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European Citizenship as a Cultural and Political Construct

Citizenship belongs to the category of concepts that stand to lose its meaning as a result of popularity. Like other key terms in social and political sciences (civil society, government, social capital), the term citizenship seems accessible and clear, precisely because it is frequently used. Its "civic" reverberation and implicit reference to the state-citizens relationship that seem ample enough to provide a minimal terminology consensus.

Nevertheless, specialised literature is much more heterogeneous and divergent. To prove it, following is a collection of definitions given by authors well-known in our field of reference:

Marshall (1973): "Citizenship is the status granted to all actual members of the community. Individuals who enjoy this status have equal rights and subsequent obligations. Citizenship presupposes a direct sense of community membership based on loyalty to a shared civilisation. It is the loyalty of a free individual granted with rights and protected by a common legislation."

Kymlicka and Norman (1995): "Citizenship is not merely a status, defined by a set of rights and responsibilities. It is also an identity, the sense of belonging to a political community."

Barbalet (1998): "Citizenship means that individuals who have been granted citizenship rights take part in public life."

Ichilov (1998): "Citizenship is a complex and multidimensional concept. It consists in legal, cultural, social and political elements that grant citizens certain rights and obligations, giving them a sense identity and social interaction."

Janowitz (1983): Citizenship refers to relationships between individuals and the state."

Habermas (1994): "Citizenship" is the peaceful 'dialogue'-type struggle in the public arena."

Turner (1993): "Citizenship refers to equal rights and their political expression in public life."

Dahrendorf (1994): "Citizenship is a non-economic concept that presupposes the practice of civic or fundamental rights as well as of generic rights (political and social rights)."

Hayek (1967): "Citizenship is the practice of a moral code - a code focused on the interests of others - founded rather on personal development and willing cooperation than on repressive power and State intervention."

The variety of these definitions requires us to take a systematic approach. Consequently we shall resort to three criteria: the status-identity dichotomy,

citizenship as a social process and citizenship as a political institution.

1 Statutory and Identity-Based Citizenship

The list above shows that definitions oscillate between two aspects of citizenship:

The legal and political status

In this sense (which prevails, since it is better structured, more precise and easier to codify) citizenship consists in the ensemble of rights and responsibilities granted by a state to its citizens. It is the legal status of citizens as subjects to law that defines the rules and limits of membership to a political community (e.g. citizenship recognised by a national state). This status is based on mutuality, in the form of a civic contract included in constitutional rights. On the one hand, the state grants, recognizes and guarantees the rights and responsibilities entailed by the status of citizen; on the other hand, in exchange for these rights, citizens must be loyal to a civic order they must defend and promote. Nationality is the most concrete form of this relationship (official membership of a national state) recognised in the form of various public documents: birth and death certificates, passports, identity cards.

In the case of EU membership, this status is limited to the 4 supernational rights introduced by the Maastricht Treaty (we shall return to this topic later). It is a status granted solely to the citizens of an EU member state and which completes the citizenship recognised by the national constitutions of the respective states.

This legal dimension of citizenship is, however, restrictive. One such restriction is that access to human rights depends on the citizen status. This is why Hanna Arendt and Dahrendorf recommended that it is the human rights of individuals that must be acknowledged and not those of citizens. This would prevent, for example, situations of civic exclusion made official by the bizarre "non-citizen" status (e.g. Latvia) which, in fact, means that immigrants, minorities or people dislocated as a result of military conflicts do not have access to full rights.

Identity and social role

In this sense, citizenship is one of a set of individual identities. Without being necessarily restricted to a given territory, this identity may exceed the legal space of membership. For example, in this identity and cultural sense, citizenship may be related to a location, region, and ample cultural and historical space. Citizenship does not involve any legal or political constraint, it is a form of cultural and psychological membership that the individual assumes and prefers to be acknowledged by. Consequently, it is possible to have a citizen of a region, nation, Europe and even a citizen of the world. If the status of citizen is strict and controlled by a precise legislation (Heater calls it the "hard core" of citizenship), identity-based citizenship is subject to wide cultural variations: it dissociates membership from territoriality, it is contextual (an individual may have several civic identities simultaneously) and fluctuating.

In this respect, any inhabitant within or without the geographical boundaries of Europe may assume European identity.

2 Normative and Effective Citizenship

With regard to the limitations of the previous distinction, some authors (Somers 1993; Bernbaum 1996) think in terms of normative and effective citizenship. The former refers to the citizen ideal, an active supporter of civic virtue. It is rather the moral meaning that gives citizenship the value of a daily code of conduct. In this sense, Bellah (1975) considers citizenship a "civil religion" capable of controlling the ensemble of social relations.

The second type of citizenship stresses the idea of process, not just a simple input of daily life, Turner (1993, 2), for example, defines citizenship as "a set of political, economic, legal and cultural practices, the characteristics of an individual as a component member of society". These practices highlight the capacity of the individual to be an effective citizen as well as the interactive dimension of citizenship: there are no citizens per se, just co-citizens. Thus citizenship is defined not in relation with the abstract titles granted to the rightful members of the social community, but by the concrete means in which these rights are used to control the relationships between citizens and public authorities.

3 The Pragmatic Definition of Citizenship

According to some authors citizenship and social existence merge, so that it is illusory and impossible to perceive it as a single state of things. In the opinion of van Gunsteren (1998, 11) we are interested in the operational capacity of citizenship as a programme of social action: "Citizenship is not an eternal essence but a cultural artefact. It is what people manage to derive from it. Just like language it depends on and changes along with its use: changes of political regime or in the public agenda usually involve modifications in the way citizenship is used and what it stands for."

This pragmatic vision, tributary to Wittgenstein's "language games" considers that citizenship has a strict or formal sense (participation and equality of rights as a result of the citizen status) and a noun sense that refers to the actual capacity of citizens to influence politics. From this perspective, van Gunsteren develops a "neo-republican" theory of citizenship based on three elements:

- Citizenship is a public life institution that each and every citizen has access to, on terms of equality and non-discrimination;
- Citizenship is organised pluralism, a political community that recognises and encourages diversity;

- Citizenship is a social action that consists in the actual practice of rights and responsibilities in a given context of the public sphere;

From this perspective, the crucial condition of citizenship is its use in daily instances of public life. Citizenship, concludes van Gunsteren, is "a civic action" or what citizens actually do: active participation (in political institutions, in elections, associative life, military service), civic denial ("critical citizenship"), social change and democratic governing.

At the end of this terminology incursion, we will attempt to propose an operational definition that takes into account all the aspects identified above. We thus propose the following definition to be inferred throughout this lecture:

Citizenship is membership and active participation in the public life of citizens, beneficiaries of rights and responsibilities, who thus have the capacity to influence political policies.

The following characteristics can be derived from the definition above:

- membership of a political community, that confers a political sense to individual and collective identities;

- active participation, through civic and co-civic actions;

- legal status resulting from the set of officially recognised rights and responsibilities (what is usually termed as "citizenship");

- the capacity to influence political decision, which presupposes a minimum of civic competences and awareness of this capacity.

4 Territoriality, National State, Citizenship

The historical evolution of membership in modern times has passed through three stages: subjecthood, nationality and citizenship. The first refers to the situation of subjects under feudal authority and the absolute monarch(1). The second stage marks the passage from the territorial state to the national state after the example set by France in the 18th century. The nation played the role of social binder; a cultural community (unity of language, ethnic origin, tradition and identity), which later turned into a political community. With the French Revolution, the national state earned the right to political self-determination. Membership of the same state overlapped with national membership and nationalism became their common discourse of legitimacy. The nation became simultaneously an ethnic(2) as well as a political community and the national state consecrated this symbiosis. From that moment on, as indicated by Bendix (1964), Habermas (1992) and Zawadski (1996), the national structure in Western Europe began to differ from the one in Eastern Europe. On the one hand, Western Europe is a greater supporter of the idea of political nation (the Renan model) which presupposes that the nation is primarily a community of citizens, not an ethnic community. On the other hand, under the influence of the "national spirit" ("Volkgeist") promoted by Herder, Central and Eastern Europe remains in favour of he ethnic nation. This form of membership can be explained by the historical deficiency of the state

and the need for national identity to counteract imperial domination. If in the first case, the national sate became a form of political organisation, in the second case ethnic nationalism became the main source of national sovereignty (see the "principle of nationalities" promoted by President Wilson).

The American Revolution was a decisive moment of discontinuance in the evolution of membership. It is a well-known fact that the Declaration of Independence was in fact a denial of servitude and fiscal obligations to the British Crown. This is why, one of the first amendments made to the Federal Constitution (1787) was the replacement of the term subject with term of citizen. From that moment on, the membership of American citizens is no later related to the territory proper, nor to colonial order, but to the identity-based symbolism focused on the values of the Constitutional text. It is what Bellah (1975) called "civil religion" and Anthony Smith (1986) termed "civic nationalism" (different from the ethnic nationalism of the national state). The State thus frees itself of the attribute "national" becoming a political community of citizens entitled to rights and obligations. This way nationality (membership in a state) was combined with identity and participation in the modern concept of citizenship.

As Parsons points out (1971, 13) citizenship replaced the traditional foundations of social cohesion (religion, ethnicity and territory) with a common lay platform that combines nationality with identity.

In the new European context, the term territory is no longer an exclusive reference for membership, due to human migrations, globalisation and the never-ending game of identity options. Likewise, the term nation no longer represents a steady framework as it has already fused with the state and the political community in the form of the national state. In turn, the national state no longer meets the exigencies of a society that is growing more and more diverse and multicultural. Other identity-based constructions are required, as efficient as the nation and the national state were in their time. These constructions must support the effort of institutionalising supranational citizenship which represents the grand political project of the European Union at the start of this century.

From this perspective, we will continue by discussing two situations that may aid us in our endeavour i.e. multicultural and surpernational citizenship.

Multicultural Citizenship

Traditionally, debates on citizenship were initiated and conducted by legal advisors. Legal advisors, soon followed by the public at large focused on the status of citizen (defined by a set of equal rights and nationality), translated as "citizenship" or "citoyenneté".

The approach became too narrow when considering identity(3) and the diversity of situations where the status of citizen became applicable. It is extremely difficult to separate membership of a state and civil society, on the one hand, from membership of a cultural community, on the other

hand.

Membership of a political community and identification with the cultural community are not easily to separate. The national state was the first entity that integrated the two forms of membership. It was accomplished by relating to the dominant culture where the nation was the political spokesman.

Nowadays, the ideal of cultural and political homogeneity promoted by the nation-state has become debatable. In fact, the industrial society is no longer intent on attaining social cohesion and civic order by means of public policies with the declared purpose of achieving integration and homogeneity. On the contrary, diversity and pluralism are the fundamental values of democracy that shape the modern vision of citizenship. Present-day societies are multicultural as is the public space where citizenship is expressed. Starting out from these premises, Kymlicka (1995) proposed a new form of citizenship, primarily specific for the Canadian context. He described multicultural citizenship, a novel form of linking the political community with the motley of cultural communities. Instead of referring to the rigid framework of the national state, impossible to apply in the case of Canada and the USA, Kymlika uses the concept of "societal culture", introduced by Dworkin. It is the ensemble of meanings that various groups and communities attribute to the various human activities and their products. These activities are carried out in a variety of areas, including the public arena and the private sphere. In a multicultural society, the term minority loses its meaning: any individual, group or community may be a minority depending on criterion or context. An individual may be a minority member depending on identity (e.g. profession or political affiliation) but may become a majority member according to another criterion or under different circumstances (e.g. the criterion of language, gender or religion). For this reason, in the '80s-'90s, the "Fribourg Group" (led by Meyer-Bisch) and the CAHMIN Committee within the Council of Europe attempted to institutionalize cultural rights and replace the sensitive term minority with the term "cultural community". These initiatives were however not accepted in the European context at the time, as some states did not approve the recognition of cultural rights, for two reasons: their absence in the range of international instruments and their collective rights status. The so-called "droit de regard" thus became questionable, namely the right of a state to have any say as to the rights of its population settled in neighbouring countries. Two particular cases of a legal nature further complicated the respective debate, namely the case of Russians living in the Baltic states and Ukraine (approximately 40 million people) and the status of the Hungarian population dispersed throughout the neigbouring countries.

Multicultural citizenship is applicable primarily to the Canadian society, although Kymlicka attempts to generalise it in other multicultural societies. He starts from the idee formerly expressed by Young (1989, 258) according to which there is no world citizenship, identically applicable in any political society, instead we may speak of a differentiated citizenship. Kymlicka and Norman (1995, 302) speak of a "group differentiated citizenship" which may encourage equity and positive discrimination policies. This approach to citizenship would promote three new types of rights, ignored by the leveling status of citizenship based on nationality, namely:

- rights of special representation for the poor, elderly, Afro-Americans, homosexuals, in other words social groups that need their own representation in the political community; these rights are usually granted temporarily, in cases of oppression, becoming superannuated as soon as the discrimination ceases;

- rights of self-government for groups historically established, with a strong cultural identity, as is the case of Aboriginals, the Roma and Shinti populations (Arctic populations), as well as populations belonging to a certain territory (Quebec); these cultural communities do not ask for a better representation in the government and central institutions but a limited transfer of certain prerogatives and legislative competences to their own communities;

- multicultural rights such as the rights of the various groups of immigrants (e.g. Hispanics) in the USA; these communities request the right to bilingual instruction, their own schools, fiscal exemptions in the case of certain religious practices, as measures of preservation and assertion of their cultural identity; unlike their rights to self-government, multicultural rights promote rather integration in a pluralist society than community autonomy.

These proposals once again raise the issue of the dual character of citizenship. On the one hand, citizenship is an expression of civic order based on equal rights for all. In this case citizenship plays an integrating role and is the major factor of social cohesion. In the second case citizenship sustains pluralism and cultural diversity, encouraging multiculturalism, identity and individual expression. In this sense, there is no citizenship as such, as a universal status or unique standard of democracy, but a wide variety of individual situations and individual experiences.

The idea of a "differentiated citizenship" is in itself contradictory, which explains the fact that it has not yet been institutionalised in all societies. It uses cultural and identity-based membership though a system of encoding specific in the case of cultural and social differences, in other words by measures aimed at equity, administrative decentralization and assuming political responsibility. It maintains the unifying character of citizenship since the basis of public policies remains the system of individual rights granted equally to all. The measures envisaged by "multicultural citizenship" are in fact attempts at social inclusion for groups that consider themselves isolated or even excluded from mainstream society, for groups with specific needs or those that request more support from public authorities.

American patriotism is a case apart. Unlike the European empires and colonial powers that reached diversity by conquest and alliances between dynasties, American pluralism was achieved by addition of individuals. Under the circumstances ethnicity and nationality did not coincide with the territory. Widely differing people and communities settled on the same geographical space becoming American citizens, even if they have retained the identity roots of their culture of origin. In this case, the political community (defined by the Constitution and the "Bill of Rights") preceded the American cultural community. The most efficient way to unite the first immigrant communities was through emotions, by affiliation to a country of

adoption and to the American constitutional values. This feeling of civic devotion was transmitted from one generation to the next so that today patriotic gratitude and attachment are very strong feelings among American citizens. Unlike Europe, where patriotic pathos has all but disappeared from public discourse, in the USA patriotism remains an essential component of citizenship.

Supernational Citizenship

European Union member states are going through the reverse process: from national states to a supernational political community, from inter-governmental law to community law and from ethnos to demos. If in the case of Americans patriotism and the Constitution preceded citizenship proper, the building of European citizenship started from supernational rights prior to the Constitution.

The major problem of supernational citizenship remains however, the difficulty of achieving both components, namely legal citizenship and identity-based citizenship. So far the various projects of supernational identity have been quite easy to accept: they have had no major repercussions on employment, mobility, residence or social security. The difficulties proper emerged the moment the issue of legal and political status of supernational European citizenship was raised. The four supernational rights introduced by the Maastricht Treaty (1992) were just a beginning and in any case only guarantee a limited citizenship.

For this reason, as we shall see in modules 2 and 3 the issue of European citizenship remains open. European citizenship will be complete only when both dimensions of codifying and institutionalisation are achieved, namely statutory citizenship and identity-based citizenship. From this perspective, we will now refer to two interesting examples. The first refers to a version of statutory citizenship proposed by Habernas. The second refers to an original form of post-national identity namely cosmopolitan identity.

Constitutional Patriotism

To solve these contradictions inherent to citizenship, Habermas (1995) creates a hybrid status-identity, which he proposes as a nucleus of European supernational citizenship. This is the so-called "constitutional patriotism" or loyalty to European values and institutions where the demos prevails over the ethnos and membership is related to a political community not a territory. The individual identifies himself with a system of supernational rights and obligations in a "patriotic" manner, in the same way that patriotism and constitutionalism supports American citizenship. Identity is superposed on status so that they cease to be opposable alternatives. The unity of individuals results from attachment to a political

community ("Euro-polity") without necessarily requiring any cultural unity.

In this case the supernational community operates on the basis of deliberation and negotiation, after the same consensual principle that Aristotle called "phronesis" and Thomas d'Aquinas called "prudentia") important decisions are taken following reflection and consultations between citizens).

It is what Raymond Aron (1994) called "citizenship without enemies." It is not built necessarily against other identities but through considerable extension of membership and collective action.

Cosmopolitan Citizenship

Diogenes as well as Comenius or Schiller considered themselves "citizens of the world". In turn, Kant in "Perpetual peace" sustained the idea of "ius cosmopoliticum" where all individuals feel "citizens of a universal state of humankind".

Such references are rather identity utopias than plausible political projects. They only extend identity projections beyond their own city or national state towards a global entity, without frontiers, called "cosmopolis".

It goes without saying that politicians and leaders never took such identity speculations into consideration. For them the only certainty was the territory and state over which they could exercise their authority.

Several contemporary authors (Meehan 1993; Baubok 1994, Ohmae 1995; Linklater 1999; Delanty 2000) questioned this strictly partisan-of-state-control vision. They pointed out that numerous centres of authority have merged at subnational and transnational level. Consequently, membership, loyalty, participation and identity (defining characteristics of citizenship) may be related to these various levels of the political community.

This approach goes beyond both the Kantian-type utopian vision (limited to universal compassion and solidarity) and the partisan-of-state-control model of citizenship. The new cosmopolitanism aims to define global citizenship as both political status and identity simultaneously.

This is how the concept of cosmopolitan citizenship emerged, supported especially by Linklater (1999) and Delanty (2000). It is an optional citizenship ("unbounded citizenship") unlike republican citizenship obtain along with nationality ("bounded citizenship"). Civic action is carried out in the global society and is made legitimate through the rights and liberties guaranteed by universal and European instruments (especially the "Declaration of Human Rights" and the "European Charter of Human Rights"). Even if governments remain tightly linked to the political space they emanated from (electoral community or own political organisations) citizens may already participate or address a global civil society. By means of various bilateral agreements, especially between democratic states, the frontiers of political space are easy to penetrate and permeate so that rights and responsibilities easily go beyond the public space of the national territory.

Cosmopolitan citizenship is however more than just a principle and a diffuse reality, resulting from the interdependence and globalisation of political communities, than an explicit option, institutionalised and recognised as such by national legislation. It is to be encountered more in political analyses and academic discourse than in constitutional texts or international law.

The '90s were considered by Ralf Dahrendorf the ‚decade of citizenship'. Many expectations were raised by policy makers and practitioners in relation with EDC as a possible lever of educational reforms. The European Year of Education through Citizenship was a direct answer to this movement in favor of democracy learning as a sustainable project throughout Europe.

Moreover, the recent challenges to European citizenship (the fifth wave of enlargement, the Constitutional exercise, the identity crisis of the Union) as well as the famous democratic deficit' of the European institutions create a new political impetus to citizenship and EDC.

It is sure that education alone will not be able to solve all these challenges. What is certain, however, is that without citizenship education and democracy learning the whole European project will be questionable and the famous Europe of citizens' will remain more a wishful thinking than a reality.

Notes

(1) To this day, British citizens are known as "her majesty's subjects". The term indicates a cultural peculiarity rather than an essential difference with respect to the legal status of the British citizen.

(2) In Roman mythology "Natio" was the goddess of birth and origin.

(3) By identity we mean those elements of culture that an individual ascribes to himself and wishes to be acknowledged by. An individual may thus have several identities at the same time: member of a family or ethic community, representative of a social group, adherent to a religion or creed, practitioner of a profession, bearer of a name, speaker of a mother tongue, individual belonging to a certain gender, etc.

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