



## **For a Year of the Real European Citizens**

### **Policy Paper on the European Year of Citizens**

March 2013

2013 marks the 20<sup>th</sup> anniversary of the establishment of European Union citizenship under the Maastricht Treaty. In light of this event, the EU institutions have decided to designate 2013 as the European Year of Citizens.

This Year takes place during an extremely critical phase of the European project, since economic, political, social and institutional factors weave together and form an apparently inextricable knot. At the centre of this knot there are specific unsolved uncertainties and ambiguities that regard citizens. On this occasion, in other words, paradoxically we are celebrating a Year devoted to Community citizenship without any agreement on what European citizenship is; and we are celebrating a Year centered on citizens without having decided if they are a resource or a problem for the European project.

This policy paper aims at contributing towards addressing these issues, focusing on the need to clarify how European citizenship should be intended, and on the other hand to identify challenges regarding the role of European citizens in the Community “democratic experiment”.

#### **A. WHAT CITIZENSHIP**

##### **1. Two Defecting Visions of Citizenship**

From the early stage of the public debate on the European Year of Citizens, in 2012, two competing visions of what European citizenship is and therefore what has to be celebrated, have emerged.

The first one is the **Five-Right Citizenship**, proposed by the European Commission and supported by the Parliament and the Council, which focuses on the individual rights established in the Maastricht Treaty (to free movement and residence; to non-discrimination on the grounds of nationality; to vote and to stand as a candidate for European and municipal elections; to diplomatic protection; to petition to the European Parliament and the Ombudsman) as the content of citizenship of the Community, with a priority given to the right to free movement within the EU boundaries.

The second one is the **Still-to-Come Citizenship**, advanced by its opponents, namely some of the Brussels “civil dialogue” actors with the support of the European Economic and Social Committee, which considers citizenship of the Union as an ideal full of personal and collective virtues and attitudes never accomplished.

Both these approaches present serious limitations on which we consider it appropriate to shed light.

### *The Five-Right Citizenship*

The close identification of the Union citizenship with being a legal matter, mainly linked to the right of free movement in the EU, encounters, at first instance, the limitation of conceiving EU citizenship just as a fixed status, thus not grasping **its incremental nature**. In reality, such citizenship should be read as an **ongoing process**, which has led to an extension of its content and boundaries. Thanks to the development of the Community *Acquis*, the decisions of the European Court of Justice as well as the effect of citizens' activism, the rights catalogue has been enriched in its content and extended in terms of people entitled to them. It is sufficient, in this regard, to mention patients' rights, which entered the European agenda a few years ago, or the extension of rights, once conceived for workers only, to non productive persons such as the disabled or children. **There are therefore, definitely many more than five rights**, though probably no one today could list them precisely\*.

Secondly, if rights – especially the one to free movement, which is doubtless the most relevant and distinguishing content of EU citizenship – are of the utmost importance, it is worth noting that there are **other two components** which allow us to deal with citizenship in general, **strictly linked to that pertaining rights**. They are **membership**, i.e. the belonging to a political community, and **participation**, related to the various modalities through which citizens can take part in political and policy making processes. Approaching European citizenship exclusively from the rights perspective implies the lack of consideration of two key issues, related to the just mentioned components:

- **Rights exist *within* a political community, not outside it.** Therefore, the development and the strengthening of the EU multiple membership and the valuing of diversity would be a necessary condition to make European citizens' rights work;
- **Rights are by definition connected to political participation**, as the "right to have rights" formula highlights. The establishment and implementation of rights, therefore, cannot be conceived without the political dimension of citizenship.

Finally, such a right-based approach to European citizenship seems to forget, or not to properly take into account, the 15-20 million people who live permanently and legally in the EU and who are in fact discriminated against, since they fulfill all the duties related to residence (such as paying taxes) without enjoying the whole set of corresponding rights and/or prerogatives, just to take an example the European Citizens' Initiative, established in the Lisbon Treaty.

### *The Still-To-Come Citizenship*

The second defecting vision of European citizenship portrays it in **extremely general and abstract terms**. European citizenship is viewed as the sum of all the civic virtues that one can imagine, with the addition of a wide set of values and habits, covering the whole range of public life, from the local to the global dimension, so that the European one is the model of the perfect good citizen. This ideal – or maybe ideological – view of the European citizen cannot be found either in the official documents of the EU, or in the twenty-year development of citizenship of the Union in terms of practices. This citizenship, that goes **“from bowling to voting”**, has a very

---

\* It must be noticed that the 21 November 2012 Decision (L325/1) that gave rise to the Year mentions only the right to move and reside freely within the territory of the Members States and adds “all other rights guaranteed to Union citizens”, quoting among them just the right to vote in local and European elections. On the other hand the European Commission 2012 “Citizens' Agenda” adds to the Maastricht five rights just the right of legislative initiative, established in the Lisbon Treaty. In both cases, the vision of European citizens' rights results as being very reductive.

poor link with reality. It is not accidental that those who support this vision of citizenship state that it is still to be built.

In this way of thinking, **the reality of the European citizens as consumers is denied** since it does not fit with the established ideal of the perfect European citizen. This reality is not only neglected, but also negatively assessed, almost as the counter-image of what being a European citizen would mean. What is removed here, is the double rationale of European citizenship which is at the same time economic and political, thus reflecting the nature and history of the EU – the one of an economic community established for political reasons that has been developing towards a system of democratic institutions. It is obvious that no one is a citizen only if and when he/she acts as a consumer of goods and services; but being a consumer in the single market, from the EU perspective, is a very important way to be a citizen in practice. As a consequence of this approach, the most important citizenship-related event in the history of the European Union, the **introduction of the single currency**, is completely missed.

Finally, the Still-To-Come citizenship view tends to strongly associate or, at least, **to overlap European citizenship with European active citizenship**. In this regard, it must be mentioned that those that support this approach speak of a “European Year of active and participatory citizenship”. This probably reflects the normative approach to citizenship that is at the base of this position: the true European citizen is the one that engages in public consultations, participates in European elections making the appropriate inquiries, is a member of one or more civil society organizations, takes care of his/her neighbors and so on. This approach, however, has two very negative effects. On one hand **it denies “passive” citizens their dignity**, considering them to be a sort of second-class European citizen. On the other hand, it does not acknowledge that, though interconnected, **European citizenship and active citizenship are two very different phenomena**, the second being definitely more specific and precisely for this reason of the utmost importance.

## 2. Focusing on the Real European Citizens

In order to overcome the limits of these two competing visions and make the Year really worthwhile, a more material and comprehensive (or less reductive and idealistic) approach to European citizenship must be used. The distinguishing elements of this approach are both methodological and substantial.

As for the methodological aspect, citizenship of the Union should be considered not only as a fixed juridical status, but also as a process of redefining and increasing the content and extension of citizenship itself. Moreover, beside its legal content, it covers social, cultural, economic, and political dimensions. All of that can be detected if citizenship of the Union is observed not only in the **Treaties**, but also in the whole **Community Acquis** and in **citizenship practices**.

As for the substantial aspects, membership, rights, and participation must be regarded as fundamental components of European citizenship. As for **membership**, the link to the civic dimension of Europe as part of a network of multiple identities, including the national and local ones (*feeling European*), as well as status and social relations materialized in everyday life practices in terms of a often implicit “banal” identity (*being European*) should be taken into account. As for **rights**, they include not only those established in the Treaties (with the Charter of Fundamental Rights), but also those coming, for example, from the European Court of Justice decisions and from the continuous redefinition of the balance of responsibilities between the EU and national states due to the action of social, political, and civic movements, as in the case of patients’ rights. As for **participation**, political participation through the vote (local elections included) and civic participation in EU policy making (consultation on decisions, support to implementation), up to the recent right of citizens to propose new EU legislation, are part of the Community participatory dimension.

In this way, European citizenship can be viewed as the membership of citizens of the EU countries to a larger political “civic” community and of a polity operating as a multi-level and polycentric governance system, based on a set of rights established in the Treaties and increased over the years by the Community *Acquis* and citizenship practices, on a principle of multiple and difference-based identity, and on people participation both in the construction of representative institutions and in the intervention in public policy making on a daily basis.

In sum, after twenty years the content and extension of Community citizenship have definitely increased, and it remains an ongoing process. However these developments are evaluated, there is no doubt that we are dealing with an incremental phenomenon. That is precisely what should be celebrated.

## B. WHAT CITIZENS

The Eurozone crisis and its management by Community and national institutions put in the foreground old ambiguous attitudes towards citizens. These ambiguities have to be urgently overcome in order to avoid the worst. The European Year of Citizens is an opportunity to accomplish this task.

### 1. Restoring the rationale of citizenship of the Union

During the preparatory phase of the European Year of Citizens almost no one has recalled the rationale for the establishment of European citizenship in the Maastricht Treaty. However, it wouldn't have been difficult to realize that citizenship of the Union was established to prevent or **counterbalance the risk of a economic and financial-centered Union**, managed following **a technocratic logic**. Citizenship of the Union, thus, was intended to place the citizens as the core of the EU democratic project.

However, the management of the Eurozone crisis is strictly related to the primacy of a narrow financial sustainability purpose, carried out with a technocratic mode of governance. Rather than forgotten, citizens seem to have been reduced to targets of spending reviews, cuts in welfare services and the increase of taxes.

As could have been foreseen, this situation is strengthening citizens' dissent and distrust towards the EU project, as well as their detachment from the Community institutions. Those who wish for a reinforcement of the citizens' common identity should also be aware that, since all collective identities are built not only on what people belonging to them have in common, but also on what or who they differ from, **the present risk is that an identity of Europeans could be built having as a negative point of reference the Union itself, that is, against it**. It would be a paradoxical result, but is actually likely to happen.

Restoring the democratic side of European governance and giving value to Community citizenship as the necessary counterbalance of economic-financial and technocratic logics is therefore a challenge that cannot be skipped or avoided, or postponed.

### 2. Overcoming the vicious circle of distrust

In spite of celebrations and assertions of the relevance of citizens in the EU framework, an ambivalent attitude towards them remains. In other words, **citizens continue to be considered as a problem for the European project**, and the idea, traditionally diffused among the European leaderships, that the EU has been built not with the support of, but in spite of or against its citizens, is still ongoing.

An **echo of this negative attitude** is the adaptation of an Italian *Risorgimento* élites' expression to the European project: **"We have made Europe, now we have to make Europeans"**. The fact that this expression has become common wisdom among the European leaderships, does not make it less wrong, since citizenship is never a product of institutions only, but always the effect of what citizens feel and do as well.

Though citizens' distrust in public institutions and political leaderships is a long-term, worldwide phenomenon, in the EU case it is also an effect of European leaderships' distrust towards citizens. This situation gives rise to what could be defined as a vicious circle: **the more European leaderships distrust citizens, the more citizens distrust Community leaderships.**

The EU actors, therefore, have to decide if Community citizens are a resource or a threat, a facilitating or a hindering factor, a disturbing actor or a constructive agent of the European project. No rhetorical answers can be given to this challenge. EU leaderships should begin to believe that if they trust citizens, they will be trusted by them. There is no doubt that the EU project would be advantaged by this virtuous circle.

### **3. Citizens from actors to agents of the European governance**

It cannot be denied that the Community constitutional architecture recognizes to citizens a relevant role in the making of the European project. This has happened since the early stages of the Union project, well before the Lisbon Treaty established – in a very vague and generic way – the relevance of a participatory component of the Union life.

However, citizens participating in the European arena have been considered mostly as **actors**, that is, subjects that play a part in the scene, without recognizing them in the role of **agents**, that is, the role of who makes things happen. Needless to say that citizens as actors are viewed mainly in a negative way, as it is shown by the concerns for **populism, antipolitics and withdrawal from voting** that make the next European Parliament elections a sort of nightmare for political leaderships.

On the other hand, the Eurozone crisis has shown that **citizens are not only targets of institutions' decisions nor have they disappeared.** They make their voice heard in public spaces, express their discontent and vote in national and local elections on European stakes such as the single currency. All of that can be uncomfortable; however it tells us that there is no other way to reconcile citizens with the European project other than recognizing them as agents of the utmost importance of the Community governance, **calling them to take responsibility not only for public deficits, but also for shaping the future Europe.**

It is well known that the EU is a governance system, that is, a way of managing public affairs with the involvement of a number of different public and private actors operating in a multi-level dimension, often with an unclear legitimation. However, this cannot be a reason for excluding European citizens as the first legitimating power in the Union, nor to underestimate their resilience, however it may be expressed.

## **C. WHAT TO DO**

In order to avoid the European Year of Citizens becoming a missed opportunity, FONDACA puts forward four proposals that could be taken into consideration on the occasion of the Year.

### 1. Establishing a Code of European citizenship

First of all, FONDACA supports the ECAS' proposal of setting up a Code or a Charter of European citizenship, **putting together all the rights, prerogatives, powers and responsibilities of citizens of the European Union.** The rationale for such a document is twofold. On one hand, the content of European citizenship is presently dispersed in several documents embodied in the Community *Acquis* and probably no one would be able to say precisely what European citizenship is today. On the other hand, such a document could increase the common awareness of what being a citizen of the Union means, strengthening the possibility of practicing citizenship, thus pushing forward the European project. Moreover, a Code or a Charter of European citizenship could enable an informed public debate on this issue of the utmost importance for the whole Europe-building process.

### 2. Reforming the EU Citizenship Report

FONDACA agrees with the proposal of reforming the EU Citizenship Report along two lines. Firstly **the scope of the Report would be broadened**: presently the Report regards only the five rights established in the Maastricht Treaty, while, as we have already noted, citizenship of the Union contains many more rights as well as the other two constituent dimensions of membership and participation. In other words, the EU Citizenship Report would fully embody the content of citizenship of the Union. Secondly, **the process of gathering, setting up and assessing information on the state of European citizenship would involve the citizens as much as possible**, both as individuals and as organizations, not limiting consultation to the "Brussels Civil Society", but giving priority to common citizens and grassroots organizations. A first step on this way are the EC 2012 public consultation and the Commissioner Vivien Reding's program of dialogue meetings on EU citizenship rights. They show that involving citizens in discussing and evaluating the state of development of EU citizenship is possible. Much more, however, has to be done with regard to the content, the methodology, the scope and – last but not least – the good use of results of the consultation process.

### 3. Redesigning the symbols of euro banknotes

FONDACA proposes that on the occasion of the 2014 elections of the European Parliament **a referendum**, or at least a wide consultation of Eurozone citizens, be held with the aim of **substituting imaginary symbols of the euro banknotes with those images that citizens feel as the most significant of their belonging to the European Union.** This could be not only a worthwhile measure to make visible and manage the link between the single currency and citizenship of the Union, but also to practically recognize the citizens as the first owner of the European Union itself, so that they have the right and responsibility to decide what symbols best represent the EU project. The recent decision of the European Central Bank to change the 5 euro banknote was motivated just by technical (security) reasons but implied the introduction of a new image (the one of the ancient Greek goddess Europe) and has therefore been a missed opportunity. A consultation process, involving at least the citizens of the Eurozone in defining what best represents their membership of the Union, could have had a strong impact on their awareness and sense of ownership of the EU.

### 4. Defining a Package of Citizens' Priorities for the European Parliament elections

The last and most important proposal regards the 2014 European Parliament elections. As we have stressed, there is wide discontent among citizens towards the European institutions. This discontent could be catalyzed by the elections, that could be the moment when a sort of delayed "1989" against European leaderships and institutions could take place. In order to avoid this end, an effort to reconcile the reasons of the European Union with those of its citizens should be made. Anti-politics, populism and withdrawal from voting should be taken seriously. **Citizens' concerns and priorities would therefore be identified and become the basis for an agenda of reforms** that would affect **both the constitutional architecture of the EU and its policies related to the Eurozone crisis** (including welfare, economic growth and labor, public interest services, territorial and social cohesion). In this way, a EP working program would take shape through a Europe-wide consultation including common citizens and grassroots active citizenship organizations, as well as all the actors of the European

governance. A role of the utmost importance would be played by the European political parties, on one hand, and the active citizenship organizations, on the other. Both are challenged to show and actualize their link with European citizens and their ability to gather citizens' information and concerns and to translate them into proposals for a renewal of the European project. It is not a matter of communication activities, but rather of new politics.