

# A Supranational Constitution for European Citizens? <sup>1</sup>

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At present, the European Union has no competence to regulate matters relating to nationality. These remain at the level of the Member States. Nevertheless, I feel that we have to start reflecting together also on questions relating to nationality.<sup>3</sup>

- Antonio Vitorino, Commissioner for Justice and Home Affairs, 2002

Until now, Europe was mainly associated with a common market. Now Europe will be more and more a place of citizenship.<sup>4</sup>

- Spanish Foreign Minister Ana Palacio, 2003

The Laeken summit of December 2001 focused on the need to increase the EU's democratic legitimacy. In the Laeken Declaration, the government leaders of the member states affirmed that, within "the Union, the European institutions must be brought closer to its citizens. Citizens undoubtedly support the Union's broad aims, but they do not always see a connection between those goals and the Union's everyday action."<sup>5</sup> What was needed was more democracy, more transparency, and more efficiency. If European

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<sup>3</sup> Quoted in European Economic and Social Committee (2003).

<sup>4</sup> Quoted in "Seeking Unity, Europe Drafts a Constitution," *New York Times*, 12 June 2003.

<sup>5</sup> European Council (2001). Section entitled "The democratic challenge facing Europe."

citizenship is as inconsequential as some believe, then democratic legitimacy would not pose a problem. In this view, the Union remains above all an intergovernmental organization in which EU policies are subordinated to the scrutiny and control of national governments which, unlike supranational institutions such as the Parliament and Commission, are by definition legitimate.<sup>6</sup> But if Europeans are Union citizens, and their Union citizenship reflects a similar relationship with the Union as they have with the member state of which they are also citizens, then the absence of democratic legitimacy is a serious issue. At Laeken, Europe's political leaders determined that European citizens wanted better democratic scrutiny at all levels of government. They concluded that "citizens [were] calling for a clear, open, effective, democratically controlled Community approach."<sup>7</sup>

The government leaders further questioned "whether the Charter of Fundamental Rights should be included in the basic treaty and whether the European Community should accede to the European Convention on Human Rights."<sup>8</sup> They also raised the issue of a European constitution by posing a number of questions: "What might the basic features of such a constitution be? The values which the Union cherishes, the fundamental rights and obligations of its citizens, the relationship between Member States in the Union?"<sup>9</sup> These questions were intended to provoke discussion within a constitutional convention that the government leaders convened to consider the key issues arising for the Union's future development.

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<sup>6</sup> For example, see Moravcsik (2002).

<sup>7</sup> European Council (2001). Sections entitled "The democratic challenge facing Europe" and "The expectations of Europe's citizens."

<sup>8</sup> European Council (2001). Section entitled "Towards a Constitution for European citizens."

<sup>9</sup> European Council (2001). Section entitled "Towards a Constitution for European citizens."

## The Convention and the Constitution

The Convention on the Future of Europe met from February 2002 until July 2003. In addition to its Chairman (former French President Valéry Giscard d'Estaing) and two Vice-Chairmen (former Italian Prime Minister Giuliano Amato and former Belgian Prime Minister Jean-Luc Dehaene), the Convention was composed of one government representative from each of the fifteen member states and thirteen candidate states, two representatives from the parliaments of each of the member states and candidate states, sixteen members of the European Parliament, and two representatives of the European Commission.<sup>10</sup> In his introductory speech, Convention President Giscard d'Estaing laid out his hope for the Convention: “We must ensure that governments and citizens develop a strong, recognised, European ‘*affectio societatis*,’ while retaining their natural attachment to their national identity.”<sup>11</sup> Giscard d'Estaing invoked the need to satisfy demands for participating in a strong European Union, while remaining rooted in national political, social, and cultural life. He also lamented the difficulty of combining a strong feeling of belonging to the Union with a continuing sense of national identity.

Other Convention members shared the desire to build a European identity. The Dutch government representative, former Foreign Minister Hans van Mierlo, advocated a European role in education “in order to inculcate an awareness of and feeling for democracy.” Democracy, he added, would be strengthened “by giving the European Parliament a greater say in all policy areas, ... by making the treaties simple and clear.

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<sup>10</sup> The Economic and Social Committee (three representatives), the Committee of the Regions (six representatives), the social partners (three representatives) and the European Ombudsman attended as observers. The Laeken Declaration provided for the candidate states to participate in the proceedings but not to block consensus among the member states.

<sup>11</sup> European Convention (2002e).

And by building basic social rights into them.”<sup>12</sup> Although introducing European social rights would ameliorate the democratic deficit, van Mierlo believed that attempts to bring Europe closer to ordinary citizens were doomed to fail unless those citizens were made aware of Europe “through both formal and sentimental education, both facts and feelings.”<sup>13</sup> The aim, in other words, should be to educate citizens to be both democratic and patriotic Europeans.

Former Irish Prime Minister John Bruton (later EU ambassador to the US, from 2004) concurred in urging his fellow Convention members to address the issue of democratic legitimacy. For Bruton, the key problem was that Europeans felt they lacked the ability to elect and dismiss a European government that they saw as their own: “Our task in the next year is to find a way whereby Europe’s people will feel that they—not the elites, they—as citizens, elect *their* government in Europe just as they elect their government in their own country.”<sup>14</sup> Europeans should develop a sense of ownership over the European government. Bruton also emphasized the importance of distinguishing between immigration policy and citizenship policy. He envisaged an agreement on common policies on asylum and immigration but excluded the possibility of a common naturalization policy as politically infeasible: “Nations would find it difficult to agree a common policy on National Citizenship, even though the Maastricht Treaty has already created the concept of European Citizenship and of European citizenship rights.”<sup>15</sup>

Bruton also noted that including the Charter of Fundamental Rights in the Constitution

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<sup>12</sup> European Convention (2002g).

<sup>13</sup> Ibid. “Above all,” he added, “we must abandon the dangerous idea that democracy goes without saying and always will.”

<sup>14</sup> European Convention (2002h).

<sup>15</sup> European Convention: 13).

would raise the question of whether these rights would apply to all residents of the Union or only to citizens of the member states.

For the Commission, a key task of the Constitution was “to give European citizenship...its full meaning.”<sup>16</sup> Representatives of the Committee of the Regions agreed, writing that the Constitution should “flesh out European citizenship. The incorporation of the Charter of Fundamental Rights into the future constitutional text so that it has binding legal force will play a vital role in achieving this. The Charter will enable every national of an EU Member State to recognise European citizenship as a source of new rights and the expression of belonging to a new community.”<sup>17</sup> Meanwhile, the Spanish Socialist members of the Convention proposed a citizen’s statute to go beyond the “embryonic version” of citizenship in the Maastricht Treaty.<sup>18</sup>

Responding to such demands, the first comprehensive draft of the constitution specified that each EU 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.”<sup>19</sup> The wording suggested that the relationship between state and citizenship would be altered. Under the existing system, where EU citizenship depended on national citizenship, individuals retained their national citizenship while moving freely within the wider European territory. Dual citizenship could make the Union resemble a federal state, in which residence determines local affiliation. Opponents of a federal Europe were quick to charge that the reference to dual citizenship would accomplish exactly that. Danish Euroskeptic MEP Jens-Peter Bonde argued that dual citizenship is

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<sup>16</sup> European Convention: 5).

<sup>17</sup> European Convention).

<sup>18</sup> European Convention).

<sup>19</sup> European Convention) Article 5.

applied in Bavaria, where one is a citizen under the Bavarian constitution and simultaneously under the German federal constitution but, in a conflict between rights and obligations under the two different constitutions, the federal constitution prevails. Thus, claimed Bonde, the reference to dual citizenship was designed so that “EU citizenship can grow. National citizenship can be removed to the museums.”<sup>20</sup> Reacting to such criticism, the Convention returned to the language of the Amsterdam Treaty: rather than mentioning dual citizenship, the constitutional draft specified again that “Citizenship of the Union shall be additional to national citizenship; it shall not replace it.”<sup>21</sup> The mention of dual citizenship was removed from the final draft because of the opposition of a number of the larger member states; in order to assure passage, it was necessary to satisfy those most critical of a stronger EU citizenship, although Convention members were confident that dual citizenship would be introduced in the future.<sup>22</sup>

The incorporation of the Charter of Fundamental Rights is based on the text appended to the Nice treaty. It deviates from earlier lists of EU rights by expanding the social rights extended to EU citizens and, in some cases, any individual—regardless of citizenship status—resident within EU territory. Skepticism towards a Charter is longstanding; any such project has been seen as adding little to already extant international agreements.<sup>23</sup> Nevertheless, including the Charter in the constitution adds legal certainty to the continued elaboration of European rights. The Commission affirmed that, through “the integration of the Charter of Fundamental Rights into the

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<sup>20</sup> Jens-Peter Bonde, “Nation states get same status as Bavaria!,” *EU Observer*, 5 November 2002. Bonde had been an MEP since 1979. From 1999, he chaired the Parliament’s Euroskeptic group EDD (Europe of Democracies and Diversities). After the 2004 election, the EDD merged into the IND/DEM (Independence and Democracy) group, with Bonde remaining chair.

<sup>21</sup> Article I-8.

<sup>22</sup> Interview with Jan Kavan, Czech member of the Convention, 5 March 2004.

<sup>23</sup> Giugni (1990).

Constitutional Treaty the Union will have a legal obligation to ensure that fundamental rights are not just respected, but actively promoted as well.”<sup>24</sup>

Attempting to simplify the unwieldy and sometimes paralyzed decision-making process—a process which became even more complex and difficult to navigate with the accession of ten new member states in 2004—the draft constitution changes the voting procedures for issues related to citizenship. In the field of social policy, the coordination of social security provisions for migrant workers moved from unanimity to majority voting. Meanwhile, the agreement reached at Nice prevailed both for social policy and anti-discrimination, because some of the issues are addressed in member state constitutions. The importance of the constitutional convention should not be underestimated, for it “is with the birth of the constitutional state that there is a final transition from the sovereign’s point of view to that of the citizen.”<sup>25</sup>

Because the draft constitution does not introduce any new citizenship rights, the perspective of Spanish Foreign Minister—and Convention member—Ana Palacio may be overly optimistic. Palacio has argued that “Until now, Europe was mainly associated with a common market. Now Europe will be more and more a place of citizenship.”<sup>26</sup> Yet perhaps it is unnecessary to expect new rights in order to proclaim that the constitution represents a step forward. In the final analysis, the constitution presents little in the way of new citizenship rights. Perhaps, given the political sensitivities of the looming enlargement, it was not realistic to expect many new rights. On the other hand, the constitution consolidates the existing rights of European citizenship. And it is significant

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<sup>24</sup> Commission of the European Communities (2004a: 19). The relevant section is entitled “Giving full content to European citizenship.”

<sup>25</sup> Bobbio (1996: 43).

<sup>26</sup> Quoted in “Seeking Unity, Europe Drafts a Constitution,” *New York Times*, 12 June 2003.

that the coordination of social security provisions for migrant workers will move from unanimity to majority voting, since progress on coordination has often been hampered by the resistance of one or a small number of states. This change will simplify reaching decisions—perhaps with opt-outs for various member states, similar to the way in which the Schengen system started with five member states before gradually growing—and contribute to the mobility of workers. Given the deeply divisive nature of the debates surrounding the extension of free movement to citizens from the enlargement states, free movement and social security rights for those who move within Europe will continue to dominate the political agenda for years to come.

Another issue that will continue to dominate European politics is the democratic deficit. Governments often pool authority at the international or supranational level in order to maintain their influence in the face of globalization. Yet the paucity of democratic oversight of supranational decisionmaking creates a “democratic deficit” to the extent that popular control over these decisions is absent. For example, most international organizations have no directly elected parliament. The EU is an exception to this rule. But the European Parliament’s authority is restricted by the Commission (over which it has limited control), the Council (over which it has no control), and the Court (over which it likewise has no control). Some commentators claim that there is actually no democratic deficit in Europe because *national* parliaments scrutinize the operation of their ministers and diplomats as well as of “their” Commissioners and judges. In practice, however, national parliaments lack sufficient resources for effective scrutiny. Even national *governments*—which presumably enjoy parliamentary support, even if they

reflect public opinion only imperfectly—often have inadequate means of control over European decisions.

A broader meaning of the “democratic deficit” is that individual citizens do not understand the complexity of European decisions and that do not identify themselves with Europe. The democratic deficit, in this view, flows from the fact that Europe is not only undemocratic, but also seems distant. This was Belgian Prime Minister Leo Tindemans’ view when he argued in 1975 that “Europe must be close to its citizens,” and was shared by the governments which argued during the Maastricht negotiations that the EU should “strengthen its citizens’ feelings of belonging to one legal community.”<sup>27</sup> Introducing direct elections to the European Parliament and subsequently strengthening it was one way of addressing this concern. Encouraging Europeans to utilize their European rights is another. Rather than the viewing the polity in national terms, however, these solutions involve reconceiving the relevant political community in European terms.<sup>28</sup> The initiatives described in this book for creating European citizens become necessary in order to create a sense of European identity and, ultimately, a European demos.<sup>29</sup> Enhancing European democracy does mean introducing more transparency and efficiency. But full European democracy, rule by the demos, will remain unattainable until a European public exists. This explains the push for what Giscard d’Estaing termed

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<sup>27</sup> The Tindemans report is discussed on page **Error! Bookmark not defined.** and the Maastricht negotiations starting on page **Error! Bookmark not defined.**

<sup>28</sup> See Siedentop (2001) for one influential analysis.

<sup>29</sup> Commission of the European Communities (1993a, (1997, (2001b, (2004b). Costa (2004: 216-17) argues that there “is no European ‘people’ to which we can attribute an identity comparable to the presupposed *demos* of the individual member states: this ‘people’ does not exist at present and *must* not exist in the future, if we are to avoid jeopardizing the various national identities[. ...But] there is, as both a presupposition and object of the European Union, a ‘people’ in a different sense: a ‘people’ as a group of individuals who find their point of convergence in an order of shared rights and duties.”

“*affectio societatis*”—a feeling of identification with the Union as a whole rather than simply with the member states.

## Europeans and Third Country Nationals

The attribution of citizenship, particularly the question of who has the power to confer or remove it, is prior to any discussion of the rights that citizenship entails. Because citizenship’s evolution was intimately connected with that of state sovereignty, the attribution of citizenship was traditionally viewed as flowing solely from state authority. Thus the 1930 Hague Convention specified that it “is for each State to determine under its own law who are its nationals.”<sup>30</sup> Over the next fifteen years, however, millions of individuals were stripped of their citizenship—not only in Germany but also in France and elsewhere.<sup>31</sup> As a result, in Article 15 of the Universal Declaration of Human Rights, states agreed in the aftermath of the Second World War to limit their sovereignty by specifying that everyone is entitled to a nationality and that individuals cannot be arbitrarily deprived of their nationality or denied the right to change it. Within this broad framework, however, policies on the attribution of citizenship differ substantially. Individual states frequently revise their laws and policies concerning such issues as dual nationality, immigration, and naturalization, all of which impact who is a citizen and who is not. EU states differ sharply in their policies in this area, and these differences have led to the growth of a significant population of people who are not EU citizens. EU citizenship has developed in conjunction with the presence in Europe of large populations of people called third country nationals because they are citizens not of the EU member

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<sup>30</sup> International Convention on Certain Questions Relating to the Conflict of Nationality Laws (signed at The Hague on April 12, 1930), Article 1.

<sup>31</sup> Weil (1991).

state in question, nor of another EU state—a “second country”—but of non-EU states, such as Algeria or Ukraine. Over fourteen million third country nationals now reside within the EU.

During the constitutional Convention, the citizenship debate’s focus extended from EU citizens to third country nationals, with the Commission underlining the importance of civic citizenship for facilitating integration: its 2003 report on immigration, integration, and employment argued that immigrants “should be helped to settle successfully into society through the acquisition of certain core rights, with the corresponding obligations.”<sup>32</sup> Incorporating the Charter of Fundamental Rights would confirm the rights and obligations of legally resident third country nationals because it would apply to all European residents, rather than just citizens of the member states. Furthermore, the Commission promoted naturalization as an integration strategy: it welcomed the easier conditions for naturalization in some member states and promised to exchange information about best practices concerning the implementation of citizenship laws. The report added that this civic responsibility would prepare immigrants to acquire citizenship and allow for their future political participation. In the Commission’s view, the Constitution should provide legally resident third country nationals with civic citizenship, which should include the right to vote and run for office at the local level. It reflected the views of MEPs such as Pervenche Berès, chair of the French Socialist delegation in the European Parliament and the Parliament’s alternate member to the Convention, who advocated decoupling national from EU citizenship and basing EU

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<sup>32</sup> Commission of the European Communities: 30).

citizenship on residence in order to make citizenship available to those who had long resided within the Union.<sup>33</sup>

The Economic and Social Committee (ESC) also advocated using European citizenship to integrate third country nationals. It resolved that policies for integrating immigrants needed to be improved and that, to this end, the Convention should examine the possibility of granting Union citizenship to long-term resident third country nationals.<sup>34</sup> ESC members anticipated many immigrants settling permanently in Europe, while mobility between member states would increase further as freedom of movement evolved. They argued that equality between all residents—EU citizens and third country nationals—constitutes “a *sine qua non* for integration. A community cannot have living within its midst some people who are debarred from the political and other rights enjoyed by those ‘foreigners’ who are Member State nationals.”<sup>35</sup> The ESC thus highlighted the problem with a state’s granting immediate rights to citizens of other EU member states (even if they have moved very recently) while denying those same rights to long-term residents (who may have resided there for decades or even have been born there). The ESC argued that third country nationals “are discriminated against. Some Member States and candidate countries recognise their right to vote in local elections. Most States, however, deny these people their political rights. In accordance with the principle of equality, such discrimination on the grounds of nationality must be eliminated.”<sup>36</sup>

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<sup>33</sup> European Convention).

<sup>34</sup> European Economic and Social Committee (2002: point 2.11).

<sup>35</sup> European Economic and Social Committee (2003: point 3.4).

<sup>36</sup> European Economic and Social Committee (2003: point 4.6).

Some commentators shared the ESC's surprise that third country nationals did not yet enjoy rights of European citizenship.<sup>37</sup> The political leaders had called at the Tampere summit in 1999 for long-term resident third country nationals to be granted "a set of uniform rights which are as near as possible to those enjoyed by EU citizens," but faced concerns within some member states.<sup>38</sup> Nevertheless, they adopted a Directive on the status of long-term resident third country nationals: by 2006, EU states will grant third country nationals long-term resident status after five years' continuous legal residence.<sup>39</sup> Long-term residents will have the right of residence throughout the EU, fostering their free movement within Europe. The Directive, coupled with a related one on family reunification, furthers the "stage-by-stage harmonization of legislation affecting aliens" that the political leaders discussed as long ago as 1974.<sup>40</sup> This legislation prepares the way for a common immigration policy, which has likewise been discussed for years, with the Commission promoting civic citizenship as a way of integrating immigrants.<sup>41</sup>

## Educating European Citizens

In national contexts, education is a key means of promoting national economic advancement and individual social mobility. But national authorities also use education to foster civic engagement and a shared sense of community. Education has played a similar dual role in the process of European integration.<sup>42</sup> European action in the field of

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<sup>37</sup> Weiss and Wooldridge (2002: 168).

<sup>38</sup> Point 21 of the Tampere conclusions. For examples of concerns, see UK House of Commons European Standing Committee B, minutes of 1 July 2002.

<sup>39</sup> European Council (2003b). Absences shorter than six months or for specific reasons (military service, secondment for work purposes, serious illness, maternity, research, or studies) do not interrupt the period of residence.

<sup>40</sup> European Council (2003a). See page **Error! Bookmark not defined.**

<sup>41</sup> Commission of the European Communities (2000, (2001a), (2004a: 19).

<sup>42</sup> Balibar (2004: 199) notes that "questions of citizenship can only be posed in terms of process and access. We *are not* 'citizens,' but we can 'become' citizens; we can *enter into* one or several processes of creation of citizenship" (emphasis in original).

education started as a means of facilitating the free movement of workers and contributing to Europe's economic recovery. Over time, however, it has gradually become a way of fostering a European cultural identity and creating a shared sense of European citizenship.

The Treaty of Rome gave the Commission the task of promoting cooperation between the member states in the field of vocational training (Article 118). Acting on a proposal from the Commission, the Council would then “lay down general principles for implementing a common vocational training policy capable of contributing to the harmonious development both of the national economies and of the common market” (Article 128). While this economic rationale predominated in the early years of European integration, it was gradually replaced by the desire to foster common citizenship. As a Commission summary of this transformation notes, the “growth of the Community’s education and training programs has coincided with mounting interest in the development of a concept of ‘a People’s Europe.’ The idea and practice of European citizenship is reflected in and supported by the kind of experience they offer; they are themselves instruments of free circulation and examples of the recognition of European diversity. They offer experience of the reality of European union and unity: the free movement of people, ideas, and products.”<sup>43</sup> Free movement and citizenship here are thus linked.

The development of European education policy has also been regarded as a way of addressing the democratic deficit. The European Parliament resolved in 1982, for example, that “[e]ducation about the Community and Europe must be provided in schools, both as a nucleus of common content in the various schools curricula and as a vital body of knowledge enabling European citizens to freely exercise their political

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<sup>43</sup> Commission of the European Communities (1993b).

rights of control and critical participation.”<sup>44</sup> Education about Europe would thus help close the perceived gap between individual citizens and the Community, to help them exercise democratic control through political participation.

The national ministers of education affirmed in 1985 that the “ever-closer union among the peoples of Europe that is called for by the Treaty establishing the European Economic Community can only be achieved on the basis of the citizens’ understanding of political, social, and cultural life in other member states.”<sup>45</sup> Europeans should therefore be “well informed on the goals of European integration and the European Community’s means of action. Teaching about that dimension is therefore part and parcel of the education of the future citizens of Europe.”<sup>46</sup> Education policy was not only a way to build factual knowledge among the future citizens of Europe but also part of an effort to build “a European model of culture correlating with European integration.”<sup>47</sup>

Despite such ambitions, however, there was little Community action in the field of education (with the exception of vocational policy) before the mid-1980s. As discussed in chapter four, the earliest Community program designed to foster the mobility of students was the European Community Action Scheme for the Mobility of University Students, dubbed with the acronym Erasmus, after the Dutch humanist. Starting by funding 3244 university students in the 1987/88 school year, Erasmus grew exponentially. The question soon arose whether the Community had the authority to engage in education policy at all. The “Erasmus judgement” of the European Court in

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<sup>44</sup> European Parliament (1982).

<sup>45</sup> European Council (1988: 143-44).

<sup>46</sup> European Council (1988: 143-44).

<sup>47</sup> European Council (1988: 11).

1989 defined higher education as falling under the Treaty of Rome's discussion of "vocational education," hence under the authority of the European Community.<sup>48</sup>

In order to clarify the limits to the Community's role in education, the member states agreed in the Maastricht treaty that the Community would encourage cooperation between member states "by supporting and supplementing their action, while fully respecting the responsibility of the Member States for the content of teaching and the organization of education systems and their cultural and linguistic diversity" (Article 126.1). Community action would develop the European dimension in education, particularly through the teaching of European languages; encourage mobility of students and teachers; promote cooperation between educational establishments; develop exchanges of information and experience; and develop youth exchanges and exchanges of socio-educational instructors (Article 126.2). Although the treaty referred to the responsibility of member states for the content of education, the list of areas for Community action was lengthy.

European action intensified further with the Maastricht treaty's enshrinement of the Community role in education. By 2002, over one million students had studied in another European country under the auspices of the Erasmus program, and the Commission triumphantly announced that "Erasmus students are contributing to shaping a common European identity."<sup>49</sup> One study found that Erasmus students do indeed feel more European than those who do not move, and that they often remain in the country where they went on exchange.<sup>50</sup> The Commission aimed to fund the exchange of three million Erasmus students by 2011, when the program was expected to fund almost

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<sup>48</sup> Case 242/87 *Commission v Council (Erasmus)* [1989] ECR 1425, 30 May 1989.

<sup>49</sup> Commission of the European Communities (2002).

<sup>50</sup> King and Ruiz-Gelices (2003).

300,000 students annually. In 2003/04, almost 136,000 students and over 18,000 teachers received Erasmus funding for studies in other European countries.<sup>51</sup>

The concept of European citizenship is invariably invoked to justify common action in the field of education. In its 1995 White Paper on education policy, for example, the Commission argued that cultivating knowledge was “particularly appropriate to the building of Europe. By imparting a broad knowledge base to young people enabling them both to pick their way through its complexity and to discuss its purpose, education lays the foundations of awareness and of European citizenship.”<sup>52</sup> The European institutions actively work to ensure that education will indeed lay the foundations of European citizenship. Between 2004 and 2006, for example, the Union will distribute €72 million to organizations which promote active European citizenship.<sup>53</sup> Another example is a report on European programs for youth, culture, audiovisual and civic participation, suggestively entitled *Making Citizenship Work*, emphasizing the need for European citizens to have a sense of belonging to the EU. It states that the “growing importance of citizenship in the European order and the values it is based upon has been mirrored by an equal growth in importance at Union level of education, youth and cultural policies.”<sup>54</sup>

As discussed in chapter four, the member states and the European institutions placed particular emphasis on language education. Between 1990 and 1995, the Lingua program for language education “brought mobility to almost 200,000 people: 120,000 young people through collective educational projects, 30,000 students through inter-university cooperation programmes, and 30,000 teachers through grants for in-service

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<sup>51</sup> Commission of the European Communities (2005).

<sup>52</sup> Commission of the European Communities (1995b: 9-10).

<sup>53</sup> European Council (2004).

<sup>54</sup> Commission of the European Communities (2004c: 4).

training.”<sup>55</sup> Encouraging mobility and language learning was not an end in itself, but rather a means of building a European identity. Thus, encouraging Europeans to develop competence in two European languages in addition to their mother tongue was described as an integral aspect of European citizenship: “[m]ultilingualism is part and parcel of both European identity/citizenship and the learning society.”<sup>56</sup>

Building on Erasmus and Lingua, there has been an explosion of other programs, also often named after European thinkers. The Socrates program was launched in 1995 to “develop the European dimension in studies at all levels so as to strengthen the spirit of European citizenship, drawing on the cultural heritage of each member state”<sup>57</sup> Socrates regrouped all programs in education, while the parallel Leonardo program regrouped the Community’s vocational training programs. Both were allocated €1.15 billion between 2000 and 2006. The common element of all EU programs in the field of education is their focus on building European citizens. An assessment of the Youth in Action program, for example, notes that the “importance assigned to EU citizenship in Articles 17 to 22 TEC underpins the role that the programme must play in the near future. This focuses on promoting the active citizenship of young people and strengthening their sense of belonging to Europe.”<sup>58</sup> The title of the Commission’s 1997 document “Accomplishing Europe through Education and Training,” expresses the same goal.

In addition to Community action, cooperation among member states has dramatically increased in recent years. In 1998, at the 800th anniversary of the founding of the Sorbonne university in Paris, European education ministers issued the Sorbonne

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<sup>55</sup> Commission of the European Communities (1995a).

<sup>56</sup> Commission of the European Communities (1995b: 47).

<sup>57</sup> European Council (1995).

<sup>58</sup> European Economic and Social Committee (2005: point 1.3).

Declaration, which called for a European Higher Education Area. The next year, in June 1999 at Europe's oldest university, education ministers from twenty-nine countries issued the Bologna Declaration. The "Bologna process" includes a variety of goals, one of which is the introduction of a two-tier model based on the separation between Bachelor's and Master's degrees. An overall aim of the Bologna process, however, is to manage the mobility of university students, teachers, and graduates. This focus flows from the idea that the "free movement of persons [makes] it essential for national education and training systems to consider the European dimension."<sup>59</sup> In other words, "[m]obility of students and academic and administrative staff is the basis for establishing a European Higher Education Area."<sup>60</sup> But the free movement of persons is not only a *cause* of coordination in the field of education; it is also the *effect* of the various programs discussed here. Mobility of students and staff leads to policies favorable to mobility, which increases the numbers of students and educators making use of the opportunities for free movement, which in turn leads to calls for policies fostering even more mobility. The development of European educational policy, including references to combating the democratic deficit and fostering the free movement of students and academic staff, thus mirrors the development of European citizenship more generally.

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<sup>59</sup> Commission of the European Communities (1995b: 3).

<sup>60</sup> "Realizing the European Higher Education Area," Communiqué of the Conference of Ministers responsible for Higher Education in Berlin, 19 September 2003.

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