EU CITIZENSHIP

TOWARDS A POSTMODERN CONCEPTION OF CITIZENSHIP?

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Introduction

The European Union is facing a number of challenges, such as: the erosion of democracy and liberal values, migration crisis, the rise of populism and nationalism, economic crisis, terrorist attacks and so on. Public perceptions of democracy are challenged by the rise of populistic debates and changes in public discourses and social media communication. The decision of United Kingdom in June 2016 to leave the European Union is another challenge. Instead of a European Union enlargement, today we see an opposite trend as the EU is diminishing.

In addition to Brexit, there are other symptoms of this negative trend. For instance, the President of France, Emmanuel Macron, proposes the EU moving at different speeds and at the same time proposes deeper political integration (within the EU "core") (Chrisafis and Rankin 2017). Although there are several candidates to join the EU[1] (mostly in the Balkans), their accession to the EU is a long-term process. As it is stated in the *Strategy for the Western Balkans*: "The EU itself needs to ensure that it will be ready institutionally to welcome new Member States once they have met the conditions set. The Union must be stronger and more solid, before it can be bigger" (COM (2018) 65 final, 15). The EU should also better define the role it can play in the current global transformations and political developments in other parts of the world (for instance, USA, China, Russia and so forth). The current crises that the EU faces on multiple levels can serve as a starting point for transformation and new narratives for the EU.

The challenges that the EU faces today can only be addressed collectively, and that is why it is necessary to reinvent the idea of the European Union, European identity and values and even EU citizenship in light of these

[1] "The current enlargement agenda covers the partners of the Western Balkans and Turkey. Accession negotiations have been opened with candidate countries Montenegro (2012), Serbia (2014), Turkey (2005). The former Yugoslav Republic of Macedonia is a candidate country since 2005 and Albania obtained candidate status in 2014. Bosnia and Herzegovina (application to join the EU submitted in February 2016) and Kosovo (Stabilisation and Association Agreement entered into force in April 2016) are potential candidates" (European Commission 2018).

challenges. The entire idea of liberal universalism on which the European values are built is in crisis today. This study aims at revisiting the idea of the European Union and European citizenship (mostly as a philosophical and sociological concept) and investigating their postmodern traits which transcend various binary oppositions posed by narratives of crises in the European Union.

An additional obstacle to understanding the concepts of the *European Union* and *EU citizenship* represents a generally accepted trend that concepts of *Europe* and *European Union* are understood as synonyms. In this way, the politico-economic community takes the geographical-historical name of the continent (Velikonja 2005), which contributes to the development of Eurocentrism, i.e., to the creation of new Eurocentric myths. For this reason, a clear distinction was established in this monograph between *European citizenship* (as a philosophical and sociological category), and *citizenship of the European Union* determined by EU legal system.

The European Union was supposed to be supranational community that is strengthening the role of postnational understanding of law, economy, citizenship, identity, and borders. In the light of recent events in the EU, the following question may be posed - is the European Union coming back to the state before integration? The terrorist attacks in Europe in recent years are transforming Europe's migration crisis into a security debate, spurring calls for closing exterior European borders and questioning the Schengen Agreement. In this way, free movement – one of the fundamental pillars of the European Union - is put at risk.

Due to these security reasons and various types of crises, the European Union is coming back to the ideas of nations, nationalism and binary oppositions: we/they, European/non-European, Christianity/Islam, self/other and so forth. Everything that was supposed to be overcome by the idea of European integration (for instance, common values, freedom of movement, no borders, multiculturalism, tolerance, etc.) is put into question. So it is exactly how threats and crises influence postnational and postmodern concepts and tend to return them to modernist concepts (states, nations, borders).

This inquiry explores the emergence of modernist, nationalist narratives in Europe in the time of crisis, which put into question postnational narratives on which the idea of European integration is based. It also offers the outline of new narratives for Europe, based on Jacques Derrida's politics of friendship which overcomes metaphysical ideas of European identity and Europeanness, which are based on the idea of common heritage and destiny, and fixed notions of identity (Derrida 2005a). Derrida's political philosophy is based on postmodern idea of identity which includes *Other,*

and that is why it is relevant for dealing with contemporary Europe's narratives of crises (Derrida 1992). Derrida's politics of friendship offers new solutions which overcome traditional, modernist politics based on brotherhood and fixed notions of identity, which does not sufficiently recognize diversity (Derrida 2005a).

In the first chapter of the study, the analysis of old, national and new postnational and postmodern paradigms (that gave rise to new forms of citizenship as a result of evolving political communities toward postnational and postmodern forms of organization) is presented. These forms of organization are created by increased migration and development of information and communication technologies, which enable the creation of new, transnational and flexible forms of identity and citizenship. The new, dynamic form of citizenship is in the foundation of postnational political communities such as the European Union. The European Union as a political and economic community calls into question the traditional forms of citizenship and identity that are rooted in the nation state, and, therefore, the idea of European Union citizenship is based on separation of political and legal content of citizenship from the very idea of nation.

Discussions about the nature of citizenship often turn into discussions about identity and tension between the universal and the particular, postnational and national, global and local, necessary and contingent (Isin and Wood 1999). In the 20th century, the most numerous were debates between advocates of essentialist determination of individuals and social groups and those who reject any fixed determination, arguing that identities are social and historical constructs (Ibid.). Chapter 1 examines various conceptions of identity: national (fixed), postnational (flexible), poststructuralist (constructed) and so forth. It also investigates the clash between different identities and paradigms, for instance: national vs. postnational concepts of identity, liberal vs. conservative political paradigms, modern vs. postmodern categories.

Chapter 2 examines the nature of the European Union as a political community and points out its postmodern character, which derives from its hybrid nature that includes subnational, national and supranational level. The hybrid character of the Union is reflected in the fact that it has traits of both intergovernmental and supranational political community (Samardzic 1998). Further, it will be analyzed whether the characteristics of a postnational political system, which can be attributed to the European Union, indicate the postmodern nature of EU citizenship.

Chapter 2 analyzes the concept of European identity and relation between European and national identity. The European identity is supposed to represent a form of multi-layered postmodern identity since the Euro-

pean Union is a supranational community. The European identity should not be based on a set of homogeneous values, which exclude *Other*, which would turn identity into a passive instrument of discord. As Thomas Hylland Eriksen emphasizes many Europeans are afraid that cultural standardization that European integration brings, will cause the loss of national or ethnic identity (Eriksen 2002). In particular, this is relevant for the "complex environment such as the Balkans" where the essentialist concept of national identity is still dominant (Eriksen 2015, 193). However, if the European Union citizenship is a postnational political entity which includes multiple, contingent and dynamic identities, this fear is unfounded.

The fact is that the European Union as a political community differs from the rest of the world. When referring to the European Union as a political community, the heterogeneity of its 28 Member States with their different national governments is always taken into account, and, therefore, the solution to many problems, such as immigration, is more complex. "At the level of the European Union, shared values are perhaps even more important, as countries with very different economic, geographical and cultural identities embark on a shared journey of 'ever-closer Union'" (Scott 2014, 8-9). The issue of European identity is still very complex, while the source of American identity is the *Constitution of the United States* (Meyer 2004). This is the traditional basis for a high degree of identification of US citizens with their country. This kind of identification is politically conditioned, and in modern times it is most frequently related to the quality of democracy (Ibid.).

The European Union faces the problem of third-country nationals, which is not the case in the United States. Furthermore, in the United States doesn't have an official language, but "30 of the 50 states use English as the official language" (Worldatlas 2018). On the other hand, the EU is a multilingual environment with twenty four official languages[2]. In addition, the European Union borders with many developing countries that are its potential members, while the United States borders with a single developing country – Mexico (Meyer 2004).[3] Although certain political values, such as respect for human rights, democracy and tolerance coincide, there are distinct contextual differences and disagreements between the US and

[2] "Official Languages of the EU", European Commission, Available at: http://ec.europa.eu/education/official-languages-eu-0_en

[3] Mexico is still considered a developing country, as the process of industrialization in this country is not yet sufficiently developed.

the EU. For example, the death penalty is still legal in 31 US states (NCSL 2018), while it is unacceptable for the European idea of human rights.

Chapter 2 also examines contemporary challenges to postnational ideas of citizenship and identity, in particular, EU citizenship and identity. EU citizenship can be perceived as a polyvalent, controversial concept, which reflects both inclusive and discriminatory elements. Investigation of EU citizenship, presented in this chapter, includes two main perspectives. The first one identifies challenges to postmodernism and postindustrialism, which require rejection of the idea of citizenship based on fixed and monolithic identity. The second perspective is based on analysis of European initiatives which aim at promotion and further development of citizenship of the European Union, and shows in which way the myth of harmonious public sphere collapses. The idea of European *demos* should not be based on fixed European identity built on metaphysical foundations.

Chapter 3 investigates possibilities of emergence of new, postmodern Europe, taking into account postmodern understanding of law and politics. This chapter presents a philosophical analysis of citizenship of the European Union as well as the idea of *European public sphere*. The postmodern condition implies pluralism and ambivalence and requires rethinking modernist practice. Postmodernist thinkers reconstruct the concepts of democracy, citizenship, identity, values and the notion of public sphere, arguing that these concepts cannot rest on political heritage of Enlightenment, which denies particularity and difference.

Postmodernism redesigns basic concepts represented in the history of philosophy and calls into question entire ontological and epistemological context, which is located in the subtext of the legal system. Postmodernism includes not only critical, discursive practices directed towards the redesign of existing binary hierarchies and authorities, but also critical attitude between the individual representatives of postmodernism that are positioned differently in these disputes since postmodernism eludes any coherence and homogeneity.

The postmodernist approach offers an expanded, alternative idea of the political. As Foucault points out, instead of perceiving power as based on prohibitions, use of power should be observed as production of a whole range of meanings, identities, bodies, knowledge, beings, and actions (Foucault 1979). The meaning is placed in the discursive practices that are produced, disputed and transformed in socio-historical actions, rather than in *sui generis* scheme of timeless categories (Alonso 1992).

Postmodern theory[4] is shaking homogenous, coherent and monolithic constructions, and postmodernists question the metaphysics based on *logos*. Postmodernists believe that homogeneous and fixed identities produce violence and repression, questioning the nature and the groundlessness of every identity that excludes *Other*. As anti-foundationalist view that includes multiple and shifting identities, postmodernism can represent not only the context in which the EU citizenship can be studied but also a source of criticism of essentialist assumptions on which EU citizenship (and the idea of citizenship in general) is based. EU citizenship is a legal concept, on the one hand, but on the other hand, it can be perceived as polyvalent and controversial concept, which, at the same time, reflects both the inclusive and discriminatory elements.

Derrida's (1992) idea of *democracy to come* is relevant for questioning these discriminatory elements, and the relationship between "democracy" and "hospitality" (which is significant for the current migration crisis in Europe). Derrida's conception of *democracy to come* rethinks the concepts of state and citizen and the entire realm of the *political* displacing all kinds of borders and boundaries (Ibid.). Contemporary politics and new migration flows require displacement of border and rethinking the concepts of citizen, asylum seeker, refugee as well as traditional discourses on cosmopolitanism and hospitality.

Both Brexit and migration crisis in Europe pose identity issues on both national and European (supranational) level. Migration crisis in Europe reopened the gap between liberal (postnational) and conservative (nationalist) approaches, the European left wing and right wing politics, as well as the old gap between the East and West in Europe. The European Union is coming back to sharp binary oppositions: we/they, European/non-European, Christianity/Islam, self/other and so forth.

If these dichotomies between European and non-European, Christian and Muslim, self and other are not overcome, and if there is no room for diversity, we come to S.P. Huntington's (1993) idea of *clash of civilizations* and his scenario of conflict between different cultures and civilizations. Jacques Derrida attempts to overcome these binary oppositions within his idea of politics (Derrida 2005a) and outlines postmodern Europe and the postmodern idea of European identity that includes otherness (Derrida 1992). That is why his philosophy is relevant for resolving issues posed by various crises (migration, political, economic, demography, etc.) that the EU faces today.

[4] Postmodernists claim that "theory" does not represent a monolithic category, and the postmodernism itself includes critical practices which elude any totalization.

Migration crisis in Europe is a dynamic and rapidly changing phenomenon which cannot be adequately tackled by traditional methods of legal and political studies which do not take into account flexible and shifting nature of identities, borders, political discourses and so forth. For this reason, Derrida's perspective offers an adequate approach to Europe's migration crisis – it is based on constant reinterpretation of concepts and it overcomes and rethinks binary oppositions, such as: we/they, self/other, European/non-European, citizen/refugee and so on.

Derrida analyzes the concept of cosmopolitanism and argues about its Western heritage (Derrida 2005c). According to Derrida, the concept of cosmopolitanism includes two contradictory principles. On the one hand, there is a hospitality which offers the right of refugee to all immigrants. But on the other hand, the right to ask for refugee should not be equated with rights on residence. "All the *political* difficulty of immigration consists in negotiating between these two imperatives" (Critchley & Kearney 2005, X). In his *Perpetual Peace: A Philosophical Sketch*, Immanuel Kant claims that "The Law of World Citizenship Shall be Limited to Conditions of Universal Hospitality" (Kant 1795/2003). For Kant, "hospitality means the right of a stranger not to be treated as an enemy when he arrives in the land of another" (Ibid.). Kant makes a distinction between the right to hospitality and the right of residence and his idea of hospitality is conditional. Thus hospitality does not imply citizenship or "a right to be a permanent visitor" (Ibid.). Jacques Derrida rejects the Kantian idea of hospitality arguing that it denies the unconditional aspect of hospitality (Derrida 2005c).

Derrida proposes politics based on friendship, and not on essentialist, exclusive categories such as gender and nation (Derrida 2005b). According to Derrida, the idea of *political* from Aristotle's philosophy up to the French Revolution was based on the concept of brotherhood (*fraternité*). This idea of the *political* excludes and marginalizes a number of people, who are considered as *Other*. Derrida's idea of "democracy to come" (which emerges from his later work) is an ethical and political project which transcends distinctions between ethical and political, public and private, self and other, national and postnational and so on. That is why this postmodern conception of democracy is relevant to resolving contemporary European narratives of crises.

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