Enacting European Citizenship

edited by

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Introduction

Throughout this book we distinguish citizenship of the European Union (EU) from a broader conception of European citizenship. Especially as regards the five themes that guided our research (discussed in Chapter 1), this distinction results from conceiving Europe as an assemblage of multiple and overlapping organisations, institutions, movements, interests, agreements and actors and the European Union as one, significant if not hegemonic, entity among others. Similarly, European citizenship is enacted through not only legal but also cultural, social, economic and symbolic rights, responsibilities and identifications that are irreducible to citizenship of the European Union. As all chapters in the book illustrate, the EU certainly plays a significant role in the constitution of the European citizen. There is no doubt that the European integration project and specifically the European Union are inventive enterprises that have ushered Europe into a new, arguably post-national or supranational, era (Guild 2004). As an inventive political entity it both attracts and encourages critical engagements, as the ubiquitous term 'Eurosceptics' evinces. Arguably, even the most ardent and self-described Eurosceptics engage with the European project in significant ways. Thus, while it is important to insist, as we do, that the EU does not exhaust European citizenship and that the broader 'European project' is an important reminder of the limitations and possibilities of the ways in which the European Union has come to define and frame European citizenship, it is equally important to insist, as we also do, that without the inventiveness and the boldness through which the European Union has come to define and institute supranational legal and political norms over the past five decades, it would have been impossible to engage in the struggles over European citizenship that are such vital aspects of European society and politics today.

Yet, the EU authorities – parliamentarians, commissioners, professionals – sometimes frame the radical possibilities opened up by European citizenship in the most confined and limited ways. Admittedly, the tension between

member states and the EU on matters of citizenship is a delicate matter. This tension is borne out daily in the media, ranging from the decisions of the European Court of Justice (ECJ) to the crisis of the euro and debt. Still, there is considerable, if not urgent and necessary, need to tease out the radical possibilities opened up by EU citizenship. This issue can be illustrated by a brief discussion of what the European Commission (EC) calls its first-ever EU citizenship report (EC 2010). The report claims that 'those who are taking advantage of the European project by extending aspects of their life beyond national borders, through travel, study, work, marriage, retirement, buying or inheriting property, voting, or just shopping online with companies established in other Member States, should fully enjoy their rights under the Treaties' (EC 2010: 3). The image of European citizenship that this portrays is of legal citizens of the member states of the European Union who may extend their lives beyond their borders and hence enjoy rights that treaties provide. The European project is here narrowed to the European Union and its limited (and derivative) conception of citizenship, understanding and activating the rights that citizens of member states already have outside or across national boundaries. The report addresses 'a gap [that] still remains between the applicable legal rules and the reality confronting citizens in their daily lives, particularly in cross-border situations' (EC 2010: 3). This gap indicates that 'EU citizens may encounter obstacles in the enjoyment of their rights in various roles in their lives: either as private individuals, consumers of goods and services, students and professionals or as political actors' (EC 2010: 4).

I shall return to this report on EU citizenship at the end of the chapter but there are two apposite points here. Firstly, rather than treating citizenship as claims to articulating rights that citizens currently do not have, it is narrowly focused on the obstacles to the enjoyment of those rights that they already have. This is unfortunate. One of the most promising aspects of citizenship as the linchpin of democratic order is its dynamic quality, enabling subjects as claimants. To be direct, the report conveys, perhaps unwittingly but certainly effectively, a passive image of European citizenship. Given that there is already a tension between member states and the EU, there needs to be a much more emphasis on an active and dynamic idea of European citizenship. Secondly, it also does not address those people and places that have no apparent part in the Union and yet still enact European citizenship by making claims to the arrangements of the broader European project (Balibar 2004; Rancière 1995). This is also unfortunate. For European citizenship becomes most productive precisely when it appears as citizenship-to-come, as enacted by those subjects who constitute themselves as claimants to a Europe-to-come (Derrida 1992). It is this shift from citizenship as arrangements to

citizenship as enactments and back to citizenship as arrangements, which the report neglects to emphasise, that provides the core idea of this book and the project it springs from.

This chapter ranges over the key themes raised across the book and the project in order to characterise the key innovations in our understanding of European citizenship as enacted. Through a close reading of all project research papers, it provides the theoretical framework that initially guided the project and then developed throughout its life with empirical studies. The section 'Enacting citizenship' offers a condensed but continuously developing concept of 'acts of citizenship' (Isin 2009; Isin and Nielsen 2008). The section 'Enacting European citizenship' focuses on project research reports and highlights various acts through which European citizenship is performed and enacted. Then I discuss the analytical and empirical challenges of theorising European citizenship in the section 'Ambiguities and paradoxes.' The chapter ends with the section 'Active and activist European citizens', which returns to the EC report on citizenship as well as the difference between performativity and enactment, making an important distinction between active and activist citizens. It concludes by urging the European Commission to find ways of taking into account and recognising the rich and deep and yet multi-farious acts of those who make strong claims to European citizenship.

Enacting citizenship

The term 'enacting citizenship' may sound unfamiliar if not strange. It is not commonly used, if at all, in citizenship studies or European studies. The term enactment is sometimes used in social and political theory but is still not a common concept (see Isin 2008; Law and Urry 2001; Mol 2003; Saward 2003). The project 'enacting European citizenship' was about both studying European citizenship in the broader sense discussed above and developing an innovative way to investigate citizenship as 'enactment'.

So what does the term 'enacting citizenship' mean? When people mobilise for legalising same-sex marriage, rally for public housing, advocate decriminalisation of marijuana or ecstasy for medical uses, wear attire such as headscarves in public spaces, campaign for affirmative action programmes, demand better health-care access and services, demonstrate against austerity measures, seek disability provisions, protest against government or corporate policies and lodge court cases, they do not often imagine let alone express themselves as struggling for the maintenance or expansion of social, cultural or sexual citizenship. Similarly, when Kurds appeal to the European Court of Human Rights (ECtHR), Roma occupy a public park in protest against discrimination and deportation and sex workers submit a manifesto to the

European Parliament, they do not express themselves as claiming or enacting European citizenship rights. Instead, they are struggling against injustices in ways that are the most practicable, reasonable and feasible for them. They are investing themselves in overcoming whatever injustices seem most important and related to their social lives, and dedicate their time and energy accordingly. That is how it should be; people do not often mobilise and rise for abstract or universal ideals. Still, what all these actions come to mean collectively and what they tell us about our own social and political lives is also a question that these actions raise.

This book therefore adopts two research principles on the basis of this term 'enacting citizenship.' Firstly, recognising that these actions are irreducibly political struggles that arise from people's social lives, as social and political theorists we interpret as claims to citizenship. So in that sense 'acts' of citizenship do not exist as such but it is we who interpret the struggles and actions as acts. Secondly, while people may not express their struggles in these terms, it is important to acknowledge that when people act, whatever differences may separate them in values, principles and priorities, they are enacting citizenship, even those who are not passport-carrying members of the state or the right state. Our aim is to provide a vocabulary with which to think about these struggles not only for our fellow social and political theorists but also for those who are directly involved in these struggles, those whom we call 'activist citizens'. What 'enacting citizenship' then means in practice is that people perform their right to have rights by asking questions about justice and injustice. Citizenship is performed in the sense that it involves being and acting with others, negotiating different situations and identities, articulating ourselves as distinct yet similar to others in our everyday lives, asking questions of right and wrong and acting as citizens. Through these social struggles, we develop a sense of our rights as others' obligations and of others' rights as our obligations. People may interpret or understand their domains of engagement separately from each other in enacting their social lives, but occasionally an event reminds us that we are performing citizenship. That event may happen when we are deprived of our citizenship, or when we we discover that we do not have the right we thought we did or we are not the subjects we thought we were. It is in this performative sense that citizenship is both a social and political enactment.

The reader who is familiar with contemporary social and political theory may recognize that our approach not only shares some common ground with 'enactment' but also with an approach that came to be known as 'performativity' associated with Austin, Derrida and Butler as well as Badiou, Rancière and Laclau, albeit in quite different ways. I will make references to their work as we proceed but this chapter is not about

elaborating the theoretical trajectories of 'performing' or 'enacting' citizenship (see Isin 2012). Instead, it provides an outline and illustration using research papers from the 'Enacting European citizenship' project.

Studying citizenship as enactment starts with four propositions. These propositions are discussed elsewhere but we will briefly state them here before proceeding with examples from the project (Bassel and Lloyd 2011; Isin 2009, 2012; Isin and Lefebvre 2005; Isin and Nielsen 2008; Isin and Üstündağ 2008; McNevin 2011; Nyers 2006; Schaap 2010).

The first proposition about enactment is that it involves understanding how acts produce subjects. The phrase 'acts produce subjects' indicates that events such as demonstrations, appeals, claims and so on create possibilities of acting in certain ways that otherwise would not be possible. This is different from assuming that subjects already exist before they act. The difference between bodies and subjects is important. While subjects (or political subjectivities) such as 'sex workers', 'Roma', 'Kurds', 'Muslim women', 'illiberal states' and 'third country nationals' are subject positions, it is actual or virtual bodies that take up (or are interpellated into) such positions. So a body that takes up a position as (or is interpellated as) a 'Kurd' under certain conditions can also take up (or be interpellated as) other subject positions synchronously or asynchronously. In other words, when we are speaking about bodies and subjects with singular subject designations, this is for analytical reasons. Otherwise, both bodies and subjects are irreducibly multiple. But bodies such as individuals, people, courts, states and organisations take actions and perform acts by becoming subjects. By making a distinction between bodies and subjects, we understand enactments as producing both subjects and their positions.

This leads us to the second proposition that acts and actions are different things. Actions are movements of bodies such as collusions, evasions, clashes, demonstrations, refusals, processions, marches and so on. These actions make performances and their interpretation as acts possible. To put it another way, while bodies perform actions, acts perform subjects. When investigating acts the first step is always to start with bodies and actions and proceed to identify acts and subjects that they enact.

A third proposition stems from this. Actions of bodies create events in space and time. The constellation of bodies in action produces condensed and intense social relations in particular settings. We call these settings 'sites'. They are essentially sites of contestation or struggle around which certain issues, claims, interests, stakes as well as themes, concepts and objects assemble and converge or disassemble and diverge. To investigate acts without sites would be impossible as only bodies in action would bring a site into being as a field of struggle or contestation.

A fourth proposition follows, that sites determine certain scopes and spheres of applicability and influence for acts. The scales indicate the reach and scope of the effects of acts. The reason for using sites and scales as central categories is that when we use already existing categories such as states, nations, cities, sexualities, ethnicities and so on we inevitably deploy them as 'containers' with fixed and given boundaries as legitimate authorities. By contrast, when we begin with 'sites' and 'scales' as fluid and relational qualities that are formed through contests and struggles, their boundaries become a question of empirical investigation.

What exactly, then, are 'acts of citizenship'? The term immediately evokes such acts as voting, taxpaying and serving in the military. But these are routine social actions that are already instituted. By contrast, following the earlier discussion, acts introduce a rupture in the given by being creative, unauthorised and unconventional. However, under certain circumstances, to abstain from voting, to withhold taxes and to refuse to serve in the military can become acts of citizenship in the sense that they break away from the expected, routine and habitual ways of performing a script that is already instituted. We make a break when we actualise acts with actions. We make a break with existing routines, understandings and practices. There are different ways of introducing the idea of rupture from social and political thought.

We could, for example, invoke Arendt's conception of being political as the capacity to act (1969: 179). She was moved by the ancient Greek conception of act, which meant both to govern and to begin (Arendt 1958: 177, 2005: 321). To act means not just to begin something new but to begin with oneself as the source of the act (Arendt 1958: 177). This comes close to saying that an act does not require a prior convention or authorisation. We can also invoke Sartre who insisted that simply 'to be is to act', which meant that decisions, choices and judgements are defining moments of being alive (Sartre 1957: 613; see also Arendt, 1958: 178). Closer to home, we could also invoke Butler for whom what is politically significant about acts is '… the moment in which a subject – a person, a collective – asserts a right or entitlement to a liveable life when no such prior authorization exists, when no clearly enabling convention is in place' (2004: 224). For Butler it is this absence of prior authorisation that constitutes the force of performativity. She describes an act as 'not inherited from prior usage, but issu[ing] forth precisely from its break with any and all prior usage. That break, that force of rupture, is the force of the performative' (1997: 148). We could possibly invoke Rancière (1995: 10–12), Derrida (2002: 114), Laclau (2005: 228–230) and Badiou (2006: 24) who have, albeit with important differences, insisted that rupture *is* a defining moment of human action. There is undoubtedly

a 'tradition' in social and political thought that places its emphasis on acts and defining acts against routinising practices.

We cannot discuss that tradition here. We shall, though, return to the theme of rupture as a defining moment of acts, but the question I want to address is what makes an act an act of citizenship? Clearly, the range of acts in social life is broad: acts of violence, acts of kindness, acts of war, acts of mercy, acts of love, acts of hatred, acts of envy and so on. For us the key question is, of course, how do we separate these acts from acts of citizenship? If rupture is a defining moment of acts, what ruptures render certain acts as acts of citizenship? Although voting, taxpaying, jury duty, and conscription are conditions of active citizenship, activist citizenship – in the sense of making a break, a rupture, a difference – is not inherent in these practices, especially if enacted by those who are not 'legal' citizens. But acts such as voting or taxpaying can also be acts under certain conditions. Many agree that the rich are not taxed fairly. But when some rich people recently said that they should pay more tax, this was an act of citizenship. Why? Unfortunately, we have come to accept (as routine) that rich people avoid paying their taxes. But if the rich say that they want to be taxed they break away from this accepted routine. Of course, there are many complex issues involved in this act and my comments are not a substitute for analysis. But this example does demonstrate the notion of rupture. So the important thing in investigating acts is not to decide in advance what an act is but to explore how it is enacted. An act can only be described through its performance and enactment.

What connects the idea of rupture to acts of citizenship is the concept of 'the right to claim rights', to reformulate Arendt (see Isin 2009: 371). Our research on European citizenship has amply illustrated that rights are not always already existing entitlements; they are extensions or assertions of claims and counter-claims. Butler's formulation cited above becomes pertinent here, but now with a new inflection: we can provisionally define an act of citizenship as that '... moment in which a subject asserts a right or entitlement to a liveable life when no such prior authorization exists, when no clearly enabling convention is in place'. Each site and scale of an act of citizenship instantiates rights appropriate to the relations of forces that constitute that site-scale. If specific attributes are dominant in a given site (property, militarism and masculinity) then the corresponding responsibilities of those who do not have access to these sites will be making claims to citizenship as justice, redressing injustices to which domination gives rise. While not a zero-sum game, rights are relations that reflect dominant sites, scales and subjects of citizenship. This may sound rather obvious but we cannot imagine rights for 'disabled people' or 'refugees' being claimed in either ancient Greece or medieval Europe.

Conversely, it would be inconceivable today to have a parliament whose members are elected from among currently active soldiers as it was in the past. The relationships between and among sites, scales and subjects of citizenship are not zero-sum games either. It is questionable to assume that citizenship was once bounded by the city only to be superseded by the state and then the nation, and then perhaps one day the world. Rather, scales articulate themselves through sites rather than superseding or containing each other (Isin 2007). Scales also stretch and permeate sites. Scales are not nestled or contained as in a map of political borders; scales of citizenship cross frontiers and enable enactments across borders and boundaries. It is these intersections between different sites (and scales) that produce different subjects of citizenship. Sites and scales are not mutually exclusive and discrete but overlapping and connected. A court, for example, can become a site of struggle over certain rights. But it may also activate a scale by virtue of its jurisdiction, as its scope of applicability itself becomes the object of struggle. The ECtHR, for example, can become a site of contestation for women wearing headscarves in university campuses in Turkey, but it also flexes or stretches the scale of those struggles taking place within Turkey to European legal orders. So when investigating an act, it is appropriate always to consider the overlapping and connected aspects of sites and scales through which various actions actualise acts.

Having stated four propositions about acts, and in light of our subsequent discussions of both rupture as a defining moment of acts and also of claiming rights as the substance of acts of citizenship, we can now draw conclusions from each for investigating acts of European citizenship. Firstly, subjects of European citizenship need not be conceived in advance in terms of what their status is or even the kind of entities they are since they can be individuals, states, non-governmental organisations (NGOs) and other legal or quasi-legal entities or persons that come into being through enactment. The subjects of European citizenship are not necessarily those who hold the legal status of citizenship in a member state. If we understand citizenship as performed subject positions, it follows that citizenship can be performed or enacted by various subjects such as aliens, migrants, refugees, states, courts and so on. If enacting European citizenship produces political subjectivity, the political is not limited to an already constituted European territory or its legal 'subjects'. Its enactment always exceeds them. Citizenship as subjectivity enacts the political and constitutes appropriate scales and sites of its enactment. To recognise certain acts as acts of European citizenship requires demonstrating that these acts produce subjects as citizens. Time and again we see subjects that are not European citizens can act as European citizens: they

constitute themselves as those with 'the right to claim rights'. Secondly, by theorising acts we shift focus from what people state when asked (opinion, perception, attitude surveys) to what people say and do. This is an important supplement, and under certain circumstances, corrective, to studies that concern themselves with what people state about their citizenship and identification. Thirdly, acts that articulate claims and produce claimants create new sites of contestation, belonging, identification and struggle. These sites are different to traditional sites of contestation of citizenship such as voting, social security and military obligation, though these continue to be important. Fourthly, acts of citizenship stretch across boundaries, frontiers and territories to involve multiple and overlapping scales of contestation, belonging, identification and struggle. The focus on acts of citizenship that produce new subjects, sites and scales of citizenship becomes a vital concern for understanding how European citizenship has changed in an age of mobility and movement.

Given these preliminary considerations, we interpret and investigate citizenship as a dynamic and relational institution. This is probably the most significant aspect of approaching European citizenship as enactment. We can then define European citizenship broadly as a relational (political, legal, social and cultural but perhaps also sexual, aesthetic and ethical) institution of domination and emancipation that governs who European citizens (insiders), strangers, outsiders and abjects (aliens) are and how these European subjects are to govern themselves and each other in that space constituted as Europe. So European citizenship is not only membership in a state. It is a relationship that governs the conduct of the (subject) positions that constitute it. The essential difference between citizenship and membership is that while the latter governs conduct within social groups, citizenship is about conduct across social groups that constitute a body politic. Being a citizen can mean not only being an insider but also one who has mastered appropriate modes and forms of conduct for being an insider. This creates a subject both in the sense of a person (law) but also a persona (norm). For subjects, becoming citizens can mean either adopting modes and forms of being an insider (assimilation, integration, incorporation) or challenging these modes and forms and thereby transforming them (identification, differentiation, recognition). Just what constitutes European citizenship and its appropriate modes and forms of conduct will always be objects of struggle among insiders, subjects and abjects with claims to citizenship as justice. It is through these claims to citizenship as justice that citizenship becomes a site of rights (and responsibilities). These claims and the combination of rights and responsibilities that define them work themselves out very differently in different sites and produce different scales. Thus, rights (civil, political, social, sexual, cultural, ecological), sites (bodies, courts,

borders, networks, media), scales (cities, empires, nations, states, federations, leagues), subjects (citizens, subjects, abjects) and acts (voting, volunteering, blogging, protesting, resisting and organising) are the elements that constitute a focus for investigating European citizenship.

Enacting European citizenship

How is European citizenship enacted? Given the dynamic and relational image of citizenship discussed above, and following the four basic propositions, we approach European citizenship as enactments rather than arrangements. This difference is crucial. As we have already seen, European citizenship is an institution of domination and empowerment that governs who citizens (insiders), strangers, outsiders and abjects (aliens) are and how these subjects are to govern themselves and each other within and across spaces that are constituted as 'Europe'. Thus, European citizenship encompasses European Union citizenship but its remit is broader and wider. The institutional arrangements of Europe guaranteeing, protecting, upholding, codifying rights are complex and dynamic; the ways in which subjects assert or extend rights through such relations with or without prior authorisation constitute our field of investigation.

The range of subjects who claim European citizenship or whose European citizenship is called into question is large. It includes refugees, national, religious, sexual and ethnic minorities, and those who reside within Europe but without citizenship of a member state. But it also includes those who do not reside in Europe and yet have claims to it. The subjects of investigation for enacting European citizenship are not only in Europe but also of Europe (cf. Bonjour *et al.* 2011). The Roma (Aradau *et al.* 2010), sex workers (Andrijasevic *et al.* 2010), youth (Isyar *et al.* 2010; Krūma *et al.* 2010), Kurds (Isyar *et al.* 2009a), gays and lesbians (Krūma *et al.* 2010), women (Kancı *et al.* 2010) and other subjects of Europe (Çağlar 2009, Kumar and Arendas 2009) are examples. Moreover, the claims of these subjects that mobilise European citizenship also mobilise counter-claims by member states to restrict, limit and deprive citizenship (Mantu 2008, 2009, 2010a, 2010b). The following four sections focus on terms which I use to discuss the claims and counter-claims to citizenship in and of Europe. These terms elaborate the theoretical aspects of enacting European citizenship, with empirical illustrations contrasting subjects with bodies, acts with actions, sites with times and places and scales with jurisdictions and authorities. These contrasts, I hope, will sharpen the specific terms with which European citizenship is enacted by claims and counter-claims to rights.

Subjects and bodies

Perhaps the most significant contrast we have made is that of subjects with bodies. We use the term 'subject' as a shortcut for 'subject positions'. When we speak about sexual or religious minorities or sex workers or youth, these terms do not indicate actual people but positions that bodies (of people) take up. So understanding citizenship as enactment requires distinguishing between the constitution of a political subject and bodies that make it possible. The act of the Declaration of the Rights of Sex Workers and its associated manifesto illustrate the emergence of a political subject in this vein. As Andrijasevic *et al.* (2010: 4) argue, despite its significance the manifesto presented to the European Parliament hardly had any effect or visibility. This is poignant at a time when European authorities are seeking 'active citizens'. Yet, without any prior author-isation or legitimation from already existing arrangements, such as civil society organisations, the staging of a demonstration and the presentation of a manifesto on the rights of sex workers is a vivid illustration of staging an act that produces a new collective political subject as a claimant of rights, demanding to be heard and seen. The staging of the act took 200 actual bodies (sex workers) from 28 countries and virtual bodies (the European Parliament) colliding and colluding in space to produce a collective subject that is not criminal but demanding (Andrijasevic *et al.* 2010: 6). This collision and collusion of bodies and subjects in space has had even broader resonance than is apparent. As Aradau and Huysmans argue, there is a long tradition that interprets such collision and collusion of bodies and subjects as the mob (2009: 15).

A similar issue was raised by the mobility of Roma citizens of Europe. The emergence of the Roma as a collective political subject has had difficulties in Europe. As Aradau and Huysmans (2009: 21) argue, the mobility of Roma as quintessential European citizens has been met with considerable obstacles and opposition despite their claim to exercise the rights of free movement. Similarly, the staging of the act of being Roma in Rome through coming out of camps and taking to the streets has hardly been interpreted as quintessential European citizenship (Aradau *et al.* 2010: 7). The differences between acts of Roma staged in Rome and in Berlin are fascinating. As Çağlar and Mehling (2009: 10) demonstrate the naming of certain people as Roma was itself an object of struggle in Berlin. Were the Roma European tourists or foreigners? The Roma, when staging an act by squatting in a church and a park, constituted themselves as citizens (Çağlar and Mehling 2009: 12). While the bodies of the Roma occupied ambiguous and multiple subject positions, their acts performed them as European citizens. In fact, it is important to ask if the Roma and

their advocates would not have constituted them as political subjects in Italy and Germany, had the expulsions that occurred in France in 2010 generated the same publicity and response? After all, as Carrera and Atger (2009: 4) show, many EU member states have been busy instituting restrictions to free movement for the Roma from Bulgaria and Romania since 2004.

What the Roma and sex workers demonstrate by staging acts of citizenship is precisely how they constitute themselves as collective political subjects (Aradau and Huysmans 2009: 21; Aradau *et al.* 2008: 19). As Krūma *et al.* (2010) argue, the act staged by gays and lesbians in Riga illustrates another instance of the formation of new political subjects. Once again through collision and collusion of bodies in space, activists in Riga repeatedly attempted to stage pride parades through the streets. What the activists oppose is their insider-outsider subject position. We can see a similar dynamic playing out with the category designated as 'third country nationals'. As Çağlar (2009) indicates, this category creates a subject position that is in Europe but not of Europe. As she says, this creates a paradoxical insider-outsider subject position for these people and a problematic way to constitute European citizenship (Çağlar 2009: 12, 17). Carrera and Atger (2009: 20) demonstrate how member states constitute this subject position as 'those without rights'.

The emergence of Kurdish people and Turkish women as political subjects in the European scene illustrate, again vividly, how those who do not have the rights can constitute themselves as political subjects by staging acts. As Isyar *et al.* (2009a: 17) and Kancı *et al.* (2010: 5) demonstrate, the court cases brought to the ECtHR have had a significant impact on the Europeanisation of Turkish politics, but also on the politics of European citizenship. For they convincingly demonstrate that regardless of the formal accession of Turkey into the European Union, Turkish political subjects have already constituted themselves as European citizens via making claims to fundamental rights guaranteed and protected by the European Convention on Human Rights (ECHR).

Yet, as Carrera and Atger (2010: 5) demonstrate, there is a fascinating passage between individual and collective subjects of rights. While the category 'third country nationals' is a collective subject, it passes through legal to political subjectivity by individual litigants claiming rights in the ECJ for the rights that they do not have (2010: 8–9). As a result, we witness the enactment of what they evocatively call 'citizenship-related' and 'citizenship-like' freedoms through which the third country nationals become political subjects and European citizens (Carrera and Atger 2010: 25–29). Carrera and Wiesbrock (2009: 46) demonstrate convincingly that member states attempt to restrict access to such rights by framing them as

integration and thus determining who is entitled to rights and liberty. As they argue, the 'integration' discourse enables states to frame third county nationals as those who need civic integration, and by so doing they depoliticise and culturalise citizenship (2009: 37, 40, 42).

Non-Muslim citizens in Turkey face a different challenge in constituting themselves as European citizens through the ECtHR. While they make claims to the court as owners of foundation properties, they also seek recognition *not* as 'minorities' but European citizens (Isyar *et al.* 2009b: 29). While they have been successful in gaining recognition through the ECHR, they find it difficult to institute their ambition to enjoy these rights *not* as 'minorities' but as collective political subjects, as European citizens (Isyar *et al.* 2009b: 27). By contrast, it is easier to enact youths as European citizens because the Turkish citizenship regime provides space for constituting them as active European citizens (Isyar *et al.* 2010: 17).

These investigations of acts through which third country nationals, Roma, sex workers, Kurds, women, youth, non-Muslims and Africans are constituted, demonstrate that transition from strangers, outsiders and aliens to European citizens happens by making claims and staging acts to demonstrate collective political subjectivity and assert or extend those rights that are constituted as European citizenship rights.

The enactments of European citizenship as political subjectivity are complicated, but these acts assert and extend rights that constitute citizens through and beyond the arrangements that are given to them. Perhaps two political subjects created by states complicate enacting European citizenship even further. The first is the subject position created by Latvia called 'non-citizens'. A special insider-outsider subject position was created to deal with the situation after Latvian independence in 1991, when former USSR citizens residing in Latvia did not acquire Russian or any other citizenship (Krūma *et al.* 2008: 12–13). Neither Latvian nor Russian citizens, they would have been rendered stateless if not for this special status as 'non-citizens' (Krūma and Indāns 2009: 7–8). While they are free to move with a special passport, they have restricted political rights and restricted access to certain professions and occupations. The status was further complicated when Latvia joined the European Union and these non-citizens did not become citizens of the EU. However, they were given EU long-term residence status. As Latvian non-citizens and EU residents, they challenged these restrictive rights at the ECtHR (Krūma and Indāns 2009: 15; Krūma *et al.* 2008: 13). Krūma *et al.* highlight that the courts in Latvia have been strict and treat non-citizen status on the basis of the same principles as citizenship. They argue that by claim-making, non-citizens have managed to strengthen their status in courts (Krūma and Indāns 2009: 16). This is also a growing concern in France, Germany and the UK, which have all

enacted legislation to expand the powers of the state to deprive citizens of their status (Mantu 2008, 2009). Mantu (2008, 2010a, 2010b) traces how each state expanded its powers to deprive citizens by birth, decent or naturalisation in the past decade. What these new powers of deprivation indicate is the importance of state sovereignty in deciding who is and who is not the subject of politics or, rather, biopolitics (Foucault 1978: 141). While limited in scope, these investigations demonstrate that subjects of European citizenship are manifold and the acts that produce them are complex.

Acts and actions

When we consider the four acts of citizenship staged by Roma, sex workers and lesbian and gay activists in Rome, Berlin, Brussels and Riga, we see that they mobilise not only bodies and subjects but also actions – actions that exceed the existing scripts of virtuous conduct of citizens remaining within limits that are defined for them. In Brussels in 2005, when sex workers staged their act of declaration as an act of citizenship, they engaged in such actions that included making a presentation to the parliament, drafting and finalising a manifesto, negotiating audiences, spectators and activists and, above all, organising a forum for staging speech acts and demonstrating on the streets (Andrijasevic *et al.* 2010: 7). What constitutes these various actions, engaged in over a period of time, as an act of citizenship is both the extension and assertion of a right, a claim and its interpretation by various subjects including the authors of the research report who write themselves into the act. Thus acts of citizenship are interpretations and understandings that provide repertoires for actions (Çağlar 2009: 14). When several actions come together to create a condensed effect, it becomes an act of citizenship as that '. . . moment in which a subject asserts a right or entitlement to a liveable life when no such prior authorisation exists, when no clearly enabling convention is in place'. When we say that sex workers have staged an act of citizenship, this indicates that an effect has been created by various actions coming together such as those mentioned above, and that the action of interpreting the act as an act is engaged in by both the subjects themselves (though not always necessarily) and the authors. Organising a pride parade in Riga required numerous actions such as negotiating with the authorities regarding its legality and illegality, security and insecurity; mobilising activists; organising and planning events and campaigns; and, above all, walking on the streets of a city where almost half of the inhabitants are openly hostile towards homosexuals (Krūma *et al.* 2010: 19–23). Such actions work both with iterability and creativity. While certain repertoires of action are available as known and repeated repertoires (iterability), once these actions combine to create effects of an act, the

consequences are unpredictable, creative and unforeseen. In fact, many actions involving much planning and foresight may not even become an act unless various conditions come together to create site effects. On 8 June 2008, Roma and Sinti people came out of camps and took to the streets of Rome, initially gathering in front of the Colosseum. The actions they engaged in were assembled into a creative act only when they spoke as political subjects (Aradau *et al.* 2010: 4). When in 2009 a group of Roma occupied Görlitzer Park and Bethanien House, it required many actions by activists – Roma as well their advocates – to organise, plan, negotiate and implement these occupations and engage in publicity by writing letters and petitions (Çağlar and Mehling 2009: 8–9). Yet, these actions coalesce into an act only when they articulate a speech that demands to be heard and a political subjectivity that demands to be recognised. This may require spontaneous and creative actions such as interrupting the opening of an exhibition as a way of intensifying a situation and creating site effects (Çağlar and Mehling 2009: 10). But it may also require confrontations over time such as when the Armenian newspaper *Agos* staged actions to articulate the right to speech not only about Armenians but about all political subjects in Turkey (Isyar *et al.* 2009b: 37). It may also require carnivalesque performances as when Latvian non-citizens dressed up as aliens to protest over voting rights in local elections (Krūma and Indāns 2009: 21).

Enacting citizenship through bodies such as courts requires different actions. The fact that more than 20,000 cases were brought to the ECtHR by Kurds, women and others against the Turkish state between 1998 and 2006 is a testament to the constitution of European citizenship as political subjectivity. It requires considerable energy and skills to bring these cases to court, not to mention courage in the face of harassment by state authorities aiming to impede them (Isyar *et al.* 2009a: 19, 31; Kancı *et al.* 2010: 23). Similarly, all those individual litigants taking states to the ECJ as third country nationals begin the passage from individual subjectivity to collective subjectivity (Carrera and Atger 2010; Carrera and Merlino 2008; Mantu 2010b: 22). What coalesces these actions into an act of citizenship? Again, their novelty and creativity may not be in the action of taking the state to a human rights court. But taken together all other actions such as framing issues, negotiating audiences, launching publicity, demonstrating, protesting and holding forums eventually create a declaration that constitutes a subject – individual or collective – as a political subject without prior authorisation. The act of declaration produces two political subjects simultaneously: a subject with specific claims and a subject with the right to have rights.

Sites and places and times

As mentioned earlier, bodies in action produce condensed and intense social relations in particular settings. These settings are sites of contestation or struggle around which certain issues, interests and stakes as well as themes, concepts and objects assemble. While sites are spatial they are not merely locations or places. To put it another way, sites are places or locations only insofar as social or political struggles invest these places or locations with strategic values expressed symbolically or materially. All locations or places will have values or meanings associated with them but what renders a location or place into a site is its strategic value for the struggle for rights that is the basis of enacting citizenship. Thus sites are always both temporal and temporary. Consider how a Greek waqf (foundation) in Turkey becomes entangled with the ECtHR when a Turkish daily Hürriyet declares 'Citizen Dimitri' to be a virtuous Turkish citizen for not taking the state to a European court (Isyar *et al.* 2009b: 32). Both the foundation and the court become entangled as sites through which the meaning of Turkish and European citizenship becomes contested.

In a similar vein, the Colosseum in Rome is not a site for the struggle of Roma for their political subjectivity when it is not occupied by them. It is their presence that renders that location or place into a site of struggle and contestation, investing it with strategic value (Aradau *et al.* 2010: 6). That presence is necessarily temporal (at a particular time) and temporary (it only existed when Roma were present). That site can be later remembered as the actual site where an act was staged; but then it will be virtual. The strategic value invested in a place that makes it a site of contestation becomes clear when sex workers present their declaration to the European Parliament to remind us that it is a site of democracy (Andrijasevic *et al.* 2010: 10). This reminder serves to illustrate the point that while democratic institutions may embody democratic ideals their effectiveness requires actualisation and enactment. Thus that place was made into a site of contestation by making us remember its place in European democracy. The Görlitzer Park, the Bethanien House, the Church and the Asylum Seekers' shelter at the Motardstrasse became sites only when the Roma and their advocates made use of them as a strategic space of contestation (Çağlar and Mehling 2009: 15). Likewise, the decision to mount a court challenge to the status of Roma in Berlin rendered the court a judicial site of contestation (Çağlar and Mehling 2009: 24). A human rights NGO, the Mahatma Gandhi Foundation, and an evangelical, largely Nigerian, church, the New Covenant Church, also became sites only when they were invested with strategic value in claiming rights when such prior authorisation or convention did not exist (Rajaram and Arendas 2009: 7).

We have already seen how Kurdish citizens have invested the ECtHR with a strategic value through which to claim rights (Isyar *et al.* 2009a: 18). The struggle of Leyla Şahin to wear her headscarf in a university, for example, rendered the spaces of the university (lecture halls, corridors, classrooms) a site of contestation (Kancı *et al.* 2010: 22). When serving in the military becomes contested, those who contest it face imprisonment and harassment. This happened when, for example, conscientious objectors claimed rights that they do not have either as Turkish citizens (the constitution does not recognise conscientious objection) or as EU citizens by taking the Turkish state to the ECtHR (Isyar *et al.* 2010: 28, 30).

Scales and jurisdictions and authorities

As mentioned earlier, sites and scales are not mutually exclusive but related elements of acts. So when investigating an act, it is always appropriate to consider their relations through which various actions enact acts. Sometimes it is necessary to use site-scales together and sometimes sites and scales as separate attributes depending on the specific situation under investigation. As noted earlier, sites and scales are central categories because we want to avoid using already existing ones. These are jurisdictions: territorialised authority. By contrast, when we begin with 'sites' and 'scales' as fluid and dynamic elements that are formed through contest and struggle, their boundaries become a question of empirical determination. When, for example, Mantu investigates deprivation of citizenship in the UK, she notes that the very institution of 'British citizenship' itself included British citizens, British overseas territories citizens, British overseas citizens, British nationals (overseas), British protected persons and British subjects (Mantu 2008: 13). British citizenship already institutes multiple sites and scales and its deprivation constitutes various subject categories appropriate to those sites and scales. A major scale issue that is created by deprivation, and yet remains unrecognised, is that when member states deprive their citizens (who were previously third country nationals) of their status, they automatically deprive them also of their European Union citizenship (Mantu 2008: 25, 2010a: 23). Yet, the Council of Europe provides a potential recourse through ECtHR. This indicates that despite the increasing attempts by member states to expand their powers to deprive citizens of their citizenship, it is no longer possible for them to exercise sovereign power without limits (Mantu 2009: 29).

We have seen that sites are places that are invested with strategic value through struggles to claim rights. Scale is a significant concept for the investigation of acts as it indicates the reach and scope of various actions assembled and interpreted as acts. Especially when considered in

conjunction with the phrase 'staging an act', the reach and scope of the act staged determines its effects. Often, when we say that certain actions exceed their intentions, this signifies the shifting scale of these actions and how they challenge the authorities and conventions that make them possible. Thus the scale of an act – its reach, scope etc. – becomes a crucial element of its effects. When sex workers staged their act of declaration in Brussels and Strasbourg, its scale was simultaneously European and beyond European, as it borrowed a repertoire from 'declarations' of intent and rights that covered the French Revolution and universal human rights. Thus it exceeded the arrangements that would have given authority and convention to the act (Andrijasevic *et al*. 2010: 9, 11). When gays and lesbians mobilised for the pride parade, they were also aware that they were mobilising for more than making an effect in Riga or Latvia; they were constituting themselves, or enjoining themselves into an already constituted subjectivity, as political subjects at a European scale (Krūma *et al*. 2010: 13).

Ambiguities and paradoxes

So far the analytical description provided – of subjects, acts, sites and scales – may give the impression of a mechanical style of thought, a new kind of methodological empiricism that shifts the focus from arrange-ments to enactments in studying citizenship as political subjectivity. Yet, in one important respect, investigating acts of citizenship as enactments is about investigating the ambiguities and paradoxes to which these acts give rise. In other words, when we investigate certain actions as acts of citizen-ship, there are always uncertain relationships, undecidable consequences and contradictions that implicate and complicate both the categories of subjects (i.e. citizens, strangers, outsiders, aliens) and the categories through which these subjects are enacted (i.e. sites, scales). These ambi-guities and paradoxes arise precisely because acts of citizenship articulate questions about relations of domination and emancipation. Rather than defining citizenship as membership, we defined it earlier as a dynamic and relational institution of domination and emancipation that governs who citizens (insiders), strangers, outsiders and abjects (aliens) are and how these subjects are to govern themselves and each other in a given body politic. So far we have seen several examples of these enactments of European citizenship, such as third country nationals, non-citizens, non-Muslims, youth, Roma, Sinti, Kurds, sex workers, gays and lesbians and those whose citizenship status is called into question by states. Acts of citizenship enable us to understand what these relations are in a given

moment and situation. But how do we recognise that certain actions are acts of citizenship and that they are indeed acts and not practices?

Rupture and rights

Two concepts, rupture and rights, are crucial for providing answers to those questions. Once again let us return to Butler's formulation: an act of citizenship is that '... moment in which a subject asserts a right or entitlement to a liveable life when no such prior authorization exists, when no clearly enabling convention is in place'. But what are the conditions of possibility of such an assertion that renders a body into a subject? The issue of the absence of prior authorisation and the absence of enabling convention becomes problematic here. When Kurdish, non-Muslim and women citizens in Turkey take cases to the ECtHR, in one respect they are performing acts of citizenship where there is no prior authorisation or convention (Kancı *et al*. 2010: 21). Similarly, when non-citizens in Latvia protest against restrictions to labour markets, they may be said to act without authorisation or convention (Krūma and Indāns 2009; Krūma *et al*. 2008). But this can be said only of their acts at a given scale. Through their claims they are shifting the scale (scope and reach) of their assertion and making a claim to a court whose authority is already established. Thus, the issue here is less the absence of prior authorisation and more the shifting the scale of an act and the site of its enactment. In a significant sense, prior authorisation always exists because of the iterability of acts and their accumulated effects over long periods of time. These acts become repertoires of action precisely in this sense of their knowability by virtue of their iterability. As Carrera and Atger argue, when confronted by illiberal practices in their own states, people mount challenges in the European legal system which constitutes them as European citizens (Krūma and Indāns 2009: 25). When Latvians in Ireland express a desire for voting rights, for example, they are asking for rights that they do not have (Baltruka *et al*. 2009: 13). Yet, again, since the evidence shows that they have not acted on that demand (Baltruka *et al*. 2009: 13), we can argue that they articulate a demand by shifting the scale of their identity rather than asserting an entitlement without prior authorisation. Similarly, when sex workers declared their rights by an appeal to equality, they were enacting a right that did not yet exist at a given scale (Andrijasevic *et al*. 2010: 18).

Butler provides a more nuanced formulation of this principle of the right as a demand without prior authorisation or convention. Speaking with Spivak about protests by immigrants, especially the example of Hispanics in the US in 2006 singing the national anthem in Spanish,

Butler says, 'I want to suggest to you that neither Agamben nor Arendt can quite theorize this particular act of singing, and that we have yet to develop the language we need to do so' (Butler and Spivak 2007: 62). Suggesting 'that this is precisely the kind of performative contradiction that leads not to impasse but to forms of insurgency', she emphasises that 'the point is not simply to situate the song on the street, but to expose the street as the site for free assembly'. Although she says 'the song can be understood not only as the expression of freedom or the longing for enfranchisement – though it is, clearly, both those things – but also [as a] restaging [of] the street, enacting freedom of assembly precisely when and where it is explicitly prohibited by law' (Butler and Spivak 2007: 63). The conclusion she draws from this is that 'rights … exist doubly since there is, on the street and in the song, an exercise of the right to rights, and the first of these rights is guaranteed by no law but belongs to the nature of equality which turns out to be not nature but a social condition' (Butler and Spivak 2007: 65). What follows is that '[t]he call for that exercise of freedom that comes with citizenship is the exercise of that freedom in incipient form: it starts to take what it asks for. We have to understand the public exercise as enacting the freedom it posits, and positing what is not yet there. There's a gap between the exercise and the freedom or the equality that is demanded that is its object, that is its goal' (Butler and Spivak 2007: 68). There are two points to highlight here for enacting citizenship. Firstly, an act posits or articulates a right that is not yet there but which may exist elsewhere (e.g. in the concept of inequality). The issue here is that 'there' and 'elsewhere' underline the need to consider sites and scales of an enactment when we are interpreting it as a rupture. Secondly, an act starts to take what it asks for. For there to be an act it must perform or enact its demand. These two points determine the acts as a rupture rather than merely being without authorisation and convention.

These two points about rupture refine what makes an act: acts are not opinions but they produce events such as declarations, occupations, interventions and litigations. The nature of such acts is that they question what is and is not 'there' and what is and is not 'elsewhere'. Badiou (2006: 24) makes a strong point when he says that 'the essence of politics is not the plurality of opinions. It is the prescription of a possibility in rupture with what exists'. We treat acts of citizenship as such prescriptions. But Badiou adds (2006: 24), and this is very important for us: 'of course, the exercise or the rest of this prescription and the statements it commands – all of which is authorised by a faded event – goes by way of debates. But not exclusively. More important still are the declarations, interventions and organisations.' What that means for us is that when acts perform as prescriptions, taking what they demand, producing declarations,

interventions and organisations as events, they indicate the investments and commitments of subjects much stronger than their stated intentions or preferences.

But these declarations, interventions and organisations are not only enacted by subjects who have no part but also by states and other authorities, as claims and counter-claims. The boundaries between citizenship and non-citizenship are often blurred and contested. Mantu (2008: 19) demonstrates how in the UK, the grounds of deprivation of citizenship shifted within a few years from 'grave concern for state security' to it being 'conducive to public good'. If enactment of citizenship asserts and extends rights and by doing so articulates questions about the relations of domination and emancipation that citizenship institutes, the investigation of acts raises three ambiguities and paradoxes: effects and consequences of acts, their intentions and purposes, and the responsibilities and answerabilities that they demand.

Effects and consequences

Are acts of citizenship inherently (or always) exclusive or inclusive, homogenising or diversifying, positive or negative? Or do these meanings that we attribute to acts only arise after the fact? Following our investigations, it is difficult to define acts of citizenship as already inherently exclusive or inclusive, homogenising or diversifying, or positive or negative. We have seen how states can enact laws to deprive citizens of their citizenship status, to regulate insiders, outsiders and aliens of the state. But, by so doing, they can also expose their powers and constitute these powers as sites of contestation. The effects and consequences arise after or, more appropriately, through the act. In fact, we as interpreters ascribe these qualities to those acts. When, for example, Latvian citizens enacted their European citizenship and used their rights to mobility, they also left behind families, dependencies and all the attendant problems associated with a lost generation (Baltruka *et al.* 2009: 22–23). So the first paradox of acts is that even if they are explicitly staged to have certain effects (inclusion, diversity, tolerance), they may well produce counter-effects (exclusion, homogeneity, intolerance).

Intentions and purposes

One of the ambiguous issues that arise when investigating acts is whether acts of citizenship can be enacted without an explicit motive, purpose or reason? Do those subjects that act as citizens, strangers, outsiders or aliens necessarily (or always) attribute reasons to their acts? Can the reasons that

they attribute be interpreted as the intention behind their acts? While it is important to know the reasons that subjects state as the intentions of their acts, it is vital to recognise that such stated reasons do not explain intentions. As Nietzsche thought, perhaps 'the decisive value of an act lies precisely in its non-intentional quality – all that can be seen and known about it only belongs to its surface' (quoted in Köhler 2002: 209). While acts of citizenship involve decisions, those decisions cannot be reduced to the calculability and intentionality of the subjects. Acts can be staged without subjects being able to fully articulate reasons for their enactment. Acts of citizenship do not need to originate in the name of anything, though investigators will always interpret how acts of citizenship orient themselves toward justice. The second paradox of theorising acts of citizenship is to accept that subjects cannot always give an account of their acts, and yet we render their acts accountable by investigating them as acts.

Responsibilities and answerability

Another paradox that emerges with acts is the relationship between responsibility and answerability. The law creates subjects of responsibility to obey the law. Do acts have to (always) obey the law? Are acts of citizenship only legitimate when they obey the law? The paradox is that acts of citizenship are not necessarily founded in law or responsibility. In fact, for acts of citizenship to be acts at all they often call the law into question and, sometimes, break it. Similarly, for acts of citizenship to be acts at all they call established forms of responsibilisation into question and, sometimes, disobey the law. To highlight this paradox we distinguish responsibility from answerability. Sometimes acts will disobey the law and the norm. Those activist citizens that act are not a priori subjects recognised in law, but by enacting themselves through acts they affect the law that recognises them. The third paradox of theorising acts is to recognise that acts of citizenship do not need to be founded in law or enacted in the name of the law. The clearest examples of this can be drawn from Turkish acts of European citizenship. Often those Turkish citizens who litigated against the state in the ECtHR were branded as traitors and their acts were interpreted as treason (Isyar *et al*. 2009b: 32). Similarly, acts of conscientious objectors were branded as against the interests of the state and its security (Isyar *et al*. 2010). We can also argue that when Latvian citizens demanded same-sex rights, they were deliberately stating their right to claim rights, to which the Latvian parliament responded by amending the constitution in the opposite direction. The parliament perhaps understood that what was at stake here

was as much the same-sex rights as the right to claim rights (Krūma *et al.* 2010: 20).

Acts constitute subjects, who claim rights and responsibilities, enact themselves as activist citizens and, in the process, differentiate others as those who are not (strangers, outsiders, aliens). Acts of citizenship are those acts through which citizens, strangers, outsiders and aliens emerge not as subjects already defined, but as ways of being with others. We have considered acts of citizenship as political insofar as these acts constitute constituents (subjects with claims). But they are also ethical (e.g. answerable and responsible), cultural (e.g. carnivalesque), sexual (e.g. pleasurable) and social (e.g. affiliation, solidarity, hostility) as acts that actualise or perform ways of becoming political subjects. We can define acts of citizenship as those acts that transform forms (orientations, strategies, technologies) and modes (citizens, strangers, outsiders, aliens) of being political by bringing into being new subjects as activist citizens (claimants of rights) through creating or transforming sites and stretching scales.

Active and activist European citizens

A relational conception of citizenship instituted through struggles for rights by subjects through scales and sites defined only in reference to these struggles and subjectivities enables us to approach citizenship as an enactment. To recognise that citizenship is in flux is not to lament its relational structure but to theorise in order to account for its dynamism. European citizenship as enactment of political subjectivity shifts our attention from arrangements to enactments. It also shifts our attention from already defined subjects to the acts that constitute them.

This chapter concludes with a distinction between 'active citizens' and 'activist citizens'. There was an allusion throughout this chapter to active citizens as those that follow already existing scripts of conduct. By contrast, 'activist citizens' are not defined in advance but emerge through acts of citizenship. Voting, taxpaying and serving in the military are already scripted acts. We have given the impression that 'active citizens' merely perform these scripts. By contrast, we have given the impression that activist citizens engage in writing scripts. This distinction is very close to the one Balibar (2004: 49–50) made, though he still uses the term 'active citizen'. He opposes two conceptions of citizenship that are very close to what we named as 'active' and 'activist' conceptions of citizenship. For Balibar '[active citizenship] is both authorization and abstract. It can claim to advance objectives of social transformation and equality, but in the final analysis it always limits itself to the statist axiom, "the law is the law," which presumes the omniscience of the administration and the

illegitimacy of conflict' (2004: 49). In other words, active citizenship functions as a script for already existing citizens to follow already existing paths. It is most often used to denote the kinds of behaviour that citizens ostensibly follow. Thus, it is always tied into governmental practices through which conduct is produced. It is the conduct of those who are already considered as citizens and whose conduct is juxtaposed against those who are not. This chapter opened with a brief discussion of the first-ever EU citizenship report (EC 2010). Let us return to it briefly to elaborate upon our disappointment with it. As mentioned, the gist of its argument is that EU citizens as consumers, workers, professionals, students and political actors experience various obstacles to the enjoyment of the rights they already have. The Commission has identified twenty-five main obstacles that 'citizens may confront throughout their lives based on their complaints' (EC 2010: 5). The report documents various such obstacles experienced by citizens in those specific subject positions. It reveals that as individuals they experience difficulties over property rights, civil status documents, legal protection, taxation problems (especially in registering cars), access to health-care and consular protection when visiting third countries. As consumers, they experience difficulties as passengers and tourists and as residents and students. As professionals, EU citizens experience burdensome and uncertain procedures for recognition of academic diplomas and professional qualifications. As political actors, the report documents that while 'EU citizens who live in a Member State other than their own have the right to vote and stand as candidates in European Parliament elections[,] some Member States appear not to adequately inform EU citizens about this right' (EC 2010: 17). The report also notes that citizens do not have easy access to information about their rights (EC 2010: 19).

To remove these obstacles and guarantee the exercise of rights, the Commission proposes twenty-five solutions. These range from 'proposing the designation of 2013 as the European Year of Citizens and ... organizing targeted events on EU citizenship and citizen-related EU policies during this Year' (EC 2010: 21), to 'asking Member States to ensure that voting rights of EU citizens in their Member State of residence are fully enforced, [so] that EU citizens can be members of or found political parties in the Member State of residence and that Member States duly inform EU citizens of their electoral rights' (EC 2010: 18).

While it is laudable for the Commission to identify everyday obstacles to the exercise of EU citizenship rights, the image of active citizens as consumers, voters, students and professionals is very different from the image of those activist citizens who claim rights that they do not have. The report is addressed to those who already or should 'enjoy' the rights of being EU citizens and does

not include those who have no part. In fact, neither the struggles for and obstacles to European citizenship that we have investigated, nor the subjects they produced, appear in the twenty-five proposals of the report. It is intriguing to recall Rancière's (1995: 11) observation that 'politics exists when the natural order of domination is interrupted by the institution of a part of those who have no part'. The EU report, rather than exploring possibilities opened up by EU citizenship, attempts to create an image of citizenship as enjoyed by those who already form a part. With its carefully developed twenty-five propositions, it institutes EU citizenship as a script for active citizenship.

Let us now return to Balibar who contrasts this scripted and routine idea of active citizenship with what we call activist citizenship, Balibar writes of 'attempts to form a concrete articulation of the rights of man and the rights of the citizen, of responsibility and militant commitment' (2004: 49). He suggests that this militant commitment 'knows that the historical advances of citizenship, which have never stopped making its concept more precise, have always passed by way of struggles, that in the past it has not only been necessary to make "a part of those who have no part," but truly to force open the gates of the city, and thus to redefine it in a dialectic of conflicts and solidarities' (2004: 49–50). Thinking about citizenship through enactments, we recognise that to be a citizen is to make claims to justice: to call already defined orders, practices and statuses into question. The image of activist citizens opening the gates of the city and introducing rupture into the order of things by claiming justice is, I think, an image that befits European citizenship in terms of both historical resonance and contemporary relevance. But this image is not only produced theoretically but also politically and practically by those whose acts we have investigated as acts of European citizenship.

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