



# **Liberal, Communitarian or Cosmopolitan?**

The European Commission's  
Conceptualization of EU Citizenship

*Veronica Thun*

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## The European Commission's Conceptualization of EU Citizenship

Veronica Thun

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## Abstract<sup>1</sup>

There is a broad consensus amongst scholars that the establishment of an “EU citizenship” in the European Union in 1992 greatly challenged our traditional conceptions of citizenship. Citizenship is no longer a concept and institution connected to nation states, but has become increasingly “borderless” with the introduction of EU citizenship. Since its establishment, research on EU has been engaged with normative questions on what EU citizenship can or should be, and some scholars are pointing it towards a complete disconnection from nation states, replaced with “Europeanness”. Others claim that creating citizenship beyond nation states is not possible, as there is no European demos connecting citizens and the EU together in a traditional notion of citizenship.

This report takes a different approach, by analyzing the concept of “EU citizenship” from the viewpoint of the EU’s supranational, executive body, the European Commission. Said differently, it analyzes the Commission’s conceptualization of EU citizenship from the Maastricht process in 1990 onwards. Based on an analytical framework of four dimensions and three models of citizenship, the thesis contributes to research on the “what is” question on EU citizenship, in its attempt to uncover what ideas of citizenship have been most prominent in the Commission. As ideas as the driving forces of political actions and policy-making, understanding the Commission’s ideas of citizenship contributes to an overall understanding of the reality of EU citizenship. As an agenda setter with initiating powers, the Commission has been highly influential in the development of EU policies and the forging of EU citizenship throughout the process of European integration.

The analysis uncovered that the Commission has had a liberal, individualistic and rights-based understanding of EU citizenship ever since Maastricht. However, with the enlargement to Eastern Europe and the breakout of the Euro crisis in the 2000s a more “complete” idea of EU citizenship emerged. Communitarian ideas of the active political citizen and notions of a European identity became of almost

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<sup>1</sup> This report is based on the author’s Master Thesis in Political Science at the Department of Political Science, submitted in October 2015.

equal significant to individual rights. Lastly, the alternative model of cosmopolitanism has been situated in the “background”, adding cross-border elements to EU citizenship in some dimensions. The analysis revealed a shift in the Commission from mainly liberal, rights-based ideas in the 1990s towards a mix of conceptions of EU citizenship in the beginning of the 2000s onwards.

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Any errors or omissions in this thesis are my own.



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## Abbreviations

CFSP	Common Foreign and Security Policy
EC	European Community
ECJ	European Court of Justice
ECSC	European Coal and Steel Community
EEA	European Economic Area
EEC	European Economic Community
EMU	European Monetary Union
EP	European Parliament
EU	European Union
IGC	Intergovernmental Conference
JHA	Justice and Home Affairs
QMV	Qualified Majority Voting
SEM	Single European Market
SEA	Single European Act
TEU	Treaty of the European Union
TFEU	Treaty on the Functioning of the European Union



# Chapter 1

## Introduction

Everyone who holds a national citizenship in one of the 28 member states of the European Union (EU) is also a citizen of the Union. While being a citizen of their home country with all the rights and duties this entails, people also enjoy various rights and obligations in the EU. The concept of “EU citizenship” was institutionalized in the EU with the ratification of the Maastricht Treaty in 1992. Since then, EU citizenship has become a very important tool in the effort to bring the EU closer to the people. It was believed to be a large step towards a more democratic and legitimate EU (Olsen 2012: 1).

This report studies the European Commission’s (hereafter “the Commission”) conceptualization of EU citizenship. The aim is to analyze what *ideas* of citizenship have been the most prominent in the Commission since the introduction of “EU citizenship” in the Maastricht process in 1990 onwards. The report is conducting an *idea analysis* within an analytical framework of four main dimensions; rights, membership, participation and identity, and three models; the liberal, communitarian and cosmopolitan, of citizenship, in an attempt to uncover dominant ideas and changes and/or stabilities in the Commission’s perception of EU citizenship over time.

The Commission is the EU’s “executive power”, responsible for initiating legislation and taking care of the overall interests of the EU. As the EU’s supranational institution, the Commission has a long history as an active promoter of individual rights and EU citizenship

(Olsen 2012; Warleigh 2001: 22). The Commission's roles and work were essential in the early negotiations and the final formalization of EU citizenship in the Maastricht Treaty. The Commission saw EU citizenship, along with an increase in the powers of the European Parliament (EP), as a way of reducing the "democratic deficit" in a growing EU (Maas 2007: 48). Already in 1957, with the ratification of the Treaty of Rome and the creation of the European Economic Community (EEC), the Commission sought the establishment of rights for workers to move freely and reside in any member state of the Community (Olsen 2012). Although there was no clear idea of a *citizenship* at that time (European integration was first and foremost about economic relations between *states*), it was perceived as an important step towards a stronger connection between the EU and the people. Economic integration has always been at the very heart of the integration process, and thus the "ultimate rationale for EU citizenship" (Warleigh 2001: 22). In 1986, The Single European Act (SEA) was created to foster the creation of a common single market (SEM) by 1992, establish the "four freedoms"<sup>1</sup>, and abolish obstacles to free trade by removing barriers and restrictions which prevented full economic integration. However, individual rights and citizenship were still dealt with indirectly in the Community, and the most important issue for the Commission was to reinforce economic integration through further market liberalization (Olsen 2012: 71). Still, in the "White Paper on Completing the Internal Market" (European Commission 1985) the Commission stressed that "goods as well as citizens and companies should be able to move freely within the Community". This statement was important in the adoption of the Charter of Fundamental Social Rights of Workers in 1989. The Charter was created as a result of the promotion of social integration, which was still lacking in the SEA. Both SEA and the Charter were crucial building blocks in the introduction of a citizenship at the Intergovernmental Conference (IGC) in Maastricht in 1990. The IGC laid the groundwork for a complete economic, monetary and political union, as well as progress towards *citizen* rights, and resulted in the creation of the Maastricht Treaty in 1992. When the Treaty was ratified in 1993, *EU citizenship* finally became an explicit concept and institution in the EU.

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<sup>1</sup> Free movement of goods, services, people and capital.

There is a broad consensus among scholars that the EU has challenged our “mainstream” ideas of the concept of citizenship (Olsen 2012: 3; Shore 2004). While citizenship has traditionally been linked to nation states, EU citizenship represents a different kind of citizenship which moves beyond nation state boundaries (Olsen 2008; 2012; Maas 2007: 8; Meehan 1993). Some scholars argue that the EU institutions – by granting cross-border rights and membership status to all nationals of EU’s member states – are fostering a “post-national” kind of citizenship, decoupled from the nation-states and replaced with a new sense of “Europeanness” (Olsen 2008; 2012; see also Eder and Giesen 2001: 3; Hudson and Slaughter 2007: 4). In this view, EU citizenship is having primarily supranational features, with “directly applicable rights on the EU level” (Olsen 2012: 5). Other scholars takes a more skeptic stand, claiming that an EU citizenship beyond the nation state is not possible as there is no “genuine” European *demos*<sup>2</sup> linking citizens and the EU together (Olsen 2008; 11; see also 2012: 1). A third branch of scholars argue that the EU is situated between intergovernmentalism and supranationalism; between Europe and nation states (Bellamy and Warleigh 2001; Olsen 2012; 2013). Thus, EU citizenship represents a mix of different visions of integration (Olsen 2012; 2013).

Most of the debates on the concept and institution of EU citizenship have been centered on normative questions regarding what EU citizenship *can* or *should* be (Olsen 2008: 11; 2012: 5, see also Bellamy and Warleigh 2001: 3). Few scholars have paid attention to the content and nature of the *concept itself* (see Olsen 2008; 2012), and how different actors and institutions at the EU level understand and conceptualize it. Said differently, research on the most prominent and influential *ideas* of citizenship among key EU-institutions in the integration process, has been scarce. As ideas are the driving force of political actions (Bratberg 2014: 57), such research is valuable and may contribute to an extended knowledge on the actual characteristics of EU citizenship. As the EU’s supranational and executive power, the Commission has been influential in the development of individual rights and EU citizenship throughout the

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<sup>2</sup> From the Greek word meaning “people”; it is the etymologic root of the word “democracy”, which in turn means governing by the people, for the people. Demos is a democratic political community in which the people share a common culture, values and principles. A European demos is connected to the debate on the creation of a European identity, and a sense of belonging to the EU (feeling European).

integration process. Thus, uncovering main ideas of citizenship within the Commission at key “junctions” in the integration process can provide us with insights to the *real* nature of EU citizenship; what it is.

## Research questions

Based on the above reasoning, this report will investigate the following research questions:

*What ideas of citizenship have been dominating in the European Commission’s conceptualization of EU citizenship from the Maastricht process in 1990 to present days? Has there been a change in these ideas over the past two decades?*

The report takes up the challenge of studying the Commission’s *conceptualization* of EU citizenship. The aim is to determine what ideas of citizenship have been the most prominent in the Commission from the establishment of an “EU citizenship” in the Maastricht process in 1990 onwards. The focus is turned from studying EU citizenship as an institution and status in the EU, to analyzing the underlying ideas of the *concept itself* as understood by one of the main EU decision-making bodies. How does the Commission understand the concept of citizenship? Has it simply copied the conceptualization of citizenship from traditional modern nation-states, with their uniform and democratic ideas? Or does it reflect the belief among many academics that EU citizenship is something “new” and challenges the traditional statist conceptions; that EU citizenship is multilevel or post-national? In which ideal model of citizenship can the Commission’s perceptions of EU citizenship be placed?

## Why the Commission?

The Commission is one of the main decision-making bodies in the EU, and has been a key actor in European integration since the very beginning (McCormick 2008: 78).<sup>3</sup> The Commission holds an essential role in the EU decision-making process at all levels (Nugent 2010: 105). The roles of the Commissions may be compared to those of an executive power in democracies, most prominently the power of initiative (the Commission proposes laws for adoption) and the

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<sup>3</sup> This report does not discuss the Commission’s powers and roles in detail. For a more precise description of these, see for example Egeberg (2010), McCormick (2008) and Nugent (2010).

power of setting the agenda. The Commission is also a supervisor and guardian of the treaties, with responsibilities of ensuring that EU law is correctly applied by member states (McCormick 2008: 72–78; Nugent 2010: 123–135). The Commission is also EU’s external representative, and has an important role in directing the EU’s external trade relations. Furthermore, the Commission upholds a great negotiating responsibility with regards to the external agreements that the EU has with third countries; the Commission’s High Representative of the Union for Foreign Affairs and Security Policy and the Commission represent the EU in international organizations, and plays a vital part in the work and negotiations taking place in these (Nugent 2010: 134). The Commission is the contact point and the EU’s diplomatic body vis-à-vis non-EU countries, with the purpose of informing other countries about EU affairs. In this particular study, the Commission’s roles as an initiator and agenda setter are the most important ones, as they are the most relevant to the Commission’s workings on the development of EU citizenship, and how the concept is defined and conceptualized by the Commission in its policy-making processes.

Why study the Commission’s conceptualization of EU citizenship, then? While the Commission’s ideas of the concept of EU citizenship cannot alone “explain” or determine the reality of EU citizenship, the Commission’s pivotal role as the supranational, executive institution makes it highly influential in the shaping of EU policies at various levels. Article 17 in TEU states that the Commission “shall promote the general interest of the Union and take appropriate initiatives to that end” (TEU 2012: 25). As an agenda setter holding the exclusive power of initiating, the Commission, to a large extent, sets the basis for further development of EU citizenship based on what the Commission perceives to be the general interests of the EU. In the words of Nugent (1989: 67), the legislative capacity of the Council (and now the European Parliament) “is heavily dependent on the ability of the Commission to put proposals before it”. The answer to the question on what EU citizenship *is*, therefore, also depends upon the Commission’s workings on the subject. The EU does not enjoy “exclusive” competencies in the area of EU citizenship. Rather, the area of freedom, security and justice in which EU citizenship is incorporated, is a shared competence between EU and member

states.<sup>4</sup> However, member states can act *only* if the EU has not already done so. Therefore, the Commission has an important initiating role in this area too. As ideas are known to be the “driving force” of political actions and policy-making, attempting to uncover what ideas of citizenship are the most prominent in the Commission may contribute to a broader knowledge on the real nature of EU citizenship, both as a concept and institution.

## Theory and method

### The concept of citizenship

Generally speaking, “citizenship” may be defined as “a status of individuals tied to a political unit” (Olsen 2008: 27). Citizenship, then, involves both individuals and collectives (Faulks 2000: 1), as it is always granted individuals by some form of a political entity (Walzer 1983: 32). In the academic literature, citizenship is usually decomposed to a set of four *dimensions*, all of which indicate *how* the individuals are tied to the political unit (Bellamy 2008; Bauböck 1994; Delanty 2000; 2007; Faulks 2000; Olsen 2008; 2012; 2013). The first dimension is *rights*, mainly involving the right to vote, run for office, the right to freedom of speech, religion and the right to own property. The second dimension is *membership* in a political community, traditionally limited to the nation-state. The third dimension of *participation* is linked to rights, and citizens have the right to take part in the decision-making process and the overall organization of the society. The last dimension, *identity*, is important in citizenship as it refers to a sense of belonging to the community and identification with fellow citizens – it answers the question of “who we are”. The report makes use of the four main dimensions in the analysis of the Commission’s conceptualization of EU citizenship. However, they are not treated in isolation, but rather seen as inter-related within three *models* of citizenship (see Olsen 2013).

### Three models of citizenship

The research question seeks to answer how the Commission has understood and conceptualized the concept of “EU citizenship” over the past two decades. The terms “understanding” and “conceptualization”

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<sup>4</sup> See <<http://ec.europa.eu/citizens-initiative/public/competences/faq#q1>> for detailed overview of the new structure of competences as introduced by the Lisbon Treaty.

imply a search for the main *ideas* of citizenship in the writings of the Commission; how is the term “citizenship” *understood* by the Commission? “Conceptualization” refers to forming a concept, theorizing, or interpreting it in a conceptual way; how has the Commission formed the concept of “EU citizenship”?

Citizenship in this report is operationalized by the four dimensions. However, as the aim is to uncover what ideas of citizenship are the most prominent in the Commission, searching only for dimensions of citizenship and treat these separately is not sufficient. The dimensions are treated as inter-related and connected in various models of citizenship. This report uses three of them: the *liberal*, *communitarian*<sup>5</sup> and *cosmopolitan* model.

Why the use of “general”, or traditional, citizenship models? As the EU is not a state, should we not treat it as something unique and distinct, and analyze EU citizenship in light of “EU specific” models focusing on EU citizenship in light of nation-state vs. federalist theories (see Olsen 2013)?

Simon Hix (1999) argues that the EU can be treated as a “political system” without necessarily having to be a state (Hix 1999: 2). Political systems, Hix argues, consists of four main characteristics:

- A set of clearly defines institution for collective decision-making, and rules of government between and within these.
- Citizens and social groups who seek to influence and achieve their interests in the political system through organizing in interests groups or political parties
- The decisions taken by the institutions have an impact on the distribution of economic resources and the allocation of social and political values
- Interaction between these political outputs

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<sup>5</sup> There is also a fourth model of *civic republicanism* which places emphasis on political participation (see Heater 1999). However, due to limitations in time and space, and the fact that the communitarian model to a large extent incorporates the participatory dimension from republicanism together with its emphasis on exclusive membership and identity, the civic republican model is no included in this report.

Because the EU possesses all these elements (Hix 1999: 2-5), Hix maintains that we can integrate research on the EU into “mainstream” political studies (ibid: 356). This report draws upon the argument of Hix, and treats the EU as *similar* to the functions of states; as a political system. Thus, the concept of EU citizenship as conceptualized by the Commission is utilized through “mainstream” citizenship models. The following paragraph briefly introduces these.

The liberal model emphasizes *rights* and individual autonomy (Rawls 1993; Heater 1999). The individuals are equal beings, and the state has no “organic existence” binding the citizens to it (Heater 1999: 6). The individual chooses his affections and membership, and participate only if he so desires. The state has a limited role and influence in citizens’ lives other than to protect their rights (ibid.: 4). The communitarian model, on the contrary, takes *membership* in the prepolitical, cultural community and *participation* in public activities as its starting point (Etzioni 2001; Kymlicka 1990; 2001). Communitarians argue that the institution of citizenship is rested on common values and *identity* (Delanty 2002: 159), which individuals cannot be detached from. Both of these models are contested by a third approach of cosmopolitanism. The cosmopolitan model pulls the idea of citizenship out of territorial boundaries, and defends an idea of membership in the *human community*, with responsibilities *for the world as a whole* (Linklater 2002: 317). This model challenges the view that citizens’ political rights and obligations are tied to the nation-state only, and places greater emphasis *human* rights and solidarity with fellow human beings of the world.

What is clear from the distinctive characters of each model is that the four dimensions are inter-related and connected, yet emphasized and signified differently. In order to understand the Commission’s ideas of citizenship, then, it is fruitful to include the dimensions *and* the models of citizenship in the analysis.

This search for ideas calls, naturally, for a proper *research method*. The most fruitful way of conducting research on ideas of EU citizenship in the Commission is through an *idea analysis* of official Commission documents on EU citizenship. In this report, these documents consist of seven Citizenship Reports and various communications, opinions and reports connected to specific developments of EU citizenship in the integration process. These documents are treated as key data. As a

supplement, the report also includes various other Commission documents regarding EU citizenship rights, participation and European identity to help underpin the findings from the key documents. The analysis will make use of an *analytical framework* based on the four dimensions and the three models of citizenship. The report searches for the dimensions of citizenship, or more specifically, how the Commission writes about these. The way in which the Commission uses these dimensions in its writings on EU citizenship should point its overall conceptualization in direction of one or more of the three models of citizenship.

Chapter 2 provides a detailed definition of citizenship, the four dimensions and the operationalization of these, as well as a comprehensive presentation of the three models. Chapter 3 deals more closely with the research methods and data. But before proceeding to the chapter on the theoretical framework, the next part of this chapter presents a general historical background to EU citizenship before Maastricht, starting already in the 1950s with the establishment of the European Coal and Steel Community.

## Background: Early developments of citizen rights in the European Community

This part provides a brief historical background to the general developments of individual rights in the European Community (EC). This part is important because it shows that individual rights and the concept of *citizens* were a part of the debate in European integration ever since the first treaties, creating an “embryo” to the EU citizenship we know today. This part provides, therefore, useful insights to understanding the establishment of *citizenship* in the Maastricht Treaty.

After Second World War, the European leaders sought the establishment of an organization which could create and maintain a stable and peaceful relation between member countries (Olsen 2012). The aim was to make sure European countries did not go into word with each other again, by launching a common basis for economic development. This led to the signing of the Treaty of Paris in 1951 and the establishment of the European Coal and Steel Community (ECSC). There was no struggle for a citizenship, nor was there any mention of individual rights in the Treaty of Paris. The Treaty was aimed at creating a peaceful relationship between *states*. However,

Olsen (2012) argues that although lacking an explicit mention of individual rights, the Treaty of Paris was clearly marked by a debate on free movements which later extended to individuals as participants. Individuals were only entitled consumers, workers and producers, linked to the overall aim of the Treaty to foster economic integration. However, even though we cannot compare free movement rights in ECSC with national citizenship or even traditional individual rights, the Treaty of Paris created a discourse on citizenship-related issues (Olsen 2012: 18). That is why, according to Olsen, we can say that the Treaty of Paris and ECSC created an “embryo” to EU Citizenship (ibid: 16).

The first indications of rights for individuals in the EU were laid down in the Treaty of Rome<sup>6</sup> in 1957, establishing the European Economic Community (EEC).<sup>7</sup> The Treaty of Rome broadened the scope of individual rights by eliminating barriers that divided the member states, and further improved the living and working condition for the individuals (Olsen 2012: 20). The focus was turned from states to people, which clearly signaled an important step towards including citizens in the integration process (ibid: 20). However, the Treaty of Rome never mentioned *citizens* of the Community, but rather *workers* of the Community:

Freedom of movement for workers shall be secured within the Community by the end of transitional period at the latest.<sup>8</sup>

Workers were granted the right to move freely between countries within the European Community, thus making these rights closely linked to economic status as an employee, self-employed, or service provider. The Treaty reflected the nature of the EC as an economic integration, with little focus on social or political integration at the time. Individual rights in the Community were connected to mobility and free movement, and workers were the primary individuals in the Treaty of Rome. Yet, the Treaty also introduced in article 7 a prohibition on discrimination on grounds of nationality. Still, there was no notion of the “*democratic citizen* as a participant in the political

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<sup>6</sup> Also known as the Treaty on the Functioning of the European Union (TFEU).

<sup>7</sup> <[http://europa.eu/legislation\\_summaries/institutional\\_affairs/treaties/amsterdam\\_treaty/a12000\\_en.htm](http://europa.eu/legislation_summaries/institutional_affairs/treaties/amsterdam_treaty/a12000_en.htm)> [Last accessed 20 October 2015].

<sup>8</sup> <<http://www.gleichstellung.uni-freiburg.de/dokumente/treaty-of-rome>> [Last accessed 20 October 2015].

community” in the Treaty of Rome, but rather “the *individual-as-worker* and market participant (ibid: 22). People had no political or legal status as citizens; individual rights were still linked to the aims of market integration.

The two first treaties only implicitly gave rise to EU citizenship. During the 1960s, however, the European Court of Justice (ECJ) brought the issues regarding citizenship much more to the fore, and citizen rights became even more clearly pronounced (ibid: 25). The role of the court is important to the EU as it enforces the obligations set out by the treaties. It also gives all citizens and member states of the EU equal rights in the areas of ECJ jurisdiction. During the late 1960s the ECJ began recognizing the EC’s growing influence of fundamental rights protection (Wetzel 2003: 2823). ECJ’s authority was furthermore questioned and challenged by the national courts. To defeat this, ECJ established the basic principles of supremacy and direct effect, and started repeatedly emphasizing the EC’s commitment to the protection of fundamental rights in the EU (Olsen 2012: 23; Wetzel 2003: 2823). In 1970, the ECJ clarified and broadened the conception of fundamental rights in Community law, and declared a protection of those rights.<sup>9</sup> With the increased power of the ECJ, the Community started reflecting on its nature as a political organization (Olsen 2012: 32). As a consequence, citizenship, rights and identity became more explicit issues during the 1970s, with a dedication to create a “European Union” by the end of the decade (ibid: 33).

The Single European Act of 1986 later wrote in provisions in the Treaty of Rome to abolish borders and checks on persons at internal frontiers, but did also fairly little to promote social integration (Vranken 1999: 30). Although these provisions were not formally established until 1992, the Council decided in 1990 to extend the right of residence to persons who were not engaged in an occupation, on the terms that they had the necessary financial resources and social insurance cover.<sup>10</sup>

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<sup>9</sup> <[http://europa.eu/about-eu/eu-history/1970-1979/1970/index\\_en.htm](http://europa.eu/about-eu/eu-history/1970-1979/1970/index_en.htm)> [Last accessed 25 October 2015].

<sup>10</sup> <[http://europa.eu/about-eu/eu-history/1970-1979/1970/index\\_en.htm](http://europa.eu/about-eu/eu-history/1970-1979/1970/index_en.htm)> [Last accessed 25 October 2015].

## Thesis outline

Chapter 2 sets out the theoretical framework of the report, based on the four dimensions and three models of citizenship. The first part of the chapter starts with a definition of citizenship, before presenting and operationalizing the four dimensions of citizenship. Lastly, the chapter presents the three models of citizenship and their view on the four dimensions. Following each model of citizenship is a presentation of empirical expectations to the Commission's conceptualization of EU citizenship based on the respective models and dimensions.

Chapter 3 presents the methodological approach designed to analyze the main ideas of citizenship in the Commission. The *idea analysis* is presented and discussed as method of investigation. The chapter then presents the documents under scrutiny, along with a discussion on the validity and reliability of this study.

Chapter 4 is the analysis. It is divided into various "critical junctures" in the integration process, starting from the Maastricht process in 1990. Each of these time periods begin with background information on the general developments in European integration. Then, the Commission documents are analyzed and contextualize in an attempt to uncover what ideas of citizenship are the most prominent in the Commission in the actual time period. At the end of each section is a conclusion which summarizes the main findings and compares them with the empirical expectations set out in Chapter 2.

Chapter 5 concludes the study and presents the results and main tendencies uncovered in the analysis - has the Commission changed its perceptions of citizenship since the Maastricht negotiations? In what way have they changed? Is there stability at some point? What models are the most prevailing? Is there only one dominating idea/model of citizenship, or is there an interaction between models? Why is that? These are central questions that will be addressed and answered. The chapter also discusses the way forward, making suggestions for further research.

# Chapter 2

## Theoretical Framework

### Introduction

This chapter first offers a general definition of citizenship as a concept and institution. For what really is citizenship and what does it entail? How does the institution of citizenship look like? Who are these citizens that we speak of, and what are their roles, privileges and obligations vis-à-vis the state and the community? Scholars argue that citizenship is commonly defined by four main dimensions: rights, membership, participation and identity, all of which will be systematically examined in the following. The second part of the chapter presents the three models of citizenship – the liberal, communitarian and cosmopolitan. These models differ in their views on the four dimensions of citizenship, and on which of these are the most significant. Together, the models and the four dimensions of citizenship make up the analytical framework from which the Commission's conceptualization of "EU citizenship" will be investigated.

### Defining and analyzing citizenship: Four dimensions

Citizenship is an essential concept in political science, and is fundamental to any understanding of democracy (Taylor 1998: 10). Citizenship includes a range of political, economic, legal, social, and

cultural features. Barbalet (1988: 1) claims that citizenship “defines those who are, and who are not, members of a common society”. Bellamy (2008) makes similar statements, defining citizenship as:

[t]he privileges of membership of a particular kind of political community – one in which those who enjoy a certain status are entitled to participate on an equal basis with their fellow citizens [...]

(Bellamy 2008: 1)

Olsen (2012: 4) elaborates on this and states that citizenship creates a “bounded legal and political space shaped by the rights and duties imparted to citizens of *that* given collective”. Thus, a citizen is a member of a community with given rights, subject to duties as well as rules preventing them from invading rights of fellow members (Taylor 1998: 10; Hudson and Slaughter 2007: 5).

However, as Delanty (2007: 15), Maas (2007: 2) and Olsen (2012: 4) argue, citizenship is a contested term, and the ideas and dimensions of citizenship rest on different theoretical and empirical aspects. Citizenship has always had multiple meanings, depending on the context and point of time in the history (Ellis et.al 2006: XI). Citizenship became further contested with the scaling down of state boundaries in the wake of globalization. The EU further challenges both traditional statist conceptions of citizenship, and the perceptions of “borderless” citizenship. The EU is a mixed polity comprised both of nation-state and institutions at the European level (Olsen 2012: 3). Thus, EU citizenship cannot be pinned down to either a statist conception, nor does it represent a complete break from nation states (ibid).

Due to this contested status, “citizenship” remains a rather complex and elusive concept (Ellis et.al. 2006: XI). Notwithstanding this complexity, though, citizenship is commonly decomposed to four main dimensions: rights, membership, participation and identity (Bellamy 2008; Bauböck 1994; Delanty 2000; 2007; Faulks 2000; Olsen 2008; 2012; 2013). According to Olsen (2012: 4) “defining citizenship in terms of its basic elements is fruitful because it directs our attention to how the status is established, consolidated, and changed in different political settings”. Although they have been understood and emphasized differently by various theoretical approaches throughout

the history, these core dimensions have remained central (Heater 1999).

The following sections present the four dimensions of citizenship. First out is the dimension of rights; the second is the aspect of *membership* in a political community; third is *participation* in public activities; and lastly *identity*, resting on common values and a distinction between “us” and “them”. The last part of this chapter is dedicated to a comprehensive presentation of the three models of citizenship, their views on the four dimensions of citizenship and expectations to the Commission’s conceptualization of EU citizenship based on each of the models. A table at the end of the chapter summarizes the empirical expectations. This table makes up the analytical framework for the analysis.

## Rights

The dimension of rights is considered to be the very core definition of democratic citizenship (Bellamy 2008: 13; Habermas 1996: 75). A citizen right is “a resource provided by social institutions which protects and legitimates the existence, the needs and interests, or the actions of the bearer of the right” (Bauböck 1994: 209). Citizen rights entail both the opportunity to pursue one’s self-interest and the right to protection from the state against abuse from authorities or other individuals, as well as the ability to rule and be ruled in turn by having a say in shaping the political life and governmental institutions of the community (Faulks 2000: 1). Barbalet (1988) claims that citizenship includes both a social status and a set of political rights: “[...] the political importance of rights derives from the social nature of status” (Barbalet 1988: 15). Rights are normally connected to the membership dimension. Therefore, rights may derive as a consequence of the membership status.

The most prominent contributor to the theory of citizenship as consisting of rights is Marshall (1950), who distinguished between civil, political, and social rights. The *civil* aspect is connected to individual freedom (Barbalet 1988: 6), and includes the legally established autonomy of the individual within the political community. The civil aspect deals with individual rights, and the principle of equality before the law. The individual’s personal autonomy is to be protected against government violations or infringements from fellow citizens (Habermas 1996: 503; Olsen 2005:

28). Civil rights further grant citizens with the freedom of speech, freedom of religion, free movement, the right to assembly and association, as well as the right own property and protection of this (Marshall 1950: 10; Barbalet 1988: 19; Delanty 2000: 15; Habermas 1996: 503). *Political* rights are associated with the right to participate in the democratic decision-making process and the exercise of political power (Marshall 1950: 11; Barbalet 1988: 6; Habermas 1996: 503). Participatory rights are typically connected to voting in elections, run for office, take part of the public debate, or otherwise organizing in a variety of political and social movements. Political rights are “the rights that are necessary if citizens are to participate in democratic decision-making on free and equal terms” (Bellamy 2008: 14). Lastly, *social* rights include the rights to a fundamental standard of living, and these rights are executed through the social services and educational system (Barbalet 1988: 6). Social rights are normally linked to the welfare state, in which citizens are guaranteed a basic economic income and social security, and have the right to participate in the society even if they do not possess the necessary resources (Habermas 1996: 503; Marshall 1950: 11). Summarized, the social aspect implies that every individual should be entitled to and share basic level of socio-economic and cultural well-being.

The dimension of rights can be operationalized in an empirical study of the Commission’s conceptualization of EU citizenship by searching for “who are given which rights” (see Olsen 2008: 34), and how exclusive they are.

## Membership

Membership is associated with being both an institution which defines those who belong to a particular political community (Bellamy 2008: 52), and a personal status which connects individuals to the state (Bauböck 1994: 23). In this sense, citizenship is a formalization of an individual’s membership in a community. Because membership concerns the question of where we belong, it has an “exclusive” element: “through the notion of membership a demarcation between members and strangers is established, between those *included in* and those *excluded from* a given community” (Olsen 2008: 29). Membership is about distinguishing between members and non-members in a given political community: the state “claims to be the state of, and for, a particular, bounded citizenry” (Brubaker 1992: 21). The decision on who is in and who is out has traditionally been

linked to the state as a territorial unity, and the state enjoys a high degree of autonomy in decisions regarding citizenship and membership within its own territorial boundaries. We can successfully operationalize the dimension of membership by identifying the criteria by which members and foreigners are distinguished (Olsen 2008: 30). Those who are already members of a community choose the criteria for the distribution of membership, and to whom they distribute it (Walzer 1983: 32; 1992: 66). This happens in accordance with their own perception of membership: “we who are already members do the choosing, in accordance with our own understanding of what membership means in our community” (Walzer 1992: 66).

As described in the section about rights, individuals who belong to a given political community enjoy rights and privileges denied to non-members (Bellamy 2008: 52). The dimension of membership has a fundamental place in citizenship, but today’s modern states are far less exclusive with regards to the distribution of membership to individuals. Earlier, membership could be internally exclusive, in which specific groups of people were excluded from citizenry, such as women. Today only criminals and individuals who are heavily mentally ill might be considered non-members of the society and thus not entitled citizens or granted the rights and obligations that derive from this status. However, there is a larger focus on distinguishing between individuals inside the community, and those who are outsiders from other states, i.e. external exclusion (Brubaker 1992: 21). In this thesis, membership is operationalized as the distinction between members and non-members of the EU (external exclusion).

## **Participation**

Bellamy (2008: 15) argues that citizenship is about “the right to have rights”, and this is where the third dimension of participation comes in. Together with membership and identity, participation is an identifying notion of what holds the members as a collective together, and democratic citizenship always entails the dimension of participation (Olsen 2008: 34). In everyday language, participation is most often associated with citizens who exercise their voice through deliberation and voting for representatives in national and local/regional elections in order to influence the decision-making bodies and the policies they make.

Generally, we can operationalize the dimension of participation by breaking it down to two central aspects; facilitation of *voluntary* participation and specification of *obligations* vis-à-vis the community and fellow members (Olsen 2008: 35). *Voluntary* participation consists of legally institutionalized participatory *rights* that are connected to citizenship (Olsen 2008: 35; Habermas 1996: 151; 503). These include the right to participate in the political system by voting, run for office, to stand as candidate and in other ways influence the decision-making process and opinion- and will-formation (Habermas 1996: 123; 151). It gives private individuals the opportunity to have a say-so in the policies which affect their daily lives. This kind of participation is usually institutionalized and organized by the government, and is established to *promote* active political participation and effective democratic procedures. Participatory rights refer also to participating in the civil society by volunteering in different organizations, class actions or other social movements (Delanty 2007: 16). These participatory activities are typically organized by members of the civil society. Participation as an *obligation* commonly includes the duty to obey the laws, and to contribute a fair share to maintain a just society. The duties of citizens in democratic states (most commonly in states with a prominent welfare system) include also the paying of taxes and in many cases sacrifice a part of one's personal gain for the common good of the collective, and in turn receive the benefits of social goods provided by the state.

## Identity

We have seen that the membership dimension involves the drawing of (mostly territorial) boundaries, by "signifying the grounds and criteria for individual access to citizenship" (Olsen 2008: 30). Through these criteria, a distinction between "us" and "them" is established, and members of the community are given a legal label as members and thus citizens. However, Heater (2004: 187) argues that citizenship is more than just a label and a legally grounded status: "He who has no sense of a civic bond with his fellows or of some responsibility for civic welfare is not a true citizen whatever his legal status" (Heater 2004: 187). Citizenship is also about *identity*, which tells us something about what distinguishes a specific community from other communities; and what identifies the specific community. As elaborated by Olsen (2008: 31) "identity goes to the core of what *kind* of community citizens are member of". As emphasized by Taylor (1992a: 34), the identity dimension raises questions about "who we

are”, “were we’re coming from” and what differentiates us from others. Identity refers to the relationship between an individual and the larger collective (Fossland and Grimen 2001: 94). Identity often rests upon the principle of shared values and culture, ethnicity, tradition or way of life, and this sense of belonging is at the very essence of human nature (Heater 2004: 184–187).

The assumption in the concept of identity is that every individual is born with a lineage; a culture and identity, and has a basic need to belong to a community. Taylor (1985) writes: “[...] my lineage is part of my identity because I believe that I must value these qualities since they are so integrally part of me that to disvalue them would be to reject myself” (ibid: 34). Lineage becomes an important aspect to identity when members of the community have shared qualities and values, and every individual value coming from this background (ibid). According to Taylor, it is impossible to understand our identity independently of a community: “One is a self only among other selves” (Taylor 1989: 35, cf. Fossland and Grimen 2001: 94). As a consequence, our identity is “defined by certain evaluations which are inseparable from ourselves as agents” (ibid: 34). Identity is therefore created and maintained through universal recognition amongst individuals (ibid: 34–35). Identity cannot be understood with reference to the individual only, but is only possible within a specific collective (Fossland and Grimen 2001: 94ff). Identity can be operationalized by searching for “notions of what draws the community of citizens together” (Olsen 2008: 32).

### **Three models of citizenship**

Having established that the concept of citizenship can be broken down to four main dimensions – rights, membership, participation and identity – the chapter now introduces the three models of citizenship. Why the use of models? Why not just study the Commission’s conceptualization of EU citizenship based on the dimensions alone? Although there is a broad consensus among scholars that citizenship comprises these four dimensions, their definitions and place within the concept of citizenship has varied greatly throughout the history. Rights, membership, participation and identity and the meaning of these dimensions in connection to citizenship are constantly developed and reconstructed in political discourse (Olsen 2008: 2), depending on the context and point of time in the history. They should not be treated in isolation, but rather seen

as inter-related in different ideal models of citizenship (see Olsen 2013 for a similar approach). The models of citizenship represent this inter-relation, as they weight the dimensions differently and have rather conflicting views on the connection between them. They each form an “ideal” citizenship based on their emphasis on the four dimensions. The Commission’s conceptualization of EU citizenship is, then, studied with the basis of a combination of dimensions in light of the citizenship models. The way in which the Commission emphasizes these dimensions and connects them together allows us to determine what models of citizenship are the most prominent. Therefore, studying dimensions as inter-related in the various models of citizenship enables us to paint a more nuanced picture of the dominant ideas of citizenship in the Commission over time.

### The liberal model: Rights and autonomy of the individual citizen

The liberal model of citizenship is based on individual *rights* and autonomy (Rawls 1993). Central to liberalism is that every individual is free and acts rationally to pursue their private interest: “Rational autonomy [...] is shown in their exercising their capacity to form, to revise, and to pursue [their own] perception of the good” (Rawls 1993: 73, see also Faulks 2000: 58). The principle of equality is also greatly valued: “each person has an equal claim to [...] equal basic rights and liberties” (Rawls 1993: 5). Every individual is free to make their own choices (Taylor 1992b: 35). Therefore, the liberals emphasize *state neutrality*: that the role of the state is limited to protect individual rights (Heater 1999: 4). In the words of Nozick (1992: 137): “the minimal state is the most extensive state that can be justified. Any state more extensive violates people’s rights”. There is little room for putting demands on the autonomous individual. Thus, the state interferes very little in citizens’ everyday life, whose obligation mainly consists of the duty of paying taxes in return for the protection of rights (Heater 1999: 4–6, see also Root 2007: 21). Citizenship in the liberal state is about being protected by the law, and is therefore a *legal* status.

The liberal citizen is politically passive, but nevertheless obliged to pay taxes, obey the law and defend the nation, because this lies in everyone’s private interest. The liberal model of citizenship emphasizes the importance of letting the individual simply be an individual with right to pursue his own interests (see Heater 1999: 6).

Hence, the liberal community is mainly a society of autonomous subjects whose main goal is not to participate together in public activities, but is rather focused pursuing their conception of the good (Rawls 1993).

### ***The liberal model and the four dimensions of citizenship***

The dimension of rights the most essential dimension in the liberal conception of citizenship (Heater 1999; Rawls 1993). Rights in the liberal model are understood as *individual* rights (Faulks 2000: 56). The liberal model promotes equality between the individuals who are entitled citizens, without any reference to collective or cultural aspects (Rawls 1993). Therefore, citizenship in the liberal model is not defined by identity, culture, or ethnicity, but rests solely on equality and *legally* established rights. These rights are established by the government with the main purpose of giving the private individual space to cultivate and pursue their own interests without interference from other individuals or authorities (Faulks 2000: 56). Liberals value “negative liberty”; that is, the individual’s right to be left alone to pursue their rights and conceptions of the good as long as these are legal (Berlin 1969).

The liberal model understands membership as legal. Citizens are bound together by law and the judicial protection of their equal rights, regardless of their identity or cultural belongings. Membership is understood as a “community of shared or common law” (Pocock 1995: 37). Citizenship in the liberal model is based on individual freedom and equality before the law and is thus inclusive with regards to membership. Every individual is a member of the community, and are, formally, citizens of equal status. The community is thus established through the institutionalization of citizenship, and citizens are given access to the entire system of rights through the *judicial membership* (Olsen 2005: 33). According to Delanty (2002: 160), citizenship rests on the individual. The political community is therefore derivative of its members, who are always individuals. Membership and community itself cannot shape the basis of citizenship – individuals do.

The notion of political participation is rather weak. The emphasis on a loose relationship between the state and individuals is conflicting with the dimension of participation, as citizens are not obliged to participate in the political life. Citizens do not have to engage

themselves in the public arena unless they desire to do so (Heater 1999: 6). In the words of Gauthier (1992: 151) “a person values participating [...] only in so far as he considers its costs necessary to attain some valued end.” The liberal citizen pursues his interests because private life and rights are guaranteed by law (Heater 1999: 7). Citizens do not have any particular responsibilities vis-à-vis the state or other individuals other than the duty of obeying the law, pay taxes and respect each other’s dignity, privacy and personal interests. Paying taxes is crucial for the state’s ability to protect and secure individual rights.

However, the liberal model has a broader understanding of the participatory dimension, in its focus on *market* participation. Market citizenship involves citizens pursuing their materialistic interests: “[...] market citizenship can be found in the practice of individuals safeguarding their interests and choosing to accumulate wealth” (Root 2007: 21).

The liberal individual is a private character, with a weak sense of collective identity (Heater 1999: 6). Since the liberal individual is autonomous and rational, and has his own conception of the good (Gauthier 1992: 154; Rawls 1993), each individual also chooses other individuals as subject of affection: “although social affective relationships are essential to the liberal individual, there are no essential social relationships” (Gauthier 1992: 155). The liberal citizen is not bounded by fixed social roles. The liberal model is quite suspicious of any notions of community ties, and believes that the concepts of individual and community ties are in fact in opposition (Faulks 2000: 57). The reason for this skeptic attitude towards any community ties is the belief that a strong and powerful community will undermine the individual and his abilities to exercise his rights.

Thus, citizenship cannot be defined based on shared identity or a common culture; the individual chooses his own affections, and any identification with other individuals is rather a *product of their legal status* as citizens. Equal rights bind citizens together in a legal community of free individuals. This does not imply the complete rejection of culture and identity as such, but identity and culture are not *a priori* foundations for citizenship. Therefore, the liberal model is tolerant with regards to religious, cultural and political diversity

(Rawls 1993: 30; Shafir 1998: 6). Table 2.1 summarizes the liberal model's view on the four dimensions of citizenship.

Table 2.1: The liberal model and the four dimensions of citizenship

<b>Rights</b>	<b>Membership</b>	<b>Participation</b>	<b>Identity</b>
Legal Individual	Inclusive but territorially limited	Voluntary/ <i>Right</i> to participate	Personal
	Legal	Market participation	Product of status
	Equality before the law	Individuals participate only if they desire	Tolerant of cultural diversity

### *Empirical expectations: The Commission's conceptualization of EU citizenship in a liberal perspective*

The liberal model expects to see few references to exclusive membership or cultural ties in the writings of the Commission on EU citizenship. It is expected to see references to individual rights as specified in the Treaty in the Commission's documents, and that the Commission in general has a rights-based individualistic conception of EU citizenship. The Commission should perceive EU citizenship as a legal *status* with legally binding rights guaranteed and protected by EU law. Fundamental individual EU rights should be emphasized above any other ideas of citizenship.

The Commission should put the individual in center of its conceptualization, and speak of EU citizenship in terms of the individual and their ability/right to pursue their personal interests in the EU. Seen from a liberal point of view, it is expected that the Commission promotes the principle of equality and individual rights, rather than taking a cultural stand to the status of citizenship. The Commission is also expected to refer to the roles of the EU institutions (mainly itself and the ECJ) as *neutral*, and limited to *serve* the individual and protect their rights and personal freedoms (emphasis on *negative* rights).

With regards to the membership dimension, the Commission is expected to advocate the membership status as legal, with individuals tied together in a community based on equality before the treaties. The liberal model would expect to see no references to *community ties* as foundations for membership; identity, culture and community feelings oppose the liberal model's focus on the private individual. Yet, membership in the liberal model is still connected to specific

territorial boundaries. Although advocating cultural differences and equality before the law, the Commission should limit its conception of the membership dimension to the territorial boundaries of the EU; that only nationals of the member states of the EU are regarded members and citizens, but that all these nationals are to be treated equally.

The liberal model also expects the Commission to place few *demands* on citizens with regards to political *participation*. Participation in public activities at the EU level is expected to be disregarded in favor of individual rights and freedoms. The Commission should have encouraging rather than demanding ideas of citizen participation, and refer to participation as something that individuals do only if they desire. However, a liberal understanding of citizenship would expect the Commission to promote *market participation*. Considering the importance of the internal market in the EU – in which citizens as autonomous travelers, workers and consumers are greatly valued – the liberal model expects the *market citizen* to be prominent in the Commission's conceptualization of EU citizenship.

The liberal model does not have an identity-based notion of citizenship. Cultural ties, shared values and a sense of belonging to the community and fellow members are not prerequisites, or *a priori* foundations for citizenship. Rather, identity is formed through the individuals' legal status as citizens, who are all subjected to the same rights and treated with equality. On identity, the liberal model expects the Commission to disregard this dimension in favor of the private individual entitled to pursue his rights. The Commission should refer to any notions of a collective identity as a product of the individuals' legal status as EU citizens.

### **The communitarian model: Identity and citizens as active participants**

The communitarian model contests the liberal model's focus on the autonomous and private individual. The communitarians criticize the liberal model for resting citizenship on individual freedom and self-interests. Delanty (2000: 23) contends that the liberal model of citizenship fails to take into consideration the importance of the public sphere as the location of citizenship.

Therefore, the communitarian model takes the community as its starting point, focusing on how cultural groups influence values and behaviors of individuals (Hoskins et al. 2012: 10). Communitarians argue that citizenship is rooted in a culturally defined community (Schuck 2002), and the dimensions of *political participation* and *identity* are emphasized above individual rights. The communitarian model understands individuals as *active citizens* in contrast to the liberal view on citizens as private individuals. Deliberative forms of democracy and active participation are central to this model.

The communitarian model rejects the notion of individualism (Delanty 2000: 24). The general belief is that the individual cannot be detached from social relations, thus the individual cannot be autonomous (Kymlicka 2001: 19). The communitarian model centers around an idea of the *socially-embedded* individual; the notion that citizens are embedded in “particular social roles and relationships” (ibid.). An individual’s sense of identity cannot be understood without reference to the collective, and identity is formed *through* relations with other individuals in the community (Gaventa 2002: 6). Communitarians claim that individuals cannot be liberated from traditions or cultural ties. Therefore, the communitarian model understands the concept of the “self” as situated within a specific community, born with common values and identity. In this view, individuals do not in reality resemble any liberal definitions (Kartal 2002: 114).

The role of the state is stronger in the communitarian model. The state is responsible for accommodating the common good of the collective (Kymlicka 1990: 206). The communitarian state should encourage citizens to “adopt conceptions of the good that conform to the community’s way of life” (ibid).

### ***The communitarian model and the four dimensions of citizenship***

The communitarian model puts greater value on collective identity and political participation towards common good above individual rights (Delanty 2000: 23; Kymlicka 1990). The state should accommodate the common good rather than staying neutral (Kymlicka 1990: 206). The common good in the communitarian model refers to a “substantive conception of the good life which defines the community’s ‘way of life’” (ibid). Because communitarians believe

that privileging individual autonomy is destructive for the community and undermines the importance of community affections, they place the collective and responsibilities towards the collective above individual freedoms. The collective together “inherit a way of life that defines their good for them”, rather than revising their own private notion of the good life (Kymlicka 2001: 19). Therefore, the communitarian model opposes the liberal individual’s entitlement to pursue his own private interests; the communitarian citizen sacrifices his personal gains for the common good. Communitarians thus associate rights with group or cultural rights that derive from active participation and deliberation in the collective.

The communitarians associate membership with a culturally defined community which implies integration into that community with a specific culture and identity that is common to all members who belong to it. Communities are “social collectives whose members are tied to one another by bonds of affection and by at least a core of shared values” (Etzioni 2011: 336). Thus, membership in the communitarian state is highly exclusive, and implies a rejection of outsiders who do not share the same culture, moral values or identity (Heater 1999: 78). In the communitarian state, individuals view themselves primarily as a member of a particular group with a shared culture, and regard themselves as different from “others” (Holmes and Murray 1999: 13). Citizenship is thus not a legal status with all individuals bounded together by law, but rests solely on being *situated* within a *given* community (Kymlicka 1990: 207).

The communitarian model understands citizenship as a political practice, rather than individual status. Participation is crucial if citizens are to feel a sense of belonging to the community that they are a part of. Active participation implies contributing to the *common good* (most often the common welfare), to the political and economic life of the community, and take part in the shaping of citizen rights and obligations in the community (see Kymlicka 1990). According to the communitarian model, a “good” citizen is him who complies with his responsibilities towards the community at large. Unlike the liberal model, in which the citizen is recognized as a free and autonomous individual, the communitarian citizen has a range of obligations toward other citizens and the community as a whole.

Identity is the very defining element of communitarian citizenship. The communitarian model connects identity to a community of *shared* identity, culture and values. The traditional models of citizenship are criticized for not taking into consideration the fact that all human beings are born with a specific identity and culture which determine their natural place in the society. Communitarians are concerned that the liberals' emphasis on individual rights trumps the importance of the individual's belonging to a historical and cultural community, which in turn damages democratic legitimacy (Olsen 2005: 36). The communitarian model promotes a notion of "essentially shared values" in which the identity of separate selves is "partially or wholly constituted by the relation itself" (Kartal 2002: 14-15). Said differently, the communitarians believe that a citizen's identity is generated from being a socially-embedded citizen, meaning that he feels a sense of belonging to the community. The communitarian model's view on the four dimensions is summarized in Table 2.2 below.

Table 2.2: The communitarian model and the four dimensions of citizenship

<b>Rights</b>	<b>Membership</b>	<b>Participation</b>	<b>Identity</b>
Cultural/collective	Cultural	Duty	Cultural/ethical/Ethnic
Collective goods and benefits	Connected to a cultural defined community Exclusive	The politically active citizen Citizenship as a political practice	All individuals are born with an identity in a cultural defined territory, which make up the foundations for citizenship Rejection of individualism

***Empirical expectations: The Commission's conceptualization of EU citizenship in a communitarian perspective***

The communitarian model assumes that the Commission understands EU citizenship as based on a shared *European* culture, identity and focuses on the maximization of the common good of all EU citizens above individual rights and freedoms. Thus, the Commission should state that EU citizenship rights are granted individuals based on their participation as a collective, along with their cultural or identity-related attachment to the EU. The Commission should place great demands on citizens' duties and responsibilities towards one another, and there should be no references to individual rights, freedom or autonomy of the

individual citizen. The Commission would refer to the citizen not as a private individual, but as part of a bigger collective.

Membership is expected to be highly exclusive, based on cultural *and* territorial boundaries. The communitarian model expects the Commission to exclude “outsiders” who do not share a “European identity”, and should be very clear in distinguishing between members and non-members of the EU based on cultural attachments. The Commission is expected to advocate an EU citizenship as limited to members of the EU solely with reference to culture and identity.

The Commission should promote *political* participation and understand the EU citizen as an active participant who contributes to the shaping of the political life in the EU. Participation is expected to be the essence of EU citizenship, and the commission should conceptualize citizenship in the EU as a political *practice* rather than a legal status consisting of individual rights.

The communitarian model expects the Commission to conceptualize EU citizenship as based on a *European* identity, excluding individuals who do not share the European culture. The Commission should reject the liberal notion of the private individual as detached from cultural ties, and rather focus on the individual as *socially-embedded* within the Community with fellow EU citizens of whom they feel a sense of belonging to. It is expected that the writings of the Commission emphasize culture and shared identity, and that the dimension of identity dominates the Commission’s conceptualization of EU citizenship. The communitarian model assumes that the Commission rejects the notion of individualism and personal identity, focusing solely on collective identity and a European culture.

### The cosmopolitan model: Human rights and the “world citizen”

The era of globalization has forced us to rethink the idea of citizenship. The world society is growing, and new regional and global institutions (including the EU) have emerged as alternate ways of governance. Moreover, the rapid increase in immigration has required a new understanding of what it means to be a *citizen*.

The cosmopolitan model is an alternative model to the traditional, statist models of liberalism and communitarianism. Where both the

liberal and communitarian models limit citizenship to territorial boundaries, the cosmopolitan models removes citizenship from specific territories. In its most basic form (as *moral* cosmopolitanism, see Linklater 1998; Slaughter 2007: 86), the cosmopolitan model implies a set of moral principles that should be extended to all people (Hudson and Slaughter 2007: 7). Cosmopolitans challenge the notion that the rights and duties of fellow citizens within the nation-state take precedence above duties to the human kind (Linklater 1998: 24). The cosmopolitan model claims that all individuals have moral obligations to the whole human race, which often “overrule” their obligations to citizens in their local communities (ibid: 26). Cosmopolitans suggest that the entire planet is a living, organic system (Heater 1999: 137). The impact we have on our planet requires a respect for the environment, other life-forms and a need to secure the needs of future human generations (Linklater 1998: 26). A moral consciousness emerges from this way of thinking (Heater 1999: 137): “For citizenship entails the ethical element of responsible behavior towards and obligations to one’s fellow citizens [...]”. Citizenship is about responsibilities towards the whole world. Thus, universal, moral laws exist above any local law (Heater 2004: 10).

In the ideal world of *political* cosmopolitanism, citizenship is connected to global or transnational institutions within a single global democratic domain (Slaughter 2007: 86; Hudson and Slaughter 2007: 7-8). According to Held (1998) the process of globalization has delimited the capacity of the nation-state to remain in control over its own fate, territory and sovereignty. Widespread self-government can no longer “be located within the boundaries of a single nation-state alone” (Held 1998, cf. Slaughter 2007: 87). This is because globalization brings with it the necessity for creating international laws, international security measures and international decision-making processes. Globalization leads also to a clash of cultures and economies, with a new multicultural society emerging from this process. Thus, the *human community* is regarded as supreme, and cosmopolitans forward a notion of commitment to the universal community and a detachment from solely national linkages (Slaughter 2007: 85). Citizenship is connected to the individual as a human being and his basic universal rights, independent of cultural, political or national affections; “Cosmopolitan citizenship goes beyond the borders of the nation state, respecting neither state nor nation” (Delanty 2000: 52). Therefore, citizenship is connected to

“personhood” rather than “nationhood” (Olsen 2013). Political cosmopolitans strongly defend and believe in the establishment of regional and global institutions to tackle global challenges, as it becomes beyond the state’s capacity to regulate its own fate in the world community (Linklater 1998; Slaughter 2007: 86).

*The cosmopolitan model and the four dimensions of citizenship*

Rights in the cosmopolitan tradition are associated with universal human rights. The individual does not have a legal or political status as a *citizen per se*, but instead has a fundamental value as a *human being*. All human beings are born equal, with the same basic rights and freedoms in the world society. The notion of universal rights and the obligation to respect these is deemed crucial for binding people together in a “just world order” (Linklater 2002: 317). As human beings we have the right to equality, as well as the right to be our own master. While the state citizen typically has various civil, political and social rights in his respective country, the cosmopolitan citizen enjoys a parallel set of rights (Heater 1999: 141).

Despite the notion of universal rights and freedom for the individual, the cosmopolitan model does not overlook the importance of a community in which individuals can exercise their freedom and rights. However, unlike the other models, the cosmopolitan model does not consider the nation-state to be the most important moral or political community (Linklater 1998: 25). The cosmopolitan citizen feels at home in several countries and at different levels of the system (Heater 1999: 137). Membership, therefore, is highly inclusive and goes beyond the territories of the nation-state, and involves being a member of a global community of individuals who have moral and ethical obligations to the rest of the human race: “[cosmopolitanism] obliges all human beings to extend hospitality to strangers” (Linklater 1998: 26) as fellow human beings. There is no “exclusive” aspect to membership in the cosmopolitan tradition; all humans are considered a member of the human community. Thus, each individual are free to choose his or her nationality as a consequence of the global expansion of human rights (Olsen 2005: 42, cf. Habermas 2001: 118). Citizenship is in this sense voluntarily, based on the individual’s choice (Olsen 2005: 42).

*Civic participation* becomes less important with the idealization of global responsibilities to the human race as a whole (Linklater 1998:

26). Citizens are not bounded to fellow citizens through concrete rights and duties within a community, nor are they engaged in an effective form of shared rule. Interest is placed on the nature of the individual as a *human being* (Heater 2004: 11), not an as politically active *citizen*. Cosmopolitans stress moral obligations and duties to the universal society of human kind, and the Aristotelian notion of participation is being disregarded in favor of a greater loyalty to the human kind (Linklater 1998: 27). In political cosmopolitanism, a world citizen can participate in organizations which are devoted to tackle global problems such as environmental challenges, poverty, and hunger (Heater 1999: 143). Still, participation is voluntary (Linklater 1998: 269), mostly about displaying solidarity to other members and the world community of humans. In the cosmopolitan model, all human beings are interdependent, and cosmopolitans “invites the citizens of separate states to have a deeper moral concern for human beings elsewhere” (Linklater 1998: 27).

Delanty (2007: 26) argues that the nature of *identity* has changed with globalization, and claims that “collective identities are no longer dominated by class and national codes, but have become much more individualized and pluralized.” The cosmopolitan model understands identity as connected to the individual as a member of the world society, and the accompanying universal rights that he is entitled to. They reject the idea that individuals need to have an exclusive attachment to a particular culture.<sup>11</sup> However, cosmopolitans do not reject identity *as such*; they acknowledge the value of cultural attachments. What is rejected is the belief that an individual’s cultural identity is required in order to obtain the title of citizenship. A cosmopolitan citizen is highly influenced by new trends, be it cultural, social or political, whose loyalties are no longer limited their own state. Being a cosmopolitan citizen living in a world community implies having a set of *multiple identities*; individuals are attached to their local, regional or national affiliations, but as a citizen of the world community with responsibilities towards other humans one must constantly rethink one’s sense of identity and place within society. Table 2.3 summarizes the cosmopolitan model’s view on the four dimensions of citizenship.

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<sup>11</sup> <<http://plato.stanford.edu/entries/cosmopolitanism/>> [Last accessed 26 October 2015].

Table 2.3: The cosmopolitan model and the four dimensions of citizenship

<b>Rights</b>	<b>Membership</b>	<b>Participation</b>	<b>Identity</b>
Universal Human rights	Inclusive/voluntary Human community Global, regional and transnational communities	Voluntary Individuals as voluntary participants in regional or global organizations Serving the human race as a whole (display solidarity with fellow human beings)	Multiple Rejection of national identity and culture as foundations for citizenship Cultural diversity

***Empirical expectations: The Commission's conceptualization of EU citizenship in a cosmopolitan perspective***

To some, the EU is the perfect example of cosmopolitanism in practice (see Eriksen 2009; 2014). The cosmopolitan model assumes that the Commission advocates cross-border rights, an inclusive membership beyond national territories, and an explicit non-discrimination of specific individuals or groups of people. It is expected that the Commission focuses mainly on basic human rights, includes all individuals also outside the territories of the EU, and regards them as equal human beings entitled to the very same rights *qua* human beings. Traditional "citizen" rights are expected to be disregarded in favor of human rights and respect for these.

With regards to the membership dimension, we should expect the Commission to extend hospitality to all human beings outside the territories of the EU, and link citizenship not only to nationals of the EU, but also third country nationals. The right to free movement and residence should be one of the most emphasized rights by the Commission, as this right allows the individual citizen to feel at home in several places in spirit of voluntarily membership.

The Commission should refer to participation, such as market participation, voting and standing as candidate to EP elections or general political participation as *voluntary* activities, generally disregarded in favor of responsibility of serving the human race and respecting human rights. Solidarity and respect for all individuals also outside the borders of the EU should be the primary objective of EU citizenship in the Commission's conceptualizations.

With regards to identity, the cosmopolitan model assumes that the Commission is highly inclusive towards different kinds of identities and cultures. The Commission should advocate an EU citizenship as complementary to national citizenship, and emphasize *diversity* of identities in the EU. The Commission ought to promote multiple identities and endorse all individuals regardless of their cultural belongings. Identity is expected to be conceived as personal and voluntarily; that individuals might feel both as nationals of their home countries and/or European, by their own choosing. The principle of cultural attachments as means of earning citizenship status should be absent in the writings of the Commission.

## Concluding remarks

This chapter presented the theoretical approach. Rights, membership, participation and identity were presented and operationalized as four main dimensions of citizenship. These are not, however, treated in isolation but are seen as inter-related in three central models of citizenship: the liberal, communitarian and cosmopolitan. The chapter presented each of the models and discussed their emphasis and combination of the four dimensions.

Based on the dimensions and models of citizenship, the chapter highlighted some empirical expectations to the Commission's conceptualization of EU citizenship. The dimensions and models, along with the empirical expectations, make up the analytical framework from which the Commission's ideas of EU citizenship will be scrutinized. This analytical framework is presented in Table 2.4

Table 2.4: Analytical framework: Expectations regarding the Commission's conceptualization of EU citizenship based on three models and four dimensions of citizenship

	<b>Liberal Model</b>	<b>Communitarian Model</b>	<b>Cosmopolitan Model</b>
<b>Rights</b>	Legal in Treaty Individual EU citizenship rights Equality before EU law Protected by EU	Collective and cultural Maximization of common good in the EU	Universal Human rights
<b>Membership</b>	Internally inclusive Limited to EU's territory	Exclusive Based on European identity: Nationals of EU member states by virtue of their shared culture and community Exclusion of other cultures	Internally and externally inclusive Borderless Cross-border membership in EU Inclusion of third-country nationals
<b>Participation</b>	Voluntary <i>Right</i> to participate, few or no obligations or duties Market participation: workers/consumers in internal market	Political participation Active EU citizens obliged to participate EU citizenship as a practice	Voluntary Solidarity and responsibilities towards the human kind "Overrule" market/political participation within the EU
<b>Identity</b>	Legal Identification and unification product of legal status as EU citizens	Cultural: <i>European</i> identity Community belonging, common values, history and shared identity Exclusion of non-Europeans based on cultural features	Multiple EU citizenship as based on several identities at different levels of the system Respect for cultural diversity in the EU and emphasis on non-discrimination

# Chapter 3

## Research Methods

### Introduction

The purpose of this thesis is to gain knowledge about the Commission's main *ideas* of citizenship over time by analyzing key Commission documents on EU citizenship. The *idea analysis* therefore becomes the preferred method of investigation. There are no templates or specified "rules" for how we should go about conducting an idea analysis (Bergström and Boreus 2005: 172). Therefore, the researcher enjoys considerable freedom to develop the analytical tools that fit the overall aim of his study. This chapter presents the idea analysis as a method and how it will be applied in this particular study.

### Defining ideas and idea analysis

What is an idea? Bergström and Boréus (2005) define an idea as a thought that is characterized by certain continuity (Bergström and Boréus 2005: 149). According to Bratberg (2014: 57), ideas are the driving force of politics, thus crucial in order to understand the behaviors of political actors and the decisions they make. An idea can be both descriptive i.e. an assumption about what the world actually looks like; or normative, as ideas on what we believe to be of value (ibid: 58). Normative ideas typically express what the world can or should look like.

Text analysis is one of many research methods used to gain knowledge about different phenomena beyond our own senses and closest environments. The main objective is to study words and phrases in texts in order to draw conclusions about specific circumstances or the author's general ideas and intentions (Bratberg 2014: 9). The *idea analysis* is used to analyze the presence of ideas in text, with interpretation of the text being an essential objective (ibid: 57). Interpretation of the texts implies going beyond the words and phrases and study the text as a whole to grasp its underlying assumptions and beliefs.

The aim of this report is to describe what ideas of citizenship have been the most prominent in the Commission from the introduction of EU citizenship in the 1990s onwards. We can achieve this by tracking and mapping the ideas that make up the essence of the texts (ibid: 60). In this report, these texts consist of official Commission's documents on EU citizenship (see below). Mapping goes beyond mere description and retelling of the text; mapping is about capturing and filtering the ideas from the text based on a pre-understanding of the overall content and message of the text (ibid). What this means is that we must know that the documents analyzed first of all are relevant. Every document used in this analysis is about EU citizens and (amending, improving or developing) EU citizenship, all containing references to the dimensions of rights, membership, participation and identity in some way or another. Therefore, we do have a pre-understanding of the general content and messages of the text, and should thus have limited difficulties in mapping and filtering the ideas for the analysis.

The idea analysis is sometimes also concerned with analyzing ideas *over time* in its focus on comparison with earlier texts (ibid: 61). This part of the idea analysis is essential in this study as it seeks to uncover main ideas of citizenship in the Commission from 1990 onwards. A vital part of the idea analysis in this study, therefore, is to compare the Commission's documents in a search for developments in the concept of EU citizenship over time, stabilities in the Commission's conceptualization, and/or tensions between dimensions and models of citizenship. The next section dives into the various steps in conducting the idea analysis.

## Conducting idea analysis

The first step in conducting an idea analysis should be creating a *set of ideas* as expressions of different ideologies or traditions (see Bratberg 2014: 68). These ideas should be based on a thorough reading of secondary literature, and then listed in an analytical framework which is to be used for the empirical analysis (ibid). For this thesis, an analytical framework based on ideas was set in Chapter 2. The four dimensions – rights, membership, participation and identity – were established and operationalized as main elements of citizenship. These dimensions are in turn inter-related and connected, yet differently emphasized, in the three models of citizenship. The three models of citizenship, along with their views on the four defining dimensions, are thus treated as different sets of ideas which in turn express different traditions in the citizenship debate.

A next step might sometimes be to search for the frequency of ideas. This thesis is searching for the four dimensions in the Commission documents. When looking for the frequency in which the dimensions appear, we get a good grasp on what ideas of citizenship are most prominent in the Commission. This step is slightly quantitative in the sense that the researcher “counts” the appearance of specific ideas. However, any attempt to count the incidence of ideas in the text is subordinate, which in turn makes the idea analysis highly qualitative in nature (ibid: 57). What is most important in the idea analysis is the perspective of those being studied (in this case, the Commission). Their behavior, values and beliefs in a specific context is the main focus of investigation (Bryman 2004: 287).

Therefore, we cannot grasp the Commission’s overall *understanding* or conceptualization of EU citizenship simply by looking for the number of times specific dimensions of citizenship appear in the texts. In fact, this report is not bothered much by *counting* the amount of times the dimensions appear. There is a good reason for this; although counting provides us with an indication of which dimension is most prominent in a particular document, there is a problem with limiting the analysis to counting separate dimensions when the overall aim of the study is to gain in-depth knowledge about what *kind* of citizenship the Commission is presenting.

Take *rights*, for instance. The Commission might mention “rights” a hundred times in one document, but not always is the word “rights”

a reference to citizen rights or as a dimension of EU citizenship. In some cases the Commission might also refer to the rights of the EP, member states, the Council or the Commission itself (such as the Commission's *right* to propose legislation in certain areas regarding EU citizenship). Should the Commission express these kinds of rights more often than rights as one of the main dimensions of citizenship, our results may be heavily biased as such conceptions of rights have nothing to do with citizen rights.

Therefore, the report focuses on an in-depth analysis and interpretation of the dimensions, and compares them with each other in order to understand the Commission's underlying ideas. The way in which the Commission emphasizes and connects these dimensions together points its conceptualization towards the models. We do not only look for the frequency in which the dimensions appear in the Commission's writings, but also *how* the Commission writes about them.

This brings us over to the third and most essential step in the idea analysis; *contextualizing*. When the mapping and categorizing is dealt with, the document is evaluated as a whole based on the context and people it is connected to (Bratberg 2014: 60).

Let us use rights once more as an example. Should one Commission document express rights for every *individual citizen*, we can safely presume that the Commission holds a liberal understanding with respect to the dimension of rights. This might also be the case if the Commission refers to "individual rights" more often than the other dimensions of citizenship. However, if we find references to cultural ties and a stronger focus on collective benefits (common good), with no particular reference to the freedom and rights of the autonomous individual, this dimension is rather being expressed in a communitarian way. Does the Commission refer to individual *rights* (liberal), collective rights based on community belonging and identity (communitarian) or human rights (cosmopolitan)? Analyzing the context of the documents and what *kind* of rights, membership, participation and identity the Commission promotes is crucial in order to place the Commission's conceptualization of EU citizenship into either (or several) of the three models of citizenship. Only by contextualizing and doing an in-depth analysis of the dimensions and

models together, the main ideas of EU citizenship in the Commission will be apparent.

The main data in studies conducting idea analysis consists mostly of written statements; in this case, these texts consist of official Commission documents related to EU citizenship. The next section briefly presents these documents.

## Data: Official Commission documents on EU citizenship

There exist thousands of Commission documents on EU citizenship. Although studying every document would constitute the “perfect” analysis, this is a highly demanding and time consuming work for a Master thesis. In this case, the analysis limits the number of documents to key texts related to EU citizenship mostly connected to specific contexts in the development of EU citizenship in the integration process from Maastricht in 1990 onwards. These documents consist of communications, opinions and contributions presented by the Commission at various Intergovernmental Conferences (IGC) regarding the developments of the EU and EU citizenship. Other important documents are Citizenship Reports, published by the Commission every third/fourth year from 1993 onwards. The reports, communications, opinions and contributions make up the essence of the analysis. Additionally, the analysis is supplemented with documents to which the Commission is referring in the Citizenship Reports. These consist of various proposals, recommendations, green papers and communications on the protection of and respect for fundamental rights, on dismantling obstacles to citizen rights, voting rights, the right to free movement and residence, specific rights for workers and consumers, the abolition of border controls, promotion of active citizen participation, as well as consular protection of EU citizens in third countries. Moreover, brochures, press releases and other “smaller” yet well informative documents are included to underpin or oppose the findings in key Commission documents.

How can we be sure, though, that we have collected the most essential documents for this particular analysis? How can we be certain that the chosen data for this study are the correct ones, and that the results from analyzing these will not in any way be biased, inconsistent or in fact incorrect? How can we be guaranteed to grasp

the main ideas of citizenship in the Commission based on these particular documents alone? Furthermore, how can we be sure that the analysis is not too subjective, but that the results would be the same if an identical research is conducted at a different point of time? The next section will try to answer these questions by discussing two important “goals” of scientific research: validity and reliability.

## Validity and reliability

Achieving a high degree of validity and reliability is generally conceived as essential objectives in any academic research. However, the degree of validity and reliability, and the extent to which they are desired, varies depending on the type of research conducted. This section presents how the concepts of validity and reliability are applied to this study.

The research has a high degree of *validity* if we can be certain that we are measuring what we aim at measuring (Keohane et al. 1994: 25). We generally distinguish between internal and external validity (Bryman 2004: 273). Internal validity refers to the relationship between the researcher’s own observations and the theories that they develop: whether the operationalization and the measurement of the concepts “reflect the concept the researcher seeks to measure” (Adcock and Collier 2001: 529). The research project has a large degree of internal validity if we are confident that there are no other alternate cause(s) that may explain the results. External validity refers to what degree the results can be generalized to a bigger population across individuals and social settings (Bryman 2004: 273; Lund 2002: 107; 121).

Idea analysis faces challenges particularly with regards to external validity. The aim is to see the world through the eyes of those being studied; their perspectives, attitudes and actions are in focus (Bryman 2005: 287). Therefore, idea analysis is often not concerned with external validity; generalization is not the initial point. The aim is to gain in-depth knowledge and a “contextual understanding” of *specific* cases (ibid). Therefore, cases are seldom picked by random selection, but rather *chosen* by the researcher because they have certain interesting aspects to them worthy of a closer study. The same goes for this research; studying the main ideas of EU citizenship in the Commission requires an in-depth analysis of Commission documents on citizenship in the EU. The aim is not to generalize the findings to a

larger population, but rather uncovering the main perceptions of EU citizenship in one specific institution.

In idea analysis the problem of internal validity is often connected to the analytical framework. Bergström and Boreus (2005: 172) write that the problem with idea analysis is that the researcher might wrongly interpret certain words and phrases in such a way that they fit into the models, not allowing the texts to speak for themselves (ibid). The problem with internal validity appears if we have reasons to doubt that the analytical framework truly reflects the texts (ibid). This might of course also propose challenges to this study. However, considering that the main purpose of the thesis is to search for ideas of citizenship in the Commission based on various dimensions and models, the texts chosen for the analysis are about (EU) citizenship. These documents contain references to the four dimensions of citizenship, thus might fit well within the analytical framework.

Reliability generally refers to degree in which the research can be replicated and tested by other researchers (external reliability<sup>12</sup>, see Bryman 2004: 273). The research has a high degree of external reliability if other researches are able to conduct the same research under the very same conditions, using the same variables, and produce the same results. This in turn strengthens the results of the research by creating a larger acceptance of the research in the scientific community.

Generally the idea analysis has a higher degree of external reliability than, say, pure inductive studies. Idea analysis typically involves interpretation of texts, however based on a structured and relatively fixed analytical framework of ideal types or models. This makes replication of the study easier as there is less room for subjective interpretation of the material. The analytical framework in this thesis is created with basis in a wide variety of academic literature on citizenship, and is firmly anchored in well-established theories in the citizenship debate. The four dimensions and the three models of citizenship are defined thoroughly with references to existing literature, making sure that they are defined correctly in a way that is

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<sup>12</sup> There is also an aspect of *internal* reliability, which refers to the degree in which other members of the same research project agree about the methods and outcome of the research (Bryman 2004: 273). However, external reliability is more relevant for this study, so internal reliability will not be discussed any further.

commonly recognized by other researchers in the scientific community. Furthermore, the documents subject to this analysis are available to the public and can be easily obtained with a simple search on Google or by visiting the Register of Documents at the European Commission's website.<sup>13</sup> The documents analyzed are all about EU citizenship, carefully analyzed in light of the structured analytical framework. Thus, other researchers can quite easily replicate the study with the same variables and data and reach the same results. Olsen (2008) suggests a similar principle of "followability", i.e. the "completeness" and coherence of the story told (the European Commission's conceptualization of EU citizenship). A crucial question is whether anything has been left out of the analysis (Olsen 2008: 82).

## Concluding remarks

As the main purpose of this thesis is to uncover what *ideas* of citizenship are the most prominent in the Commission's conceptualization of EU citizenship, idea analysis was presented in this chapter as the most suitable method of investigation. By conducting an idea analysis of official Commission documents on EU citizenship, the report seeks to uncover the "perspectives" of the Commission on EU citizenship; the Commission's main ideas and overall understanding of the concept. The idea analysis used in this report is not very concerned with counting the frequency of the dimensions in the texts, although it will keep an eye on the number of times they appear as this *indicate* their significance (or lack of it) in the Commission's writings. The larger focus is, however, placed on the Commission's overall *emphasis* on the dimensions and the way in which it connects them together, as this inter- relation points the Commission's conceptualization towards the models of citizenship.

Having established now the research design, the next chapter analyzes the Commission's conceptualization of EU citizenship.

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<sup>13</sup><<http://ec.europa.eu/transparency/regdoc/index.cfm;jsessionid=FEC070C92E2567CFBA93D3A64A6FE094.cfusion14501?>> [Last accessed 25 October 2015].

# Chapter 4

## Analysis: The Commission's Conceptualization of EU Citizenship

### Introduction

This chapter analyzes the Commission's conceptualization of EU citizenship. The aim is to describe what ideas of citizenship have been dominating in the Commission since the introduction of EU citizenship 20 years ago onwards. The Maastricht process, starting in 1990, is established as the "benchmark" of this study, because "EU citizenship" as a concept and institution was introduced and became an explicit part of European integration with the ratification of the Maastricht Treaty. The chapter begins with an investigation of the Commission's ideas of citizenship during the Maastricht process by analyzing the Commission's contributions to the early Treaty negotiations and opinions to the Intergovernmental Conference on political union. In these documents, the Commission expresses its views and opinions on the establishment of an EU citizenship.

The chapter is divided into various time periods, all of which are important "critical junctures" in the integration process. After the Maastricht period and the formal establishment of EU citizenship is the post-Maastricht period and the ratification of the Amsterdam Treaty 1993-1997; preparation for enlargement, with the Laeken process leading up to the creation of a constitution for Europe, ratification of the Nice Treaty and the creation of the Charter of

Fundamental Rights of the European Union 1998–2003; the signing and the “death” of the Constitutional Treaty, the ratification of the Lisbon Treaty with the introduction of the European Citizens’ Initiative, enlargement to Central and Eastern European Countries 2004-2009; and finally 2010-, with the ongoing Euro crisis and the establishment of the European Year of Citizens 2013.

The reason for the division into these specific junctures in the integration process is that they may have had an impact on, or at least contributed to, the development of EU citizenship both as concept and institution in the EU, the Commission’s ideas and notions of citizenship, and on what the Commission believes EU citizenship is or should entail. This thesis will therefore analyze the Commission’s conceptualization of EU citizenship in light of these critical junctures in an attempt to uncover changes and/or stabilities in ideas of citizenship in the Commission’s conceptualization along with the major steps taken and challenges met during the integration process. Not all of the documents used are directly connected to the events in the junctures. However, they are all contextualized and analyzed in light of these events. Each section starts with a brief historical overview of the “critical junctures”, focusing particularly on development in the integration process related to EU citizenship as a concept and institution. The sections then go on to analyze key Commission documents on EU citizenship published in the respective periods to uncover what ideas of citizenship have been prominent in the Commission at these various points of time in the integration process.

As previously mentioned, the focus is placed mainly on the four dimensions of citizenship – rights, membership, participation and identity, and the analysis will search for these dimensions and the way in which the Commission emphasize and connects dimensions together in the relevant publications. The way in which the Commission writes about these dimensions should make it possible to place the Commission’s perceptions of EU citizenship in a liberal, communitarian or cosmopolitan model. There will be a detailed analysis of the key Commission documents, their contents, and the main perceptions of citizenship that can be found in them. A conclusion follows in each section which summarizes the main findings from the time period and compares them with the empirical expectations laid down in Chapter 2. Lastly, a table consisting of the

four dimensions and the three models of citizenship with the results from the analysis is placed at the end of each section to illustrate the main findings of the analysis.

## The Maastricht process 1990-1992: “Citizenship” is hereby established

### Background

The Treaty of Maastricht was negotiated at two separate intergovernmental conferences (IGC) in 1990 (Falkner 2002: 98; Nugent 2010: 55–56; European Commission 1990a; 1990b). The IGC on European Economic and Monetary Union (EMU) and political union was held in Strasbourg and Dublin. The purpose of the IGC on political union was to strengthen democratic legitimacy and efficiency in the union, and “give the Community a genuine political dimension” (European Commission 1990a: 9). With a growing internal market came the necessity of establishing a social dimension (Falkner 2002: 99; Nugent 2010: 55) which could, in the words of Nugent (2010: 55) “soften and offset some of the liberal market/deregulatory implications of the SEM”.

The IGC on EMU,<sup>14</sup> on the other hand, was set out with the aim of completing the single market by deepening the economic integration. The goal was to abolish exchange rates as final obstacles to free trade, and create an economic and monetary union. It was believed that citizens and member states of the Community could only benefit from the internal market by using a single currency (European Commission 1991a: 13). It was argued that the benefits of the SEA could only be realized if an Economic and Monetary Union was created.

The Maastricht Treaty was signed on 7 February 1992. It brought with it major changes to the Community, both in economic and political terms. The Community’s policy competences were greatly expanded and strengthened (Nugent 2010: 57). It created a whole new, more unified Community now called the “*European Union*” (ibid: 56). More policy areas were placed under the competencies of the Union’s decision-making bodies, creating a more supranational entity. Besides improving institutional efficiency and granting the EP with more

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<sup>14</sup> For the purpose of the analysis, this report focuses only on the IGC on political union from now on, as the negotiations on EU citizenship took place in this IGC.

power in decision-making procedures, the largest development was the introduction of the EMU and the plan for creating a single currency. The EU was based on a new structure, commonly referred to as the “pillar structure”, consisting of three pillars: The European Communities; Common Foreign and Security Policy (CFSP); and Cooperation in the fields of Justice and Home Affairs (JHA) (ibid.). Pillar one was the most important one, as it contained most of EU’s policy areas, including the newly established EU citizenship (ibid). It was the Spanish Prime Minister Felipe González who first proposed in a letter to the Irish presidency on the concept of EU citizenship as one of the three “pillars” of the political union (Shore 2004: 33).

On 21 October 1990 the Commission gave its opinion to the IGC on political union. Among other things, the Commission presented its views to the development of the concept of EU citizenship (European Commission 1991a: 69). The Commission agreed to add a “genuine political dimension” to the Community in order to provide it with a stronger and more united profile on the international arena. The Commission believed that this would enable the member states to:

[...] give a collective response to a clear demand for Europe, to work together to defend their interests, and to contribute to the creation of a fairer, more efficient world order which respects the values they share, in particular human rights.

(European Commission 1990a: 9)

The Commission sought the creation of a “single community” with common policies, so that the member states could defend their shared interests in the international arena. Such developments called for more legitimate and democratic decision-making procedures. As with democracies in general, legitimacy lies with the people. Therefore, the Commission stressed also the importance of creating a social dimension to the Community and including *citizens* in the integration process. To the Commission, it became of utmost importance to provide the people of the Community with a *formal* role and status, which is why the Commission welcomed the idea of an EU *citizenship* (ibid: 19).

### Ideas of EU citizenship in the Commission in Maastricht

From the beginning, the Commission argued for the establishment of an EU citizenship as a *legal status* consisting of individual rights: “the

rights of European citizens to be written into the Treaty" (European Commission 1990a: 19). These citizen rights are formulated by the Commission in the Contribution to the IGC as follows:

**Article X1**

Every person holding the nationality of a Member State shall be a citizen of the Union.

Union citizens shall enjoy the rights conferred by this Treaty and be subject to the obligations imposed by it, which shall supplement the rights and obligations attaching to their status as citizens of a Member State.

**Article X2**

Every Union citizen shall be entitled to invoke the rights guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms, which the Union accepts.

**Article X3**

In the application of this Treaty, any discrimination on the basis of nationality, whether by a public authority or a private person, shall be prohibited. The Union and the Member States shall enforce this prohibition.

**Article X4**

Every Union citizen shall have the right to move and reside freely within Union territory, without limit as to duration, whether or not he pursues a gainful occupation.

Every Union citizen shall have the obligation to comply with the legislation of the Member State in which he resides.

He may not exercise his right to move and reside freely as a means of evading obligations incumbent upon him in relation to his State of origin or any other Member State.

**Article X5**

Every Union citizen shall have the right to be a member of a political association or group and shall have the right to vote and stand as a candidate at municipal and European elections held in the place in which he has habitually resided for at least [...] year(s) without prejudice to the option of exercising those

rights, if he so wishes, in the Member State of which he is a national, providing he enjoys them under national law.

#### **Article X6**

Every Union citizen shall have the right to cultural expression and the obligation to respect cultural expression by others.

#### **Article X7**

Every Union citizen shall have the right to enjoy a healthy environment and the obligation to contribute to protecting it. To this end, he shall have the right to information and the right to consultation where appropriate.

Article X8 Every Union citizen shall, in the territory of a nonmember country, be entitled to Union protection and to the protection of any Member State, on the same conditions as its nationals.

Each Member State should make a declaration defining its concept of nationality.

#### **Article X9**

Each Member State shall establish at least one national authority, possibly in the form of an office of ombudsman to which Union citizens may have recourse in defending the rights conferred upon them by this Treaty, to assist them in dealings with the administrative authorities of the Union and the Member States and to defend those rights before courts and tribunals on behalf of those upon whom they are conferred.

These authorities shall also be responsible for giving Union citizens full and clear information on their rights and on the means available for the purpose of defending them.

(European Commission 1991a: 85, art. X1–X8)

The emphasis on “*every union citizen*” and “shall have/enjoy the right to” indicates an understanding of citizenship as based on *individual rights* and equality before the law in accordance with the liberal model. The focus on EU citizenship as a legally established *status* points the Commission’s conception further in this direction. There are no references to a *common* culture or identity in communitarian manner as conditions for obtaining EU citizenship in the Commission’s contributions. The Commission advocates on an

EU citizenship that is equally distributed to all individuals of EU's member states regardless of their identity and cultural belongings. The articles proposed by the Commission are by far characterized by a liberal, individualistic and rights-based understanding of the concept of citizenship.

The Commission mentions also that citizens are entitled to "Union protection", meaning that their rights and interests ought to be secured by the EU. As with the liberal model, the Commission understands the role of the EU institutions (mainly the Commission and ECJ) as guardians and protectors of the individual citizen.

The notion that every person holding nationality of a member state is also a citizen of the EU implies that citizenship should be inclusive to all EU *members* by virtue of their equally granted rights. It would be reasonable to conclude, so far, that because of the continuing emphasis on individual rights and inclusive membership, that the dominant idea of citizenship in the Commission during the Maastricht negotiations was that of a liberal one.

However, we do find other tendencies in the Commission's conceptualizations as well. One could argue that the whole European integration project bears with it a cosmopolitan idea, in which governance and citizenship becomes cross-border and decoupled from nation states.<sup>15</sup> Being an EU citizen implies the possibility, and the *right*, to enter and settle down anywhere within EU's territory. This right is stressed by the Commission during the Maastricht process, in which it states that EU citizenship, unlike traditional ones, "[...] incorporates some rights specific to Union citizens, such as the right to move and reside freely within Union territory" (European Commission 1991a: 85, 86). As such, every EU citizen ought to display hospitality to individuals from elsewhere in the region. In this aspect, the Commission shows a cross-border, cosmopolitan understanding of both the rights and membership dimensions.

Cosmopolitan ideas are also visible in the Commission's emphasis on non-discrimination in Article X3 of the contribution, and expressions of *human rights* and solidarity with other EU citizens: "The basis of European citizenship [...] could be a statement of rights and

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<sup>15</sup> Though the member states are still in control of whom they distribute national citizenships to.

obligations focusing on [...] basic human rights [...]” (ibid: 79), and “[...] Union citizen’s obligation to display solidarity with other union citizens and with *nationals of non-member* countries resident in the Union [...]” (ibid: 86 [author’s emphasis]). The cosmopolitan model of citizenship promotes the stateless, cross-border notion of citizenship, in which individuals enjoy rights *qua* human beings with responsibility of displaying solidarity with other citizens of the world. Because of the emphasis on human rights and solidarity with fellow citizens across national borders, including non-EU citizens, the Commission expresses a multilevel, cosmopolitan idea of the identity dimension; that EU citizenship is a mix of different cultures and identities at different levels of the system. The prominence of cross-border rights, the notion of human rights and cross-border membership makes it tempting to conclude that the Commission’s conceptualization of EU citizenship during the Maastricht process is cosmopolitan. The Commission states that “this obligation entails respect for each person’s dignity and the rejection of any form of social marginalization” (ibid). The Commission is inclusive with respect to treatment of “non-member” nationals in the EU and recognizes these individuals as equal in terms of residents. Thus, they have the right to be respected by the EU and its citizens.

However, non-member nationals are not granted EU *citizenship*. The emphasis by the Commission on EU citizenship as *limited* to EU-members directs its conception away from a pure, cosmopolitan idea. The Commission does not argue for equally distributed rights and EU citizenship for every human being outside the borders of the EU.

Emphasis on limitations in membership to nationals of the EU’s member states might also point to a communitarian exclusion of outsiders who do not share the same nationality. However, as the communitarian model, in its strict sense, understands citizenship in terms of shared identity and culture in a pre-political community, this model cannot illustrate the Commission’s idea of membership either. The Commission connects rights and membership to nationals of the EU’s member states, but these rights should be equally distributed among them *regardless* of cultural belonging. As such, the Commission reflects ideas of membership as liberal with a slight cosmopolitan twist in its recognition of non-members residing in the EU.

Regarding participation, the Commission states that “strengthening the institutions will not be enough to itself to ensure that citizens are genuinely involved in the Community’s activities at every stage of the definition of policies in fields directly affecting them.” (ibid: 19). The Commission’s emphasis on involvement of citizens in the policies affecting them can be interpreted in accordance with the communitarian model’s emphasis on the politically active citizen. However, unlike the communitarian model, in which citizenship is considered a political *practice* rather than a *legal status* of individual rights, the Commission expressed EU citizenship *first and foremost* as a legal status including participatory *rights* to encourage participation (European Commission 1990a). These statements also fit better with the liberal model, in which individuals participate in political activities only if desirable. The Commission states that citizens should also: “be subject to the obligations imposed by [the Treaty]” (European Commission 1991a: 85). However, these obligations are not elaborated. The only obligation that are explicitly stated are the responsibilities of displaying solidarity with fellow citizens, respect human rights and diversity of cultures, as well as helping to protect the environment (ibid: 85 and 86, article X5, X6, and X11). Such responsibilities lie at the core of the cosmopolitan model, however, adding a cosmopolitan twist to this dimension as well.

The Commission’s emphasis on citizen “involvement” may therefore refer to the inclusion of citizens in the overall integration process by providing them with the *option* to take part. EU citizens enjoy the *right* to participate, in accordance with the liberal model, and are not obliged to, as they are in the communitarian model. This is clearly shown in article X5 of the draft text in the Commission’s contribution to the IGC:

Every Union citizen shall *have the right* to be a member of a political association or group and shall *have the right to vote* and stand as a candidate at municipal and European elections held in the place in which he has habitually resided for at least [...] year(s) without prejudice to the option of exercising those rights, *if he so wishes*, in the Member State of which he is a national, providing he enjoys them under national law.

(ibid: 85, art. X5 [author’s emphasis])

In Article X5 the Commission explicitly states “if he so wishes”, which undoubtedly reflects a liberal idea on participation. This statement also indicates the right to exercise those rights in the country they reside without prejudice from the member state of which they are nationals.

Liberal ideas on participation are also prominent in the Commission’s emphasis on the *market* oriented individual in its publications on *workers and consumers* in the Community. These include a brochure on the Community Charter of Fundamental Social Rights for Workers, as well as a report on the application of the rights set out in the Charter. The Charter of Fundamental Social Rights for Workers was adopted in 1989 as a leap forward in the social dimension of the Community, promoting free movement of workers, create more jobs, improve working conditions and social protection, as well as increasing workers’ general rights and equality between men and women. The Commission drew an action programme on the Charter consisting of 50 proposals, with the aim of developing “the social dimension of the large market, thus increasing the economic and social cohesion of the 12-member Community” (European Commission 1990b: 2). In the brochure on The Charter of Fundamental Social Rights for Workers, published in 1990, the Commission retells the full text of the Charter and provides an account of several measures announced in the Commission’s action programme. As citizen rights in the Maastricht process were very much connected to the internal market, this emphasis by the Commission is not so surprising.

The analysis shows that the Commission mentions participation both in political (communitarian) and economic (liberal) terms, but there are few perceptions of participation as a citizen *responsibility*. Participation is encouraged, and centered mostly on market participation. The focus on the free individual, encouragement rather than demands of participation and the promotion of market participation, puts the Commission’s notion of this dimension in the liberal model.

Regarding the *identity* dimension, the analysis uncovers some conflicting ideas. On the one hand, the Commission argued that all citizens have the *right* to cultural expressions, and must also accept other cultures (European Commission 1991a: 85). In this lies a notion that cultural attachments are not prerequisites for obtaining EU

citizenship status. Furthermore, in article X3 of the draft text the Commission states that “[...] any discrimination on the basis of nationality, whether by a public authority or a private person, shall be prohibited” (ibid). This statement, along with the emphasis on EU citizenship as a supplement to, and not a replacement of national citizenship (ibid: 85, art. X1, 2), reflects a multilevel notion of citizenship, and on the identity dimension in particular. The Commission recognizes the value of nationality and cultural attachments to citizens. This is why the Commission encourages the idea of multilevel identities in line with the cosmopolitan model.

On the other hand, the Commission also puts forward a view on identity as consisting of a common culture and shared values:

What is the European Community? What makes it so unique yet so astonishingly diverse? One face of Europe displays *diversity and universality*; the other reveals *common basic values* and a striving for *unity*. On the one side, we see a disparate family of nations *embracing many different cultures*; on the other, a desire to develop a *common identity*, to make Europe “European” – but without succumbing to the colourless uniformity of “Europeanism” [...].

(European Commission 1991b: 5 [author's emphasis])

By this statement, the Commission claims the EU to be both a community of diversity with respect for all different kinds of cultures in spirit of cosmopolitanism, but also promotes a notion of the EU as a community of shared identity that is distinct from other communities in communitarian terms. The above quotation presents a *tension* between the cosmopolitan and the communitarian model in the Commission's ideas of the identity dimension.

## Summary

The liberal rights-based model of citizenship was the most prominent one in the Commission's conceptualization of EU citizenship during the Maastricht process. The Maastricht process was characterized by debates on the meaning and content of the concept of EU citizenship, and negotiations on what it should entail. What was most important to the Commission, however, was to grant the people of the newly established European *Union* with a formal status and role so that they could feel like a part of the integration process and be able to take

part in the internal market. Therefore, this period was characterized by optimism towards the symbolic and legal value of EU citizenship and following rights. As expected by the liberal model in Chapter 2, the Commission cherished the notion of EU citizenship as based on individual rights. Rights and citizens' interest in line with the liberal model was the most prevalent in the Commission's contributions to the establishment of EU citizenship in the Maastricht process. The Commission did perceive EU citizenship as a legal *status* equally distributed among all nationals within the territories of the EU regardless of their identity and cultural belongings. This is reflected in the membership dimension too, which was expected to be territorially limited, but internally inclusive.

It was also assumed that the participatory dimension would be rather weak and the notion of the politically active citizen and EU citizenship as a *practice* would be disregarded in favor of rights and personal freedoms. Furthermore, market participation was expected to be prominent, considering the very nature of European integration and the creation of the internal market at the time when EU citizenship was established. The notion of the active citizen as situated in a *community* was not present in the Commission's conceptions of EU citizenship, but rather the citizen as a worker, traveler and consumer. Participation was perceived as a right and market participation is emphasized above political participation.

However, the analysis also uncovered *tensions* between the three models of citizenship in the Commission's conceptualizations, particularly with regards to the identity dimension. Based on the liberal model, the Commission should pay less attention to the notion of a shared or collective identity. If anything, references to identity would include *personal* identity. Any identification with fellow EU citizens was expected to evolve from legally established rights and equality before the law, rather than focusing on culture or common identity. These perceptions are not very much present, however, although the constant focus on the individual and equality of treatment by law might implicitly indicate this.

A bit more prominent in the identity dimension, however, were actually the cosmopolitan and communitarian models. The Commission spoke of Europe, the EU and its peoples as something distinguished and unique from other societies; a *European* culture and

unity amongst its citizens. On the one hand, the identity dimension is perceived as something that is shared, and membership is thus exclusive to EU's members. In Chapter 2 the communitarian model expected such conceptions of identity.

On the other hand, the Commission advocates universality, respect for human rights, and solidarity with third country nationals, not only fellow members within the borders of the EU. This perception of citizenship, particularly with regards to identity and membership, fits with cosmopolitan assumptions. In this sense, the Commission believes that citizens can hold multiple identities at local, regional and national level, and that they can also identify themselves as Europeans with the values and traditions that characterize Europe.

Therefore, the analysis uncovered that the Commission has a rather conflicting perception between two models that are at completely different ends with respect to the identity dimension, and the above quote seems to reflect confusion in the Commission as to what defines the European community and its members. Nevertheless, the Commission has placed greater emphasis on diversity, non-discrimination, respect for cultures and solidarity far more than advocating for an EU citizenship as based on shared identity that is exclusive towards other forms of identity and cultures. It seems that in talking about a European identity and culture, the Commission understands this as a mix of all the different cultures and identities, thus the perception of identity is rather inclusive and cosmopolitan.

Despite these communitarian and cosmopolitan touches to the identity dimension, the overall conceptualization of EU citizenship during the Maastricht process was by far liberal. These findings are summarized in Table 4.1.

Table 4.1: Main ideas of EU citizenship in the Commission 1990-1992

Dimensions of citizenship					
	Rights	Membership	Participation	Identity	
Models of citizenship	<b>Liberal</b>	Individual Legal: the Maastricht Treaty	Internally inclusive (territorially limited)	As a <i>right</i> Market participation in internal market	No explicit statements
	<b>Communitarian</b>	No references to common good	Not <i>based</i> on European culture	No reference Vague reference to "obligations"	References to " <i>unity</i> "
	<b>Cosmopolitan</b>	Respect for human rights	Solidarity with third country nationals residing in EU	Not prominent, but references to human rights and solidarity: serving the human kind?	Respect for cultural diversity Multiple identities
<b>Main model(s)</b>		Mainly liberal. Communitarian elements in identity. Cosmopolitan elements in membership and identity in particular			

## Post-Maastricht 1993-1997: Citizens first

### Background

The Maastricht Treaty, although approved and adopted by the majority of the Danish Parliament (*Folketinget*), was rejected by Danish voters in a referendum in 1992 (Meehan 1993: 41; Worre 1995). This rejection represented a serious obstacle to the implementation of EU citizenship, which was meant to become *the* key in bringing the EU closer to the individual citizen.

The Danish people opposed the conceptualization of EU citizenship with the argument that the Community was becoming too integrated and supranational, thus endangering the national sovereignty of the member states (Worre 1995: 239). As the Treaty could not enter into force without Denmark on board, a European Council meeting was held in Edinburg in December 1992 to negotiate on the problems raised by Denmark concerning the content of the Treaty (European Council 1992: 2). According to the Danish position, EU citizenship was "a political and legal concept which is entirely different from the

concept of citizenship within the meaning of the Constitution of the Kingdom of Denmark" (ibid: 57). The negotiations resulted in the Edinburgh Agreement, in which Denmark was granted several "opt-outs"<sup>16</sup> from the Maastricht Treaty. The original Maastricht Treaty stated only that citizenship of the EU was granted to nationals of each member state. Denmark opposed this particular notion of the concept, and the EU citizenship opt-out stated that EU citizenship was not to replace national citizenship: "[...] do not in any way take the place of national citizenship" (ibid: 53). The opt-out added also that whether an individual possesses national citizenship is to be settled with reference to national laws and rules of the member states only (ibid). With the opt-outs being granted them, the Danish people accepted the Treaty in a second referendum in 1993.

The Amsterdam Treaty was signed in 1997. Negotiations on the Treaty came about because the Maastricht Treaty specified that a treaty revision was necessary (Maas 2007: 67). With regards to EU citizenship, the IGC in Amsterdam discussed how to bind the declarations of the Edinburgh European Council to the "benign character" of EU citizenship in relation to national citizenship (Olsen 2012: 102). The Danish no to the "Maastricht citizenship" weighed heavily in the first part of the negotiations (Maas 2007: 68). As stated by Olsen (2012: 102), U citizenship proposed by Maastricht opened a "Pandora's box" of multiple citizenship and identities in a supranational EU, which indeed touched upon fundamental issues on membership and belonging. A few member states tried to push forward a debate on the meaning of EU citizenship, some in supranational and postnational directions in terms of rights and institutional structure of the EU (Maas 2007: 68-69; Olsen 2012: 102-103). However, the Amsterdam IGC postponed these "hard issues", focusing instead on the monetary union (Maas 2007: 69). The Danish rejection of the Maastricht citizenship on the count of it being too postnational had made most member states wary of any strengthening of EU citizenship. What the member states instead did in Amsterdam was to add the principle of additionality into the new Treaty: "Citizenship of the Union shall complement and not replace national citizenship". What was originally a Danish opt-out was now applied to every member state of the EU.

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<sup>16</sup> Refers to being excepted from participating in certain policy areas.

## Ideas of EU citizenship in the Commission in the Post-Maastricht period

In neither 1993 nor 1997 did the Commission Citizenship Reports explicitly mention the new amendments to EU citizenship by the Amsterdam Treaty. The Commission only states in this period that EU citizenship is conferred upon all nationals of the EU, neglecting to mention its complementary status (European Commission 1993a: 2; 1997a: 2 and 4). In 1997, however, the Commission wrote that the benefits of EU citizenship “are clearly additional to those arising from national citizenship” (European Commission 1997a: 3).

The Commission was most concerned with addressing problems with respect to the implementation of the new citizen rights in the member states, which arose already a year after Maastricht. The main focus in the Commission during this period was once again on rights, but more specifically on the many *obstacles* citizens meet when trying to exercise their rights in the member states.

The first report on citizenship was published in 1993. The Commission continued to speak of rights as being “[...] granted constitutional status by being enshrined in the Treaties [...]”, conferred upon “every national” of the member states (European Commission 1993a: 2); that EU citizenship with following rights is a legal status, which ought to be protected by EU law. However, the Commission expressed concerns with regards to citizens’ “fundamental freedom” to move and reside in other member states, and that the principle of equality of treatment with nationals of the member state of residence with respect to the exercise of political rights was still not fully achieved in every member state (European Commission 1993b: 1). With respect to the right to free movement and residence, the Commission stated that these are based on a “fundamental ban on discrimination on grounds of nationality”, and that these rights are conferred upon *all* nationals of every member state “by virtue of their citizenship of the Union” (European Commission 1993a: 3). The right to free movement and residence is an equal right granted every individual, not just economically active people (*ibid*: 4).

Yet, the Commission claimed, free movement of persons still remained to be implemented in full as citizens meet several obstacles to the exercise of this right (European Commission 1993c: 1), and that

“annoying hold-ups at internal Union frontiers are a thing of the past” (European Commission 1994: 2). The Commission called for a complete elimination of border controls on goods within the EU, dismantling border controls for travelers within the EU to ensure free movement of persons across borders, and reinforcement of the right for *anyone* to live in another member state for as long as they choose (European Commission 1993a: 3; 1993c: 3; 1994: 7).

Regarding the lack of equal treatment with respect to political rights, the Commission states:

[t]he equality of treatment with nationals of the Member state of residence, which is guaranteed by Community law, has not yet been achieved as far as exercise of political rights is concerned.

(European Commission 1993b: 1)

The Commission emphasized that political rights are guaranteed by law, and its strive for guaranteeing these rights shows that the Commission continued to put the citizen and his rights in center in accordance with the liberal model. The Commission was concerned that the various national rules on the exercise of political rights would make it hard to fully implement article 8b(2) of the EC Treaty, which ensures that all citizens of the EU can effectively make use of their right to vote and stand as candidate in municipal and European elections in any member state (European Commission 1993a: 8). The Commission did not seek a complete harmonization of national rules regarding exercise of political rights, but continuously stressed the “elimination of the nationality condition”; that citizens ought to be treated on equal terms, and should be able to exercise their political rights regardless of member state of residence and irrespective of their nationality (*ibid*). Citizens must be free to choose member state in which they vote and stand as candidate, the Commission contended (*ibid*). The principle of non-discrimination, which lies at the heart of the EU, is persistent in the Commission’s writings on citizens’ rights.

What is evident in the Commission’s strive for a mutual recognition of the “fundamental right” to free movement and equality of treatment in the exercise of political rights in every member state is an individualistic perception of rights, and thus a liberal idea of the concept of EU citizenship. The Commission’s concern about the delays in a complete implementation of rights shows that the

Commission put the individual in center of attention, advocating an EU citizenship as based on individual rights and freedoms in line with the liberal model.

There was a strong emphasis on the EU and member states' responsibility for removing obstacles and completely enforce the rights. In the liberal model, the role of the state is that of neutrality i.e. limited to secure individual freedom and protect the individual and his rights against violations from other individuals or authorities. Central to the liberal model is the notion of negative rights; the rights of the citizen against the government and fellow members. The state's tasks are not to intervene with the lives of the private individual, but to respect his autonomy and protect his rights and interests. In the post-Maastricht period the Commission's primary focus seemed to be exactly this; "guaranteeing", "ensuring" and "protect" the individual citizen from various obstacles and national rules that prevent them from exercising their legally binding rights. The Commission took the role as a guarantor and protector of the individual citizen and his rights.

Up until 1997 signing of Amsterdam Treaty and the publication of the second report on EU citizenship, the Commission focused particularly on the right to move and reside freely within EU territory and removal of border controls (European Commission 1995; 1997a). The Commission's solution to fully implement EU citizenship was a revision of Article 8a (European Commission 1997a: 4). The Commission suggested upgrading the article, which had a supplementary legal basis, "to a specific legal basis apt to revise the complex body of secondary legislation" (ibid.). The Commission wished to make the right to free movement and residence even more apparent by strengthening its legal basis, well in line with the liberal models focus on legally established rights.

The Commission also wished to grant nationals of non-member countries "who are lawfully in the territory of one Member State the right to travel for a brief stay in the territory of any Member State", known as "the right to travel" (European Commission 1995: 3). As such, the Commission added a cosmopolitan twist to the right to free movement and residence, as it shows an inclusive approach to "outsiders" in certain aspects of the individual rights and membership dimension.

In order to strengthen citizen rights, citizens must be more aware of their rights and have full access to them. The Commission was not only concerned with the obstacles, but also with the consequences of the lack of implementation on citizens' attitudes and general view of the functioning of the EU. According to the Commission, citizenship as introduced by the Maastricht Treaty raised citizens' expectations to their rights in the Union, which they "expect to see conferred and enforced" (European Commission 1997a: 4). The Commission feared that the lack of or delays in the implementation of directives by the member states and the effective enforcement of the rights by the Union would cause distance to the concept of citizenship and "engendering confusion as to its means and objectives even fueling anti-EU feelings" (European Commission 1997a: 6). In the eyes of the Commission, "citizens are entitled to be aware of these rights and to have them honoured in practice by the Member States" (ibid: 4 [author's emphasis]).

The Commission suggested an improvement in the citizens' awareness of their rights and their access to these by proposing a "permanent information effort guaranteeing citizens access to simple and factual information concerning their rights", and "a special effort on the part of the Commission and Member States to ensure that the rights are effectively enforced" (European Commission 1997a: 4). This was why the Commission in 1996 launched the 'Citizens First' programme to promote information on citizen rights (European Commission 1997a: 18; 1997b). 'Citizens First' was launched in order to make access to information on rights easier for the individual citizen, and citizens can obtain any information they need on their rights through phone or the Internet (European Commission 1997b). They will be provided with guidelines and factsheets concerning their rights. The Commission tried, for the first time, to "reach everyone living in the European Union, so that a maximum number of people become aware of their rights", and stated that "making clear that the European Union is of direct relevance to the individual citizen is a top priority."<sup>17</sup>

The Commission's constant struggle to ensure a proper implementation of individual rights (mainly the freedom of

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<sup>17</sup> European Commission Press Release on "Citizens First" (1996), IP/96/1070. Retrieved from: [http://europa.eu/rapid/press-release\\_IP-96-1070\\_en.htm?locale=en](http://europa.eu/rapid/press-release_IP-96-1070_en.htm?locale=en) [Last accessed 12 October 2015].

movement and exercise of political rights in any member state) along with its profound focus on guaranteeing easy access to information on rights and raising citizens' awareness of their rights, place its conceptualization of EU citizenship in the liberal model. But what about the other dimensions?

We might argue that the "fundamental ban on discrimination on grounds of nationality" is also a cosmopolitan expression of the membership dimension. However, the Commission continues to use phrases like "every national of a member state" (European Commission 1993a), "Union citizenship" (European Commission 1993b) and "Citizen of the Union" (European Commission 1995), thus limiting membership and EU citizenship with following rights to nationals within EU territory, in line with the liberal model. As the membership dimension is already established in the Treaty, it is unsurprising that this dimension remains the same in the Commission's conceptualization.

So far, political participation has generally been conceived by the Commission as a political right in liberal terms. However, the Commission claimed also that the single market "cannot fully succeed without [citizens] active participation" (European Commission 1993c: 1 [author's emphasis]), and that citizens must know how to put their right in practice (European Commission 1997b). What does this mean?

Throughout the post-Maastricht era, the Commission stressed that citizens have a pivotal role as workers and consumers in the Community's frontier-free single market (European Commission 1993d: 1), and that they should pursue their role as active consumers and workers. In this lies a notion that Community cannot be well-functioning without citizens' active participation:

In their role as consumers, ordinary EC citizens are key players in the Community's new frontier-free single market. In fact, it cannot fully succeed without their active participation.

(ibid)

In this sense, the Commission does not only advocate for the dimension of participation as a right, but almost as a duty to make the foundations for the EU, the single market, work properly. The rather "demanding" characteristics of these statements on

participation point almost towards the communitarian model. However, as in the previous period, these statements are connected to *market participation*. As the EU is founded on market liberalism and freedom of movement, participation in the EU is first and foremost centered on liberal market participation. Participation in this sense means making use of their right to free movement, to take up jobs and study abroad, being a "proper" consumer and bringing home goods without restrictions. The Commission thus claimed that "an enlightened consumer policy is one way the Community can show how it directly benefits ordinary citizens." Market participation is promoted as a benefit to individual citizens.

The Commission argued that the Maastricht Treaty for the first time created a "direct political link" between the EU and citizens, with the main purpose being "fostering a sense of *identity* with the union" (European Commission 1993a: 1 [author's emphasis]). Here too the Commission believed that citizens' interest must be accounted for and prioritized in order to establish and maintain a *bond* between the people and between people and the EU institutions:

[c]itizens concerns must remain at the forefront of European integration, if a *closer union between the people of Europe* is ever to be achieved.

(European Commission 1997: 6 [author's emphasis])

The Commission claimed that mainly *through* rights, EU citizens can "[express] their European identity while maintaining their respective national identities" (European Commission 1993a: 8). Therefore, the Commission states, it was crucial to:

[E]nsure that the citizens of the Union enjoy the greatest possible freedom with regard to the right to vote and stand for election to the European parliament, and that the exercise of these rights is subject only to such conditions as are strictly necessary.

(European Commission 1993a: 8)

It was the Commission's opinion that a European identity will evolve alongside the national identity from the exercise of the political rights in the EU, which may points us to a communitarian understanding of the participation and identity dimension. However, it can also be argued that the Commission believed in a notion of *legal* identity; that

identity is first and foremost individual, and that identification with fellow citizens would evolve as a product of their legal rights. This is because a common identity and culture, which lies at the core of the communitarian model, was still not conceived as a foundation of EU citizenship. Rather, it seems that a common identity *develops* from individuals being tied together by law, in line with the liberal model.

Still, it is clear that there is a tension between models once more in identity. The reinforcement and strengthening of citizen rights and involvement is emphasized as means of nurturing a *sense of belonging* to the EU and avoiding alienation to the EU institutions and anti-EU attitudes. The notion that there exist a European culture and identity points to a communitarian idea. Nevertheless, by putting the individual citizen in forefront and reinforce their rights, a *legal bond* between citizens will evolve as a product of their equal status. Thus, identity is based on equality of treatment through the status of citizenship, and a mutual respect for individual rights and freedoms. The Commission does not here advocate on an identity as *based* on culture or as something that is already shared between individuals.

## Summary

During the post-Maastricht period the Commission discovered several obstacles to the implementation of the citizen rights guaranteed by EU law. Unlike the previous period, the Commission expressed a lot more concerns to EU citizenship due to the lack of implementation of rights by member states, citizens' attitudes towards the concept of EU citizenship, along with their general lack of awareness on their rights. The Commission saw the inconsistency in implementation of the rights as a possible threat to the EU's legitimacy and people's relationship with the EU.

The liberal model, with its emphasis on the individual citizen and his rights and freedoms, is by far the most prominent idea of citizenship also in the post-Maastricht period. As expected in Chapter 2, there is an understanding of the EU as a guardian of citizen rights. The Commission takes up the responsibility for guaranteeing implementation, making sure citizens know their rights, and protect citizens against obstacles. The Commission views EU citizenship in light of the autonomous individual who is entitled to pursue the rights granted him.

Phrases like “Union citizen(ship)” and “nationals of member states of the EU” reflects a liberal idea of the membership dimension as rights are equally granted every individual, but still only entitled nationals within the EU's territorial boundaries. The communitarian model rather assumed an exclusive membership *based* on shared identity and culture, and rejection of outsiders. The emphasis on fundamental ban of discrimination based on nationality and respect for cultural diversity points us away from such an understanding of membership. The Commission mentions rights for non-members to a brief stay in the EU, as expected by the cosmopolitan model. Thus, membership has a slight cosmopolitan twist.

There are references to obligations and participation, however with a more encouraging rather than demanding feature. The communitarian model expected that the Commission to conceive EU citizenship as a *political practice* in which individuals come together as a community to participate in the political life of the EU. This perception, however, is absent. The Commission recognizes the *involvement* of citizens in

the integration process, and claims it is important to the overall functioning of the Community. However, liberal *market* participation is far more prevalent. To the Commission, having citizens participating in the internal market by making use of their *rights* as citizens, workers and consumers is vital. This focus on market participation and participation as a *right* reflects liberal ideas. Still, the Commission does state that the citizens are also “subject to duties imposed by the Treaty” (European Commission 1993a: 2), but does not elaborate on these duties. There is a slight notion of solidarity with fellow citizens across borders, which is central to the cosmopolitan understanding of “participation”. However, cosmopolitan notions of participation are not so prevalent compared to the liberal participatory rights and market participation.

Identification with fellow members seems to be conceived as a product of legal status as EU citizens with equal rights, though with a communitarian touch in the Commission's emphasis on “sense of belonging”. Furthermore, a slight cosmopolitan aspect is also visible in the focus on eliminating the nationality condition. Table 4.2 summarizes the main findings from this period.

Table 4.2: Main ideas of EU citizenship in the Commission 1993-1997

Dimensions of citizenship					
	Rights	Membership	Participation	Identity	
Models of citizenship	<b>Liberal</b>	Individual Protected by EU law EU as guarantor of rights	Internally inclusive (territorially limited)	As a <i>right</i> Market participation (internal market)	Product of status as EU citizen
	<b>Communitarian</b>	No reference to collective good	Not <i>based on</i> European culture	No reference	Sense of belonging, but no <i>European</i> identity
	<b>Cosmopolitan</b>	Free movement Human rights	Right for third country individuals to a brief stay	Solidarity with fellow citizens	Non- discrimination of nationals
<b>Main model(s)</b> Liberal. Slight cosmopolitan twists to identity and membership. Communitarian feature in identity.					

## Preparation for Enlargement 1998-2003: A more democratic, transparent and efficient EU

### Background

Member states agreed in Amsterdam to work towards an “area of freedom, security and justice”, and pressures to classify rights continued after the signing of the Amsterdam Treaty (European Commission 2002: 11; Maas 2007: 69-70). In light of this, the European leaders declared in 1999 that “the fundamental rights applicable at EU level should be consolidated in a Charter and thereby made more evident”.<sup>18</sup> The *Charter of Fundamental Rights of the European Union* was established to bring together civil, political, economic and social rights guaranteed by the EU, as well as the specific rights of EU citizens into one single document (European Commission 2001: 2-3). The purpose of the Charter was “to make their [rights] overriding importance and relevance more visible to the Union’s citizens”

<sup>18</sup> <[http://europa.eu/rapid/press-release\\_PRES-99-418\\_en.htm?locale=EN](http://europa.eu/rapid/press-release_PRES-99-418_en.htm?locale=EN)> [Last accessed 26 October 2015].

(European Commission 2000a: 3). A body called “the European Convention” was created to carry out the task of forming the Charter.

The Charter states that the EU “places the individual at the heart of its activities, by establishing the citizenship of the Union and by creating an area of freedom, security and justice” (Charter of Fundamental Rights 2000: 8). It incorporated rights both connected to EU citizenship and general rights for every individual. The Convention put forward a final draft to the European Council in Nice 2000, hoping that it would be incorporated into the Nice Treaty.<sup>19</sup>

The Nice Treaty was negotiated in light of the preparation for enlargement towards Eastern Europe. There was a need for an institutional reform in the EU, aiming at strengthening democratic procedures, foster a closer relationship between the EU and citizens, and create more efficient policy-making processes. This was deemed necessary for the EU to incorporate the new post-communist member states and their citizens (Maas 2007: 72). Enlargement had already been addressed in the negotiations in Amsterdam, but the Treaty failed to deliver (ibid). The negotiations at the IGC ended with the signing of the Treaty of Nice in February 2001. It only provided small changes to EU citizenship, though, such as introducing Qualified Majority Voting (QMV) to free movement. Henceforth, the decision to move and reside freely within the EU no longer required unanimous votes by member states (Maas 2007: 72). Due to its narrow focus on institutional structure and not on the relationship between the EU and citizens, some argued that the Treaty failed to further the goal of an “ever closer Union”.

Therefore, the *Laeken Declaration* was adopted a year after Nice (Phinnemore 2010: 45), launching a debate on the future of the EU. It dealt with various issues from EU's democratic legitimacy, to the future pillar structure, more efficient decision-making processes and issues regarding EU citizenship (ibid: 44–45). It declared that the EU had to “become more democratic, more transparent and more efficient”, and stated that the EU had to resolve the issue of “how to bring citizens, and primarily the young, closer to the European design and the European institutions” (European Council 2001: 21).

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<sup>19</sup> It did not gain legal force, however, until the entry into force of the Lisbon Treaty in 2009.

“The Convention on the Future of Europe” was created to deal with these issues (Phinnemore 2010: 45). In the effort of creating a more democratic and transparent EU, the Convention worked towards “the adoption of a constitutional text in the Union” (European Council 2001: 24). The Convention began working on a draft text in 2002, and ended up with drawing a full draft constitution for the EU, called the Draft Treaty Establishing a Constitution for Europe (Nugent 2010: 70). Several representatives advocated for building a European identity, claiming that democratic features was achievable only if citizens had a greater say in the decision-making process and shared a sense of belonging to the EU (Maas 2007: 83–84). Participation also became important to increase the democratic life of the EU, strongly connected to the idea of identity (Olsen 2012: 120). In order to bring citizens closer, the EU needed to create a true EU citizenship whereby social rights were incorporated (Maas 2007: 85). Citizens were also granted an EU passport. An IGC opened in October 2003 and negotiated on the draft for the new Treaty.

The preliminary draft stated that every citizen “enjoys dual citizenship, national citizenship and European citizenship; and is free to use either, as he or she chooses; with the rights and duties attaching to each” (European Convention 2002: 9). Such a statement gave the EU stronger federal features (Maas 2007: 85; Olsen 2012: 119). “Dual citizenship” was however removed from the final draft exactly because of its federal character, and the Convention returned to the conception of EU citizenship as complementary (Olsen 2012: 122–123). The final draft did only minor changes to the democratic life of the EU, with some members arguing for stronger participatory and identity dimensions (ibid: 128–129).

### **Ideas of EU citizenship in the Commission during the preparation for enlargement**

To the Commission, a key purpose of the Constitution was to give EU citizenship “full meaning” focusing particularly on fundamental rights and the protection of these (European Commission 2002: 5). In its Communication to the Convention, the Commission connects EU citizenship to the principle of democracy and respect for human rights (ibid: 11). In this spirit, the Commission placed great focus throughout the period on the Charter of Fundamental Rights, stating that:

"[...] the Union's priority objectives be better defined in the Treaty, focusing on the development of the idea of European citizenship and ensuring respect of the fundamental rights and freedoms recognised by the Union's *Charter of Fundamental Rights*.

(ibid: 14)

The Commission takes the attitudes of the citizens into consideration, claiming that citizens wish to see the EU safeguarding peace and security, ensuring rights and equality among all (ibid: 4). Especially important were these principles to the Commission in the context of enlargement. According to the Commission, citizens called for a clearer, more transparent EU with stronger democratic control, which respects national identities and encourages and protects rights (ibid). Citizens, the Commission contends, wanted an EU that is "removed from the 'superstate' myth" (ibid). To the Commission, therefore, putting citizens' rights and freedom at the heart of the Constitution while respecting their national ties and keep EU citizenship as a "complementary" status would help increase democracy in an enlarged EU (see European Commission 2002).

Thus, the Charter of Fundamental Rights held a central place in Commission during the preparation for enlargement, and believed that a constitution for Europe should have basis in the Charter (European Commission 2002: 249). The Charter was endorsed by the Commission from the very beginning of its creation:

There is a need for a Charter of Fundamental Rights because the European Union has *entered a new, more resolutely political phase of integration*. The Charter is a major milestone for Europe as a political force, which is evolving into an integrated area of *freedom, security and justice, simply as a consequence of citizenship*. It is an indispensable *instrument of political and moral legitimacy*, both for the citizens of Europe in relation to politicians, administrations and national powers and for social and economic operators. It is an expression of the *common values* that are at the very core for our democratic societies.

(European Commission 2000a: 3 [author's emphasis])

The Commission expresses a strong optimism towards the Charter as a way of obtaining and maintaining legitimacy in a growing EU. In stating that the Charter brings together the "common values of our

democratic societies”, the Commission indicates an understanding of the Community as having specific features distinct from those of other societies. The Charter is thus a symbol of this distinction and the common European values of fundamental rights and freedoms. By highlighting these “common values”, it is tempting to conclude that the Commission holds a communitarian perspective with respect to citizenship.

However, the Commission constantly refers to the *protection of fundamental rights*, and points out that “the Charter provides significant *legal certainty*”, which will “make it possible to improve the current level of protection of fundamental rights in the Union [...]” (European Commission 2000a: 4 [author’s emphasis]). Furthermore that these fundamental rights should “*protect the individual from abuses of public power*”, and thus are to be *respected* by the EU (ibid: 4–5 [author’s emphasis]). The Commission believed that incorporating the Charter in the treaties “would remedy some of the shortcomings in the existing system of protection of fundamental rights” (ibid.: 10). Giving the Charter a full legal status should, according to the Commission, ensure even better protection of economic, social, civil, political and specific citizen rights in one single text (ibid; European Commission 2001: 23).

The communitarian model, although it does not reject the notion of individual rights, opposes the liberal understanding of individual rights as center of attention. Rights are understood as *common* goods, and derive from participation of citizens as a collective. Although the Commission expresses “common values”, the continuous emphasis on protection of individual rights goes against the essence of the communitarian model. In the communications to the Charter, the Commission focuses primarily on rights in accordance with the liberal model. Still, as the Commission does promote common values *and* emphasizes individual rights, there is indeed a slight tension between the two models.

With regards to the holders of rights, the *members*, the Commission writes: “In accordance with the principle of the universality of rights, most of the rights are granted to *everyone*” (European Commission 2000a: 7). This is further elaborated in the communication on the Charter’s legal nature: “[I]n respect for the principle of universalism, the rights set forth in the draft are generally given to all persons,

irrespective of their nationality or residence" (European Commission 2000b: 2). Also, the Commission states that "it should be added that certain rights granted to Union citizens may also be accorded to *nationals of third countries*, such as freedom of movement" (European Commission 2000a: 8). These statements indicate an understanding of rights as detached from EU's territories in line with the cosmopolitan model. True, the Commission stresses equality and universality of the fundamental rights set out in the Charter. However, the Commission also explicitly states the limitation of rights that are connected to EU citizenship:

The position is different for the rights that are most directly bound up with citizenship of the Union, which are given only to citizens.

(European Commission 2000b: 2)

The Commission mentions both the inclusive and exclusive parts of the Charter, thus reflecting both a liberal and cosmopolitan ideas. This mix of ideas is not surprising, considering the very nature of the Charter itself. It consolidates both fundamental human rights, as well as rights specific to EU citizenship.

The Charter of Fundamental Rights is also a core topic of the Commissions 2001 Citizenship Report (European Commission 2001: 2). Here too the Commission argues on the legal value of the Charter, stating that it must be respected by both EU and the member states when applying law, thus sending "a clear signal that the citizen is now at the centre of European integration" (ibid: 23). The right to free movement is referred to by the Commission as a "status of a fundamental *personal* right" (ibid: 8). The rights-based liberal model's focus on the individual is visible in the report too. Regarding the right vote and stand as candidate to the elections to the EP for accession countries in the enlargement process, the Commission writes that these "political rights are fundamental rights acknowledged by the Charter of Fundamental Rights", and stresses that these "must be respected already in the first elections after the enlargement" (European Commission 2003: 3). The Commission will guarantee the "fundamental rights of political participation for all Union citizens in the 2004 elections to the European Parliament" (ibid: 7).

The focus on information of rights prevails; the "need to provide citizens with more information about their rights is stressed

repeatedly” (European Commission 2001: 4). Particularly important in this period is informing the new EU citizens of their rights (European Commission 2003: 5). The Commission continues to struggle with the lack of knowledge among citizens:

The large number of petitions [...] suggests that the public does not have a clear idea of the powers of the European Union and the rights that Union citizenship confers.

(European Commission 2001: 4)

The liberal model of citizenship continues as the prevailing one in the Commission’s writings on EU citizenship. This may not be so striking considering the point of time in the integration process; the creation of the Charter of Fundamental Rights and preparation for the accession of ten new member states and millions of new citizens. In preparing for enlargement it was deemed necessary to effectively reinforce and inform on EU rights to welcome the new individuals of the accession countries as EU citizens. Citizens’ individual rights and freedoms were also of primary concern to the Commission during the making of the Constitutional Treaty, as reinforcement of rights was seen as the most fruitful way of increasing EU’s legitimacy and democratic features (see European Commission 2002). The Commission wants to ensure that the rights of the individual are in always in center, always protected, and always respected by the EU institutions and member states in accordance with the liberal model.

Notwithstanding the rather rights-based and liberal conception of EU citizenship that followed from the Commission’s conceptualization in the early 90s, there is a small increase in emphasis on *participation*. The Commission writes that “encouraging participation should be a continuing process” (European Commission 2001: 15), and “citizenship of the Union is [...] a source of legitimation of the process of European integration, by reinforcing the participation of citizens”. These statements indicate that not only should the private individual and his entitlement to personal rights be the only aspect to EU citizenship, but also individuals as part of the Community who work *together* and participate in the democratic life of the EU, in line with the communitarian model. Although the Commission still *encourages* participation, it seems that *political* participation has gained increased attention by the Commission, thus the notion of participation is

predominantly communitarian. The politically active citizen gained increased recognition at the expense of the market citizen.

Once again the analysis discovered an ambiguity in the Commission's perception of the *identity* dimension. The Commission argued to the Convention in the constitution negotiations that "belonging" to the EU means "freedom, democracy and respect for fundamental values", which made it necessary to build an EU based on "freedom and justice" (European Commission 2002: 5). Putting the individual freedom in center, the Commission conceives belonging to the community as based on every individual's freedoms and rights in a liberal understanding.

At the same time, the Commission recognizes that traditional, statist conceptions of citizenship often include the dimension of identity, or even nationality (ibid: 7). EU citizenship, on the other hand, is something "superimposed", the Commission claims, on national, regional or even local citizenship, thus giving birth to a multilevel kind of citizenship (ibid: 7). Because of this:

[a]ttempts 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)

Here the Commission argues that the EU is not a state, and the foundations from which the EU citizenship is based upon differ from those in nation states. What the Commission reflects on the identity dimension here is cosmopolitan ideas.

What is so striking, therefore, is that the Commission also refers to EU citizenship as "[the creation of] a sense of belonging to the European Union and [...] having a *genuine* European identity" (ibid [author's emphasis]). Although the Commission refers to the multilevel nature of European identity, the word "genuine" does add a communitarian aspect to the identity dimension. The increased focus on a "genuine European identity" points to an understanding of identity as *shared* between all EU citizens, and that this identity brings them closer as a *collective*. This notion and the focus on "sense of belonging to the European Union" fit well within the communitarian model's emphasis on community affections. It seems that the Commission

does not only focus on the individual as a private and autonomous self, but also on the individuals as *socially embedded* in the Community with fellow EU citizens of whom he should feel a sense of belonging to. Thus, the Commission hoped that the Convention would create a “truly constitutional text with which the people of Europe can identify and where they can also identify their common project” (European Commission 2002: 5).

## Summary

The Commission continued on a path of a liberal rights-based conceptualization of EU citizenship. This might be explained by the events going on in this period. Some were concerned that enlargement to Eastern Europe – with countries barely out of communist rule and currently undergoing major transformations to become democracies with newly established market economies – would propose challenges to EU’s decision-making processes and “the whole idea of union” (Phinnemore 2010: 40). They saw the need for a more democratic, open and transparent EU to accommodate the new countries and their citizens. These principles were important in the negotiations in Nice, in the Laeken declaration, and in the negotiations on the Constitutional Treaty.

The analysis uncovered that in the eyes of the Commission, reinforcement and protection of individual rights and providing the new citizens with information on their rights was important to secure democracy in the EU, well in line with the liberal expectations from Chapter 2. There was a continuous focus on legally established rights. The Commission spoke of the Charter of Fundamental Rights as providing “significant legal certainty” which would improve the level of protection of civil, political, social, economic and specific rights to EU citizens.

As the liberal model expected, the Commission continues to refer to EU citizenship as territorially limited but equally conferred upon all individuals. The membership dimension is already “given”, and the Commission has not changed its perception of who are members of the EU. However, the Commission speaks of certain rights in the Charter as “granted to everyone” in spirit of universalism. With respect to freedom of movement, the Commission also includes nationals of third countries. The cosmopolitan model expected the Commission to be inclusive towards third country nationals, and

extend hospitality to these. A mix of particularly the liberal and cosmopolitan models is therefore visible in the membership dimension.

The analysis uncovered a rise in participation and identity. The Commission claimed that participation would increase the EU's democratic features. Put in context, the focus on participation might be a way for the Commission to bring citizens in a growing EU together. In order to increase democratic features and create a more transparent structure, reinforcement of individual rights was perhaps not sufficient. The Commission still *encourages* participation as expected by the liberal model, but there is also a perception of the citizen as situated in the community in line with communitarian emphasis on the active citizen. Furthermore, political participation in communitarian terms is now emphasized above market participation. There are tensions between liberalism and communitarianism to this dimension.

An ambiguity was uncovered with respect to identity. On the one hand, the Commission claims EU citizenship to consist of multiple identities in line with the cosmopolitan expectations. On the other hand, the Commission perceives EU citizenship as creating a sense of belonging to the EU. Whether this sense of belonging is a product of status as EU citizens (liberal) or the Commission perceives European identity as something that is already shared (communitarian), is uncertain. However, the Commission explicitly refers to a *genuine* European identity. In this lies a notion that a European identity is an identity that is common to Europeans in communitarian terms. Also, the notion of identity is generally disregarded in the liberal model in favor of the private market oriented individual. The fact that a "genuine" identity is so highly emphasized adds strong communitarian features to this dimension.

Although this period was also largely dominated by a continuous dedication to the individual citizen and rights, there was a change in the commission's perceptions towards more communitarian features to the participation and identity dimensions. The cosmopolitan model continues in the "background", and appears particularly in the membership and identity dimensions. Table 4.3 summarizes these results and developments.

Table 4.3: Main ideas of EU citizenship in the Commission 1998-2003

Dimensions of citizenship					
	Rights	Membership	Participation	Identity	
Models of citizenship	<b>Liberal</b>	Individual Legal Protected by EU law	Internally inclusive (territorially limited)	As a right No reference to market participation	No explicit reference, but notions of belonging based on rights?
	<b>Communitarian</b>	No mentions of collective good	Not <i>based</i> on European culture	The politically active citizen	“Genuine” European identity
	<b>Cosmopolitan</b>	Charter of Fundamental Rights – all rights Human rights	Inclusion of third country nationals in free movement and Charter	Respect for human rights = solidarity with fellow <i>humans</i> ?	Multiple Non- discrimination
	<b>Main model(s)</b>	Liberal. Largely influenced by communitarian model in participation and identity dimensions. Cosmopolitan elements in the “background”			

## Enlargement and Euro crisis 2004-2009: European identity and active political participation

### Background

Despite the signing of the Constitutional Treaty by the European leaders, some member states were “having serious reservations about some of its contents” (Church and Phinnemore 2010: 50). Although ratified by 18 member states, French and Dutch voters rejected it, thus putting the ratification process to an end (Maas 2007: 86). The European leaders were quit lost as to how to proceed; continue with the ratification process, or put it on hold (Church and Phinnemore 2010: 54). In 2005 the European Council called for a “period of reflection” in order to decide what to do next (Nugent 2010: 76; Olsen 2012: 130).

Those who did ratify the Treaty were much in favor of proceeding with it, whilst the governments who did not ratify it were more cautious. However, an alternate approach became to take form in 2006. The governments agreed that the “constitutional” aspects of the Constitutional Treaty should be abandoned and dropped, but that some of the “routine reformist” aspects of it would remain (Olsen 2012: 130). The reason for this agreement was that most member states agreed to new institutional reforms in the EU, but in order to be

ratified, the new Treaty needed to be much more “low key” than the Constitutional Treaty.

The negotiations on the Lisbon Treaty began in the first half of 2007. The Commission was highly influential in this process also. It believed that part of the problems in ratifying the Constitutional Treaty, was due to citizens' increased expectations to the EU, while at the same time lacking and understanding on the overall meaning of the European project. In the communication of a “Citizens Agenda” prior to the debate on the new Treaty, the Commission stated that “EU citizens want a greater understanding of, and say in, what the EU does and how it does it” (European Commission 2006d: 2). Thus, and especially in context of enlargement, the Commission believed there was a need to promote fundamental rights and develop EU citizenship in order to achieve the goal of more democracy and transparency as specified by the Laeken Declaration. To increase citizens' understanding of the functions of the EU and bring them closer in the process, the aim of the Lisbon Treaty was to put citizens and their needs at the heart of integration.<sup>20</sup> It eased up the institutional structure of the EU, making it more understandable to citizens in order to foster their participation and representation in EU decision-making. The Treaty was signed in 2007, and, after first being rejected and then approved by the Irish people, ratified in 2009.

In late 2009, the Euro crisis broke out in full in the EU. The Euro crisis was a result of a combination of many factors (see Fossum and Menéndez 2014), most prominently the collapse of the United States' fourth largest investment bank, Lehman Brothers, in 2008.<sup>21</sup> Many European banks that had invested greatly in American mortgage were hit hard. As a consequence, banks stopped lending money to each other and governments in several European countries had to step in and rescue the banks with financial support. This, however, proved to be costly and the conditions worsened in 2009 when it became clear that some countries could not afford to save the affected banks. The investors started closely investigating the finances of these governments, and discovered that some countries (such as Greece) had debts nearly twice the size of their economy. They had grown

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<sup>20</sup> <<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV:ai0021>> [Last accessed 20 October 2015].

<sup>21</sup> <[http://ec.europa.eu/economy\\_finance/explained/the\\_financial\\_and\\_economic\\_crisis/why\\_did\\_the\\_crisis\\_happen/index\\_en.htm](http://ec.europa.eu/economy_finance/explained/the_financial_and_economic_crisis/why_did_the_crisis_happen/index_en.htm)> [Last accessed 26 October 2015]

accustomed to lending large amount of money to finance their budgets, and were then hit even harder when the market stopped lending them money.<sup>22</sup> Thus, the financial crisis developed in Europe into becoming a sovereign debt crisis. In the words of Fossum and Menéndez (2014: 2) “The financial crisis mutated [...] into a fiscal crisis which dragged the whole Eurozone and indeed the entire European Union down.” Scholars argue that the euro crisis has had a major impact on the EU’s relationship with citizens (see Braun and Tausendpfund 2014; Majone 2014: 238), and on citizens’ daily lives and exercise of rights in the EU.

### Ideas of EU citizenship in the Commission during enlargement and Euro crisis

As the Euro crisis broke out at the end of this period, the Commission documents analyzed here do not deal with the impact of the crisis on EU citizenship. What was most prominent in the Commission was rather the impact of the enlargement and the Constitutional Treaty on EU citizenship:

The coming decade will greatly increase the diversity of the Union. With the accession of 10 new Member States on 1 May 2004, it will undergo the most significant enlargement in its history [...] representing an immense richness of cultural, social and linguistic diversity [...]. In such a context, the shared values that hold our societies together, such as freedom, fairness, tolerance and solidarity, become more important than ever.

(European Commission 2004b: 2)

Due to the strive for more transparency and democracy in the EU along with citizens’ wish to gain better understanding of and say in the EU, information and communication with citizens regarding their *rights* continued as core topics in the Commission (European Commission 2004a: 4; 2006a: 4-5; 2006d). The Commission contends that “citizens are entitled to be aware of these rights”, and that “they will feel that the EU is closer them if continuous action is taken to improve their general awareness of their rights, provide them with easy access to reliable information about their rights and feed back

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<sup>22</sup><[http://ec.europa.eu/economy\\_finance/explained/the\\_financial\\_and\\_economic\\_crisis/why\\_did\\_the\\_crisis\\_happen/index\\_en.htm](http://ec.europa.eu/economy_finance/explained/the_financial_and_economic_crisis/why_did_the_crisis_happen/index_en.htm)> [Last accessed 26 October 2015]

their experience” (European Commission 2004a.: 4–5). Therefore, the Commission advocates that citizens must always be in the center:

The Commission places the citizen at the heart of its policies and will continue to inform citizens of their rights and to ensure that they actually benefit from such freedoms across the Union.  
(European Commission 2008a: 2).

The Commission is carrying on a liberal path, arguing that reinforcing and protect individual rights and the promotion of individual freedoms should be the most important actions taken in the further development of EU citizenship:

The EU must give European citizens confidence that measures are in place to make Europe a fair and safe place to live in, where *security is guaranteed* in parallel with *liberty* and the exercise of *individual freedoms* which Europeans hold dear  
(European Commission 2006d: 5)

The Commission wanted to reinforce citizen rights by “confirming the rights of Union citizens in the Constitutional Treaty by incorporating the Charter of Fundamental Rights with *mandatory legal status*” (European Commission 2004a.: 11 [author’s emphasis]); reinforce the right to free movement and residence of EU citizens and their family members; and reinforce the right of every EU citizen to vote and stand as candidate in municipal elections and elections to the European Parliament (ibid: 5–8). Security was to be guaranteed by protecting EU citizens against all forms of violence, protect both criminals and victims of criminal activities by guarantee and inform them properly on their legal rights, and ensuring a “high level of health protection, well being and social cohesion” (European Commission 2005d: 13), as well as reinforcing diplomatic and consular protection of citizens residing in third countries (European Commission 2006a: 2).

The Commission is rather ambitious in its constant strive to “protect” the individual citizen and guarantee their rights. In the spirit of liberalism, the Commission continues to emphasize EU citizenship as a status of “negative” rights; the belief that the individual citizen should be protected by the EU’s institutions. This is also evident in the Framework Programme on Fundamental Rights and Justice (European Commission 2005d: 3–4):

These developments imply a significant reinforcement of the fundamental values which are at the heart of the European project. The Union will be legally obliged not only to respect these values, but also to ensure that they are effectively promoted in all policy areas [...].

(ibid: 4)

This liberal rights-based orientation to citizenship is also summarized in the 2008 citizenship Report: “the Commission places fundamental rights at the heart of *all* its policies” (European Commission 2008a: 10).

There is a further extension of the membership dimension as well. With respect to the entitlement of membership, the Commission stresses the principle of fundamental ban on any form of discrimination based on nationality, gender, race, as well as social and economic status, thus promoting cultural diversity within the EU’s territorial boundaries. This time, Switzerland and EEA countries are also to be included in agreements on free movement (2008a: 6):

Many Union citizens [...] benefit from rights of free movement similar to those applicable in the EU also in Switzerland [...] The negotiations [...] that would make Directive 2004/38<sup>23</sup> applicable in the EFTA Member states (Liechtenstein, Norway and Iceland) are ongoing.

(European Commission 2008a: 6)

Furthermore, family members from third countries are allowed to “reside with the Union citizens on grounds of their family link alone.” The Commission promotes protection of third country family members residing in an EU member state. The same goes for diplomatic and consular protection in third countries, which the Commission wants to be fully achieved for both EU citizens *and* their third country family members: “It is time to put an end to the considerable difficulties that citizens and their families face in such situations” (European Commission 2006a). Cosmopolitan elements are once again apparent in the membership dimension. Liberal ideas are, of course, still prevailing: “Union citizenship is gained through

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<sup>23</sup> Directive 2004/38 on the right of the citizens of the Union and their family members to move and reside freely within the territory of the member states.

the acquisition of the nationality of a member state" (European Commission 2008a: 3).

The liberal model continues to dominate the rights and membership dimensions. However, what is striking in this period was the significant increase in emphasis on *political participation* and *identity* along with citizen rights. Although these dimensions have been present to various degrees throughout, they became far more prominent in this period. Due to the enlargement process and problems with ratifying the Constitutional Treaty, the Commission was convinced that a development and *deepening* of the concept of EU citizenship beyond mere individual rights was necessary to secure democratic developments in the EU:

These developments make it more necessary than ever that Europe's citizens have an opportunity to experience a feeling of *belonging* to the Union and are able to identify with it.

(European Commission 2004b: 5)

According to the Commission, EU citizenship needed to be given a "concrete meaning" through fostering a European identity and *active political participation* (European Commission 2004a; 2004b; 2005a 2005b; 2005c: 20; 2005d: 8; 2007). There is a mix of models in these dimensions. Firstly because the Commission still emphasizes diversity of cultures and identities in spirit of the cosmopolitan model. At the same time, the Commission speaks of *shared* values, sense of belonging and identification with the EU in communitarian terms. Thirdly, the Commission still claims a need to focus on rights stemming from EU citizenship in order to *encourage democratic participation*, pointing towards a liberal understanding (European Commission 2005d: 8, 33, 90).

Nevertheless, the communitarian model became more apparent: "[...] their active involvement is essential in order to ensure a democratic and balanced development of the European Union" (European Commission 2005a: 2). There is a larger focus on the active EU citizen, which is particularly evident in the Commission's emphasis on participation of young persons, and the need to prepare them for their roles as future EU citizens (European Commission 2004a, 2004b; 2004c: 5-6; 2005c; 2006b; 2006c). The enlargement included 60 million young people in the EU, who, according to the Commission, "are less committed to the traditional structures of political and social activity

than in the past" (European Commission 2004b: 6). There was a need to create conditions in which the young Europeans could feel more "sense of solidarity and responsibility", who are "active and tolerant" members of the society (ibid.). Participation of young persons involves also boosting jobs and economic growth, as they make up the future work force (European Commission 2005c: 3). The Commission believed, therefore, that young people need to be "properly equipped with knowledge, skills and competences" through education and training (ibid.). EU citizenship, in the eyes of the Commission, should no longer only be defined as an individual *status*. Rather, the emphasis on responsibility and citizens as *active members* of the society indicates a notion of EU citizenship as a political *practice*, in which the citizen are also situated together in the community who actively take part in the shaping of the "good life" in the EU. The Commission shifted its focus from mainly the private person, to include notions of the social individual.

The Lisbon Treaty introduced the concept of "Citizens' Initiative" in an attempt to involve citizens and strengthen the EU's democratic characteristics. The Commission endorsed this action, believing it would create an even closer bond between citizens and the institutions (European Commission 2009). Article 11 of the TEU states the content of the Citizens' Initiative:

[N]ot less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the 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.

(TEU 2012: 21)

The Commission claimed that the Citizens' Initiative would provide EU citizens with a stronger voice in decision-making, add new features to the democratic nature of the EU, and "increase the public debate around European politics", building "a *genuine European public space*" (European Commission 2009: 3 [author's emphasis]).

The Commission's optimistic attitude towards the Citizens' Initiative points towards a mix of liberal and communitarian conceptions of citizenship. On the one hand, the Commission viewed the Citizens' Initiative as a way of communicating with citizens on their rights, and

as a possibility of further enhancing citizens' rights in the EU. However, in stating that the Citizens' Initiative was also a way forward in creating a "genuine European public space", the Commission placed strong emphasis on the active citizen in the political community in spirit of communitarianism.

It seems that political participation became of almost equal significance to rights. Furthermore, the Commission linked the participatory dimension to *identity*, believing that active participation would help creating a sense of identification with the EU and a deeper understanding amongst citizens of their common heritage and values as *Europeans*. This connection is prevalent in the several programmes launched by the Commission to promote participation. The "Active European Citizenship" (European Commission 2004c: 6; 2007; 2008b: 8), for instance, aimed at promoting "the values and objectives of the EU, bringing citizens closer to the Union and its institutions, involving citizens closely in reflection and discussion on the construction of the Union [...]" (European Commission 2004c: 6, see also 2007: 3 and 2008b: 8).

In 2005 the Commission proposed 2007-2013 "Citizens for Europe" program (European Commission 2005a). The inter-relation between participation and identity, and the significance of these dimensions, is stressed repeatedly:

The European Union [...] requires a programme which puts citizens at the centre, which offers them the opportunity to fully assume their *responsibilities* as *European* citizens and which responds to the need to *improve their participation* in the construction of Europe [...] Mutual understanding, solidarity and a sense of *belonging to Europe* are the building blocks for the involvement of citizens.

(ibid: 2 [author's emphasis])

[b]e aware of their *duties* as citizens and become *actively* involved in the process of European integration, developing a *sense of belonging* and a *European identity*.

(ibid: 2 [author's emphasis])

The programme will foster direct participation of citizens across Europe [...] in the development of the notion of a European

identity [...] This [...] will contribute to the improvement of the mutual knowledge of the culture and history of the European peoples, and will therefore bring our common heritage to the fore and strengthen the basis for our common future.

(ibid: 4 [author's emphasis])

The Commission believed that participation would increase a sense of belonging by giving citizens the opportunity to interact and participate in the construction of a closer EU, and that identification with fellow citizens will in turn foster participation: "the mutual understanding, solidarity and sense of belonging to Europe are basic necessities for the involvement of citizens" (European Commission 2005b: 5). Thus, the Commission moved from a rights-based conception of EU citizenship to a notion of EU citizenship as be based also on participation of the collective of citizens who are connected together by bonds of affection. The Commission wants citizens to identify themselves as Europeans, and become "active members" who contribute to the larger community, not only acting as "anti-social"<sup>24</sup> selves pursuing their own personal interests and "conception of the good" (see Rawls 1993). The Commission wanted citizens to fully understand their common *European* identity:

[i]ncrease their sense of belonging to the same community, make them aware of the history, achievements and values of the European Union and [...] contribute to the development of their European identity.

(European Commission 2005a: 6)

The Commission reflects the communitarian belief that citizens are tied together by shared values, culture and history as Europeans, turning its conception of EU citizenship closer to this model. The *socially embedded individual* and the rejection of the individual as detached from community affections are strong communitarian principles. Solidarity and identification with fellow citizens thus help increasing participation and maximization of collective goods, which was in this period evident in the Commission's conceptualization.

The communitarian model is also visible in the Commission's views on its own roles. The Commission argued that it "has a complementary role to play in proposing as specific and ambitious

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<sup>24</sup> As the communitarian model would define the liberal individual.

programme to promote involvement of citizens in the development of Europe" (European Commission 2005a: 7). The Commission seems to move beyond the liberal "state neutrality" in advocating a stronger role of the EU (and itself in particular) as promoter of collectivity, participation, identity and the "good life" of the EU.

Notwithstanding the strong communitarian conceptions of identity, the cosmopolitan model is still visible in the emphasis on cultural *diversity*, adding tensions between these two models:

The promotion of European Union citizenship should develop a feeling of belonging to a union that shares the same fundamental rights and values, while *preserving and respecting the diversity of the cultures and traditions of the peoples of Europe*.

(European Commission 2005d: 4 [author's emphasis])

And:

"[...] to fight anti-semitism, racism and xenophobia and to strengthen civil society in the field of fundamental rights"

(ibid: 5)

There is no doubt, however, that the communitarian model gained increased recognition by the Commission in a growing, democratically aimed EU. Getting citizens on board with the European project and creating a more democratic EU called for a strengthening of citizen rights, but also a "deepening" of EU citizenship by highlighting European culture and political participation.

## Summary

This period is characterized by a much larger degree of tensions and mix between the models in the Commission's conceptualization of EU citizenship. As expected by the liberal model, the Commission focuses on reinforcing individual rights and the protection of these as important actions in the further development of EU citizenship in an enlarged and more democratically aimed EU. To get citizens on board with EU and the new Treaty, they needed also to be more aware of their rights and the EU's roles in protecting these. This is in line with the liberal expectations from Chapter 2, in which the Commission would place the individual in the center. Within the framework of the liberal model, the Commission continues also to refer to EU

citizenship and Charter of Fundamental Rights as legally established conferred upon all individuals within EU's territory. The Commission claims also that fundamental individual rights are situated "at the heart of all its policies", thus expressing a strong dedication to serve the individual.

The Commission had an inclusive attitude towards the members of the EU, in its emphasis on the extension of the right to free movement and residence to third country nationals, thus adding cosmopolitan features to the otherwise liberal membership dimension. Emphasis on participation and identity increased significantly. The Commission connected its attention to these dimensions to the enlargement and the negotiations on democracy and treaty changes, claiming that the diversity of cultures made it more important than ever to promote the values that hold the European society together. Particular emphasis was placed on developing amongst citizens a feeling of belonging and identification with each other as Europeans. Participation was thus encouraged as a way of creating "togetherness". The Commission perceived EU citizenship also as a political practice, not only an individual status.

Table 4.4: Main ideas of EU citizenship in the Commission 2004-2009

Dimensions of citizenship					
	Rights	Membership	Participation	Identity	
Models of citizenship	<b>Liberal</b>	Individual rights Legal	Internally inclusive (territorially limited)	As a right	No references
	<b>Communitarian</b>	No reference to collective benefits as individual rights are still persistent	Not <i>based</i> on European culture	Duties Political participation The active citizen	<i>European</i> identity Sense of belonging
	<b>Cosmopolitan</b>	Free movement rights	EEA and Switzerland in free movement rights	No reference	Diversity of cultures
<b>Main model(s)</b>		Mix of liberal and communitarian. Cosmopolitan still in "background"			

As such, the Commission changed its conceptions of citizenship, and moved from focusing primarily on the private individual to a notion of the individual as *socially embedded* within the Community with shared values and culture; a community to which citizens should feel a sense of belonging, with responsibility for contributing to.

Due to the emphasis on both liberal rights and communitarian notions of participation and identity (and the cosmopolitan model continuing to be situated in the “background” in various aspects), the Commission presented *mixed* conceptions of EU citizenship in this period. It seems that the Commission took large steps from a liberal rights-based idea of EU citizenship with only a few elements of the other models, to a more “complete” notion of the concept consisting of various ideas. This mix of models is summarized in Table 4.4.

## Tackling the Euro crisis 2010-2014: An “ever closer Union”

### Background

Today's EU is very much engaged with debating on the impact and consequences of the ongoing Euro crisis and the way forward for Europe. Majone (2014: 238) claims that the distance between EU and its citizens had in 2012 “reached a level unimaginable only a few years before”, with massive anti-EU demonstrations in Athens, Lisbon, Madrid and Barcelona. Hungarian citizens were furious over they perceived be an “indifference” of the EU towards the financial crisis of Hungary; a frustration expressed by burning the EU flag on the streets (ibid). Braun and Tausendpfund (2014: 242) also found that the Euro crisis had an “undeniably impact on citizens' support for the EU”, with a steady increase of dissatisfaction from 2007 to 2012. Olsen (2015: 86) reaches similar conclusions, arguing that the “most strongly felt consequences of crisis are of course those faced by the citizens”. This, he claims, is mostly due to the rise in unemployment and institutional malfunctioning, which in turn resulted in many EU citizens fleeing from the EU to start a new life in third countries (in Olsen's [2015] research, Norway). Therefore, the Euro crisis has put a “big dent in what we can call the European project of unification” (ibid: 101).

The EU is now striving to tackle the Euro crisis by launching a wide variety of recovery programs to safeguard jobs and provide social

protection of citizens, and has established several supervisory bodies to help ensuring that EU regulations and rules are applied correctly.<sup>25</sup> Furthermore, the EU has tried to rescue vulnerable countries like Greece by deleting their debts and providing them with bailout packages.

### Ideas of EU citizenship in the Commission today

The impact on the Euro crisis on citizen's lives and attitudes towards the EU has not gone unnoticed by the Commission:

[w]e are now faced with the greatest challenge that our Union has gone through in its whole history. It is a financial, economic and social crisis, but also a crisis of confidence. National plans or even intergovernmental co-operations are not sufficient to tackle such large scale economic and social problems but citizens are still not fully aware of the Union's role and achievements. The Commission thus needs to find ways to increasing citizens' awareness and understanding about the Union project.

(European Commission 2011b: 2)

The Commission states that citizens have expressed their concerns about the impact of the financial and social crisis on enterprises and on their lives as citizens of the EU (European Commission 2012: 43; 2013a: 4). At the same time, EU citizens continue to have little awareness of their rights and roles in the EU, and on the impact of EU on their daily lives. The Commission once again states the need to tackle this problem:

Increased understanding about the EU, acquaintance with the historical foundations and values on which the Union is built, and knowledge about the impact of EU policies on people's daily lives allows citizens to fully benefit from the advantages of European citizenship and to connect with the mission of the EU.

(European Commission 2011d: 2)

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<sup>25</sup><[http://ec.europa.eu/economy\\_finance/explained/the\\_financial\\_and\\_economic\\_crisis/responding\\_to\\_the\\_financial\\_crisis/index\\_en.htm](http://ec.europa.eu/economy_finance/explained/the_financial_and_economic_crisis/responding_to_the_financial_crisis/index_en.htm)> [Last accessed 25 October 2015].

The Commission has become concerned about the impact of the Euro crisis on citizen attitudes towards the European project, and states that the citizens wish to see a more joint EU policy in order to secure their rights and opportunities in the EU, as they feel there still exists a gap between these rights and the reality that confronts them (European Commission 2010a: 2–3; 2011a: 2; 2011b). The Commission continues in this period on a path of intense effort to remove obstacles and protect and guarantee rights, along with raising citizens' awareness of rights and the overall functioning of the EU. Additionally, the Commission wants to increase citizen involvement alongside politicians, experts and civil society in the political life of the EU in order to forge "an ever closer Union" (European Commission 2013a: 25). These issues continue to be core topics (see European Commission 2010a; 2010b: 9; 2010c; 2010d: 2; 2011b; 2011c; 2011d; 2011e; 2012: 3; 2013a).

It seems that the liberal notions of citizenship that dominated in the 1990s are still highly prevailing in the Commission's conceptualization of EU citizenship. Throughout the period, the Commission's main focus continues to be *protection* of the individual citizen and their rights. This is not surprising, considering citizens' rather concerned attitudes towards the EU in a crisis affected Europe, along with the Commission's strong wish to place citizens at the heart (European Commission 2013a: 2). In order to achieve the goal of tackling obstacles, the Commission proposed in this period various actions and programs aimed at reinforcing individual rights. In the 2010 Citizenship Report "Dismantling obstacles to EU citizens' rights", the Commission stressed the need to reinforce EU citizenship and the relationship between the citizens and the EU by "giving real effect to their rights" (European Commission 2010a: 3). The Commission identified 25 main obstacles, particular with regards to cross-border situations, and further 25 concrete actions to be taken in order to remove these. Additional 12 actions to remove obstacles were laid down in the 2013 Citizenship Report (European Commission 2013a). Citizens have various roles in the EU, either as private individuals, workers, consumers, students, professionals, political actors, or even as criminals or victims of crime, and may therefore encounter a number of different obstacles depending on their life situation and role, the Commission contends. The Commission wants to "ensure" that citizens, amongst other rights, enjoy the same access to criminal and civil justice in any member

state; that the rights of accused and suspected persons', as well as victims of crime, are guaranteed and protected; equal access to health care in every member state; equal access to diplomatic and consular protection in third countries; and have the same rights as travelers and consumers (European Commission 2010a).

The decrease in confidence towards the European project amongst citizens made it more necessary than ever to move the EU closer to the citizens and inform them on their rights and benefits:

Citizens must have easy, direct access to information on the EU. They should know the rights offered by the EU and their opportunities in the EU. Europe must *literally be at their fingertips* or just a phone call away".

(ibid: 19)

The Commission calls for the EU to "make sure that citizens' rights are a tangible reality" (ibid: 22). According to the Commission it is of utmost importance to build an EU "that protects citizens' rights and serves their needs" and bring them "closer together in the process" (ibid: 23). The emphasis on the responsibilities of the EU's institutions in informing and *servicing* the *individual* citizen, as well as guarantee their rights and protect them from unnecessary obstacles clearly indicates an individualistic and rights-based focus on EU citizenship in accordance with the liberal model. In this spirit, the Commission declared 2013 to be "European Year of Citizens", dedicated to increase citizens' awareness and confidence in the EU (European Commission 2010a; 23; 2011e; 2013a: 25). The purpose was to:

[E]nsure that all Union citizens are aware of the rights available to them in a cross- border context by virtue of their Union citizenship status, so as to enable them to make informed decisions about whether to make use of their right to free movement [study, work, retire and live in another member state] and to facilitate the effective exercise of this right.

(European Commission 2011e: 2).

More specifically, the European Year of Citizens aims at raising EU citizens' awareness of their right to move and reside freely within the EU, as well as their right to participate in the democratic life of the EU (ibid: 3). The Commission wish to "ensure" that every *individual* citizen regardless of their roles in the EU are treated on *equal* grounds

as nationals of the member state in which they have residence. There is the consistent emphasis on the negative aspect of rights, and the Commission promotes the role of the EU as a protector of the individual citizens in line with liberal conceptions. This is also evident in the program "Fundamental Rights and Citizenship", proposed by the Commission to secure "the development of a European society based on respect for fundamental rights, including rights derived from citizenship of the Union" (European Commission 2010b: 12). The Commission further stated that it will continue to *strengthen EU Citizenship rights*" (ibid: 13). Based upon the analysis from the Commission's writings and statements on EU rights so far, the Commission first and foremost wants to *secure* citizen rights in an attempt to raise their overall awareness and confidence in the EU.

The Commission continues to define EU citizenship as a fundamental *status* that is conferred upon all individuals of the EU:

EU citizenship is destined to be the fundamental status of Member States' nationals, enabling those who find themselves in the same situation to enjoy within the scope of the Treaty the same treatment in law irrespective of their nationality.

(European Commission 2010a: 2)

The Commission states that the status of EU citizenship and rights deriving from it is "firmly anchored in primary EU law" (ibid: 3) and "guaranteed by the EU Treaties" (ibid: 2). Thus, the Commission still promotes EU citizenship as a liberal legal *status* and not as a political *practice* in communitarian terms. The focus is always on citizenship as an equal individual status, and not as a participatory activity by a collective of individuals in the political community.

The cosmopolitan model is still present in the Commission's emphasis on fundamental ban on any form of discrimination (see European Commission 2010b; 2010c; 2011a; 2011b; 2011c; 2011f; 2011g; 2013a). The Commission's focus on non-discrimination is first and foremost connected to the right to free movement and exercise of political right that derives from EU citizenship in any member state, as there are in these areas that citizens most often experiences discrimination from both home country and host country. Therefore, the Commission strives to "facilitate" free movement of EU citizens *and* their third-country family members "by enforcing EU rules strictly, including non-discrimination" (ibid). In the Commission

report “On progress towards effective EU Citizenship 2007–2010”, the Commission presents a number of measures it has taken to improve the implementation of the right to free movement. It wants to ensure the correct application of Directive 2004/38/EC on the right of EU citizens and their family members to move freely within the EU. Here the Commission once again includes third-country family members.

Anti-discrimination efforts by the Commission are particularly evident in the Commission’s proposal for the establishment of the 2014–2020 “Rights and Citizenship Programme” (2011a; 2011f; 2011g), which aims to “contribute to the creation of an area, where the rights of persons, as enshrined in the [TFEU] and the Charter of Fundamental Rights of the European Union, are promoted and protected” (European Commission 2011a: 2). According to the Commission, the programme should help promoting the principle of non-discrimination and equality of treatment of all nationals of the EU regardless of identity, gender, race, religion, age, sexual orientation, disability and culture, the protection of personal data, the rights of children, the rights deriving from EU policy and freedom to conduct business in the internal market (ibid.).

So, what is evident in the Commission’s promotion of anti-discrimination policies is an understanding of the *members* of the EU as equal human beings with the right to travel across state borders, and reside in any member state of their choosing. The focus is also on third-country family members and their right to settle down in the EU with family members that are nationals of the EU, once again adding cosmopolitan ideas to the overall liberal membership dimension. What about *participation* and *identity*, then? The Commission endorses the *right* to participate in every member state, claiming that this right is *guaranteed* by the EU in liberal terms (European Commission 2010b: 8). As already shown, the Commission strived for reinforcement of participatory rights, thus continuing with a rights-based notion to this dimension. However, there is an idea that participation is fundamental to EU’s democratic characteristics:

Political rights granted to EU citizens consolidate their European identity. The right of EU citizens to vote in municipal and European elections in whichever Member State they choose to live in is *essential for their participation in the democratic life of the EU*.

(European Commission 2010c: 2)

This time, the Commission *explicitly* states that participation is now actually at the heart of EU citizenship:

“Full participation of EU citizens in the democratic life of the EU *at all levels* is the very *essence of Union citizenship*”

(European Commission 2013a: 5 [author's emphasis])

In earlier writings, individual rights have been emphasized as the cornerstone of EU citizenship, but now the Commission seems to have switched to focusing on participation as the *essential* aspect to EU citizenship. Also, the Commission claims that “participation in European Parliament elections is the primary way for citizens to *contribute* to the *shaping of EU policy* and constitute the bedrock of representative democracy in the European Union” (ibid: 20 [author's emphasis]). With these statements the Commission adds communitarian ideas to participation. The emphasis on *shaping* EU policies at all levels and especially in elections to the EP indicates a strong commitment by the Commission to *political* participation in line with the communitarian model, and the notion that citizens must be *active* contributors to the political life of the Community.

This perception is also evident in the 2010 Citizenship Report, in which the Commission, besides speaking of the citizen as a “private individual” (European Commission 2010a: 5), also refers to the citizen as a “political actor” (ibid: 17). The Commission claims that citizens cannot only be “passive beneficiaries of rights, but [also] actors in the European project” (ibid: 23).

The Commission has changed its focus on the private individual citizen entitled to pursue personal rights, to a notion of individuals as part of a larger community in which they should actively participate in the shaping of policies. Through active political participation, the community will flourish into becoming more democratic, with EU and citizens closely tied. The communitarian ideas of citizenship are clearly visible in the Commission's focus on the citizen as a member of a larger collective with responsibilities towards it.

The analysis uncovers once again a mix of models in the Commission's conceptualization. On the one hand, the period is most definitely characterized by a commitment to the private individual

and their rights, as the Commission struggles to tackle obstacles to citizen rights through various actions and programs. There is the continuous emphasis on the protection of the individual from encountering unnecessary obstacles or delays by the member states in exercising their legally grounded EU rights. Furthermore, the Commission has stated, on several occasions, that the individual citizen is at the heart of the Commission's policy-making, and the emphasis on "protecting" individual rights points to a perception in the Commission of neutrality; that the role of the EU is first and foremost to secure individual rights.

On the other hand, the Commission also speaks of the citizen as belonging to the Community of which he should actively participate in the shaping of policies. As with the communitarian model, the Commission believes that citizens should not only act as private individuals benefiting from individual rights, but should also know their place in a larger community and participate together as a collective. Although the Commission mainly conceptualizes EU citizenship as a *legal status* based on individual rights, there is a strong focus in this period as well on EU citizenship as a *political activity*.

This tension is also evident in the identity dimension. The Commission claims that "political rights granted to EU citizens *consolidate* their European identity" (European Commission 2010c: 2 [author's emphasis]). In this lies a liberal perception that identification with fellow citizens will evolve mainly as a product of the status as an EU citizen. However, the Commission focuses also on developing "a sense of identity, based on *common* values, history and culture" (European Commission 2011h: 4). Here the Commission expresses a communitarian idea of identity, moving towards a notion of the identity dimension as something that is already shared by EU citizens by virtue of their common values, history and culture as *Europeans*.

At the same time, respect and tolerance between Europeans for cultural and linguistic *diversity* in *cosmopolitan* terms (in the spirit, again, of non-discrimination) continues to follow the Commission's conceptualizations.

## Summary

As a result, all three models are present in the Commission's conceptions, creating in this period also a mixed idea of EU citizenship. The liberal, rights-based model is strongly visible, as it has been ever since the establishment of EU citizenship in the Maastricht process. According to the Commission, citizens are concerned about the impact of the crisis on their daily lives, and wish to see the EU tackling the challenges posed by the crisis. Particular attention is paid to the complaints by citizens of the many obstacles they encounter when exercising their rights. Therefore, the Commission continues on a part of great efforts to remove obstacles to citizens' rights, along with raising their general awareness of the rights and the meaning of the EU. Throughout the period, the Commission continues on a liberal rights-based conception, focusing on the role of the EU as protector of the individual's rights and interests.

The Commission emphasizes the right of third country family members to move and reside with their EU citizen families in the EU, thus believing that third-country family members residing in EU ought to be treated with respect by EU citizens. Thus, the otherwise liberal membership dimension has a slight cosmopolitan vision to it.

Participation and identity continues from the last period as important dimensions in the Commission's conceptualization of EU citizenship today. This time with an even stronger commitment to the idea of the

active citizen who should be "contributing to the shaping of EU policy." Now, the Commission explicitly states that participation is the very *essence* of EU citizenship, and citizens are also "political actors" who should contribute in policy-making. In line with the communitarian expectations, the Commission is explicitly referring to the individual as an active participant, thus EU citizenship is perceived by the Commission also as a political practice. The identity dimension is understood by the Commission as based on "common values, history and culture", meaning that the Commission believes that the EU consists of individuals who share the same identity as Europeans. At the same time, however, there is still a fight against discrimination of individuals on grounds of nationality, adding a cosmopolitan twist to identity as well. Table 4.5 summarizes the

mixed nature of the Commission's conceptualization of EU citizenship in today's crisis struck Europe.

Table 4.5: Main ideas of EU citizenship in the Commission 2010-2014

Dimensions of citizenship					
	Rights	Membership	Participation	Identity	
<b>Models of citizenship</b>	<b>Liberal</b>	Individual Legal Protected by EU law	Internally inclusive (territorially limited)	As a <i>right</i> Limited attention to market participation	Mentions that identity evolves through rights
	<b>Communitarian</b>	Individual rights still too prominent	Not <i>based</i> on European culture	EU citizen as a <i>political</i> actor and full participation at all levels	<i>European</i> identity
	<b>Cosmopolitan</b>	Human rights Free movement a cross- border right	Third country family members residing with EU citizens	No reference	Fundamental ban on discrimination
	<b>Main model(s)</b>	Mixed, mainly liberal and communitarian. Cosmopolitan <i>elements</i> in the background			

# Chapter 5

## Conclusion

### Introduction

This report analyzed the European Commission's conceptualization of EU citizenship. The aim was to determine what ideas of citizenship, based on an analytical framework of four main dimensions of citizenship - rights, membership, participation and identity - and three models of citizenship - the liberal, communitarian and cosmopolitan - have been dominating in the Commission from the introduction of EU citizenship in the Maastricht process in 1990 and onwards. A central objective has been to reveal any changes and/or stabilities in the Commission's conceptualization of EU citizenship along with the developments of the concept and institution of EU citizenship since its establishment in the Maastricht Treaty more than two decades ago.

The analysis was divided into five "critical junctures" in the integration process, each of which represented major developments and challenges to European integration and the concept of EU citizenship. First there was the Maastricht process from 1990-1992, with the formal establishment of EU citizenship. Second came the post-Maastricht period and the ratification of the Amsterdam Treaty from 1993-1997. Third was preparation for enlargement, with the ratification of the Nice Treaty, the adoption of the Laeken Declaration and negotiations towards establishing a "Constitution for Europe"

from 1998–2003. The fourth juncture involved the “death” of the Constitutional Treaty, enlargement to Central and Eastern European countries, the ratification of the Lisbon Treaty and the introduction of the “Citizens’ Initiative” from 2004–2009. Lastly, the contemporary juncture, characterized by struggles in tackling the impacts of the Euro crisis on EU citizenship, the launch of “European Year of Citizens”, and the general efforts to create an “ever closer Union” from 2010 onwards. The report analyzed the Commission’s conceptualization of EU citizenship in light of these critical junctures, with the aim of uncovering changes and/or stabilities in ideas of citizenship in the Commission’s along with the major steps taken and challenges met during the integration process.

This chapter summarizes and discusses the main findings of the analysis, and concludes what ideas of citizenship have been the most prominent in the Commission’s conceptualization of EU citizenship. It then goes on to suggest a few explanations as to why these particular ideas have been prevailing. At the end of the section is a table which illustrates the main results from the analysis. The last part of the chapter briefly introduces the way forward in the study of the Commission and EU citizenship, by making a few suggestions for further research.

## Main findings

The introduction showed that there is a broad consensus amongst scholars that EU citizenship has in a way changed and contested our traditional statist notions of the concept, by introducing a kind of citizenship that is more far reaching and complex, detached from traditional nation-state boundaries. However, is this reflected by the Commission? Has the Commission conceptualized an EU citizenship that is completely post-national/cosmopolitan and different from traditional conceptions of the concept?

Cosmopolitan ideas have indeed been “lurking” in the background throughout the analysis, which is possibly due to the nature of cross-border rights in the EU and the emphasis on free movement of persons. However, the analysis revealed that the *traditional* models of citizenship were even more prominent the Commission’s conceptualization of EU citizenship than post-nationalistic or cosmopolitan notions. Liberal ideas of citizenship have prevailed in the Commission’s writings ever since the Maastricht process in 1990.

Communitarian conceptions gained strong prominence from the beginning of 2000s onwards. Now, there is a mix of ideas of citizenship in the Commission. The next part digs deeper into these findings.

The analysis uncovered that the dominant idea of citizenship in the Commission is the liberal. Throughout the junctures analyzed, the Commission placed its main focus on individual rights and the role of the EU as a guarantor of rights, making sure that individuals can exercise their rights at all times. Throughout the analysis, the individual and his rights have been at the heart of the Commission's policies. The protection of rights and freedoms, along with exhaustive efforts by the Commission to inform citizens of their rights and opportunities in the EU, has been prominent in all the periods since Maastricht. The Commission has argued on an EU citizenship as a *legal status* in liberal terms, and the rights-based individualistic idea of citizenship has generally taken precedence above the other dimensions and models of citizenship.

How come the liberal model has been so prominent in the Commission? Considering the original purpose, the nature and the content of the EU citizenship – the inclusion of the individual citizen in the EU by granting them special *rights* as EU citizens – it is not surprising that the Commission has mainly reflected these notions and simply reports on the *rights* as specified in the Treaty. It would be unnatural for the Commission to go against what is written in the treaties and express a completely different view to EU citizenship than what is established.

We can therefore not always be certain that the writings on EU citizenship necessarily reflect the Commission's own perceptions and ideas of the concept. Nevertheless, the Commission is the agenda setter in the EU and posits the power of initiating. Most decisions taken in the EU, also with regards to EU citizenship, have basis in Commission proposals, reports, contributions and communications. The analysis has included a great variety of official Commission documents on EU citizenship, with many of them not only being concerned with reporting on the application and implementation of rights, but also with the development of EU citizenship. Also in these documents *rights* have been highly prominent. Although the Commission is obliged to report on the application of rights, it is

reasonable to conclude that due to its general emphasis on liberal ideas of citizenship in other writings, this indeed has been the most prominent model.

Notwithstanding the liberal rights-based model's central place, the analysis also uncovered strong tensions between dimensions and models in the Commission's conceptualization of EU citizenship; a development and *change* in the Commission's perceptions. These tensions, or *mix*, between models have been evident throughout the analysis, but became increasingly evident in late 1990s during the preparation for enlargement and onwards. The strongest tensions were found between the liberal and the communitarian model in the Commission's strong rights-based individualistic approach, mixed with an increased emphasis on the citizen as an active political participant in the community. The Commission started referring to the citizen as an "active political actor" in the EU, which reflects the communitarian idea of the citizen not as a private self but as situated in the community of which he should contribute to. Furthermore, identity, which lies at the heart of communitarianism, gained great prominence in the Commission's strive to create a "sense of belonging" to the EU and foster a "*genuine* European identity".

Additionally, the analysis revealed that cosmopolitan ideas have always been present, though situated in the "background" of the two more "traditional" models of citizenship. Generally, EU citizenship appears to be cosmopolitan. It is a kind of citizenship that moves beyond nation state borders, comprising of citizens from 28 different nation states within the EU who all enjoy the same rights. EU citizenship, then, grants rights and membership based on "personhood" rather than "nationhood" (Olsen 2013: 506). EU citizenship does not replace, but complements, national citizenships, introducing to the citizens an additional set of rights that are equally distributed amongst them all, across state borders and cultural belongings.

A pure cosmopolitan conceptualization of EU citizenship is rarely found in the Commission's documents, however. What the analysis uncovered were *elements* of this model in particularly the identity and membership dimensions, in which "fundamental ban on discrimination on grounds of nationality" was stressed repeatedly by the Commission. The Commission's emphasis on the principle of uni-

versality and respect for human rights and solidarity with individuals elsewhere (both other nationals inside the EU, but also third country nationals) further adds cosmopolitan visions to its ideas of EU citizenship. The Commission stressed that EU citizens ought to display solidarity with non-member nationals who travel within Union territory, and third country family members residing in the EU. Nationals of EEA countries and Switzerland are also included in the right to free movement, which has been most welcomed by the Commission.

What might explain this mix of two traditional models together with elements from the cosmopolitan idea of citizenship?

Ever since the beginning, the process of European integration has been characterized by constant negotiations and tensions between conflicting ideas of integration, mainly between intergovernmentalists and supranationalists (Eder and Giesen 2001; Eriksen 2014). The debates on EU between these theories have been centered on the question of what *kind* of polity the EU is. Intergovernmentalists claim that the member states are the most important actors in the EU, and political leaders first of all promote their own state's interests in an area of negotiation with other states (Maas 2007: 7). European integration results from bargains among the member states based on their national interests (ibid), and the member states still enjoy a large degree of sovereignty. Supranationalists, on the other hand, claim that "integration is self-reinforcing, creating ever-more-powerful supranational institutions that are autonomous from member states" (ibid). European integration results from a spillover effect of supranational authority from one policy area to another, thus member states lose control over supranational institutions once they are established (ibid). In reality, however, the EU is a mix of these visions (Olsen 2012: 3; 2013) as a polity comprised of both nation states and supranational institutions at EU level (Olsen 2012: 3). Unsurprisingly, then, EU citizenship is also "dependent on the interface between nation state and federal arrangements in EU politics" (Olsen 2013: 506). Olsen (2012: 3) argues, therefore, that if we "want to understand and explain citizenship politics in the EU, we must accommodate this constant tension between the European and the national". The mixed nature of the Commission's conceptualization of EU citizenship, then, might be a reflection of this continuous

negotiation and balance between the different visions of European integration.

Furthermore, the development from almost a pure rights-based liberal idea of citizenship to the incorporation of communitarian ideas of political participation and identity in the Commission's conception of EU citizenship might also reflect the overall development of the EU from mainly an *economic* integration project towards a larger, political union with a stronger social dimension. The market oriented liberal model, with its emphasis on the private individual was prominent in the Commission in 1990 in its emphasis on citizens as workers and consumers in the internal market. Although the Maastricht Treaty introduced both the EMU and political union, reinforcing the internal market was at the heart of the policies in the Community at that point of time. EU citizenship was most about connecting the citizen to the internal market, which is why the right to free movement and residence was the most cherished right. Political rights were established, but the focus was still on the market citizen.

Then enlargement came towards Eastern Europe and the need for the EU to prepare itself institutionally, politically and economically for accession countries and millions of new citizens. Additionally, citizens' general lack of awareness of the functions of the EU, along with their increased expectations on the EU to secure their well-being in the context of enlargement and Euro crisis, called for a more transparent, efficient and democratic EU. As a way of bringing the EU closer to its citizens, the Commission believed that the concept of EU citizenship needed to be given a deeper, more "concrete" meaning beyond mere individual rights. Thus, the Commission started paying significant attention to political participation and European identity besides individual rights, believing that promoting the active political citizen who feels a sense of belonging and "togetherness" with other citizens by virtue of their identity as European was the most important step in increasing the democratic features of an enlarged, and later, crisis struck, EU.

The results from the analysis of the Commission's conceptualization of EU citizenship are summarized in Table 5.1.

Table 5.1: Results: The Commission's conceptualization of EU citizenship 1990-2014

<b>Time period</b>	<b>Dimensions</b>	<b>Main model of Citizenship</b>
<b>1990–1992</b>	Individual rights Market participation Inclusive membership within EU territory Shared and multiple identities, unity and diversity	Liberal Slight communitarian and cosmopolitan visions in identity
<b>1993–1997</b>	Individual rights Inclusive membership within EU territory Market participation Legal identity	Liberal Slight communitarian and cosmopolitan visions
<b>1998–2003</b>	Individual rights Inclusion of third country nationals in free movement Increase in political participation and identity	Liberal Communitarian and cosmopolitan ideas stronger in participation and identity
<b>2004–2009</b>	Individual rights Significant emphasis on participation and European identity Cosmopolitan touches to all dimensions throughout	Mix of liberal and communitarian Cosmopolitan elements in the “background”
<b>2010–2014</b>	Individual rights Participation “essence” of citizenship European identity	Mix of liberal and communitarian Cosmopolitan elements in the “background”

## The way forward: suggestions for further research

This report has contributed with insights to the Commission's conceptualization of EU citizenship within a time span of 20 years. However, it has not given all the answers as to how the Commission understands, uses or conceptualizes EU citizenship. A more extensive research on the main ideas of citizenship in the Commission would first of all include the Commission's conceptualization of citizenship and citizen rights since the establishment of the ECSC in the 1950s, uncovering the main ideas of citizenship in the Commission since the birth of European integration. Further research could also be supplemented with more documents on EU citizenship, which might help to underpin the results from this analysis. Including more documents could also lead to opposing conclusions to those of this

report, thus contributing to paint an even more nuanced picture of the Commission's ideas of citizenship.

This report treated the Commission as one unit, without taking into consideration the thoughts, feelings and practices of various actors and interest groups, or the negotiations going on within the Commission amongst these in the development of EU citizenship. Supplying the analysis of Commission documents with interviews of key actors in the Commission dealing with EU citizenship is fruitful if one seeks to understand the actual *reasoning* behind the shaping of the concept of EU citizenship.

The report treated the EU as a "political system", analyzing EU citizenship in light of "mainstream" models traditionally used in the study of citizenship in nation states, supplied with the alternate cosmopolitan model. Conducting research on the ideas of EU citizenship in the Commission in light of more "EU specific" theories such as nation state vs. federalism<sup>26</sup> or intergovernmentalism vs. supranationalism might provide the research on the Commission and EU citizenship with different results than what was uncovered in this report. This in turn helps painting an even more nuanced picture of the Commission's conceptualizations.

However, this report has hopefully shed light on some *tendencies* in the Commission's conceptions, and contributed to research on European integration with an extended knowledge on the Commission's main ideas and practices in developing the concept of "EU citizenship".

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<sup>26</sup> See Olsen (2013) for such an approach.

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What is special about EU citizenship? There is broad consensus amongst scholars that EU citizenship has changed and contested our traditional statist notions of the concept. “Citizenship” has become more far-reaching and complex, and increasingly borderless. This report analyzes the concept of EU citizenship from the viewpoint of the EU’s supranational executive body: the European Commission. Attempting to uncover which ideas of citizenship have been most prominent in the Commission, the report contributes to research on the “what is” question of EU citizenship.

The analysis uncovers that the Commission has had a liberal, rights-based understanding of EU citizenship ever since the Maastricht Treaty. With the enlargement to Eastern Europe and the breakout of the Euro crisis in the 2000s, a more complete idea of EU citizenship emerged. Communitarian notions of the active political citizen and notions of a European identity became of almost equal significance to rights, with some cosmopolitan elements in the background. In short, we have seen a shift from mainly rights-based ideas in the 1990s towards a mix of conceptions of EU citizenship in the beginning of the 2000s.

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ARENA Centre for European Studies at the University of Oslo promotes theoretically oriented, empirically informed studies, analyzing the dynamics of the evolving European political order.



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