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Enacting citizenship and democracy in Europe

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Introduction

In the light of the enactment approach adopted across this volume, what does it mean to assert that the European Union (EU) is democratic, or is insufficiently democratic?

As we have seen in other chapters, analysing European citizenship as enacted opens up ideas of citizenship as something asserted as well as possessed. In this chapter I aim to show that it also opens up (in a way that current debates on EU democracy largely fail to do) the question of which conceptions of democracy are invoked, or at stake, in the relevant wider debates. Studying citizenship as enactment rather than arrangement (as set out in Chapter 1) further prompts us to think of democracy as enacted in different ways. Doing this work involves attending not only to conceptions of democracy within political theory or comparative political institutions, but also exposing such conceptions to more sociological, anthropological and constructivist influences. I hope to show the fruitfulness of drawing upon a rich disciplinary base while at the same time subjecting its assumptions to unaccustomed forms of cross-disciplinary scrutiny.

The focus of this chapter is primarily on the fifth of the major themes set out in Chapter 1 – European citizenship and democracy. But it will also deal with other key themes. In particular, questions of democracy in Europe today and in recent years tend to be focused on the structures and processes of the *European Union*. That is a large and important topic, for EU leaders and commentators alike, and I hope to contribute something to that debate. But I also deploy aspects of other key themes, especially those of Europe as an abstract idea (which version of 'Europe' is invoked?), and Europe as an institutional assemblage irreducible to the EU.

More specifically, the chapter suggests that the enactment perspective casts new light on the character, strengths and limits of key Commission-led discourses and initiatives. The character of the European Citizens Initiative (ECI), a product of the Lisbon Treaty, is examined in the light of the conceptions of democracy, participation and citizenship that have framed it. I go on to examine the idea of the EU's 'democratic deficit' – what different critics think it is, how much it matters, and what (if anything) might be done about it – in the light of the ECI in particular. I argue that these debates, despite their breadth and richness, trade on a limited conception of (European) democracy, which I refer to as a '*polity activating*' conception.

The enacting perspective prompts concerns with a different conception of democracy, which I call '*polity constituting*'. Here, different notions of what it means to act as a citizen, to assert claims and rights in and of Europe, and to invoke democratic norms, come into play. I also explore links with new conceptions of political representation

which see it as a dynamic practice of claiming rather than solely as a formal product of election.

I begin with an account of the ways in which the European Commission frames one recent innovation, the European Citizens Initiative (ECI), as highly significant in advancing both EU citizenship and EU democracy.

1. The context and promise of the European Citizens Initiative

According to senior spokesperson for the Deputy Commissioner of the European Commission responsible for Justice, Freedom and Security (JLS), Viviane Hoffmann, the Lisbon Treaty ‘puts citizenship at the heart of European policy’. The need now is for European citizenship – first set out in the Maastricht Treaty in 1992 and subject to sporadic and partial legal and political development since (Besson and Utzinger 2008) – to ‘become a tangible reality’ in the ‘daily lives’ of citizens. Full awareness and effectiveness of citizen rights, enabling ‘full and concrete’ exercise of those rights, is the core goal.

A key *vehicle*, in the commissions’ eyes, for the achievement of that goal is the European Citizens Initiative, which first emerged in discussions about the ill-fated European constitution as a ‘surprising’ deviation from ‘the dominant tendency to define participation in terms of representation through associations’ in the EU (Smismans 2004, 136). The ECI carries the dual ambition to deepen awareness and effectiveness of the status of European citizenship, and to ‘diversify sources of democratic participation’. It is intended to address both the low profile and haphazard effectiveness of European citizenship and the perceived lack of democracy in EU political processes. As set out by the Commission, the key requirements of petitions under the ECI as specified in the Lisbon Treaty are that they must:

- have at least 1 million signatories, from a significant number of EU countries
- concern a policy area where the Commission has powers to act, and
- concern an issue for which people think an EU law is needed to implement the EU Treaties.

The Regulation on the ECI, published in March 2010, clarifies in detail the procedures which the operation of the Initiative is to follow when it comes into effect: signatures must come from at least one-third of member states, must be collected in a 12-month period, and the Commission will have four months to respond to the initiative.¹ Some of these provisions remain controversial and the subject of active debate and lobbying.

The Commission is clearly vesting many hopes in the ECI, viewing it as a significant symbolic and practical advance for European citizenship and democracy alike. Commission vice-president Viviane Reding claimed that the Initiative ‘can be a very important element for citizens to make themselves heard’; it will show that ‘the EU is serious about listening to its citizens’ concerns’. Commission vice-president for inter-institutional relations, Maros Sefcovic, was more effusive still: the Initiative – seen as

¹ http://ec.europa.eu/dgs/secretariat_general/citizens_initiative/docs/com_2010_119_en.pdf

a way of ‘giving new possibilities to influence EU policy’ - would ‘introduce a whole new form of participatory democracy to the EU’, representing ‘a real step forward in the democratic life of the Union’.

There is no reason to doubt that the introduction of the Initiative is a significant development in the democratic life of the EU. In the Commission’s view, it ‘introduces a whole new dimension of participatory democracy alongside that of representative democracy on which the Union is founded’.² Indeed, this claim fits well with broader, world-wide stories of how to democratise democratic systems: add (some element of) ‘direct’ or ‘participatory’ democracy to (existing elements of) ‘representative democracy’.³ The use of the word ‘stories’ and the square quotes are not intended to demean the ECI. It is simply to say that there is a rich history and set of practices associated with constitutional and political changes comparable to the ECI, from the Progressive movement in early twentieth century USA to issues of workers’ participation in many countries. The ECI is a quite bold and innovative step; seeking to foster through a specific institution direct or participative democratic citizenship is a controversial move in more or less settled national political contexts, let alone the additional complications which arise in a comparatively unsettled context of transnational governance.

Clearly, the ECI has a number of distinct and weighty aspirations and expectations to carry. The Commission clearly sees its introduction as an act of citizenship: an act which enables and will foster *active citizenship* and *democratic participation*. The weaknesses in EU *citizenship* that it is designed to address are widely acknowledged by commentators. EU citizenship has been seen as ‘piecemeal, thin, market-oriented’ (Besson and Utzinger 2008, 191). Warleigh (2006, 119) comments that ‘[i]n the context of European integration, member-state nationals remain primarily consumers, workers or travellers rather than politically active and empowered citizens’. The ECI can be viewed as a way to reach out to individual citizens of the Union, rather than (as previously) seeking to foster active citizenship primarily through non-governmental organisations (NGOs), or organised civil society (Bellamy 2008, 603), a strategy that it has been argued has had limited success (Warleigh 2006, 128). The impulse to attempt to foster active citizenship through the ECI can be understood clearly in this context.

The related impulse to try to address problems of *democracy* in the EU through the ECI is equally understandable. The widely-debated notion of EU’s democratic deficit

² http://ec.europa.eu/dgs/secretariat_general/citizens_initiative/docs/com_2010_119_en.pdf.

³ The Commission further states, in response to the question. *What is the added value of the ECI?*: Under the Lisbon Treaty, the functioning of the European Union shall continue to be founded on “*representative democracy*” and European citizens will continue to be directly represented at Union level in the European Parliament. The Lisbon Treaty duly recalls these fundamental principles. However, with the ECI, the new Treaty is widening the sphere of public debate, allowing citizens to participate more intensively in the democratic life of the Union, through this new “*participatory democracy*” tool. Whilst the Commission retains its right of initiative and will therefore not be bound to make a proposal following a citizens’ initiative, it is committed to carefully examine all initiatives that fall within its powers in order to consider whether a new policy proposal would be appropriate. The Commission therefore believes that this new instrument will make a very positive contribution not only to European democracy but also to EU policy making (http://ec.europa.eu/dgs/secretariat_general/citizens_initiative/docs/faq_eci_final_version_en.pdf).

covers, in Pollack's words, an 'impressive catalogue of deficits' if EU governance is compared to (a stylised model of) national governance: 'the EU is a system of hybrid networks, which [hardly allows] for political control, there is no collective identity, no lingua franca, a multitude of demoi and the legitimacy of the institutions is not based on elections' (Pollack 2007, 96-7). In this context, the ECI can be understood as establishing a formal and direct link between the Commission and EU citizens, perhaps bolstering the EU's democratic credentials by bypassing problems with representative institutions and processes (e.g. perceptions of a weak Parliament, and flawed elections).

2. Enacting democracy: key aspects

To highlight any particular device to enhance democracy is to deploy one version of what democracy can be, and of what it demands. The character of the Commission's intervention on European democracy under the ECI is no exception. To explore what, out of an extensive menu of conceptions of democracy, the ECI invokes, it is helpful if we stand back and consider briefly how the idea of democracy is generally approached.

Theoretical and empirical debates on democracy are wide, varied and complex. But for present purposes I make a three-part distinction in approaches to the topic. First, democracy can be analysed in *deductive* terms: there are certain basic political-philosophical principles (autonomy, political equality, fundamental rights, etc.) and the correct understanding of (the appropriate set of) these principles can be used to deduce the appropriate set of institutions and processes for democracy. The deductive approach has traditionally been strong in Anglo-American democratic theory, with the work of Dahl (1989) being a superb and influential example. Second, it can be analysed in *inductive* terms. Here, the functioning of sets of institutions which we commonly regard as being 'democratic' (such as elected parliaments) transmutes into more general models of what democracy *is*, and ought to be. The literature on 'democratisation', as broadly exemplified in journals such as the *Journal of Democracy* and *Democratization*, can be seen as located influentially in this camp. Thirdly, we can take the approach that democracy is *enacted*: that varied actors and institutions (or 'devices') enact or embody interpretations of favoured principles, and that what we call democracy in a given time and place is the contingent outcome of a particular understanding of which devices enacting which principles matters most.

It is this third approach – democracy as enacted – which underlies my comments (for a fuller account see Saward 2003). Briefly, the democracy-as-enacted approach stresses the unfinished and open-ended character and potential of what we call democracy. Person A, for example, might argue that 'negative' freedom of the individual is democracy's foundational principle, and therefore that a minimal state that protects that freedom is the most democratic system design. Person B may argue that equality of outcomes is the foundational principle, and that therefore an interventionist state engaging in systematic redistributive policies is properly democratic. And so on. There are limits to what can count as democracy, but in these two cases both liberty and equality are (at least) plausibly democratic principles. If one takes the view that the contest over what is democracy's foundational

principle(s), and which are the institutions which best enact those principles (or which make it possible to articulate those principles), is a contest that can have no final victories, then a reflexive view of democracy as enacted, partial, plural and revisable through a range of principle/device linkages or designs is desirable.

This preferred approach helps us to open up a discussion about specific proposals and the particular ‘spin’ they put on democracy. It helps us to focus on the key issue of what (about or pertaining to democracy) is stressed in a particular discourse or reform, what is downplayed or ignored, and why. With this in mind, we turn to a more critical analysis of the ECI.

3. Why the ECI is a polity-activating device, and why that matters

The ECI is a good example of a polity-activating conception of (European) democracy. A polity-activating conception is one which is built on the assumption that the core structures and procedures of the relevant polity, with its borders and major political rules and institutions (constitutional or treaty rules, executive, legislative and judicial bodies), are in place and functional. The task under such a conception is to activate the polity – make it work better, enliven it, reform specific features in order to help it to be what it can or ought to be. In the present case, the assumptions enabling a specific polity-activating conception are that Europe equals the EU, that European democracy equals making EU institutions more democratic, and that European citizenship equals formal EU citizenship. The fact that these are common and widespread assumptions does not undermine the claim that they *are* assumptions.

This set of assumptions underpins the conception, presentation and rationale for the ECI, as discussed above. In this section, I show the impact these assumptions have on the discourses of citizenship and democracy involved. I do so not to belittle polity-activating conceptions, or to belittle attempts to address institutional democracy and citizen participation in the EU on the basis of such thinking. Both are clearly important political matters for the EU. Rather, my goal is to demonstrate that there are alternative ways of thinking European citizenship, and European democracy, than through the lens of polity-activation.

In order to show the impact of polity-activating assumptions, in this section I comment on:

- a. discourses of ‘direct’ and ‘participatory’ democracy and what these reveal
- b. discourses of *active* citizenship and active participation, and what they reveal
- c. the nature and effect of assumptions about borders of, and belonging to, a polity

Discourses of ‘direct’ and participatory democracy

It is useful in this context to pinpoint what the ECI does *not* do. It does not introduce an element of ‘direct’ democracy because ordinary citizens do not get to vote on particular policies – they only get to put ideas forward to the Commission and Parliament for consideration. Understandably, perhaps, there is some confusion on this score. For example, the European affairs commentator for *The Economist*, ‘Charlemagne’, write on 14 January 2010 that: ‘Thanks to a barely debated clause in the Lisbon treaty, the EU is about to embark on an experiment in direct democracy. Within a year, the European Citizens’ Initiative will come into effect. One million EU citizens from a “significant number” of countries will be able to ask the European Commission to put forward new draft laws.’ A few lines later, Charlemagne notes that the ECI as finally agreed in the Treaty was a watered-down version of a stronger, proposal for cross-EU initiative and referendum procedures. Indeed, often, and especially in the context of numerous states of the USA where variants of the citizens initiative are practiced, in addition to the prime exemplar of Switzerland, voting in a referendum of some sort (decisive or recommendatory) follows from a successful initiative.

It is surely this absence from the ECI which leads its advocates to stress that it is a device which may enhance *participatory* democracy, not *direct* democracy. The two are often confused, as we have seen, whether deliberately or otherwise, and arguments in the EU leading to the ECI featured a good deal of ambiguity over the uses of these terms and the relationships between them (Smismans 2004, 128-30). To clarify: though direct democracy can take different forms, it is best understood as a political procedure in which collective decisions are made directly by the people, either in face to face settings (such as the Swiss *Landsgemeinde*) or in referendums. Participatory democracy, on the other hand, can be understood as being any form of democracy which emphasizes or enables participation in decision-making by members of a specified group (such as nationals of a state, or citizens of the EU).

Seen in these terms, a form of direct democracy which deploys the referendum is one variant of the broader species of participatory democracy. But there are many forms of participatory democracy which do not involve direct democracy, because they do not involve a formal element of power of decision by those whose participation is fostered in some way. The ECI is clearly one such example. Going further, it can reasonably be argued that the very idea of participatory democracy is vague and unhelpful – and not just in the context of EU debates. Though often used as an implied opposite of ‘representative democracy’ – as we have seen in enthusiastic comments and claims about the ECI from core European Commission officials – the latter clearly involves important moments of electoral, interest group and other forms of political participation. To that extent, any form of representative democracy is also, to some degree, a form of participative democracy. To present the two as opposed forms of democracy is highly misleading. As Plotke (1997) has argued, ‘the opposite of representation is not participation. The opposite of representation is exclusion – and the opposite of participation is abstention. Rather than opposing participation to representation, we should try to improve representative practices and forms to make them more open, effective, and fair’.

To cite ‘participation’ as the core element of political practice that is advanced through the ECI is to stress a practice that is more continuous with representative democracy, and less specific and radical than the rhetoric of the prefix may

traditionally, and initially, suggest. *Participation*, from the point of view of Commission and other officials (such as European parliamentarians) who may be keen to keep this new process manageable, has the advantage that formal and effective votes and choices need not be present for more participation to occur.

Active citizenship and active participation

The ECI seeks to foster active citizenship, and active citizens. Its concern with active citizenship translates readily into claims about ‘participatory democracy’, primarily because the latter formulation is ambiguous enough to encompass quite limited, and closely monitored and channelled, reforms to decisional procedures. So fostering active citizenship and participation is the key to both the promise and the limits of the ECI, in the context of European citizenship and democracy. The limit may be due to the fact that the ECI represents a form of political participation by citizens which is ‘scripted’. By scripted I refer to the fact that a clear existing set of actors operating on existing, formal political stages, through set or standardised practices (petitioning, etc.), may put ideas for policy change before the Commission, with no guarantee of the issues raised resulting in a decision on effective change, or even that they will be formally considered by the authorities.

It may well be the case that democracy is maintained or enhanced through such procedures. Their set channels and limits lead to their character as part of polity-activating strategies. The (EU) polity is built, its institutions established and functioning, but it is perceived to require supplementing, some enhancement of its connections with its (citizenly) environment, in a way that lends it more ‘democratic’ credence. In specific and controlled ways, the ECI is in this light a polity-activating device intended to provide a new avenue of active citizenship.

Active participation is, then, the specific aspect of democracy placed in the limelight by the ECI. The ECI is a device designed to promote a particular understanding of active citizenship in the EU, and to have a polity-activating function. The ECI builds on a particular, individualistic liberal-democratic view of active citizenship. It also rests upon or takes for granted the existing legal-territorial scale of the EU, with the formal citizenship inclusions and exclusions that follow. It is a carefully channelled device; action under the Initiative is restricted by rules that confine petitions to policy domains for which the Commission has responsibility under EU Treaties (it activates policy domains that are pre-set). The ECI, petitioners and institutions alike can only act to extend specific existing legal provisions. Its 12-month maximum timescale for collecting the requisite number of signatures, along with its required geographic spread of signatories, militates against more spontaneous, localised or marginal assertions of rights (or rights to have rights).

Polity activation strategies are important but limited. Within their scope, progress on European democracy will be focused primarily on advancing a specific conception of *active participation*, and the conceptions of citizenly roles and democratic activity which accompany it.

Borders and belonging

Proponents of the ECI – or of other potential changes designed to address aspects of the EU’s democratic deficit – assume that for all intents and purposes European citizenship and European democracy are exhausted by discussing the *EU*. The EU is political Europe; it has formal borders, and within those borders are people who possess formal citizen status. Activating their citizenship in specific ways – by emphasising the democratic and other benefits of a certain style of active citizenship – is a desirable thing. In short, the shape, edges, and content of the relevant polity is not at issue. This is a further feature of the overall point in this section: that the ECI exemplifies thinking within a polity-activating conception of democracy.

The widespread acceptance of the assumption of a settled *EU* polity as fixed background for debating *European* democracy is reinforced by the fact that *critics* of the potential to address the EU’s democratic deficit make the same assumptions as the ECI’s Commission proponents. Prominent critics of institutional or constitutional efforts to diminish the democratic deficit point out that the EU has not yet reached the stage where democratic citizenship in the Union can be activated. Consider the argument of Bellamy (2008, 597): ‘Citizenship as it developed within the member states combined the values of belonging, rights and participation. EU Citizenship has attempted to develop the first from an attachment to the second, and to employ new and more selective forms of the third. However, neither rights nor participation prove sustainable without a fairly strong sense of belonging, such as has already developed within the member states’. Consider also Jenson (2007, 59), who considers the ‘borders’ of citizenship but in a way that assumes them to be internal to the EU’s borders: ‘...we can observe a steady expansion of the borders of citizenship via a conferring of civil, democratic and social rights across the European space’. Jürgen Habermas (1998, 399) draws likewise on a fixed, singular, corporate sense of ‘the people’, writing of the EU in terms of the ‘totality of members’.

These contributors argue that (a) the EU cannot be a democratic polity because it does not have a ‘demos’, or at least not a demos of the requisite character, or (b) within a developing demos, changes are occurring that are extending the requisite sense of citizenship rights or belonging, or (c) there is a demos capable of activation if a certain approach is taken (on the latter, see also Tambakaki 2011). Despite their considerable differences, they share the crucial underlying assumption that democracy requires a nation-state-like demos. Each frames questions of democracy and citizenship tightly within a scaled-up nation-like container, the EU. In so doing, they demonstrate that they have much in common with each other, despite their differences, and much in common too with Commission sponsors of the ECI.

Despite their genuine political significance, there is much that polity-activating reforms do *not* do. For all innovative character, the ECI concerns activating European citizenship *within the present rules, procedures, legal competences and borders of the EU and its key institutions*. It times, directs and manages reform and participative impulses of those who are already formally EU citizens. Comparatively unscripted or unmanaged modes of being a citizen of the EU, or of ‘Europe’ in a way that is different from and perhaps critical of the EU frame, are quite explicitly ruled out of the conception and practice of the ECI. And it is precisely these other modes which are brought to visibility if we look at European citizenship – and democracy, and representation – through the lens of enactment.

To summarise this section, I have noted how regarding democracy in terms of enactment pluralises what democracy may mean, and what devices or processes may constitute it. Features of the ECI, and indeed of the debates about democratic deficits from which it has arisen, add up to a polity-activating conception of democracy, centred on a notion of and a particular mechanism for active citizen participation. In the following section, I show how a quite different, polity-constituting, conception of (European) democracy emerges by bringing together notions of enactment of both citizenship and democracy.

3. Polity-constituting conceptions

At the limits of polity-activating conceptions, the enactment approach prompts us to consider alternative ways of thinking, and linking, citizenship and democracy in Europe. A *polity-constituting* conception embodies no prior assumptions as to the proper container or context for acts of European citizenship or democratic practice. Under this conception, acts can invoke alternative ways of belonging, claiming rights and identities, and cooperating among formal citizens and others. It carries a conception of political identity and polity as constituted *through* enactment. It captures ways in which individuals and groups enact themselves as citizens, and thus how new ideas of political subjecthood are produced (Isin 2008).

Acts of European citizenship are committed many times, in many places (in and outside the formal borders of the EU), by a great variety of groups and people (citizens and non-citizens, elites and the powerless) - by Basque peacemakers, Serbian gay rights campaigners, Sami parliamentarians, Kurdish local government officials, European Court of Justice judges, etc. The number and status of those who may carry out acts of European citizenship are multiple. Focussed studies of specific acts are necessarily highly selective; the strategy of focussing in depth is pursued by authors in this volume through detailed analysis of acts of European citizenship from Latvia to Turkey.

To address issues of acts of citizenship is to go beyond conventional notions of ‘active citizenship’ and ideas of the ‘good citizen’⁴. It is also to open up the possibility of ‘unscripted’ citizenship acts, and those acts better described as ‘activist’ rather than ‘active’: ‘while activist citizens engage in writing scripts and creating the scene, active citizens follow scripts and participate in scenes that are not already created’ (Isin 2008, 38; see also Isin 2009). To study acts of citizenship is to study ways that individuals enact themselves as citizens – and may in the process reshape the very understandings of citizenship that they enact.

Adopting the perspective of *democracy* as enacted has clear compatibilities with the notion of enacting citizenship. Analysing democracy as enacted can help us to capture a wider and more dynamic sense of democracy’s possibilities and pitfalls than is encompassed (for instance) in most of the ‘democratic deficit’ debate. Standard accounts of the democratic deficit tend to stress parliamentary weakness,

⁴ On frames of the good citizen, see Pykett, Saward and Schaefer (2010). On acts versus active, see Isin (2008, 38).

unaccountable executive power, and the lack of ‘European’ identification (Follesdal and Hix 2006). In terms of the three broad approaches to theorising democracy outlined above, this approach is, by and large, an inductive one – taking prevailing (national) instantiations as models for the design and conduct of democracy in new or altered contexts, such as the supra-national context of the EU. Inductive accounts give rise to polity-activating conceptions of democracy; we know what democracy is because we know the places and institutions we normally call ‘democratic’, and the challenge is to make them work better according to their present trajectories. Alternative accounts, such as that of Eriksen (2000), are more deductive, taking one key practice or principle of democracy – in his case, reasoned deliberation – and reinterpreting how much democratic practice is evident in EU institutions in the light of the evident range and quality of practices that embody that principle.

Which features of democracy emerge from, or are emphasised within, polity-constituting approaches? Based in particular on empirical research discussed in this volume, I identify three interlinked points of focus in the wide potential menu of democratic possibilities (my suggestions are far from exhaustive). Each of these points both (a) arises from a focus on citizenship and democracy as enacted, and (b) takes us beyond polity-activating conceptions by resisting their stipulated limitations.

First, the role of *alternative modes of representation* emerges. The subject of political representation has had two main referents in debates around EU democracy: the representative role of core institutions (the Parliament and the Council in particular, but also the Committee of the Regions), on the one hand, and of non-governmental or civil society organisations, such as the Economic and Social Committee, on the other hand (Smismans 2004). These are, to be sure, important modes of representation and vital areas of EU political life to debate. But regarding such examples as exhaustive of political representation in Europe (or even the EU) is unnecessarily restrictive.

The enactment perspective prompts the idea that official elected and judicial representatives do not necessarily speak for all and every significant political interest. Especially if we adopt the perspective that I have explored in detail elsewhere – the notion that representation is a matter of performative claim-making and the reception of claims rather than a state of affairs resulting from the workings of electoral or other formal mechanisms (Saward 2010) – we begin to perceive representative politics as also local, dynamic, temporary, non-electoral, and constitutive of audiences and constituencies. It need not, in other words, be narrowly stipulated as national or supranational, institutionally fixed in form, electoral, and reflective of stable and exogenous constituency interests. For example, Mozaika in Latvia (see Chapter X) claimed to speak for LGBT people in Latvia and perhaps beyond, partly in the name of cited European values of tolerance or recognition. And Kurdish local government leaders claimed to represent the interests of Kurds with respect to language and other rights in Turkey, also in part through invoking European values. It is notable that mainstream analysis often skirts warily around more unsettled and expansive notions of representation in the EU. Richard Rose, for example, addressing ‘representation in the European Union system’, writes: ‘Representation can be of a category of people, such as the mass electorate; a group of organisations, e.g. chemical manufacturers; something physical, e.g. clean air; or an abstraction such as European integration. Representation involves a process of aggregating the preferences of constituents who tend to differ in many ways (Rose 2010, 3). The restrictive note struck by the second

sentence jars with the (rightly) open and expansive note of the first. In short, acts of citizenship often involve representative claim-making, which in turn can (directly or indirectly, intended or otherwise, sought or ascribed) crystallise into alternative modes of representation, however sporadic or innovative.

Polity-constituting conceptions raise questions about a perennial underlying issue in democratic theory – the *political unit*. If democracy, at an abstract level, is ‘rule by the people’, then how can any one configuration of who constitutes the people – who is included, who excluded – be justified? Acts of citizenship invoke highly varied scales and sites in terms of which places are political, are sites of belonging, why and for how long. Consider the case of the Roma in Goelitzer Park (see Chapter Y), invoking complex senses of belonging and politicisation of people and place. The enactment perspective can, through such examples, serve to puncture tightly-defined geographical notions of the location or reach of European citizenship, which often fail to acknowledge impacts outside the EU borders (such as on Turkish groups). Demoi, politics, are unstable and contested products of varied claims of belonging, solidarity, and recognition; in considering political units, openness to the challenge of the non-contiguous, the local and the sporadic is crucial.

Thirdly, acts of citizenship can prompt attention to specific ways in which democracy is failing to address differential claims to access to *rights and freedoms*. The EU’s *active* citizens are those who exercise that specific, and significant, set of rights to free movement and non-discrimination which define formal EU citizenship. But the notions of citizenship, and of Europe, can be and are invoked in a variety of other rights claims, as exemplified clearly in the case of Mozaika. Rights and freedoms are not formal possessions of established authorities and their defined jurisdictions; a myriad claims made in their name can spur different, more challenging senses and scales of entitlement or recognition.

In sum, (1) there are acts of European citizenship that stress claims of and by newly emergent political subjects, as well as acts linked directly to legal citizenship regimes such as that of the EU, and (2) a range of activist claims tend to highlight different aspects of democratic practice to those that characteristically feature in more mainstream analysis.

European democracy - its sites, values, and manifestations – comes into focus quite differently in polity-activating and polity-constituting approaches.⁵ And *appearances* matter – who can ‘appear’, or be visible, or representable, in European democracy is the issue I address in the final section.

4. Political visibility and representations

Many political claims and identities do not fit prevailing ideas of what counts as citizenly or democratic action. The polity-constitution approach also prompts

⁵ On one level the polity-constituting approach resonates with Wolin’s idea of ‘fugitive democracy’, in which democracy is ‘a project concerned with the political potentialities of ordinary citizens, that is, with their possibilities for becoming political beings through the self-discovery of common concerns and modes of action for realizing them’ (Wolin 1996, 31). But I do not take the argument that far. Both polity-activating and polity-constituting conceptions have their rightful place in democratic debate.

attention to acts of citizenship which render *perceptible* such claims and identities which largely fail to register on the radar of established legal and political institutions (and indeed of polity-activating schools of scholarship on European democracy and citizenship).

We need to be cautious, however, with over-simple black-and-white contrasts. A number of examples of acts of citizenship may tend towards Ranciere's (1999) 'part of no part'. This means that for example third country national migrants in Budapest (see chapter X), or GLBT activists in Riga, are not on the map as European or even national political presences, in media terms at least. But we need to unpack this notion of a simple divide between those with a 'part', and those with the 'part of no part' (just as polity-activating and polity-constituting approaches are best located at opposite ends of a common spectrum of approaches to democracy). Whether the part/no part distinction is manifested as heard/unheard, seen/unseen, formal/informal, powerful/powerless, there can for example be: the part of the key part; the part of the visible part, the part of the marginal part, the part of the feared part, the part of the emergent part, and indeed the part of no part. (The latter still reads like a recognised 'part', or designated social role the performance or assertion of which (ironically) may establish it as a new kind of part. So behind that, perhaps, lies a further category, the simple 'no-part'). If we conceive of having a 'part' in terms of having a more or less visible and recognised social or political presence and role, then there are many ways of perceiving and playing such parts. Likewise there are many ways of occupying, or being positioned within, marginal parts, of claiming rights or recognition, or of asserting political presence.

In short, there is a distribution of the perceptible (Ranciere's '*distribution of the sensible*' (2006)), and perceptibility is a key feature of relative power and powerlessness: which claims, which acts, sited where, share in a political-cultural predisposition to be perceived by formal political elites and mainstream media? In the present context, the wider and more open-ended view of European citizenship that this book builds is founded on the idea of bringing into (partial, intermittent or haphazard) visibility acts of European citizenship which polity-activating approaches tend to overlook. However, we need to consider modification of Ranciere's straightforward part/no part distinction to allow for the plurality of claims and voices that a myriad acts of citizenship may involve.

It is, of course, important to be reflexive as a researcher and recognise that it matters which cases of acts of citizenship we choose to study, and to portray *as* acts of citizenship. Selectivity and contestation here is unavoidable – but it is a price gladly paid if it helps to broaden the scope of European citizenship studies. In this volume, for example, the Roma in Berlin, Mozaika in Latvia, migrant workers in Budapest, young people, Kurds and women in Turkey, are prominent if selective examples of actors with regard to European citizenship. Researchers, too, play their part in the politics of perceptibility.

In terms of identifying specific acts *as* acts of European citizenship, contributions to this volume have deployed different approaches. An act of European citizenship may be seen as (a) an explicit claim to European rights to have rights (Mozaika); (b) a more implicit such claim (some of the Roma in Gorki Park); (c) advancing acts which exceed dominant interpretive frames of European citizenship (Roma claims to

‘sociality’ in Italy); (d) acts that have a discernible impact on the shaping of European citizenship status over time (Turkish claims on European rights via the European Court of Human Rights), or (e) enabling acts, such as those which enable or foster acts of citizenship largely within the established EU institutions (e.g., the ECI). In short, studying acts of European citizenship both broadens and renders more complex the field of European citizenship by addressing a politics of perceptibility – a politics closely linked to the impact of representative claim-making noted in the previous section.

Conclusion

The presentation of the European Citizens Initiative reflects a particular but largely unremarked set of assumptions about what matters when addressing EU democracy and citizenship. According to these assumptions, the EU political unit has fixed borders in any sense that matters. We know who is a European citizen, and who is not. And the main way to extend democracy in the EU is to extend opportunities for active citizen participation by formal EU citizens. The polity exists, but key parts of it need to be *activated*. Take a very different example, Mozaika. Here, the internal boundaries of the unit are not fully established – where is the visibility, the recognition, as citizens, of members of this hard-pressed minority? Extending democracy in the EU may be understood, for example, as more a matter of protecting free public spaces as open to a plurality of voices and lifestyles. The polity may well exist, but it is unfinished, under construction – key parts of it are undergoing a complex and multi-sited process of *constitution*.

Both the activating and the constituting are important faces of EU democracy-to-come (Derrida 2004). They bear a complex intertwined relationship. The common presentation of the ‘democratic deficit’ can be described more precisely as being an ‘institutional deficit’. But addressing the institutional deficit should be no bar to addressing the non-institutional, insurgent, assertive acts of citizenship which enact different interpretations of democratic principles – different, but by no means less legitimate in the democratic universe (see e.g. Aradau and Huysmans 2009). Given the uncountability and unpredictability of assertive acts of citizenship, their contribution to democracy may be unruly. But this may add up to a picture of Europe characterised by an unruly *surfeit*, rather than (or even alongside) an institutional *deficit*, of democracy. This surprising surfeit may be regarded as a challenging kind of excess from the perspective of core EU institutions; if so, that might be taken as a product of the latter’s limited democratic horizons.

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