

Victimized by Euroscepticism. European Citizenship in the Dutch Political Discourse

Anjo G. HARRYVAN and Jan VAN DER HARST

European citizenship has a long history. It can be traced back to the 1970s, when the first attempt was made to extend the existing economic rights of member-state citizens, deriving from labour mobility, to political rights. Since then, the European Community and the European Union have made continuous efforts to put the topic of European citizenship on the agenda. With some success, as shows the formal inclusion of the concept in the Treaty of Maastricht in the early 1990s. However, in practice it has always remained difficult to make citizens fully aware of their rights concerning living, working and travelling in the EU. Campaigns aimed to promote the issue encountered scant enthusiasm. Who still remembers the European Year of the Citizen, proclaimed by the EU in 2013?

This article focuses on the development of the discourse on European citizenship within Dutch political parties and parliament and attempts to explain – in an historical perspective – its feeble course on the Netherlands' national political agenda.¹

Introduction: the emergence of a concept

At the 1974 Paris European summit meeting a working party was established and instructed to research the possibilities for the attribution of specific European rights to the individual citizens of the then nine Member States of the European Community.² The Heads of government requested Leo Tindemans, Prime Minister of Belgium, to report on an 'overall concept of European Union' on which the Nine could agree 'as soon as possible'.³

The 1975 Tindemans Report outlined two areas in which the Community could attribute rights to European citizens, thus moving the European project closer to their everyday life. Firstly, the Community was to guarantee those civic rights the national governments were no longer able to guarantee: basic human rights, consumer protection and rights concerning protection of the environment. Secondly, rights which would stress mutual European solidarity: border controls were to be eliminated gradually, citizens' cross-border transport and communication facilities were to be im-

1. The authors wish to thank Martijn van den Brink, Sebastiaan Cnossen and Jola Huijberts for their assistance in the research for this article.
2. Final Communiqué of the meeting of heads of Government of the Community, Paris, 09-10.12.1974.
3. A.G. HARRYVAN, J. VAN DER HARST, *Documents on European Union*, Macmillan, Houndmills, 1997, p.183.

proved, as well as their eligibility for medical treatment and surgery in other Member States than their own.⁴

Although the Tindemans Report – at least on this issue – amounted to little in terms of tangible results, it laid the ground work by exploring the notion of attributing rights to the citizens of Europe. In the same vein, the 1976 agreement bestowing citizens of the Member States the right to participate in direct elections for the European Parliament is viewed as a fundamental and necessary element towards fully-fledged European citizenship.

Nevertheless, the ‘European rights for European citizens’ issue did not rank high on the agenda of the Member States busy fighting the economic and monetary upheavals of the 1970s and 1980s. The only exceptions were Belgium and Italy, the latter being the country most concerned with citizen politics because of the considerable number of Italian labour emigrants employed all over the Community. It was mostly due to Italian insistence that European citizenship gained a prominent place in the European discussions. The 1984 Fontainebleau summit put the granting and protection of civic rights in a European context back in the limelight, stressing the importance of Europe’s identity and image with its citizens.⁵ The resulting Adonnino Committee – named after former MEP Pietro Adonnino – produced a report aimed at ameliorating citizens’ participation in European decision-making, both in the Member States and the Community at large, as well as empowering citizens in border regions to have their say on cross-border European projects. Also, the report argued in favour of simplifying European legislation directly impacting citizens, as well as legal protection for European citizens living in Community Member States other than their own. Finally, in a more concrete way, Adonnino advocated the introduction of European symbols: a passport, a flag and an anthem.⁶

It was the Spanish delegation in the Intergovernmental Conference preparing the Maastricht Treaty (1991) which with the support of the European Parliament proposed the adoption of European citizenship in the Treaty on European Union. Practical thinking rather than federalist fervour appears to have made the Spanish delegation come forward with its proposal and in this it was supported by their French colleagues: European citizenship held out the promise of keeping Catalan, Basque, Breton and other citizenship claims by national ethnic minorities at bay.⁷

4. *Report by Mr Leo Tindemans, ‘European Union’*, in: *Bull. EC*, Supplement 1/76, pp.26-28.

5. Fontainebleau European Council. Conclusions of the Presidency, 25-26.06.1984.

6. P. ADONNINO, *A People’s Europe*, in: *Bulletin EC*, Supplement 7(1985), pp.19-21.

7. S. O’LEARY, *The Evolving Concept of Community Citizenship. From the Free Movement of Persons to Union Citizenship*, Kluwer, The Hague, 1996, p.24.

European citizenship in the Dutch political debate, 1970s and 1980s

The most prominent character trait of the political debate in the Netherlands on the issue of European citizenship was its near absence for many years. From our research it appears that the national parliament and political parties seldom issued explicit opinions on the topic. European citizenship turned out to be a subject almost exclusively handled by legal specialists. Only at rare occasions – mostly in the run-up to European elections – there were signs of real political involvement. Even then it concerned a limited group of specialists (party spokesmen). The topic did not provoke elaborate discussion on a broader scale.

Typical for the Dutch stance during the 1970s was a parliamentary debate in 1975 – after the publication of the Tindemans report – which briefly addressed the relationship between Europe and its citizens. Cornelis Berkhouwer, Europe spokesman for the liberal VVD, was one of the MPs concerned with the topic. He admitted not to know what the term ‘civil Europe’ exactly stood for. He thought it meant that ‘in the European construction some things must be realized which mean something for the “man in the street” and about which the man in the street is able to say something himself’, such as the ‘allocation of certain rights’.⁸ Berkhouwer asked the responsible Minister Max van der Stoep (Foreign Affairs) whether the Dutch government ‘should not feel the urge to play a pioneering role in stimulating the “civil Europe” idea’, but when in his reply to Parliament Van der Stoep refused to follow up on this question, Berkhouwer refrained from asking for additional explanation.⁹ ‘Civil Europe’ or ‘Europe of the citizens’ was not an issue that stirred the interest of Dutch politicians. The Dutch focus in the 1970s and 1980s was on stimulating economic integration in Europe, by transforming the customs union into a real common market. Other issues clearly were of secondary importance.

However, a political issue that did feature high on the agenda was the campaign for direct elections for the European Parliament. In the Dutch view, strengthening the position of the EP – by direct elections and additional powers – was much to be preferred to discussing non tangible and highly normative topics as European citizenship and European identity. Regarding such striving for more democracy, a study of Dutch sources reveals a difference in strategy between parliament and government: whereas the former emphasized the importance of direct EP elections as an indispensable instrument to narrow the gap between citizen and Brussels, the government, on its part, sought to improve the legitimacy and efficiency of European policy-making by increasing EP powers.¹⁰ Put differently, the parliament’s preference for ‘input democracy’ (direct citizen involvement) went hand-in-hand with the government’s emphasis on ‘output democracy’ (policy efficiency).

8. HTK [Handelingen van de Tweede Kamer] 1975-1976, 11.11.1975, p.982.

9. HTK 1975-1976, 11.11.1975, p.1020.

10. S.H.G. CNOSEN, *Nederland en Europees Burgerschap: een paradoxale relatie*, BA thesis International Relations and International Organization, Groningen, 2012.

Direct EP elections were introduced in 1979, but – to the disappointment of many Dutch MPs – they failed to solve the democratic deficit problem: the perceived distance between national citizens and the European institutions. A stronger civil identification with Europe was called for. However, in 1984, when former MEP Adonnino published his committee report in an attempt to tackle the issue, Dutch Parliament reacted as lukewarm as in the wake of the Tindemans report. Dutch MPs basically agreed with State-Secretary for Foreign Affairs René van der Linden (CDA, Christian Democrats), who argued that the report should be considered ‘one of the stepping-stones for emphasizing the cultural and educational sides of European activities’ with the aim of ‘making Europe more tangible for its citizens’.¹¹ That it was still unclear what these words signified in practice was not seen as a problem.

Unlike its Dutch counterpart in The Hague, the European Parliament in Strasbourg did show interest in the topic, particularly the liberal and democratic group (ELD), having in its ranks VVD (Liberal) and D66 (Left-liberal) MEPs. Interestingly, the Strasbourg representatives of the latter two parties initially were the most active proponents of citizenship, more than Christian Democrats, social democrats and others. Europe-minded VVD MEP’s like Gijs de Vries, Hans Nord and Florus Wijsenbeek were the embodiment of this approach. They emphasized respect for fundamental rights, improvement of conditions for free movement of persons and both active and passive voting rights for new arrivals in the member countries after a minimum stay of five years. Moreover, in line with Adonnino’s recommendations, the VVD/D66 (ELD) European election programmes of 1979 and 1984 pleaded for the speedy development of a European passport, as a concrete symbol for national citizens to be part of a wider Community. A European passport according to the two liberal parties could help to make the EC’s unity more visible.¹² An opposite position was taken by the small Centrumpartij, an anti-European formation on the far right of the Dutch political spectrum, which focused on national identity and – in its 1984 EP election programme – wholeheartedly rejected the notion of a European passport.¹³

The Centrumpartij could not stop the European passport from becoming a reality. Its introduction, however, was a complicated affair fraught with many setbacks, at least in the Dutch case. Problems emerged at the Ministry of Foreign Affairs in The Hague, entrusted with the task of designing a secure, fraud-proof document, which in practice proved a tedious issue. Because of delays, technical shortcomings and a serious display of indecisive policy-making, the introduction of the passport even led to the downfall of two members of government, a highly unusual phenomenon in Dutch politics.¹⁴

11. HTK 1986-1987, UCV [Uitgebreide Commissie Vergadering] 47, 09.02.1987, p.4.

12. *Programma voor Europa* (VVD/ELD), Brussels, 1979, p.16; *Europees Programma 1979* (D66), p. 7; *Europees Programma 1984-1989* (D66).

13. *Europees programma 1984*, p.27.

14. It concerned the incumbent State Secretary for Foreign Affairs, René van der Linden (CDA) and his predecessor Wim van Eekelen (VVD) who, at the time of his forced resignation, held the position of Minister of Defence. The fraud-proof European passport was introduced in the Netherlands not before the mid-1990s.

Hence, in their 1980s EP election programmes, VVD and D66 – of all political parties – devoted most space to the issue of European citizenship. On top of the European passport, the VVD propagated a joint driver's license and a common European currency as 'natural symbols of Europe of the citizen'.¹⁵ The other parties were less involved, although they also contributed to the debate. The centre-left oriented European delegates of PvdA (Social Democrats) and PPR (Radicals) focused on equal rights for legal migrants in the EC Member States and improved democratic control of European decision-making.¹⁶ CDA strove for a still ill-defined 'European Community consciousness', through which the European idea would regain its 'original drive and dynamics' and pleaded for more citizen participation in the political life of the Community.¹⁷

Treaty of Maastricht

In the 1980s, discussions thus took place mostly on EP-related level, the national parliament remained silent. Even the signing of the important 1985 Schengen agreement – providing for a free movement of persons in a large passport-free area – could not help to change this. Things finally started to move during the preparations for the Maastricht summit in December 1991. From that moment on, Dutch national politics also became involved in the citizen-Europe discussion, reflected in increasing press coverage of the issue (see Figure).¹⁸

This increase was partly caused by the fact that the Netherlands, as the country holding the half-yearly rotating presidency of the European Council (second half of 1991), was under strong pressure to come forward with its stance on the issue. Moreover and more importantly, the Treaty of Maastricht, which was about to be agreed upon, entailed European involvement in many new policy areas: social and political affairs, environmental issues, the Economic and Monetary Union (including the single currency), etc. The Treaty, it was reasoned, undoubtedly would bring Europe closer to the citizen. In such circumstances, a formalized European citizenship was no longer an abstract issue. In June 1991, just before the start of the Dutch EC presidency, the CDA spokesman for Europe issued the following statement:

'The European Community is no longer purely economic and it should not get lost in bureaucracy and technocracy. We thus face the need to create a Community with a human face. Hence, we endorse the importance of Europe of the citizen, without whom real in-

15. *Een Europa van vrije en bewuste burgers*, 1989.

16. *Verkiezingsprogramma van de Partij van de Arbeid voor de Europese verkiezingen*, 1979 and 1984; *Europees programma 1979* (PPR).

17. *In het hart van de Europese samenleving*, 1989, p. 5.

18. J. HUIJBERTS, *Europees burgerschap in de Nederlandse media en politiek* (unpublished paper), 11.03.2013.

tegration will not be feasible. Such Europe of the citizen should therefore be made visible in the drafting of the new treaty'.¹⁹

European citizenship in the Dutch media (1990-2013)

The vertical axis indicates the number of articles on European citizenship



The Christian Democrats were particularly interested in a high-profile role for civil society ('maatschappelijk middenveld') in the development of European integration. Interest groups of different purpose should help to intensify citizen participation at the European level. CDA was part of the then ruling two-party government coalition, together with the Social Democratic PvdA. The latter also showed an increasing interest in the topic, albeit from a different – more socially and environmentally motivated – perspective:

'European integration remains incomplete if it just concerns the transfer of economic powers. The PvdA advocates a Europe of the citizen. This requires a more balanced approach than we have witnessed so far with "Business Europe". Now is a good opportunity. A treaty revision would make it possible to include the environment, the term "sustainable development" and a social dimension [...], as being of equal importance to the realization of the internal market'.²⁰

19. HTK 1990-1991, Vaste Commissie voor EG-zaken, 03.06.1991, p.7.

20. Ibid., p.14.

The country's two most powerful political parties thus started showing attention, even though the direction the European governments were heading for was as yet unclear. European citizenship was a multi-faceted concept: it could be interpreted in many different ways, both as a material and ideational concept. As stated above, Spain had launched a proposal for European citizenship, which found support in the European Parliament, but the Spanish proposal was not the fruit of a federalist conviction. Rather, it was meant as a device proposed by Madrid to limit the authority of the Spanish provinces or regions, particularly Catalonia and the Basque Provinces. The proposal's main practical implication was that someone having the nationality of one of the Member States would automatically be considered a citizen of the European Union, which would allow him or her to vote at elections (either local or European) if residing in one of the other Member States. This proposal was eventually inserted in the Treaty of Maastricht: under the heading of European citizenship subjects of the Member States gained a new juridical status as citizens of the European Union.

Maastricht's confined interpretation of European citizenship provoked some attention and discussion in Dutch parliament, although most MPs downplayed its significance. After all, a substantial part of the new rights given to European citizens already had been incorporated in the national legal framework or in other sections of the European treaties. Ever since the 1983 revision of the national constitution, foreign-born residents having lived in the Netherlands for at least five years were allowed to vote at local elections. Hence, also in this respect, the Maastricht provisions on European citizenship were considered much the same. Unlike Denmark, where the new status was heavily debated – even leading to an official Danish opt-out from European citizenship policies – Dutch MPs decided to focus on another contested outcome of the Maastricht negotiations, the – in their view – still lacking powers of the European Parliament. A majority of MPs felt that the co-decision procedure agreed on in Maastricht was a step forward but still insufficient to make the EU a real legitimate and democratic polity. Compared to this focus on the 'democratic deficit', European citizenship was considered a minor issue, but not completely insignificant. The PvdA Social Democrats were happy to see that the desired environmental and social policies had found their place in the Treaty, albeit not directly linked to European citizenship. Moreover, PvdA MP Erik Jurgens made clear that he considered the citizen's right of freedom of movement within the Union area (art. 8A) a 'not unimportant fundamental right'.²¹ The Christian-democratic CDA wished to uplift the concept of European citizenship by giving it more shape than the Treaty had intended to do – particularly by extending the role of civil society – but the party spokesman proved reticent to push the government on this issue. After all, the two Ministers in charge of the intergovernmental negotiations in Maastricht, Prime Minister Ruud Lubbers and Minister of Foreign Affairs Hans van den Broek, were both (fellow) CDA members. CDA MP Van der Linden welcomed the terms on European citizenship,

21. HTK 1992-1993, 04-05.11.1992, p.1241.

‘not as an alternative for citizenship of the Member States, on the contrary, but as a means to safeguard some important rights and duties of the European citizens’.²²

The liberal VVD, under its new leader Frits Bolkestein, just at that moment found itself in the midst of an internal discussion on the desired party strategy on European integration. Bolkestein had distanced himself from the party’s delegates in Strasbourg, who in the recent past had embraced the European citizenship concept. Bolkestein instead preferred to concentrate on the realization of the common market, and was opposed to initiatives that could give Europe more authority in other areas than the financial-economic ones. In Bolkestein’s view, the EU should for example not involve itself in social harmonization policies and refrain from ‘pumping around’ money on behalf of regional, structural and cohesion policies. On one issue, he fully agreed with his fellow MPs: also Bolkestein sought to improve the democratic credentials of the Union, although in his view European citizenship was not the proper means to address this issue. He was happy to see that the treaty terms on citizenship seemed to bear little clout.

It was only two of the smaller political parties which explicitly raised the topic of European citizenship during the parliamentary debates on Maastricht: the left-wing Groen Links (Green Party) and the right-wing Religious-Protestant RPF. Both parties criticized the outcomes on European citizenship, albeit for entirely different reasons. RPF leader Meindert Leerling rejected the concept because of his fundamental opposition to citizenship with a supranational dimension. In Leerling’s view, citizens tended to feel engaged only with relatively small communities – towns, provinces or states – but not with

‘something “elevated” like a European citizenship which has to be shared with many and with which no one has real affinity, because of differences in language, culture and religion’.²³

Leerling suspected that the citizenship idea was invented by ‘Euro-zealots who believe that a united Europe will produce such a strong sense of belonging that we do not feel Dutch or Danish any longer, but in the first place Europeans’. For Leerling, apparently, this was a daunting prospect.²⁴ On behalf of the government, State-Secretary for European Affairs Piet Dankert (PvdA) replied that the European citizenship clauses would apply only if someone ‘decides to cross the border and settle in another European country’, but this hardly reassured the worrying RPF leader.²⁵

The other critic, Groen Links, was to the contrary much in favour of the citizenship concept. However, it strongly felt that the treaty provisions were discriminating against citizens who resided in one of the EU Member States without possessing the nationality of this Member State. In the Dutch case, Groen Links’ concerns focused on migrants from third countries – like Morocco and Turkey – with a legal residence

22. Ibid., p.1204.

23. Ibid., p.1178.

24. Ibid., p.1405.

25. Ibid., p.1428.

permit, some of whom had been living in the Netherlands already for a long time. Due to their foreign nationality ('derdelanderschap'), they were not allowed to enjoy the full benefits of European citizenship. Ina Brouwer, MP for Groen Links, thought this was totally unfair. She asked the government the following – rhetorical – question: why attribute European citizenship status to a Dutch 'pensionado' living in Spain only during the winter period, and why not to a Turkish butcher who has worked in Amsterdam during his entire life, who speaks the Dutch language perfectly, but who does not have a Dutch (EU) passport at his disposal? Brouwer added:

'Legally residing migrants are confronted with a new disadvantage by the introduction of EU citizenship, just at a time that racism is ever more gaining ground'.²⁶

The government replied that it shared Groen Links' view on European citizenship – promoting equal rights and treatment for economically active and legally residing 'derdelanders'²⁷ – but confessed that it had failed to acquire sufficient support for this position at the European negotiations.²⁸ They reassuringly added that the citizens' fundamental rights were adequately covered in the Dutch national constitution; a direct link between European citizenship and those fundamental rights was therefore not considered an urgent necessity.²⁹

The 1990s after Maastricht

In the years after Maastricht the political debate on European citizenship fell silent again, only to re-emerge temporarily at the European elections of 1994 and 1999, as well as the 1997 Treaty of Amsterdam (see figure on press coverage). Whereas during the 1980s VVD and D66 had been the most vocal participants in the citizen-Europe discussion, in the 1990s this role was reserved for Labour (PvdA) and particularly Groen Links. As previously, the latter parties placed emphasis on granting equal rights to all residents legally residing in the EU Member States, including 'derdelanders'. In the wording of the Groen Links' EP election programme:

'European citizenship excludes no one. Also those who have no Union passport or do not take part in the Christian heritage should be considered European'.

These two left leaning parties also pleaded for strengthening the concept of European identity (by developing a shared vision on the future of Europe) and the drafting of a European Charter for Fundamental Rights. Moreover, Groen Links advocated the possibility of holding EU-wide corrective referenda. In the Groen Links' view citi-

26. Ibid., p.1194.

27. HTK 1990-1991, Kamerstuknummer 22138, ordernummer 2, Regeringsnotitie Rechtspositie en Sociale Integratie, p.6.

28. HTK 1991-1992, UCV 38, 18.05.1992, p.45.

29. Handelingen van de Eerste Kamer 1992-1993, 22647 (R 1437), ordernummer 13, Memorie van Antwoord, p.53.

zens should be given the appropriate tools to exercise direct influence on political decision-making.³⁰

In his March 1997 farewell speech, the resigning President of the Senate (Eerste Kamer) Herman Tjeenk Willink (PvdA) explicitly referred to citizenship. Tjeenk Willink urged the national parliament to be more ambitious with regard to the 'essential preconditions of the democratic legal order: legal protection, transparency, openness and European citizenship'. He thus placed EU citizenship in the context of democracy or rather the lack hereof in Europe. It was the time that the European Union – perhaps for the first time – became subject to substantial criticism in national parliament. After a long post-war period of 'permissive consensus' – in which European integration had been broadly supported and hardly discussed – the 1990s witnessed the emergence of political parties which started to question the expansive development of European integration. Apart from the above-mentioned VVD of Frits Bolkestein, it concerned Jan Marijnissen's Socialistische Partij (SP) and (somewhat later) Pim Fortuyn's LPF (Lijst Pim Fortuyn). They also criticized the perceived democratic deficit, but, unlike Tjeenk Willink, chose to reject European citizenship as one of the remedies to solve the problem. In the 1990s, national parliament became the main arena for voicing EU criticism. The government still largely followed its traditional policy line of support for supranationalism in Brussels, particularly in the financial-economic area (although, at the time, it started complaining about the country's high per capita contribution to the EU budget). The public at large maintained a rather distant position regarding Brussels affairs. MP André Rouvoet (ChristenUnie, orthodox protestants) attempted to catch the atmosphere by asking himself:

'Am I wrong or is it true that the European fire in the Netherlands is definitively extinguished? The tone of the debate is unmistakably different from that of a few years ago. Passion, euphoria, idealism and federalist daydreams have made room for soberness, realism and modest concepts'.³¹

Rouvoet and his Eurosceptic party were not unhappy with this development.

The Treaty of Amsterdam of June 1997 adapted the Maastricht provisions on citizenship: article 17 stipulated that EU citizenship should be seen in addition to national citizenship, not as a substitute for the latter. This could be interpreted as a response by the government leaders to the general increase of EU criticism in the post-Maastricht era. Such fine-tuning failed to provoke comments in the Dutch political arena. In the parliamentary debate on the Amsterdam Treaty European citizenship was not mentioned even once. This was remarkable because the topic had figured prominently on the agenda of the treaty negotiations.³² During the negotia-

30. GroenLinks, *Verkiezingsprogramma voor de Tweede Kamer en het Europees Parlement*, 1994; Idem., *Grip op Europa*, 1999; PvdA, *Manifest voor de verkiezingen voor het Europees Parlement van juni 1994*, 1993; Partij van de Europese Sociaaldemocraten, *Programma voor de Europese verkiezingen*, 1999.

31. HTK 1994-1995, 47-3045, Behandeling van de nota Uitbreiding van de Europese Unie, 14.02.1995.

32. *Herziening van Maastricht begint op een ongelukkig moment*, in: *Het Financieele Dagblad*, 29.03.1996.

tions, the government – together with the European Commission – had made another attempt to improve the legal position of ‘derdelanders’ through an extension of citizenship rights. As before, this attempt remained unsuccessful.

Nice and beyond: the Constitutional Treaty and the Lisbon Reform Treaty

The 2000 Nice Treaty and the 2004 European Constitution as agreed upon by the Member States’ governments both reiterated the Amsterdam formula: ‘Every national of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to national citizenship and shall not replace it’, before adding specific rights coming with EU citizenship, amongst which the right to move and reside freely within the territory of the Member States; the right to vote and to stand as candidates in elections to the European Parliament and in municipal elections in their Member State of residence, under the same conditions as nationals of that state; and the right to enjoy, on the territory of a third country in which the Member State of which they are nationals is not represented, the protection of the diplomatic and consular authorities of any Member State on the same conditions as the nationals of that state.³³ In the wake of referenda in France and the Netherlands in the summer of 2005 which torpedoed the proposed Constitution, the same article texts on citizenship were copied into the Lisbon Treaty, coming into force on 1 December 2009.

Since the Nice Treaty, in governmental and parliamentary circles, interest in the citizenship issue appears to have increased. A September 2003 policy paper advocated a broadening of the citizenship concept from expanding from the traditional citizens’ rights approach into areas which would contribute towards ‘active citizenship in Europe’. Not surprisingly, education and public information service were to promote the values contributing to such ‘active citizenship’. Hence, ‘Europe and European citizenship were to come to the fore in [national] education in various ways and at various moments’.³⁴ Education Minister Maria van der Hoeven (CDA) explained: in order to promote citizenship ‘we have to work at that European feeling, hence my plea for citizenship’.³⁵

Therefore, during the 2004 Netherlands’ Presidency of the EU Council, the government organized a number of high-level meetings probing the ‘fundamentals of European integration’, amongst which ‘community of law’ and ‘European citizen-

33. EC Treaty as modified by Nice, art. 17, 18(6), 20 and 21. European Union Constitution 2004, Art. I-10 (1-2).

34. HTK 2004-2005, 29361, no. 11, 16.09.2003, Nederlands EU-voorzitterschap 2004. Brief van de minister en van de staatssecretaris van buitenlandse zaken, p.3; Handelingen van de Eerste Kamer, 2005-2006, kamerstuk 30303, nr. A, 07.09.2006, Europa in het Nederlandse onderwijs. Brief van de ministers van onderwijs, cultuur en wetenschap en van buitenlandse zaken, p.2.

35. M. VISSER, *Maria van der Hoeven: “Nadenken over Europees burgerschap”*, in: *CDA Magazine*, 6(2004), pp.16-17.

ship'. In a later evaluation it was claimed that this series of meetings and debates on European citizenship 'had provided the Dutch presidency with a distinct accent'.³⁶

The aim of active involvement and participation of citizens at the European level was also reflected in the government's positive judgment on the 2004 European Constitution text. It referred to the first article of the new Treaty: 'Reflecting the will of the citizens and States of Europe to build a common future, this Constitution establishes the European Union'. Such juxtaposing of the will of the citizens and the one of the states was considered an 'important illustration' of how the Constitution constituted 'a step forward in the development of European citizenship'.³⁷

In retrospect, elite interest in broadening the EU citizenship concept may well be seen as a sign of the times. In the fall of 2003 Erik Jurgens, a law professor and Social Democratic member of the Senate, observed that 'for the moment European citizenship amounts to little. But it can gain significance, especially if the EU's "federal" power will further increase'.³⁸ At the time of the European Convention and its concept Constitutional Treaty such further federalization appeared to be on the books. The negotiations on a European Constitution coincided with a surge in press coverage on European citizenship, the second one after its introduction in the Maastricht Treaty (see figure). Above all, citizenship issues like the 'European feeling' referred to by Minister Van der Hoeven and European culture and European identity did receive full attention.

Hence, a European identity discussion also came to the fore in the political campaigns for the 2004 European Parliament elections. As a threat to national identity, according to the ChristenUnie.³⁹ The Christian Democrats (CDA) stated: 'European integration is not to constitute a threat to the religious, regional, linguistic or cultural identity of the citizens'.⁴⁰ The Socialist Party (SP) argued that as long as there was no European feeling in the Member States a European identity simply could not exist.⁴¹ De PvdA (Social Democrats) on the other hand advocated coupling national identity to a conscious solidarity of all Europeans, thus enabling the citizen to feel Dutch and European in equal measure.⁴² Most outspoken on the issue was Groen Links. Under the heading 'European citizenship' the party promoted 15 program points amongst which: substantially improved access to official national and European documentation, proportional participation of women in EU institutions, mutual recognition of civil status between Member States (including same-sex marriages) and – last not least – European citizenship for third-country citizens after a three-year

36. HTK 2004-2005, 29361, no 5, 28.05.2004, Report Inspectie Ontwikkelingssamenwerking en Beleidsevaluatie (IOB), 'Primus inter pares. Een evaluatie van het Nederlands EU-voorzitterschap 2004', Ministerie van Buitenlandse Zaken; HTK 2008-2009, annex to 21501-20, no. 399, p.78.

37. HTK 2005-2006, 30025 (R-1783), no. 3; HTK 2007-2008, 31202, no. 1.

38. E. JURGENS, *Europees burgerschap bestaat (nog) niet*, in: *Europees Burgerschap*, Asser Instituut colloquium Europees Recht (2003), pp.85-90 (89).

39. ChristenUnie/SGP, *Geloofwaardige keuzes – manifest voor Christelijke politiek in Europa*, 2004.

40. *Op weg naar de 21e eeuw*, 2004.

41. *Wie zwijgt stemt toe; de SP en de verkiezingen voor het Europees Parlement*, 2004.

42. *Het Europees verkiezingsmanifest Partij van de Arbeid*, 2004.

legal sojourn in the Union, including the right of free cross-border movement and the right to participate in local and European elections.⁴³

Such new-found interest in and attempts at constructive action on the citizenship concept by the government and political parties, however, were done away with in one sweep by the outcome of the June 2005 national referendum on the European Constitution. The Constitutional Treaty had been emphatically embraced by both the government and 138 of the 150 members of the Tweede Kamer (Lower House), but a majority of 62% of the electorate voted against the proposed Constitution, in the act sweeping the country's political elite off their feet. When the clouds of dust had settled, European citizenship was no longer the pet object it had been during the 2004 Presidency. On the contrary, like the European flag, the European anthem ('Ode to Joy') and the annual Europe Day (9 May), European citizenship could well be considered one of the symbols of an advancing European 'superstate' which had provoked the voters into rejecting the Constitution. Such, at least, was the opinion of those manning the right and left flank of the political spectrum. As worded by André Rouvoet, MP for the orthodox ChristenUnie, in the months leading up to the referendum:

'Europe is transforming into a political great Power with substantial competences and power, but without sufficient democratic embedding, without a history, without moral authority. If you add to that excessive symbolism (the European flag, a European anthem, the annual Europe Day and the moving rhetoric on a European citizenship [Hurray!] it should be clear that the European Union is really fostering the pretence and ambition to take over tasks traditionally performed by national states'.⁴⁴

On a European scale such backfiring of the citizenship notion was not entirely new. In the wake of the Maastricht Treaty ratification the introduction of the concept had been used by Eurosceptic activists in Denmark and France to raise nationalist sentiments and as an argument to vote against the EU Treaty in national referenda. The Danish 'nej' of June 1992 made the Copenhagen government insist on a special declaration to be annexed to the Maastricht Treaty in which it stated that EU citizenship was of a totally different order than citizenship of a national state.⁴⁵ In the Dutch case, however, such negative connotations came much later and constituted first and foremost an unwelcome surprise at the time of the 2005 referendum.

The Hague government reacted to the referendum fiasco in its interstate relations with other EU powers by means of a diplomatic campaign aimed at de-robing the projected Lisbon reform Treaty, which was to replace the defunct Constitution of all explicit symbolic references to statehood, like the abovementioned articles on a European flag, anthem etc., which supposedly had triggered the no-vote. On the whole, this campaign turned out to be successful.

43. *Eigenwijs Europees*, 2004.

44. *Europa, Europa*, in: Trouw, 23.04.2005.

45. *Unilateral Declaration of Denmark on Citizenship of the Union*, Official Journal (OJ) 1992, C 348/4, 31.12.1992, as cited in: M. VINK, *De onverdraaglijke lichtheid van het Europese burgerschap*, in: *Idee*, 3(2002), pp. 12-14.

There is no positive evidence of Dutch diplomatic efforts aimed at the actual removal of European citizenship articles from the new Treaty. Nevertheless, pre-2005 enthusiasm for and attempts at substantiating EU citizenship were traded in for a much more reticent stance and what could well be described as giving the cold shoulder. At least until the September 2012 elections in domestic debates and campaigns, politicians of the centre-right and centre-left kept a low profile on the subject, as indeed they did on European integration issues in general. Some observers noticed a tendency of ‘ducking politicians’ who tried to eschew Europe and European issues out of fear of being punished by the electorate. It was exactly the time of the rise of Geert Wilders’ Freedom Party (PVV).

The government’s reticence did not remain unnoticed. In 2007, the Raad van State, the country’s nearest thing to a constitutional watchdog, criticized the Balkenende government for not being outspoken enough on the issue. Rather than leaving the development of European citizenship in the hands of the European judiciary, the EU Court of Justice, the government ought to take an active stance. Such an active stance was precisely what the government was trying to avoid.⁴⁶ Reacting on a European Commission report in 2010 the Netherlands took a critical line on free cross-border mobility of EU citizens’ family members originating from third countries and showed little to no support for proposals aiming at expanding voting rights for EU citizens in their host countries. Such policy stances went to demonstrate the deepening impact of euroscepticism in the country in general, as well as a loss of enthusiasm for European citizenship in particular.⁴⁷ Hence, in spite of its legal importance, especially for students and old age pensioners claiming benefits in their host countries, politically speaking European citizenship has become a non-issue in the Netherlands. As worded by Bas van’t Wout, MP for the leading coalition party VVD, in June 2016:

‘I am in favour of European cooperation in the economic field, but I don’t care a fig for that crap about European citizenship. The EU is a business project, all that nonsense surrounding it is precisely threatening support for Europe. Unfortunately, the EU is promotor number one behind the present anti-EU mood’.⁴⁸

Conclusion

European citizenship was subject of debate in the Dutch political arena from the 1980s onwards. Euro-parliamentarians, especially of the liberal varieties, showed interest in the concept as a vehicle for promoting free cross-border mobility and introducing

46. HTK 2007-2008, 31202, no. 1.

47. HTK 2010-2011, 31317, no. 63.

48. Bas van ’t Wout (VVD): “De lol van het ondernemen gaat eraf”, in: *Forum*, 22.06.2016. A noteworthy exception was constituted by former Foreign Minister and EU Commissioner Frans Timmermans who in March 2016 published an ardent argument in favour of European citizenship: ‘Living with each other instead of next to each other’, also in our dealing with refugees. F. TIMMERMANS, *Broederschap. Pleidooi voor verbondenheid*, Podium, Amsterdam, 2016.

active and passive voting rights in host countries. Christian Democrats argued the notion could be helpful in increasing citizen participation at the European level. For the Social Democrats, European citizenship fitted in with their ideals of a Europe beyond the common market, a Europe characterized by social solidarity and equal rights. The Green Party (Groen Links) protested against the discriminatory impact EU citizenship had on the position of immigrants from third countries, like Turkey or Morocco.

Throughout the period under scrutiny, European citizenship was relevant as a legal concept considerably more than as a political puzzle. Only sparingly it came to the forefront in the Tweede Kamer (Lower House) as an issue of importance in the Dutch national political discourse. For a short while, in the first years of the 21st century, governmental circles actively advocated a broadening of the citizenship concept away from the traditional citizens' rights approach into areas which would contribute towards 'active citizenship in Europe'. This more activist stance was killed off by the 2005 referendum. Since then a lukewarm approach was the dominant trend in The Hague. The September 2012 elections and the resulting Rutte II government's rekindled vibe on Europe have changed the tide somewhat, but the Eurosceptic presence among political parties and in parliament is still considerable.

The question remains why Dutch politics has continued to be so emphatically reticent on European citizenship. Why exactly did the concept fail to provoke a lasting interest among parties and in parliament? Four possible explanations could be provided.

Firstly, Dutch politicians are traditionally known for their practical, 'bread-and-butter' approach of European integration. For a long time, the national focus has been – and still is – on the contribution European cooperation makes to the country's economic well-being. The common market – the main facilitator of cross-border activity – is a tangible phenomenon and its practical role in the management of problems is measurable. Compared to this, European citizenship as a concept is difficult to grasp. It deals with symbols and touches upon identity – areas with high levels of (philosophical) abstraction. In essence, the concept is more ideational than material, which complicates Dutch political involvement. Throughout the years, few politicians in the Netherlands have shown interest in developing a long-term vision on Europe, most of them prefer to eschew 'broad horizons' and concentrate instead on what is practically feasible and manageable. Following this line of reasoning, European citizenship is not 'concrete' enough, it seems to lack instant relevance for the 'here-and-now' and it is certainly not an issue for electoral gain.

A second explanation, connected to the first one, concerns the multi-faceted-ness of the concept. European citizenship developed into a catch-all term, encapsulating many different issues and themes, ranging from education and student exchange to a common anthem, from identity to a free movement of persons and from voting at elections to social solidarity and equal rights. It appeared difficult to stimulate active citizenship and a European consciousness on the basis of such diverse notions. Thirdly, the advantages of European citizenship mainly apply to EU citizens who decide

to cross the border and settle down in another Member State. The hitch is that only three percent of the more than 500 million inhabitants of the Union have used the opportunity to work in another EU country. Unlike Americans, who easily move from one state to another in search of a job (or at least used to do so), Europeans are known for their tendency to stay put in their home country. Understandably, this has further discouraged the discussion on European citizenship. In this respect, one may wonder what the lasting impact will be of the economic crisis that hit Europe in recent years. Will the increase in the movement of labour – as a result of the crisis – generate growing attention for European citizenship?

Finally, and most importantly, the lukewarm attitude towards European citizenship in more recent times should be linked to the increasingly Eurosceptic climate in Dutch politics, especially since the 2005 referendum on the European Constitution. In such a climate a non-material and undisguisedly supranational topic like citizenship is unlikely to appear high on the national Europe agenda.

Currently, the national mood on Europe seems to be improving. The percentage of citizens who would countenance a ‘Nexit’ (the Netherlands giving up EU membership) dropped to 20 percent in September 2016.⁴⁹ It remains to be seen whether a regained interest in Europe will rekindle a political debate on European citizenship.

49. S.VAN WALSUM, *Nederlanders denken weer iets positiever over EU, peilt sociaal planbureau*, in: *de Volkskrant*, 29.09.2016.