, this is merely a product of researchers and philosophers who seek to reconstruct the notion in different settings (Fernández 2005: 52). Due to the fact that citizenship has served to describe a variety of configurations over time and space, we need to search for the intrinsic value of citizenship within the rationale of changing societal conditions argues Dell'Olio (2005: 17). According to Kostakopoulou, the historicity of the nationality model of citizenship can also be conceived of as the possibility of its reformability to new contexts (1996: 339). This opens up for a visionary approach of European citizenship, as a precursor of a new kind of citizenship more suitable to changing global conditions, instead of an eviscerated version of national citizenship.

Without tracing back the history of citizenship to its emergence in the Greek city-states, a brief historical detour seems to be in place. The history of citizenship is intimately linked to the history of democracy. The 18th and 19th century, spurred by the American and French revolutions created the basis for the modern conception of citizenship (Bellamy 2004: 6, Dahl 2002: 13). Important changes in political governance and organization at this time included polities that found democratic legitimacy through the "territorial expression of a given *culture or people*". Furthermore, due to the size of these political units, the system of representation replaced direct participation in democratic decision-making. This political development was further linked with increasingly industrial market economies that, in order to function effectively, put pressure on governors to ensure the *rule of law*, especially freedom of contract, and the protection of property (Bellamy 2004: 7). A fourth important consequence of these changes was that some social hierarchies and ascribed statuses gradually broke down, creating an "equality of opportunity" (*ibid*).

These fundamental changes of the position of the citizen in the nation-state created three important components of modern citizenship, three different points of departure which emphasize different aspects of citizenship, and when used academically, lead to different kinds of analyses. First, to be a citizen meant *belonging* to the national community. This national identity created a shared civic consciousness and a loyalty to the state, and to fellow citizens. Through national education systems, citizens were inducted into the civic culture and a public political language was created. Second, citizenship introduced the *right* to be treated equally before the law, as well as equal rights in selling good, services and labor as actors in markets. Third, the status of citizen implied the entitlement,

possibility and duty to actively *participate* in the political system and the economy (Bellamy 2008: 599).

These three dimensions of the citizenship concept as *belonging*, *rights* and *participation* largely correspond to three different schools of political thought: *communitarianism*, *liberalism* and *republicanism*, which emphasize the three dimensions to different extent (Smismans 2008: 596f). The three theoretical traditions differ in their understanding of the individual, the polity, the community and the relation between them. Citizen obligations diverge between them in both intensity and quality. The division into these schools of thought is obviously an artificial division of the citizenship concept. They should be considered as models or ideal-types and not descriptions of reality. It will however, hopefully, prove useful to the purpose.

Inspired by Bellamy (2008) I will conceptualize citizenship in these three key dimensions in order to, at least partially, be able to detach the citizenship concept from its statal core. Furthermore, as mentioned above, the European Commission explicitly refers to all three meanings of citizenship in the 1997 Citizenship Report "Citizenship of the Union (...) is meant to make the process of European integration more relevant to individual citizens by increasing their *participation*, strengthening the protection of their *rights* and promoting the idea of a European *identity*" (CEC 1997: 2, my emphasis). The three traditions of liberal, republican and communitarian citizenship theory will be revisited in turn with a specific emphasis on the expectations they put on citizens.

3.3 The liberal “rights-based” tradition

Liberalism in general as well as in citizenship theory takes the individual as its starting point. In liberal citizenship theory, the individual is ontologically prior to the political community. Citizenship within the liberal paradigm is conceptualized primarily as a *legal status*, a bundle of rights of which the main value is to maximize individual liberty (Schuck 2002: 132).

The two most influential proponents of liberal theory are John Locke and John Stuart Mill. In Locke's contract theory, private property is a crucial prerequisite for individual freedom and the overarching goal for its exercise (*ibid*: 133). Later liberal accounts of citizenship include first and foremost T.H. Marshall's seminal work "Citizenship and social class" from 1949. He furthers the classical liberal conception of citizenship by dividing the concept into civil, political and social rights (Heater 1999: 12). In this context, the civil element refers to the liberal fundamental rights of freedom of speech, thought and religion, the right to property, contracts and justice. By political element is meant the right to participate in the exercise of political power, as a member of a political body or as an elector. The social rights refer to the right of basic economic welfare and the right to a dignified life necessary for the other rights to be meaningful (Marshall and Bottomore 1992: 8).

Neo-liberalism presents an antipathy to the social citizenship envisaged by Marshall. Hayek and Nozick are important thinkers of this tradition and set the tone for the New Right policies of Reagan in the USA and Thatcher in the UK in the 1980's (Heater 1999: 25). Neo-liberalists emphasize the *negative freedoms* secured by the state and *individual freedom* against a *minimal state* (Heater 1999: 26). In summary, liberal citizenship theory is concerned with the primacy of individuals and their liberty, state-protected freedoms of speech, inquiry and religion and a strong bias towards privacy and markets (Schuck 2002: 134).

3.3.1 Citizen obligations in the liberal tradition

Apart from the few duties of obeying laws, such as paying taxes, refrain from rebellion and participate in military service, the normative dimension of liberal citizenship theory is concerned with individual freedom and the protection of rights (Janoski and Gran 2002: 17).

In liberalism, the individual stays an individual and the status of citizenship does not imply giving up the pursuit of self-interest in favor of the group (Bellamy 1999: 6). Individuals are seen as autonomous and moral human beings whose only duties in the polity consists of respecting the rights of their fellow citizens, and abiding the laws and rules of the community. Only in this view can citizenship be considered a duty within the liberal school of thought. Locke spoke about the "specific duty" of citizenship, "(...) a personal challenge in a world where every individual either recognized his responsibility for every other, or disobeyed his conscience" (quoted in Schuck 2002: 133). No further duties or obligations to the wider society are expected and relations between citizens are individualistic and can be described as contractual.

In liberalism, the private and public spheres are kept apart. Citizens choose whether or not involve, in public matters or political practices. Political participation in public affairs constitutes no obligation, and, the normative element of citizenship absent, not something that is specifically encouraged (Demaine and Entwistle 1996: 44, Oldfield 2005: 180). As such, participation is a choice – not a duty. The ethical element of citizenship is lacking, and there are no expectations beyond the minimal civic ones and the respect of others' enjoyment of their rights.

Nor are there any explicit or implicit responsibilities towards the fellow citizens. All are equal, autonomous being, which implies that citizens are not bound to each other by any stronger bonds than any other two individuals. This opens up for a cosmopolitan understanding of citizenship, where group identity and national belonging are less important. In short, in the liberal meaning, "citizenship largely means the pursuit of one's private life and interests more comfortably because that private life is insured by state-protected rights." (Bellamy 1999: 6).

Main ideas: *citizenship as legal status, primacy of individual and market, economic activities, formal membership, pre-political status, minimal obligations.*

3.4 The republican “participation-based” tradition

Republicanism is derived from the Latin *res publica* which means the public thing, matter or property (Dagger 2010: 146). Republicanism constitutes a stark contrast to the liberal conception of citizenship. It can be traced back to the Aristotelian notion of man as a “political animal” who depend on the group for his existence and for whom the politics and participation represent a main value. In this view, the polity is prior to the individual (Scharpf 2012: 3). In the republican conception of citizenship, the “republic” and the “citizen” are intimately intertwined. In classic republicanism there is no republic without citizens, and there is no citizenship except among those who inhabit a republic (*ibid*: 145). In a republic, the state and society are public property, the people rule themselves (*ibid*: 146).

In ancient Greece, though a large part of the population was excluded from the citizenship status, the citizens were considered full members of the community and were not only entitled to take part in public affairs, but *expected* to do so. To clarify just how harsh this expectation was, the Greek word *polites*, meaning the citizen who was expected to take part in public affairs was opposed to the *idites*, the private person who was unable or unpermitted to meet this expectation. While we nowadays seldom distinguish between “citizens” and “idiots”, this clarifies the stark ethical dimension of republican citizenship. We still sometimes hear a distinction between “good” and “bad” citizens, and the mere suggestion of a scale implies that the republican ethical dimension is still alive (Dagger 2002: 149). Republicans criticize liberalism of conceptualizing citizenship as “the enjoyment of laws”, and instead assert the necessity of active political practices that citizens should promote (Dell’Olio, 2005: 25).

In an *integrative* view, citizenship helps bringing together the multiple identities of an individual. As a citizen, one cannot act simply out of self-interest. One policy may, for instance, work to one’s benefit as a consumer, but be detrimental to one’s identity as a parent. As such, in the republican conception, citizenship helps bridging the various roles and identities brought about by an individualistic, fragmenting society (Dagger 2002: 150).

3.4.1 Obligations in the republican tradition

In contrast to the liberal understanding, the concept of duty is strong and present in the republican tradition where the essential meaning of citizenship is political practice and participation. There are standards of participation build into the citizenship concept (Dagger 2002: 149). This tradition is based upon the presumption that citizens understand their duties and have a strong sense of morality in performing these. Citizen duties consist of citizen qualities put into practice (Heater 1999: 64). The basis of republicanism is active participation and the premise that citizens possess a moral obligation to carry out their political

duties. This moral obligation or civic virtue is not necessarily inherent to citizens of the polity, but can be obtained through education. (*ibid*: 66).

With its ethical dimension, republican citizenship provides for an ideal of what a good citizen should be. This ideal can take a more or less stringent form. Moreover, citizens are acting and participating in favor of the common good for the people, putting their individual interests aside (Dagger 2002: 150).

Main ideas: *citizenship as practice, primacy of the political system, thick concept of obligation, educate to citizenship, moral obligation, active participation, common good*

3.5 The communitarian “identity-based” tradition

Communitarianism was developed within the republican tradition, but its specific emphasis on identity and belonging as core values makes it an interesting tradition to use in its own right in this context. The main focus of communitarianism is the *community*. The community in the communitarian sense is something prior, not only to the individual but also to the state or the political community. The community is based in something more fundamental, such as a cultural, normative or moral collective (Delanty 2002: 159). In one of the first theoretical descriptions of communitarianism, “*Gemeinschaft und Gesellschaft*” from 1887, Ferdinand Tönnie opposed community and society. While society was conceived of as the fragmented modernized world with its intellectualized and individualized structures, community on the other hand referred to the organic and cohesive collective (*ibid*: 160). This radical view has been altered over the years. The famous sociologist Émile Durkheim rejected Tönnie’s nostalgic view of community, but nevertheless emphasized that in order for civic morality to exist, there is a need to, to some extent, reconstruct society along communitarian lines (*ibid*). This opposition between society and community has continued to influence thinkers in various social sciences, notably anthropology. Marxism is probably the most famous account of fusing culture and society in the “communist society”. The ontological view of the preexisting of a community with a particular set of values continues to be appealing in different theoretical strands.

Communitarianism saw a revival in the early 1990s, to a large extent as a result of the work of the American sociologist Amitai Etzioni (Demaine 1996: 6). A recurrent theme in Etzioni's life work is the notion of “the active society” and the issue of citizen responsibility and conduct in their political and social context (*ibid*: 7). His writings were a reaction to the 1980’s dominating views of rational choice and neoliberalism. Instead, he proposed a recovery for the community in which participation, identity and responsibility would provide a cure to the depoliticized emerging society (Delanty 2002: 167). Communitarians criticize liberalism of conceptualizing citizenship as “the enjoyment of laws”, and instead assert the necessity of active political practices that citizens should promote (Dell’Olio, 2005: 25). The values of self-determination and, as follows, the

preservation of the community become the most important. As a doctrine, communitarianism has become influential in increasing participation and thus deepening the notion of citizenship (Hoffman 2005: 105). For communitarians, citizenship is not only about participation but also about preservation of the community (Delanty 2002: 163).

3.5.1 Obligations in the communitarian tradition

As part of the republican tradition, communitarianism shares the strong ethical understanding of citizenship. The critique of a society where citizens demand rights, but ignore reciprocal obligations is strong. Especially obligations towards each other in the shared community are emphasized (Janoski 1998: 53f). Obligations need not correlate or even be connected to citizen rights. By the general thesis that “some responsibilities do not entail rights”, communitarians emphasize a more long-term exchange of rights and responsibilities legitimized not by law or short-term reciprocal exchange, but through the sense of a shared belonging to the community (*ibid*: 61).

A responsible community is, in Etzioni’s view, built on “social virtues” and “basic settled values”. The responsibility for the community, or social responsibility, is grounded in a personal responsibility, the sense of which is fostered in the family or in the education system (Delanty 2002: 167).

Civic virtue implies a “thick” view of the citizen –as a “complex, educated and vibrant member of society”. In this meaning, there is a crucial connection between virtuous citizens and the survival and efficiency of political institutions. Virtue and obligation are strongly connected. A virtuous autonomous citizen will want to participate actively in the community (Janoski and Gran 2002: 8).

Main ideas: *citizenship as belonging, primacy of community, tradition, civic virtue, shared culture and history, values*

4 Norm: The European Commission's expectations on European citizens

This chapter seeks to reproduce the European Commission's norm of European citizens. Through the search for elements of an understanding of citizenship according through the perspectives of liberalism, republicanism and communitarianism, the European Commission including elements of all three, the aim is to provide for a comprehensive picture of what the Commission expects from European citizens in practical as well as in normative terms.

4.1 Liberal "rights-based" perspective: *the market citizen*

From a liberal perspective, as we have seen, citizenship is defined as a *rights-based* status, putting very limited obligations on citizens, primarily focusing on respecting the mutual rights of others and minimal requirements of obeying the law. It is close to hand to conceptualize European citizenship through the liberal dimension and accordingly, authors have often framed the concept through a liberal lens. Arguably, since its inception, European citizenship was for several years framed as mainly a legal status bestowing rights upon individuals that were only activated when the individual were performing certain functions. Especially the right of free movement was considered the key feature of EU citizenship (Jessurun d'Oliviera 1995: 65).

With the emergence of the Common Market and of the corresponding rights of free movement of goods, capital, services and people, Member State nationals became more directly affected by Community policies. (...) This led to a "functionalist" approach of the citizens; they were involved only in the extent to which they performed certain cross-border activities. Neunreither speaks of a *fragmented* citizen, not only is the citizen detached from the rest of the citizenry, but the importance of citizenship is activated only in so far as they perform activities which are of an economic or cross-border nature (1995: 9f). Citizens are not mainly addressed as political actors or as a central part of the democratic construction. Instead, at this stage, the European citizen as a *homo economicus* was prevailing, a pro-active economic citizen acting out European economic rationality. Everson speaks of a "market citizen": "A selfish being (...) a solipsist utterly without loyalty to fellow Europeans and, also –where no individual profit was to be made –without status within, or allegiance to, any common European project"(2010: 5). The Commission held in official documents at the time that

“the goal should be an easing of rules and practices which cause irritation to Community citizens” and refers particularly to the professionally mobile individual (CEC 1995: 9). In line with the liberal tradition, European citizenship was relevant only to the “market citizen”, who is not subject to any duties, but acts primarily out of self-interest. The focus of citizenship lay on individual rights it gave rise to, activated only in so far as the individual is pursuing his or her projects. This created a citizenship only relevant to a minority of EU national, those who live and work in a Member State where they are not nationals.

The importance of informing Europeans about their rights as citizens is stressed in all Reports on Citizenship since 1997 (CEC 1997, CEC 2001a, CEC 2004, CEC 2008, CEC 2010, CEC 2013a) and serves as the main goal of the European Year on Citizens, “The overall purpose of the proposed European Year of Citizens is to ensure that all Union citizens are aware of the rights available to them in a cross-border context (...)” (CEC 2011a: 2). As such, the fundamental status of citizenship rights and the citizens' awareness of them are framed as the main element of European citizenship. “Citizens are entitled to be aware of these rights and to have them honored in practice by the Member States. Otherwise citizens will regard EU citizenship as a vague and distant concept” (CEC 1997: 4). From this view, the main factor causing obstacles to European citizens' involvement in politics and cross-border activities seems to be the large unawareness of their rights thereof, for which the remedy is more information.

The third report of 2001 explicitly rejects the concept of virtue or duty in a European context in an attempt to clarify the meaning of the term "European citizenship" which seemed to have caused more bewilderment than expected: “While one might share Condorcet's view that “we are not born citizens but become citizens through education”, the EC Treaty defines citizenship of the Union more prosaically: every person having the nationality of a Member State shall be a citizen of the Union” (CEC 2001: 4). This quote makes abundantly clear the definition of EU citizenship as a legal status, not a practice or a learnt role as in the republican tradition. A, slightly dared, parallel can here be drawn to Simone de Beauvoir's thesis “on ne nait pas femme, on le devient”¹⁰, emphasizing the difference of the biological sex of a woman and the learnt socially constructed role of femininity. The European Commission is clear that European citizenship is a status, not implying any kind of socialized role. Just like all women are women in a biological sense, European citizenship does not imply any specific virtues or duties. European citizenship, in this view, does not imply a scale; one cannot be more or less of a citizen. It is a mere status.

Further, it is stated that “attempts to draw parallels with national citizenship should be avoided. Because of its origins and the rights and duties associated with it, citizenship of the Union is *sui generis* and cannot be compared to national citizenship of a Member State (*ibid*). While this might be clear enough and potentially put an end to our analysis of citizen obligation and duties towards the

¹⁰ One is not born as a woman. One will be made as a woman (my translation).

EU, a closer look at the preceding paragraph of the Report keeps us on track “Citizenship of the Union is both a source of legitimation of the process of European integration, by reinforcing the *participation* of citizens, and a fundamental factor in the creation among citizens of a sense of *belonging* to the European Union and of having a genuine European identity” (*ibid*, my emphasis). Ambiguously, citizenship seems to imply something else.

4.2 Communitarian “identity-based” perspective: *the European demos*

To many actors, European citizenship seemed to hold capabilities of a more inclusive and “thick” nature, rendering a sense of belonging to and support for the European project (Hansen 2000: 153). “The European message must concern Europeans both in their professional dimension, in terms of new opportunities and better living standards, but also in their historical and cultural dimension, in terms of values, outlook and a commonly shared identity” (European Parliament 1993: 10). This provides for an “essentialist” discourse of European civilization, held together by shared values (Hansen 2000: 153). Another citizen-type appeared thus appeared in parallel during the same time as the “market citizen” and implied a more holistic take on the individual, the individual is approached not by its functions and activities, but as a whole and with, at least, some political overtones.

In the search for establishing lines of contact between the peoples on issues of political identity, the introduction of state-symbols in the 1980s is a clear sign of this new approach. The former flag of the Council of Europe, with the twelve stars, was adopted to the EC, along with the common design European passports and the European anthem. These symbols represent a shift the approach to the citizen as market citizen to a political citizen (Neunreither 1995: 10).

From a communitarian perspective, the aim of fostering a sense of European belonging and linking citizens together in a European-wide citizenry is crucial. This idea is expressed in several Citizenship Reports. Identity-building was, as we have seen, the key idea behind the creation of a Political Union in which the innovation of European citizenship was the starting point. The first Report on Citizenship holds that one of the key objectives with European citizenship is the “aim of fostering a sense of identity with the Union” (CEC 1993: 2). In the second report, the idea of “promoting the idea of an [sic!] European identity” is depicted as one of the key features of European citizenship and is presented in the very first paragraph (CEC 1997: 6).

In the 2001 report it is stated that: “Citizenship of the Union (...) is a fundamental factor in the creation among citizens of a sense of belonging to the European Union and of having a genuine European identity” (CEC 2001a: 7). The identity-creating potential of European citizenship reappears in the Europe for Citizens' Programme, where a main goal is to “enable citizens to develop a sense

of European identity and enhance mutual understanding between European citizens". (Europe for Citizens Programme). Other main objectives include: "developing a sense of European identity, based on common values, history and culture", "fostering a sense of ownership of the European Union among its citizens" (*ibid*).

The 2008 Report holds that "Citizens should be made aware of their European citizenship, its benefits as well as rights and obligations, if they are to develop a sense of European identity and give their full support to European integration" (CEC 2008: 2). It is notable that the "obligations" referred to are not specified, either in the Treaty or in the Report. The awareness of the rights as such has a wider purpose; it is intrinsically linked to the creation of a community of belonging, creating support for the European project. One of the "actions" in the 2007-2013 "Europe for Citizens"-programme is called "Active European Remembrance" and aims at "fostering action, debate and reflection related to European citizenship and democracy, shared values, common history and culture" and "bringing Europe closer to its citizens by promoting Europe's values and achievements, while preserving the memory of its past" (CEC 2006, Europe for Citizens Programme). This is in line with an essentialist understanding of Europe, basing citizenship upon a common history and shared norms, connecting citizenship to a prior community as developed in the communitarian model.

Further, in the European Commission proposal for a 2014-2020 "Europe for Citizens" programme, one of the key objectives is to facilitate "solidarity, societal engagement and volunteering at Union level" (CEC 2011b: 3). Through a pan-European perspective, the programme intends to reach out to "a large group of citizens –those who would normally not seek to influence or take part in Union affairs" (*ibid*: 2). This provides for an inclusive view of European citizens, for Europeans to show transnational solidarity with nationals of other Member States, they need a prior sense of belonging together.

4.3 Republican "participation-based" perspective: *the active citizen*

In 2006, Richard Bellamy held that of the three dimensions, "the republican conception remains the Achilles heel of EU citizenship" (quoted in Smismans 2007: 599). This part of citizenship was arguably less prominent in the first Citizenship Reports. However, it has grown increasingly important in subsequent years.

While the first Citizenship Report from 1993 emphasized that the, then, newly established European citizenship created a "direct **political** link between the citizens of the Member States and the European Union" (CEC 1993: 2, emphasis in original), without further specification of political expectations on citizens,

following reports develop the participatory and active dimensions of this following developments of political integration.

4.3.1 Participation

Up until 2001, "participation" exclusively refers to the act of voting in European elections. Participation is to be improved through "effort on the part of the institutions and the Member States to improve the information available to citizens" (CEC 1997: 2). In 1997, the European Commission expresses worry about the "steadying decline" of voter participation in European Parliament elections which (from 63,0% in 1979 to 56,5% in 1994) (CEC 1997: 9). The reasons for this low participation rate is ascribed to primarily two factors: the "lack of information about new rights", such as the possibility for non-nationals to vote in a Member State not their own and a "dramatically low rate of successful candidates" (ibid: 10). The first problem was to be tackled with information campaigns, while the second seemed to cause more trouble. Including political rights in the Treaty, such as right of association and freedom of expression was presented as a potential solution (ibid).

The following report of 2001 develops these two points urging Member States to introduce systems for spreading information of voting rights to European citizens residing in another Member State than their own (CEC 2001a: 10). Furthermore, the Charter of Fundamental Rights that had been introduced in 2000, however with uncertain legal status, gathered all personal rights, civil, political, economic and social under a single heading (CEC 2001a: 13). This provided for the needed legal basis enabling true participation. The included social rights were by some seen as a significant innovation that put a sharper focus on the social dimension of integration (Jenson 2007: 66).

In the 2004 Report, the issue of *educating* to EU citizenship is brought up through the mention of the White Paper "A new impetus for European Youth" (CEC 2004: 5). The main goal of this initiative is to give young people "the necessary competences and directly involving them in the European integration process". This new initiative to educate to citizenship marks a clear departure from citizenship as a mere legal status as described in former Reports, as developed in the liberal perspective above. European citizenship, in this view, implies a role or a practice, and introduce the existence of a scale, something one can be better or worse at.

The aspiration of citizen participation increases in later Citizenship Reports. In the 2008 report, "active citizenship" is introduced for the first time. We read:

"Initiatives such as the Community action programme to promote active European citizenship which was implemented over 2004-2005 and the "Europe for Citizens Programme" for the period 2007-2013, provide the Union with important instruments to promote *active* European citizenship" (CEC 2008: 4, my emphasis).

The Report of 2010 is entitled "On progress towards *effective* EU Citizenship 2007-2010" (my emphasis). Accordingly, it is concerned abundantly with means

of increasing participation. This has to be seen in light of the Lisbon Treaty, resulting from the outvoted Constitutional Treaty, which had the stated aim of "(...) enhancing the efficiency and democratic legitimacy of the Union and to improving the coherence of its actions" (Lisbon Treaty, preamble). The concrete initiative of the "Citizens' initiative" was considered an important participatory development (CEC 2010: 2). This instrument allowed for an additional way of citizen participation through directly, through the gathering of at least one million signatures, invite to legislative proposals (*ibid*). Further, the report introduced the "Europe for Citizens"-programme and explains its aim as "enabling citizens to participate in building Europe through exchanges, debates, reflection, learning and other activities." (CEC 2010: 12). In another Commission-funded programme under the 7th Research Framework Programme "The Citizen in the European Union" a sense of "democratic ownership" and "active participation" in EU politics were envisaged (CEC 2010: 12f).

The last report, published May 9th this year of 2013¹¹ goes even further and holds that: "Full participation of EU citizens in the democratic life of the EU at all levels is the very essence of Union citizenship" (CEC 2013: 5).

In the decision adopting the European Year on Citizens, the "active role of Union citizens" and an "active participation in the decision-making process" are emphasized (European Parliament and Council 2012, Art. 18). "The Union institutions should promote active decision-making participation in the decision-making process by means of an open, transparent and regular dialogue with civil society (...)" (*ibid*).

4.3.2 Creating a public sphere

The need for a European *public sphere* is brought up in several Commission documents. The first mention it is the White Paper on Governance from 2001: "Providing more information and more effective communication are a precondition for generating a sense of belonging to Europe. The aim should be to create a "*transnational space*" where citizens from different countries can discuss what they perceive as being the important challenges for the Union." (CEC 2001b: 12, my emphasis).

In Plan D, a main objective was to set out "a long-term plan to reinvigorate European democracy and help the emergence of a *European public sphere*, where citizens are given the information and the tools to actively participate in the decision-making and gain ownership of the European project" (CEC 2005: 2f, my emphasis). In the latest Citizenship Report, one of the "actions" towards a more active and united citizenry is to "explore in 2013 ways of strengthening and developing the *European public space*, based on existing national and European structures, to end the current fragmentation of public opinion along national borders." (*ibid*: 25, my emphasis).

¹¹ May 9th is the official "Europe Day"

More recent Commission rhetorics emphasize this. In a speech made in September 2012, Commission President Barroso holds that: “I would like to see the development of a European *public space*, where European issues are discussed and debated from a European standpoint” (Barroso 2012: 9, my emphasis).

Two concrete methods with the aim of making citizens inclined to vote in the 2014 European elections through the creation of a sense of community are proposed. First, the Commission forwards the proposition that: “Member States should agree on a common day for elections to the European Parliament, with polling stations closing at the same time.” (CEC 2013b: 6). Second, as the European Parliament elects the Commission President, it is proposed that national as well as European parties make known candidate they support. “This would help EU citizens to better understand which candidate for President of the Commission their vote will ultimately support. It would increase the legitimacy of the President of the Commission and more generally, the democratic legitimacy of the whole EU decision-making process” (CEC 2013b: 4).

4.4 Concluding the European Commission’s norm

What expectations on Member State nationals does, then, the European Commission imply through the institution of European citizenship?

As we have seen, during the first years of European integration, a liberal conception of citizenship prevailed. European citizens were addressed mainly in their economic and cross-border functions. In line with the liberal model, the main goal of citizenship was the protection of rights enabling individuals to pursuing their individual projects in the form of cross-border activities. Even though political rights, such as the right to vote in elections to the European Parliament and the rights to petition the European Parliament apply to the European Ombudsman and address European institutions, these rights were not emphasized to the same extent. Crucially, they were not framed as specifically desirable, as the ethical understanding of citizenship was lacking.

Since its inception, however, remembering the "dynamic" nature of European citizenship, these rights were embedded within a wider rationale of creating a community and a political union.

After this initial period, the institution of EU citizenship has developed and thickened drastically over the years due to deepened political integration. From a liberal conception, primarily focused on rights and relevant primarily to economically active individuals engaged in cross-border activities, the citizenship concept has developed into a more demanding practice with both republican and communitarian connotations. The ethical element of European citizenship appeared when focus shifted from citizenship as a status to increasingly being understood as a political practice. Through the introduction of new participatory

means and instruments, such as the Citizens' initiative with a legal base in the TFEU, article 11¹², participation is no longer limited to voting in European elections every five years.

Even though the Commission explicitly holds that European citizenship is one of a kind and cannot be compared to national citizenship, no concrete specification of what the "complementary" or "additional" nature of European citizenship would entail is given. Obvious diverging factors, such as that European citizenship is "superimposed on national and in some cases regional or local citizenship" , and that it is up to "each Member State to lay down the conditions for acquiring and losing the nationality of that state", and hence European citizenship are mentioned (CEC 2001: 4). But curiously, the content of citizenship seems to be, and increasingly over time, the same as in national citizenship, incorporating all dimensions of rights, participation and identity, with the latter two becoming increasingly important in the later reports, logically following from institutional developments and subsequent Treaty changes. This analysis may partly be due to the methodological approach, when looking specifically for these dimensions, they are bound to appear. However, it is noteworthy at least that the conceptions of citizenship as *rights*, *participation* and *identity* are held to coexist in the construction of European citizenship.

Currently, the European Commission's current citizenship norm, points to a conception of an active participating European citizen. There is strong emphasis on creating a European identity and belonging, creating a European-wide *demos* based upon a shared history and shared values.

In brief, the citizenship expectations implied by the European Commission points to the picture of *actively participating European citizens united in a European identity acting in a European public space*.

¹² See Appendix

5 Empirics: Identified obstacles

This chapter will present some of the main factors currently causing obstacles to the European Commission's expectations starting with inherent complexities of a citizenship beyond the realm of the nation-state and ending with some of the main factors identified by European citizens that hinder their participation.

5.1 Constitutional uncertainties: “*an ambiguous contradictory conceptual space*”

The concept of European citizenship is inherently complex. This fact is recurrent in research and literature and acknowledged by the European Commission in a Study Group Report in 1997 not downplaying this fact, dimly stating that European citizenship is “an ambiguous, contradictory conceptual space.” (CEC 1997: 54).

As we know, citizenship is the institution concerned with *the relation between a polity and its members*. When reviewing the literature, the main reason for the complexity of European citizenship seems to be the lack of an agreed definition of both the *polity* and the *members*. While these factors are taken for granted in national contexts, they pose severe definition problems in the European context. Thus, in order to say something about the *relation* between *polity* and the *members*—what kind of expectations a polity reasonably can put on the members — we need first to discuss what kind of institution the EU is and how the members are defined and held together. This part will shed light upon some of the difficulties and various views on how the European *telos*, its purpose or political finalité, and *demos* are defined.

5.1.1 The EU *telos* – “un objet politique non-identifié”

What kind of polity is the EU? Within what kinds of institutional arrangements and political structures is the citizenship concept constructed? “The Union remains a more or less unfathomable mystery to all but a handful of those who, to their amusement, have recently become its citizens. It is well-nigh entirely arcane

to ordinary voters; a film of mist covers it even in the mirror of scholars” (Anderson 1997: 51). Jacques Delors, one of the most prominent Presidents of the European Commission, once described the EU as ”un objet politique non-identifié”¹³ (Tallberg 2007: 12). The EU *telos* is highly contested, in theory as well as among political actors. In short, the Union lacks of a clear, commonly agreed upon, political finalité (Neunreither 1995: 1). While these facts can hardly be questioned (the EU is, indeed, a first-of-a-kind, one-of-a-kind political system), over-emphasizing the *sui-generis*¹⁴ character of the EU does not bring our analytical endeavors forward. We are better off using an existing vocabulary than resorting "in the Latin refuge of *sui generis*¹⁴" (Weiler 1999:270). In order to give a clearer picture of what citizenship of this un-identified political object entails, we have to find a way out of the mist surrounding the EU as a political system.

Notwithstanding the fact that scholars might not agree to a single well-defined *telos* of the EU, there are narratives and theoretical explanations that are logically coherent and that fit more or less well with the explanatory or understanding purposes in mind. Moreover, the attempts of describing the EU *telos* are not necessarily mutually exclusive, but, rather, reflect different “truths” about European governance, given the theoretical standpoints. Given the different approaches’ disciplinary backgrounds, they emphasize different aspects as the most important (Weiler 1999: 272). Three common main understandings are a *nation-state based model*, a *federal model* and a *cosmopolitan model* (Olsen 2011, Chrysochoou 2002: 760). These models in turn characterize the EU as a fundamentally intergovernmental organization in which the Member States are in charge, a federal state in the making and a new kind of polity in the making.

In the *nation-state model*, the Member States are still utterly in charge of European integration. The model is built on the *intergovernmentalist* assumption that the key players in the EU are the Member States which retain their political autonomy in the crucial aspects of community, boundaries and sovereignty. The EU is understood as an international institutional system in which the Member States remain the “masters of the Treaties” and retain veto power and the ultimate authority of the most salient political issues (Olsen 2011: 4). In this nation-state model, democratic legitimacy is derived from the national sphere with its governments, parliaments and public spheres. Citizenship thus remains a national issue, and European citizenship is a merely decorative or symbolic institution which does not in any way alter the primacy of the Member States. As national legislation make ultimate decisions on the acquiring of national citizenship, and hence the European ditto, they also retain the right of deciding upon the scope of the rights and duties included both in national and in European citizenship (*ibid*).

In the intergovernmental vein, Majone, among others, argues that as the *telos* of the EU is as a regulatory body, it derives its legitimacy not from citizenship, but from its functional logic of regulating areas such as communication, finance and labor. (Dell’Olio 2005: 70). As such, aspirations for a “thicker” notion of

¹³ An unidentified political object (my translation)

¹⁴ One of a kind

citizenship are vain and irrelevant. In this view, European citizenship was invented, and rests as, an attempt to appease an alienated population “by promoting feelings of belonging to what was” but remains, a highly elitist, paternalistic and technocratic construct of “European construction” (Shore 2004: 34). The importance of EU citizenship lies solely in the legal rights it gives rise to (Bauböck 2007: 454).

The *federal model* is built upon the premises of what may be called the theoretical opponent to intergovernmentalism; *supranationalism*. In this view, the EU is characterized as a top-down political system with clear decision-making structures (Olsen 2011: 4). An identity-building based on common European values is key to this model. Legitimacy is, in the supranational view, based upon the representation of citizens at all levels of European decision-making. Citizenship is nestled between the different levels, but combined in the clearly defined basic rights which are ultimately based in the common constitutional norms. The membership of this political community derives from the supranational institutions which are engaged in identity-and norm-building (*ibid*).

A *cosmopolitan model* implies a more visionary understanding of European integration. This model foresees a cosmopolitization of politics and the possibility of expanding democracy beyond the realm of the nation-state. The EU is seen as a precursor and a first step in this direction. While the hierarchical structure is not abolished, the regional-cosmopolitan model envisages a looser merely functionally differentiated system of decision-making. The common norms this model are based upon are the rule of law, cosmopolitan principles and universal human rights (*ibid*: 6). This model provides for a genuinely postnational model of citizenship which is not linked to a specific nation-state, but to rights that are universal and individual (*ibid*). Among these scholars, Habermas is probably the one who has developed the most comprehensive solution. In his “constitutional patriotism”, citizenship is not based on cultural affinities (such as a shared language or history); instead it implies a “commitment to the rights and duties of a civic society” (Shore 2004: 35). Habermas drew upon the German experience and problems of constructing a proud national identity in the context of its history. According to Habermas, the solution to this was a transition, from an ethnic to a civil and democratic idea of the nation, a community based on the loyalty to the German constitution (Fernández 2005: 132). Habermas transposed this idea to European integration. In a polity fragmented by national and ethnic plurality, the uniting factor could, in a similar way, be represented by the common values of democracy and freedom incorporating Europeans in a common political culture which do not seek support in cultural affinities (*ibid*). Habermas' ideas of constitutional patriotism in many ways inspired the drafting of the unratified Constitutional Treaty, and his ideas remain pertinent to a range of scholars.

Another visionary approach is put forward by Theodora Kostakopoulou who proposed European citizenship as a *constructive citizenship*. Instead of considering the undefined dimensions in this citizenship construction as inhibiting, she points to the fact that citizenship is “predicated on the historicity of the nationality model of citizenship”, and therefore bound to change (Kostakopoulou 1996: 339). She holds that Union citizenship presents a “radical

potential” and stresses the need to reformulate the “essentialist” understanding of citizenship and open up for an understanding more sensitive to multiple identifications and social justice by a stronger emphasis on social rights and tackling poverty (*ibid*: 343ff).

5.1.2 Citizenship without a *demos*?

National citizenship is given according to either one of the principles *ius sanguinis* or *ius soli*, which respectively mean based upon the parent's nationality or based upon the territory where one is born. European citizenship, in contrast, is given through, in Fernàndez' words "*ius nationis*", through the nationality of either one of the, currently, 28 Member States (Fernàndez 2005: 166f). How are they to constitute a European *demos*?

The “*demos/no demos* -controversy” constitutes one of the most fundamental issues addressed by both academics and politicians contemplating European citizenship (Shaw 2010:7). The discussions surrounding this matter are important to address with the aim to distinguish between supportive and more skeptical positions towards the development of European citizenship as a political reality (Dell'Olio 2005: 75). What is the nature of this heterogeneous collective of people who are invited – or obliged depending on one's view¹⁵ – to take part in the EU polity? (*ibid*: 77).

From the *skeptical* side, it is heard that there can be no European people as there is no European state, no common identity or “story of peoplehood”, which means that the mere concept of a “European citizenship” is void (Shaw 2010: 7). This argument was brought forward by the German Federal constitutional Court, during the ratification of the Maastricht Treaty who held that the lack of a European *demos* meant that no European *democracy* could appear; therefore the Union is a non-democratic constitutional order (*ibid*).

In the *supportive* view, the rationale of European integration ultimately demands a strong concept of citizenship, although the current status suggests a citizenship in the making. It is a great normative challenge for the Union, Member States and political elites to realize this (Shaw 2010: 7).

A more *visionary* solution suggests a “middle way” of a “*demoi-cracy*”, where the central challenge is the interplay between national arenas of democratic practices. This view stems from a broader debate on globalization and the perceived diminishing role of states. Instead of arguing in favor of a *statal* view of European citizenship –the ambitions is to reproduce the logic of national citizenships to a superior level (Dell'Olio 2005: 76). Weiler is one of the main

¹⁵ To the fact that European citizenship is mandatory and impossible to renounce, a British MP compared it to the story of a Chinese general who baptized his army as Christians with a hosepipe: “We are all being hosepiped with European citizenship, and I do not like it” (Shore 2004: 34).

proponents of this view, arguing that an “ever closer union among peoples of Europe” should be encouraged (Weiler 1999: 344ff, my emphasis).

Thus far, however, all strands agree that the links between identity, citizens and the EU are not yet certain, while more or less desirable depending on the perspective. A horizontal relationship binding people together is lacking, even though a vertical relationship between structures of government are present (Shaw 1998: 231).

5.2 European citizens and the EU

The primary way for citizens to make their voice heard in EU policy-making is through voting for their representatives in the elections to the European Parliament which is held every five years. Another way in which citizens can make their voice heard is through the website “Your Voice in Europe” where the European Commission regularly posts open consultations, where citizens as well as organizations and public authorities can have their say to policy proposals in the preparatory phase¹⁶. The already mentioned Citizens' initiative is another way of participating. If one million signatures from nationals of at least a quarter of the Member States are collected, citizens may in this forum invite the European Commission to make a legislative proposal (Citizens' Initiative, webpage).

A few small-scale initiatives have appeared during recent years with the aim to more directly involve European citizens in policy-making. A few examples are “*Tomorrow's Europe*”, which in 2007 gathered a random sample of 362 citizens from all 27 Member State to participate in a two-day “deliberative poll” at the European Parliament building in Brussels, discussing a variety of economic, social and foreign policy issues (Luskin et al 2008: 3). The “*European Citizens' consultation*”, the first “pan-European participatory project” started in 2007 with the aim to gather citizens from all Member-States to discuss “the Future of Europe”, the results of the discussions would be “presented to key policymakers” (European Citizens' Consultation). In addition, multi-media websites, such as “*RadioWeb Europe*” and “*Debate Europe*” were launched in 2005 and 2006 (Fischer-Hotzel 2010: 335).

The Commission's recurrent calls for informing the European citizenry, the low turn-outs in European elections, and the mere need for a “Year on Citizens”-campaign suggests that after 20 years of citizenship, European citizens are still largely unaware of what their rights are, they do not make specific use of the rights and opportunities that the status gives them or even identify themselves as EU citizens. A recent survey confirms this suspicion. While 91% are “attached to their country”, only 46% feel attached to the EU (Eurobarometer 2012: 8).

¹⁶ http://ec.europa.eu/yourvoice/consultations/index_en.htm

These statistics hint of the long way to go before the concept of European citizenship as envisaged by the institutions is absorbed by Europeans the way it is imagined by the European Commission. With only half of the population feeling attached to the EU at, one can imagine, different levels, how is European citizenship going to develop into a politically meaningful reality in the way the Commission imagines?

In a compilation of 17 research projects on European citizenship, Andreas Føllesdal concluded the main hampering factors of Europeans' engagement in European policy-making to be the opacity of European institutions and of European decision-making, the lack of a European public space where European issues can be discussed among the European peoples and the weakness of European political parties to provide for opportunities of will-formation and trust (Føllesdal 2008: 17). Another factor hampering European citizens' engagement in European integration include a mistrust in European policy-making, especially with regard to the perceived threat to national welfare states, something which has been intensified by the financial crisis (Føllesdal 2008: 22). Other factors that problematize an active stance and a devotion to the EU include the complexities that multiple political identities introduce as well as a primary loyalty to the national political system (*ibid*).

6 Constructive proposals: Creating conditions for *active* European citizens

”A concept of citizenship which speaks of duties but lists none? Which speaks of the rights of citizens but not about empowering them politically; Which in a dispiriting kind of Euro NewSpeak denies to all and sundry the nation-building aspect of European citizenship, which at the same time, appeals to an understanding of citizenship expecting it to provide emotional and psychological attachments which are typical of those very constructs which are denied?”
(Weiler 1999: 333)

Weiler wrote this 14 years ago, but the problems he evokes remain uncannily relevant today. The inherent tensions of neglecting the community-building aspects of citizenship, while at the same time aspiring to use the very same institution to foster a European identity; to inform about participation rights but not, to any large extent, providing for any facilitating mechanisms for increasing participation and the curious lack of a “duties”-dimension in the legal base of citizenship. All these factors show sign of the malleable nature of European citizenship and the long way left for the Commission’s norm to realize.

“*If we were to do it all again we would start with culture*”, Jean Monnet once said, according to somewhat uncertain sources (Hellström 2006: 165). While going back in time and first make sure that Europeans have a strong sense of belonging together, a prior sense of community and support for the European project would certainly resolve the issue of thickening the citizenship concept, this proposal is unfortunately not viable. Instead, departing from current circumstances, how do we create conditions that produce prerequisites for the European Commission's norm to realize?

The rationale of constructive research as developed above is: Given what is desirable (*should*) and given the prevailing circumstances (*is*), what *can* we achieve, and how do we achieve it?

So far, we have answered the first and second questions. We know what is desirable in the eyes of the European Commission and we have identified some of the prevailing circumstances of the constitutional complexities of European citizenship and some of the main factors causing obstacles to citizens' engagement. The European Commission’s *norm* points to *actively participating European citizens united in a European identity acting in a European public space*. *Empirics* point to the fact that the uncertain constitutional status of the European citizenship in the *sui generis* EU polity causes challenges, the

composition of the demos is uncertain and statistics show that Europeans are not conscious/do not willingly accept their status as European citizens for a variety of reasons. Hampering factors include the fact that the EU is "democratic but not a democracy" (Jacobsson 1997: 51) the constitutional status of citizens as political actors is complex and uncertain. Further, citizens are already endowed with complex political identities paying allegiance and holding loyalties first and foremost to their national political system. Also, the concept of European citizenship is shaped by a variety of factors, the European Commission only playing one part.

In this constructive part, I will propose three conditions which would facilitate the realization of the European Commission's norm and in turn strengthen the liberal, communitarian and republican dimensions of European citizenship.

6.1 Strengthening the liberal dimension: Introduce a set of citizenship duties

European citizenship has, as we have seen, for a long time been conceptualized along the liberal citizenship conception. With its legal base in the Treaty formulated as a catalogue of rights, European institutions' official communication and discourse of citizenship has, accordingly, mainly focused on the citizenship as rights. However, the basis for a corresponding "duties"-component is already included, but no duties are specified, as have been discussed. Therefore, an introduction of a list of duties in future Treaty changes would correspond to the thicker concept of citizenship as imagined by the Commission. A legal clarification of this matter, what European citizenship entails in terms of participation would lead to the possibility for Member States and citizens to appreciate the extent of this and provide for a clearer basis when communicating the expectations on citizens from the side of European institutions.

Further, it would clear up some of the mist surrounding the *sui generis* nature of European citizenship that is connected to the *sui generis telos* of the European polity. With a Treaty article that is abundantly clear about not only citizenship rights, but also about the corresponding duties, European citizenship would, to a certain extent, escape from its uncertain constitutional status and confusing content and evolve into a citizenship which, while still *sui generis*, would be concrete and unambiguous. This is not to say that this would be an easy task, introducing duties on European citizens is an obvious controversial idea. Moreover, considering the failed ratification of the 2005 Constitutional Treaty which had similar purposes of strengthening and clarifying decision-making procedures and legitimacy structures, a similar Treaty change does not seem abundantly reasonable. It does however appear as a logical extension of the European Commission's understanding of European citizenship.

6.2 Strengthening the communitarian dimension: Embrace open political contestation

A European demos who share a sense of belonging to the European project is a key feature in the European Commission's conception of citizenship.

As we have seen, the very rationale behind the establishment of European citizenship was the creation of a "sense of belonging" to the EU. Steps in this direction were taken through the attempts of creating a European identity based upon common values and a shared history and through the creation of shared symbols, such as the flag, the anthem and the euro. Other important factors that seen as strengthening a European sense of belonging in the making include enlargement or Anti-Americanism, especially when it comes to war or the death penalty (Føllesdal 2008: 25). For instance, it is sometimes argued that simultaneous manifestations across EU countries against the war in Iraq constituted the "birth of a European public sphere" (Habermas and Derrida 2003: 291).

As such, a public sphere can be seen as improving not only participation, but also to foster a sense of belonging together. In this view, efforts could be made to strengthening the communitarian dimension precisely through the development of a European public sphere. This suggestion is somewhat in line with Habermas' "constitutional patriotism", fostering a sense of belonging through a constitution based upon democratic values.

Political contestation between parties or Member States in the Council of Ministers is often downplayed because they are held to fuel euroskepticism (Føllesdal 2008: 24). Føllesdal suggests promoting a more open contestation about European policy issues in order to engage citizens' engagement. This in turn would foster a common sense of belonging, not through shared values or a shared history, but through the shared discussion of politics affecting all EU Member States. To this purpose, the opacity of institutions and the policy-making process must be addressed, perhaps through a Europe-wide media promoting a European discourse.

In this way, European citizenship could increasingly be conceived of as a status worth having, increasing a sense of responsibility, and uniting citizens in transnational discussions in the political issues they have in common. This would also lead to the sentiment of not only belonging to the Union, but also to a Union belonging to the citizens.

6.3 Strengthening the republican dimension: Complexity reduction

The aim of promoting active participation "at all stages of the decision-making process" implies great expectations on citizens' competence to stay informed, to process information and to identify the accurate means of participating.

Robert Dahl held in 1992 that one of the main problems of citizen competence and citizens' lack of political participation in the national context is less the lack of available information as it is the abundance of it. The mere volume of information leads to higher demands on citizen competence (1992: 48). Also, one of the main identified factors causing obstacles to citizen's participation is, as presented above, the perception of Brussels as a faraway machinery with opaque institutions complicating easy access to information at participation at different stages of the policy process.

There is currently no shortage of information supply in the EU, already in 2005 the total weight of the Official Journal of the European Union corresponded approximately to the weight of a young rhinoceros (Enzenberger 2012: 71). With the explosion of communication technologies since then and the European Commission's stark emphasis on "informing citizens", the supply of information should not be the problem. One way of "bringing Brussels down to earth"¹⁷ is, instead through mechanisms of "complexity reduction".

The complex decision-making process, the huge amount of policy areas and the many actors involved make the possibilities for the average citizen to stay updated and formulate opinions on EU politics seem limited. This is part of the issue of national media rapportation depicting Brussels as a complex far-away decision-making machinery. This creates the flawed image of the EU being impossible to understand and penetrate, when, in fact, national systems of decision-making may be well as complex, a fact often hidden by media's simplifications of the national political processes as well as a certain obvious familiarity with national politicians and political parties. At the national level, a system of "complexity reduction" of political issues makes the content of politics available to citizens.

From this point of view, the limited citizen involvement in European policy-making is less due to the fact that EU politics would be more complex than it is a result of the lack of existing intermediate structures of complexity reduction (Neunreither 1995: 9). In fact, one of the main functions of political institutions such as parliaments and political parties is the reduction of complexity, presenting issues in a simplified way in order to make citizens feel engaged and able to participate. Many political and legislative issues are only understood in detail by a limited number of experts, and ministers and policy-makers count on their

¹⁷ The title of Anders Hellström's doctoral thesis (2005)

information and advice in order to formulate opinions and assume their responsibilities (*ibid*).

National media plays an important role in this, summarizing policies and complex political issues in only a few sentences allowing the citizenry to feel updated and, importantly, identify with the system (*ibid*: 9f). Thus, national media has a crucial role in making EU policy-making intelligible. EU policies have to become part of everyday news and of the national policy discourse. Citizens need to be conscious about Brussels and the great impact the decision made the EU has on the national, regional and local legislation. Improving complexity reductive intermediate structures would help stop underestimating citizens' capacity of embracing EU politics and, as a consequence, lead to an increased understanding and identification with the EU polity.

7 Concluding remarks

European citizenship in many ways remains the "ambiguous, contradictory, conceptual space" as the Commission once defined it. It is not statically defined and remains dynamic and malleable to developments in European integration. Expectations on citizens to play a role in European integration have increased over time and European citizenship is increasingly framed as an active practice including an ethical element. Much needs to be done in order for Europeans to get on board the citizenship as understood by the European Commission.

The research questions have been answered through the analysis of European Commission official documents, the presentation of main factors hindering the development of European citizenship as a thick concept and through the development of three constructive proposals. A brief recapitulation of the results might be in place.

- *What expectations on citizens are implied by the European Commission through the institution of European citizenship?*

Since the introduction of European citizenship as a "dynamic" concept in the Maastricht Treaty, European citizenship has evolved into something more demanding than the initial legal status endowing rights upon individual. The European Commission has increasingly framed the office of citizenship in line with an understanding of citizenship that is usually found within national contexts, with strong emphasis on participation and fostering a sense of belonging – a European identity. Elements from the republican citizenship tradition as well as the communitarian are present, both holding higher demands on citizens, and conceptualizing citizenship as including an ethical dimension. The communitarian dimension of European citizenship is accentuated by a focus on belonging to a European community, fostering a European identity and appealing to a primordial community with a set of common values. The republican dimension is highlighted through the strong appeal on citizen participation and the creation of a transnational public sphere. In one sentence, what the Commission currently expects is: *actively participating European citizens united in a European identity acting in a European public space.*

- *What prerequisites need to be present in order for these expectations to be fulfilled?*

Various prerequisites and conditions need to be in place in order to enable Europeans to fulfill the European Commission's rather demanding citizenship norm. Three proposals that would lead to the strengthening of the liberal,

republican and communitarian dimensions of European citizenship were presented. First, a very basic point for fulfilling the norm implies that Europeans need to be conscious about their European citizenship and what it entails, not only in terms of rights, but also the demands that are put on them. To this purpose, the "duties" component of citizenship could be developed in the subsequent Treaty change, clarifying the active role of citizens in European integration. Second, in order to strengthen the communitarian dimension of citizenship, opening up for political contestation in a European public sphere would increase the sense of belonging together through the discussion and deliberation about issues that affect all European citizens. This would create a sense of belonging, not by means of remembering a shared history, but through the currently shared political issues. Third, in order for Europeans to be able to participate effectively, it is crucial to introduce a system of complexity reduction at national levels. This would enable a heightened understanding of politics taking place at Union level and further participation at all stages of the policy-making process.

These proposals should not be considered as recommendations or my personal opinion of how citizenship is to become meaningful at the European level. Rather, they constitute proposals that, informed by the defined norm and current complexities, would help bridging some of the gaps in the liberal, republican and communitarian conceptions of citizenship.

On a final note, the very general aim and abstraction level of this thesis consistently led to very general findings and conclusions. The high level of abstraction was motivated for the purpose of appreciating the various complexities that are at work when it comes to the definition and practice of European citizenship. Some ideas for future research could include how expectations on citizens are framed in the different Member States and if this explains different commitment to participating in European policy-making between countries. Another aspect that would be interesting to look at would be a comparative analysis between the EU and a federal state regarding identification and multiple political commitments to the different levels of governance.

8 Executive summary

European citizenship was introduced in the 1992 Maastricht Treaty, with the explicit aim to couple European economic integration with a "Political Union" creating a bond between Member State nationals and European institutions. The formal content of the institution of European citizenship is a rights catalogue with a legal base in the Treaties, but the European Commission's communication of the concept implies a thicker citizenship concept, in line with what the office of citizenship represents in the national context. This thicker interpretation introduces an ethical element to citizenship which, for several reasons, is more demanding from the part of citizens. European citizens, however, seem to be far away from currently fulfilling the European Commission's normative understanding.

This thesis has the constructive aim of analyzing the Commission's expectations on Europeans within the institution of European citizenship against what seems to cause the main obstacles to fulfill them in order to conclude in a constructive analysis proposing conditions for their realization. This constructive aim creates the research design of this thesis which assesses in turn the European Commission's norm and complexities with the European citizenship concept leading up to the formulation of enabling conditions for the norm to realize.

The analysis of the European Commission's expectations on citizens is made through the creation of a theoretical framework based upon the three main perspectives of citizenship theory: liberalism, republicanism and communitarianism. In liberalism, the individual is ontologically prior to the political system and the cultural community. Citizenship is conceptualized primarily as a legal status, implying minimal demands from citizens. In this tradition, the main purpose of citizenship is the provision of *rights* enabling individuals to pursue their projects. Republicanism conceptualizes citizenship primarily as a political practice. It involves an ethical element and citizenship is understood as a duty to *participate*. The communitarian tradition emphasizes the dimension of identity in citizenship. A strong sense of *belonging* to a defined group implies a sense of responsibility for the common good.

When analyzing official documents from the European Commission, in particular the Citizenship Reports that have been published every three years since the Maastricht Treaty, all of these dimensions seems to be present to different extents. For a long time, European citizenship was framed in line with the liberal conception of citizenship primarily emphasizing the rights the status gave rise to and primarily addressing economically active citizens in cross-border situations. Over time, the republican and communitarian dimensions gained more ground with a stronger emphasis on participation and a common sense of belonging. Demands on citizens have increased and the current normative understanding of

the Commission points to *actively participating European citizens united in a European identity acting in a European public space*.

Problems with the realization of this norm include the uncertain political finalité of the European Union. In the lack of an agreed constitutional *telos*, the EU polity is seen differently according to the perspective being used. A *nation-state model* holds that the Member States are still utterly in charge of European integration and crucial aspects of community, boundaries and sovereignty. In this view, European citizenship constitutes little more than a symbolic status with no potential to grow into something thicker. In the *federal model*, the EU is characterized as a top-down political system with clear decision-making structures. In this view, European citizenship is a crucial part of the constitutional architecture. In a *cosmopolitan model*, a more visionary understanding of European integration is put forward. In this model European citizenship constitutes a new form of citizenship in a postnational constellation and opens up for new kinds of political allegiances and identification processes.

Another problem with the realization of the norm is often argued as stemming from the lack of a defined *demos*. In a skeptical view, the lack of a *demos*, a common identity or a “story of peoplehood” severely decrease the plausibility of the creation of a meaningful citizenship at the European level. In a supportive view, by contrast, the rationale of European integration ultimately demands a strong concept of citizenship, which has to be realized by the Union, Member States and political elites. A third way suggests a “*demosi-cracy*” where a departure from the definition of citizenship in a national understanding is obsolete. Instead European citizenship could be built upon its own premises of the European peoples. Further, there are a number of obstacles making it difficult for citizens to participate in EU policy-making. These include, among others, opacity of institutions, the lack of a European public space and a weakness of European political parties.

On the basis of this, three constructive proposals were formulated that should contribute to create enabling conditions for the European Commission's norm to realize. The first involves strengthening the liberal dimension of citizenship through the introduction of a formulation of European citizens' obligations in the Treaties. This would help clarifying the normative aspirations of the European Commission and provide for a legal ground clarifying the role of citizens in European integration. Second, a European public sphere could contribute to strengthening the communitarian dimension. To openly debate European issues and not hide political contestation in a transnational public sphere would help fostering a sense of belonging to the EU. Third, in order to strengthen the republican dimension of participation, a minimal requirement entails citizen competence. In order to increase this, a system of complexity reduction in national media is suggested, allowing for citizens to easily access and, crucially, absorb information of the policy-making process, the different stages of the legislative procedure and the main issues that are at stake.

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10 Appendix

TEU, articles 9-11

TITLE II PRINCIPLES ON DEMOCRATIC PRINCIPLES

Article 9

In all its activities, the Union shall observe the principles of the equality of its citizens, who shall receive equal attention from its institutions, bodies, offices and agencies. Every national of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to and not replace national citizenship.

Article 10

1. The functioning of the Union shall be founded on representative democracy.
2. Citizens are directly represented at Union level in the European Parliament.

Member States are represented in the European Council by their Heads of State or Government and in the Council by their governments, themselves democratically accountable either to their national parliaments, or to their citizens.

3. Every citizen shall have the right to participate in the democratic life of the Union. Decision shall be taken as openly and closely as possible to the citizen.
4. Political parties at European level contribute to forming European political awareness and to expressing the will of citizens of the Union.

Article 11

1. The institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action.
2. The institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society.
3. The European Commission shall carry out broad consultations with parties concerned in order to ensure that the Union's actions are coherent and transparent.
4. Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties.

The procedures and consultations required for such a citizens' initiative shall be determined in accordance with the first paragraph of Article 24 of the Treaty on the Functioning of the European Union.

TFEU, articles 18-25

PART TWO NON-DISCRIMINATION AND CITIZENSHIP OF THE UNION

Article 18 (ex Article 12 TEC)

Within the scope of application of the Treaties, and without prejudice to any special provisions contained therein, any discrimination on grounds of nationality shall be prohibited.

The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, may adopt rules designed to prohibit such discrimination.

Article 19 (ex Article 13 TEC)

1. Without prejudice to the other provisions of the Treaties and within the limits of the powers conferred by them upon the Union, the Council, acting unanimously in accordance with a special legislative procedure and after obtaining the consent of the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

2. By way of derogation from paragraph 1, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, may adopt the basic principles of Union incentive measures, excluding any harmonisation of the laws and regulations of the Member States, to support action taken by the Member States in order to contribute to the achievement of the objectives referred to in paragraph 1.

Article 20 (ex Article 17 TEC)

1. Citizenship of the Union is hereby established. Every person holding the nationality of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to and not replace national membership.

2. Citizens of the Union shall enjoy the rights and be subject to the duties provided for in the Treaties. They shall have, inter alia:

(a) the right to move and reside freely within the territory of the Member States;

(b) the right to vote and to stand as candidates in elections to the European Parliament and in municipal elections in their Member State of residence, under the same conditions as nationals of that State;

(c) the right to enjoy, in the territory of the third country in which the Member State of which they are nationals is not represented, the protection of the diplomatic and consular authorities of any Member State on the same conditions as the nationals of that State;

(d) the right to petition the European Parliament, to apply to the European Ombudsman, and to address the institutions and advisory bodies of the Union in any of the Treaty languages and to obtain a reply in the same language.

(e) the rights shall be exercised in accordance with the conditions and limits defined by the Treaties and by the measures adopted thereunder.

Article 21 (ex Article 18 TEC)

1. Every citizen of the Union shall have the right to move and reside freely within the territory of Member States, subject to the limitations and conditions laid down in the Treaties and by the measures adopted to give them effect. 2. If action by the Union should prove necessary to attain this objective and the Treaties have not provided the necessary powers, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, may adopt provisions with a view to facilitating the exercise of the rights referred to in paragraph 1.'

3. For the same purposes as those referred to in paragraph 1 and if the Treaties have not provided the necessary powers, the Council, acting in accordance with a special legislative procedure, may adopt measures concerning social security or social protection. The Council shall act unanimously after consulting the European Parliament.

Article 22
(ex Article 19 TEC)

1. Every citizen of the Union residing in a Member State of which he is not a national shall have the right to vote and to stand as a candidate at municipal elections in the Member State in which he resides, under the same conditions as nationals of that State. This right shall be exercised subject to detailed arrangements adopted by the Council, acting unanimously in accordance with a special legislative procedure and after consulting the European Parliament; these arrangements may provide for derogations where warranted by problems specific to a Member State

2. Without prejudice to Article 223(1) and to the provisions adopted for its implementation, every citizen of the Union residing in a Member State of which he is not a national shall have the right to vote and to stand as a candidate in elections to the European Parliament in the Member State in which he resides, under the same conditions as nationals of that State. This rights shall be exercised subject to detailed arrangements adopted by the Council, acting unanimously in accordance with a special legislative procedure and after consulting the European Parliament; these arrangements may provide for derogations where warranted by problems specific to a Member State.

Article 23
(ex Article 20 TEC)

Every citizen of the Union shall, in the territory of a third country in which the Member State of which he is not a national is not represented, be entitled to protection by the diplomatic or consular authorities of any Member State, on the same conditions as the nationals of that Member State. Member States shall adopt the necessary provisions and start the international negotiations required to secure this protection.

The Council, acting in accordance with a special legislative procedure and after consulting the European Parliament, may adopt directives establishing the coordination and cooperation measures necessary to facilitate such protection.

Article 24
(ex Article 21 TEC)

The European Parliament and the Council, acting by means of regulations in accordance with the special legislative procedure, shall adopt the provisions for the procedures and conditions required for a citizens' initiative within the meaning of Article 11 of the Treaty on European Union, including the minimum number of Member States from which such citizens must come.

Every citizen of the Union shall have the right to petition the European Parliament in accordance with Article 228.

Every citizen of the Union may write to any of the institutions or bodies referred to in this Article or in Article 13 of the Treaty on European Union and have an answer in the same language.

Article 25
(ex Article 22 TEC)

The Commission shall report to the European Parliament, to the Council and to the Economic and Social Committee every three years on the application of the provisions of this Part. This report shall take account of the development of the Union.

On this basis, and without prejudice to the other provisions under the Treaties, the Council, acting unanimously in accordance with a special legislative procedure and after obtaining the consent of the European Parliament, may adopt provisions to strengthen or to add to the rights listed in Article 20(2). These provisions shall enter into force after their approval by the Member States in accordance with their respective constitutional requirements.