

Union Citizenship Revisited

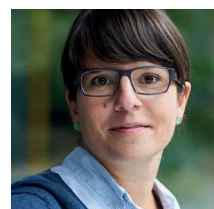
Multilateral democracy as normative standard for European citizenship

Rebecca Welge (CIS) & Antoinette Scherz
(Goethe University Frankfurt am Main)

European Citizenship is of unique importance for migration in Europe, because it transcends national boundaries and guarantees the right to free movement to all EU citizens. Due to its multilevel structure, European Citizenship has a distinct form composed of national and EU Citizenship. It mirrors the multi-layered legal system and the complex relationship between national and EU law. According to the Treaties, 25 every citizen of EU Member States holds EU Citizenship, which is 'additional' to national citizenship and does not replace it (Art. 20.1 TFEU). The supranationally enshrined status of EU Citizenship creates distinct features of citizenship: such a multilevel citizenship stretches into supranational and transnational realms, which are additional to the national level as it embeds multiple national communities. The framework of EU Citizenship has fundamentally changed the conditions of migration in Europe and could serve as a model of how to deal with challenges of citizenship and migration in the 21st century.

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The objective of our paper is to assess EU Citizenship against the theoretical background of multilateral democracy. This approach is specifically suited to this task, as it does not rely on a nation-state paradigm or the presumption of a further transformation into a federation or union. We propose three criteria by which to assess multilevel citizenship: equal individual rights, equal sovereignty of peoples, and the balancing of individuals’ and peoples’ interests. We argue that the current practice of Union Citizenship does not fully meet the proposed standards regarding equal rights within, and equal access to, the political system. Based on our assessment, we propose reform options of access to national and supranational citizenship and argue for supranational participation rights and equal transnational rights to gradually re-establish full membership for individuals.



Antoinette Scherz is a Postdoctoral Fellow at the Centre for Advanced Studies “Justitia Amplificata” at the Goethe University Frankfurt am Main

as well as an Assistant Lecturer in the Advanced Studies in Applied Ethics program at the University of Zurich. Antoinette’s research interests include international political theory, legitimacy, democratic theory, institutional design, and the concept of peoples.

scherz@em.uni-frankfurt.de



Rebecca Welge is a senior research and teaching associate at the Department of Political Sciences, University of Zurich. Rebecca received her

PhD from ETH Zurich in 2013. Her primary research interests include citizenship, democracy beyond the state, citizens’ political perceptions, multi-level governance.

rebecca.welge@uzh.ch