

Conceptualising European identity

Empirical insights in the conceptualisation of European identity by
Dutch citizens in 2004-2005

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Introduction

The early 1990s witnessed a rise in public debates about the democratic legitimacy of the European Union. These debates were encouraged by the Maastricht Treaty. The Maastricht Treaty meant a great step forwards in the EU's political integration and therefore increased the daily impact of the European integration process. Paradoxically, although the Maastricht Treaty contained innovations to provide the European Union with more democratic legitimacy, for example extended powers of the European parliament, the Treaty actually reinforced doubts about the EU's legitimacy and raised questions about the organisation of democracy beyond the nation state.¹

In debates about the EU's legitimacy, it is argued that the European Union suffers from a legitimacy crisis. Legitimacy can be seen as 'an acceptance of [...] a claim for compliance' with a political system.² An analytical clarification of the concept 'legitimacy' has been given by Fritz Scharpf, who distinguishes between input-oriented legitimacy and output-oriented legitimacy. The input perspective emphasises 'government *by the people*'. According to this perspective, 'political choices are legitimate if and because they reflect the "will of the people"'.³ Important elements of input-oriented legitimacy are participation and consensus: those who are affected by decisions should have a role in constructing those decisions. This entails that constituents should have equal access to the decision-making process, either directly or through representatives closely associated with them. In this decision-making process, the focus is on achieving solutions to which all can agree.⁴ Because this perspective is concerned with the input side of political processes and emphasises citizen participation, this form of legitimacy can be defined as legitimacy through a democratic process, considering democracy as 'a set of procedural rules for arriving at collective

¹ S. Smismans, 'Democracy and Legitimacy in the European Union' in: M. Cini, Michelle and N. P.

² N. Uphoff, 'Distinguishing Power, Authority & Legitimacy: Taking Max Weber at His Word by Using Resources-Exchange Analysis' *Polity* 22:2 (1989), 303.

³ F.W. Scharpf, *Governing in Europe: Effective and Democratic?* (Oxford/New York 1999), 6.

⁴ *Ibid.*, 6-7.

decisions in a way which accommodates and facilitates the fullest possible participation of interested parties'.⁵

In contrast, the output-oriented perspective on legitimacy emphasises 'government *for the people*'. This perspective focuses on the output side of political processes and judges policy outcomes on their efficiency, or their problem-solving capacity.⁶ Policy outcomes are legitimate if they are aimed at effectively promoting the common good and they should be judged accordingly, although it is not required for a legitimate policy to have been decided upon through a democratic procedure.⁷

The topic of this thesis is European identity. In debates on input legitimacy of the European Union, great importance was attached to European identity. Amongst those who believe that the EU suffers from a legitimacy crisis, it is widely held that, currently, a lack of a shared sense of identity amongst European citizens precludes legitimation of the EU.⁸ These debates about a collective identity as condition for legitimacy focus on the input side of the legitimacy question since this type of legitimacy is acquired through a democratic process, and a European identity is arguably indispensable in order to ensure democracy at European level.⁹

Amongst the researchers who do not believe that the European Union can democratise until all citizens of the European Union share a strong, or 'thick' sense of community is Dieter Grimm. Grimm argues that what is required for a democracy, is a 'society that wants to constitute itself as a political unit'. For a society to commit itself to such an undertaking, it needs to have a collective identity: 'an awareness of belonging together'. Thus, there needs to be a European people, which, according to Grimm, is currently not present in the European Union.¹⁰ The lack of a collective identity amongst European citizens is problematic because, Grimm argues, for a democracy it is essential

⁵ N. Bobbio, *Il Futuro della democrazia* (Torino 1984). English translation by Robert Griffin in: Richard Bellamy (ed.), *The Future of Democracy. A Defence of the Rules of the Game* (Minneapolis 1987), 19.

⁶ Scharpf, *Governing in Europe*, 6.

⁷ *Ibid.*, 10-21.

⁸ See for example: G. Delanty, *Inventing Europe: Idea, Identity, Reality* (Houndmills 1995), 131; D. Fuchs, 'Cultural diversity, European Identity and the Legitimacy of the EU: A Theoretical Framework' in: D. Fuchs and H-D. Klingemann (eds.), *Cultural Diversity, European Identity and the Legitimacy of the EU* (Cheltenham 2011), 28.

⁹ See: D. Grimm, 'Does Europe Need a Constitution?' *European Law Journal* 1:3 (1995); Scharpf, *Governing in Europe*; J. Habermas, 'Does Europe Need a Constitution? Response to Dieter Grimm' in: Habermas, Jürgen, *The Inclusion of the Other: Studies in Political Theory* (New Baskerville 1998), 155-161.

¹⁰ Grimm, 'Does Europe Need a Constitution?', 293, 297-298.

that there is constant interaction between the state and a corresponding people. In addition, prerequisites for such a 'European communicative space' in which interaction between state and people takes place is largely lacking – there is no Europeanised party system that, for example during elections, can foster integration of European peoples, nor is there any sign of widespread or influential European media. Grimm believes that the absence of a European communication system has the consequence that, for the time being, there can be no European public or political discourse. The problem is that the European level of politics lacks a corresponding public; this cannot be solved by giving more attention to European topics in national politics and national public debates since it is a truly European dimension that is lacking, debated by a European people that share a collective European identity.¹¹

Grimm's argument that the European Union cannot democratise and therefore cannot acquire input legitimacy until a sense of European identity has developed amongst European citizens is supported by Fritz Scharpf, who argues that a 'thick' collective identity is necessary for any democratic system. According to Scharpf, in a democratic system decisions must reflect 'the will of the people'. Scharpf acknowledges that in comprehensive polities, it is unlikely that decisions will be made to which all constituents agree on. Hence, for practical purposes, decisions are taken by majority rule, i.e. they should reflect the preferences of the majority of the citizens. According to Scharpf, it is the legitimation of majority rule that poses problems, and for which a thick collective identity is required. Scharpf is convinced that such a majority rule will only be accepted if people share an identity, i.e. they perceive an 'essential sameness' with one another based on 'pre-existing commonalities of history, language, culture and ethnicity'. The collective identity makes people willing to accept sacrifices, such as redistributive measures, to guarantee the welfare of all. In addition, a feeling of solidarity with one another derived from a thick collective identity prevents the majority from pursuing their individual interests that could 'destroy the minority'.¹²

Thus, Scharpf argues that a sense of collective identity is necessary to legitimise decisions taken in democratic systems. Scharpf believes that in the context of nation states, the 'sociocultural preconditions of collective identity are more or less taken for granted', so the concerns associated with the legitimacy of majority rule are not highly

¹¹ Grimm, 'Does Europe Need a Constitution?', 293-297.

¹² Scharpf, *Governing in Europe*, 6-9.

relevant. In the European Union, however, such concerns are all the more present and, according to Scharpf, explain concerns of a democratic or legitimacy deficit. Scharpf argues that, given the historical, cultural, ethnic, linguistic and institutional diversity amongst member states, the EU 'is very far from having achieved the "thick" collective identity that we have come to take for granted in national democracies'. Therefore, democratisation of the European Union would be fruitless since it cannot be expected that the legitimacy of decisions taken by majority rule in the EU will increase.¹³ Hence, both Grimm and Scharpf are convinced that a polity's democratic legitimacy necessarily requires a degree of homogeneity of its citizens.

Nevertheless, it must be noted that, Scharpf believes that the preconditions, i.e. a thick European identity, for input legitimacy are limited in the European Union and therefore he sees more viable opportunities to increase the output-oriented legitimacy of the European Union. However, output legitimacy of the European Union falls outside the scope of this thesis and is therefore not considered.¹⁴

Others, amongst whom Jürgen Habermas, question the claim that the European Union cannot democratise, and therefore acquire input legitimacy, until a sense of European identity exists amongst European citizens. Habermas objects to the notion of identity, or the 'ethical-political self-understanding of citizens' as a 'historical-cultural a priori that makes democratic will-formation possible', and thus to Grimm's presupposition that a democracy develops from a group of people that share a collective identity. Instead, Habermas argues that democratisation in the EU actually will contribute to a strong feeling of European collective identity. According to Habermas, democratic citizenship together with democratic procedures and institutions, which constitutes the 'communicative context', fosters social integration amongst constituents and thus enables the emergence of a collective identity.¹⁵

The communicative context that Habermas envisages '*involves demanding preconditions*'. Central is a political public sphere, free from any coercion, in which citizens have the opportunity to form their opinion on relevant topics. The public sphere should encompass, on the one hand, all aspects of civil society: citizens' movements, interest associations, nongovernmental organisations etcetera, and the 'institutionalized deliberation and decision-making processes' on the other hand. Political parties play a

¹³ Scharpf, *Governing in Europe*, 9.

¹⁴ *Ibid.*, 4-5.

¹⁵ Habermas, 'Does Europe Need a Constitution? Response', 159-161.

mediatory role in this system between informal spheres and the state apparatus. Important is that citizens, in this democratic communicative context, through a process of democratic will formation, can be politically socialised and come to share an 'intersubjectively shared context of possible mutual understanding'; this is what unites the people.¹⁶

Habermas admits that such a communicative context can scarcely be fulfilled in the present framework of the nation state, let alone that an adequate communicative context exists at European level.¹⁷ Here, Habermas agrees with Grimm, who diagnoses a lack of a European communicative space. However, whereas Grimm believes that a collective sense of European identity needs to be established before a European communicative space can emerge, Habermas argues the opposite since he believes that it is a European-wide public sphere that gives rise to feelings of collective identity. Consequently, Habermas is more optimistic than both Grimm and Scharpf about the prospects for a European identity. Whereas Scharpf argues that the European Union is 'very far from having achieved the "thick" collective identity', Habermas believes that if the European Union creates political institutions that allow for citizen participation in the democratic, deliberative process, these institutions would 'have a catalytic effect'.¹⁸ Because there is political will to make European integration succeed, Habermas sees no a priori reason that the EU will not succeed in creating the necessary communicative context that will foster a sense of European identity.¹⁹

In other words, in the abovementioned debate about European identity and legitimacy, legitimacy is considered the dependent variable and European identity is the independent variable. For both Grimm and Scharpf, the presence of European identity is a necessary condition for the EU's input legitimacy. Both argue that a European identity is necessary to create the conditions that enable the EU to acquire legitimacy, for Grimm this is a communicative space and for Scharpf this is a feeling of solidarity that ensures the smooth operation of majority rule. Habermas, in contrast, does not believe that a European identity is either a necessary or a sufficient condition for the EU's input legitimacy. Just like Grimm, Habermas emphasises the necessity of a European communicative context for the EU's legitimacy, however the difference between Grimm

¹⁶ Habermas, 'Does Europe Need a Constitution? Response', 159-160.

¹⁷ Ibid., 160.

¹⁸ Scharpf, *Governing in Europe*, 9; Habermas, 'Does Europe Need a Constitution? Response', 161.

¹⁹ Habermas, 'Does Europe Need a Constitution? Response', 161.

and Habermas is that Grimm believes that a sense of European identity is a necessary condition for such a communicative space, whereas Habermas rejects the notion of European identity as a historical-cultural a priori and instead argues that a sense of European identity amongst citizens can actually emerge from a European communicative context.

In the academic debate, the relation between the EU's legitimacy and European identity is postulated as a causal one in a formal model from a constitutional, judicial perspective. The authors pay much attention to the dependent variable, legitimacy, and the conditions under which the European Union can acquire input legitimacy. European identity, in contrast, is not conceptualised despite the fact that it acts as independent variable. Although Grimm, Scharpf and Habermas debate the role of European identity as a necessary condition for the EU's legitimacy, they fail to elucidate the concept of European identity. Their descriptions remained limited to Scharpf's perceived 'essential sameness' or Grimm's 'awareness of belonging together'.²⁰

Regardless of whether there is in fact a causal relation between democratic legitimacy and European identity in terms of a dependent and independent variable, as is assumed in the abovementioned debate, it can be argued that European identity is nevertheless considered inherent to the EU's legitimacy. In other words, great importance is attached to European identity for democratic legitimacy of the European Union. In order to be able to make conclusive remarks about the European Union's democratic legitimacy, it is thus important to elucidate the concept of European identity since this remains underexposed in the abovementioned academic debate about democratic legitimacy of the European Union and European identity.

This thesis aims to fill the gap in the debate about democratic legitimacy of the European Union and European identity. The goal is to arrive at a conceptualisation of European identity. In this thesis, it is investigated how European identity was conceptualised by those to whom it applies, i.e. European citizens.

Considering the large amount of scholarly works that have been published on the issue of European identity and the ostensible importance ascribed to European identity for legitimacy of the EU, it is no surprise that several scholars have already set out to determine what a European identity is and whether or not a European identity is present amongst European citizens. Such questions have been addressed from both a

²⁰ Scharpf, *Governing in Europe*, 8; Grimm, 'Does Europe Needs a Constitution?' 297.

normative and an empirical perspective. Normative research is concerned with questions as to what the content or substance of a European collective identity *could* or *should* be, based on legal documents or normative principles.²¹ Magnette, for example, analyses moral and sociological foundations of EU citizenship and, from a cosmopolitan perspective, warns against the risk of awakening xenophobia involved with the creation of a 'thick' European identity.²²

Empirical research into European identity addresses questions about *whether, to what extent and why* citizens identify with other citizens of the European Union as a community, or what is the substance of a European identity.²³ These empirical researches, for example by Bruter, Scheuer & Schmitt and Fuchs, are often based on close-ended quantitative surveys such as the Eurobarometer, a tool of the European Commission to monitor public opinion.²⁴ Although such close-ended surveys are an excellent means to capture the opinion of a large group of respondents representative of the general population, Eurobarometer surveys have a large trade-off. Close-ended surveys for identity research use preconstructed categories of identity from which respondents chose their answers; hence it would be impossible to inductively ascertain how citizens have conceptualised European identity themselves.²⁵ Hence, research on European identity demonstrates another gap that this research seeks to fill.

In contrast to earlier works that attempted to determine the substance of European identity through close-ended surveys, this thesis seeks to determine how European citizens themselves have conceptualised European identity. It does so at a period in time that ultimately challenged the legitimacy of the Europe project: the period leading up to the rejection of the Constitutional Treaty in popular referendums – an important democratic means for citizens to express their political will and to directly

²¹ V. Kaina and I.P. Karolewski, 'EU Governance and European Identity' *Living Reviews in European Governance* 8:1 (2013), 18.

²² P. Magnette, 'How can one be European? Reflections on the Pillars of European Civic Identity' *European Law Journal* 13:5 (2007), 664-679.

²³ Kaina and Karolewski, 'EU Governance and European Identity', 17-18.

²⁴ A. Scheuer and H. Schmitt, 'Dynamics of European Political Identity' *Journal of European Integration* 31:5 (2009), 551-568; M. Bruter, *Citizens of Europe? The Emergence of a Mass European Identity* (Basingstoke 2005); D. Fuchs and C. Schneider, 'Support of the EU and European identity: some descriptive results' in: D. Fuchs and H-D. Klingemann (eds.), *Cultural Diversity, European Identity and the Legitimacy of the EU* (Cheltenham 2011), 61-85

²⁵ D.A. Sylvan and A.K. Metskas, 'Trade-offs in Measuring Identities: A Comparison of Five Approaches' in: Abdelal et al. (eds), *Measuring Identity: A Guide for Social Sciences* (Cambridge 2009) 72.

influence decision-making. This treaty was considered of utmost importance for the EU's further political integration, and therefore its rejection in referenda exacerbated the EU's legitimacy crisis.²⁶ For limitations of time and space, the research is confined to citizens of one member state rather than all European citizens. The state that is chosen for an in-depth investigation into European identity is the Netherlands. Not only is the Netherlands one of the six founding member states of the European Union and therefore has a long European tradition, but also was the Netherlands one of the two countries, the other one being France, in which the Constitutional Treaty was rejected by popular vote. In addition, in the semester preceding the referendum on the Constitutional Treaty, the Netherlands held the presidency of the Council of the European Union and this semester falls into the scope of this research.

The intention is not to determine whether or not a European identity was present amongst inhabitants of the Netherlands, but rather how they have formulated their sense of 'Europeanness'. This leads to the following research question: How was European identity conceptualised by Dutch citizens in the period leading up to the referendum on the Constitutional Treaty in June 2005?

This contribution of this research to academic literature is twofold. First, it seeks to fill the gap in the debate about the role of European identity for the EU's legitimacy, in which Grimm, Scharpf and Habermas fail to elucidate the concept of identity, despite the role of independent variable that is assigned to European identity. Second, by investigating how European citizens themselves have conceptualised their European identity, this thesis contributes to existing research that is largely based on close-ended quantitative surveys that use preconstructed categories of identity.

Although Eurobarometer surveys contain useful and valuable information and therefore shall be discussed briefly to support the thesis, it shall by no means be decisive in answering the research question. Instead, this thesis is based on an empirical study of the public debate as it manifested in a variety of sources such as newspapers, opinion magazines, talk shows focused on current affairs and politics, and proceedings of Parliament (and Senate). The sources are the newspapers *NRC Handelsblad*, *Trouw*, *De Volkskrant*, *De Telegraaf*, opinion magazines *Vrij Nederland*, *De Groene Amsterdammer*, *Elsevier*, talk shows *Barend en van Dorp* and *Buitenhof*, and proceedings of Dutch

²⁶ Smismans, 'Democracy and Legitimacy in the European Union', 342; Sternberg, *The Struggle for EU Legitimacy*, 349.

parliament. The sources that are used are mostly written sources and talk show broadcasts. Within these sources, the focus shall be on texts and fragments that are about the European Union. These are not solely about the Constitutional Treaty, but include other topics that were extensively discussed during the period studied, such as European enlargement and the project of the European Union as a community of values.

The advantage of these sources is that it allows for a deduction of European identity as it was experienced and formulated by citizens themselves rather than by European decision makers. The usage of such sources also has a trade-off, since it is usually not the general population, but a select group who participates in the public debate and voices their opinion through these mediums. However, as Sternberg notices, the discourses in the public domain play a large role in shaping public opinion and in 'how citizens relate to the EU'.²⁷ Bruter has demonstrated that 'the mass media [...] has a strong identity-building power over the citizens of the European Union'.²⁸ Moreover, Abdelal et al., whose conceptualisation of collective identity is discussed in the first section, argue that political debates as well as 'journalists and the media play an important role in constructing meanings [of collective identities]'. These public discourses consist of on-going claims and counterclaims on a group's identity and therefore contribute to creating 'a sense of collective self and are examples of the process of contestation'.²⁹

In order to formulate an answer to the research question, the thesis focuses on discourses, and the narratives from which these are constructed. Discourses are ways to represent the world, ways to give meaning to social and physical phenomena. Understanding these discourses about European identity requires situating them in a broader context, in the discursive context of European integration, legitimacy and democracy of the EU. This is why the debate about EU's democratic and legitimacy deficit is touched upon in more detail in the second section. The sources in which discourses about identity arise shall be approached using an interpretive textual method, as is used by Claudia Sternberg. The method is interpretative because in the sources, it is often not explicitly stated what the authors understood by European identity, and what it meant for them. Discursive construction regularly occurs on the

²⁷ Sternberg, *The Struggle for EU Legitimacy*, 2.

²⁸ Bruter, *Citizens of Europe?*, 123-124.

²⁹ R. Abdelal et al., 'Identity as a Variable', in: R. Abdelal et al. (eds.), *Measuring Identity: A Guide for Social Sciences* (Cambridge 2009), 29.

margins of conscious and explicit formulations, in the realm of underlying understandings. These implicit underlying understandings concern those beliefs and/or ideas that are taken for granted and treated as obvious by the authors. These understandings underlie and influence explicit statements by authors, and as such are of interest for an investigation into European identity. Thus, assessing the sources requires intuitive interpretation on part of the scholar as to what European identity means to Dutch citizens.³⁰

The interpretive textual analysis studies the dynamics of narrative and argumentative construction of the texts. The focus is on how these texts construct arguments and how meaning is generated, in particular by inserting certain elements, such as events and abstract concepts, into a story.³¹ In addition, when analysing the sources, the focus shall be on the *content* of the sources and the meaning that is generated rather than on the *actors* advancing the stories.

The thesis is composed as follows. The first section contains a theoretical framework in which the concept of collective identity is clarified. This conceptualisation of collective identity serves as a framework through which European identity is analysed in subsequent sections. The second section elaborates on the debates on the European Union's legitimacy crisis and democratic deficit, so as to provide the context that is required to situate concerns with the European Union's input legitimacy. The third and fourth sections give an historical overview of European policies with respect to, respectively, increasing the EU's input legitimacy and formulating and strengthening European identity. In the fifth and sixth sections, the dominant discourses with respect to the European Union in the year prior to the referendum of the Constitutional Treaty are reconstructed. The fifth section elaborates on debates that were conducted in the Dutch parliament, whereas in the sixth section, the debates in the Dutch media are elucidated. The seventh section of this thesis contains an analysis of the Dutch public debates and provides a conceptualisation of European identity. In the conclusion, the findings of the investigation into European identity in the Netherlands is discussed.

³⁰ Sternberg, *The Struggle for EU Legitimacy*, 2, 6-8.

³¹ *Ibid.*, 6.

1. Theoretical framework. Conceptual clarification: collective identity

This section provides the theoretical framework required to answer the research question. In this section, the concept of collective identity is clarified. It is explained how collective identities should be understood. In addition, the definition of collective identity by Abdelal et al. is discussed. This definition serves as the framework through which European identity is analysed in subsequent sections.

Despite the large amount of research on European identity, there is no consensus on its definition, yet it can be argued that European identity can be considered as a form of collective identity. Collective identity, or any form of identity for that matter, is a concept that also lacks a clear definition, and which has acquired a rather ambiguous status.³² Brubaker and Cooper have argued that identity should be discarded as an analytical concept because it ‘tends to mean too much (when understood in a strong sense), too little (when understood in a weak sense), or nothing at all (because of its sheer ambiguity)’.³³ Most scholars, however, disagree with Brubaker and Cooper’s recommendation to banish identity and maintain that, despite its ambiguous status, identities are too important for social life and therefore, scholars should set out to avoid ambiguity and provide the concept with adequate theoretical foundations.³⁴

Hence, it is important to provide a clear definition of the concept collective identity before starting an investigation into any collective identity. However, because this research investigates what European identity might mean to Dutch citizens, it is evident that it does not start from an a priori definition regarding the meaning or content of European identity. Rather, it takes into account those elements that are building blocks for any collective identity – along which the meaning of European identity might be structured.

³² R. Abdelal et al., ‘Identity as a Variable’, 17; D. Fuchs, ‘Cultural diversity, European Identity and the Legitimacy of the EU: A Theoretical Framework’ in: D. Fuchs and H-D. Klingemann (eds.), *Cultural Diversity, European Identity and the Legitimacy of the EU* (Cheltenham 2011), 34-35; V. Kaina and I.P. Karolewski, ‘EU Governance and European Identity’, 15.

³³ R. Brubaker and F. Cooper, ‘Beyond “Identity”’, *Theory and Society* 29:1 (2000), 1.

³⁴ R. Abdelal et al., ‘Identity as Variable’, 18; K. Eder, ‘A Theory of Collective Identity: Making Sense of the Debate on a “European Identity”’, *European Journal of Social Theory* 12:4 (2009), 429-430; D. Fuchs, ‘A Theoretical Framework’, 35.

Before proceeding with the working definition of collective identity, it must be noted that collective identities including European identity can be understood as narratively constructed. According to Klaus Eder, European identity should be conceived as: 'a narrative network embedded in an emerging network of social relations among the people living in Europe'.³⁵ A European identity, thus, is build up from stories that 'emerge in the making of a network of social relations among those living in Europe'.³⁶ These social relations are indirect; they are based on 'cultural techniques of indirect communication', such as television, newspapers and the Internet.³⁷ Therefore, this thesis employs a constructivist approach to identity. It assumes that collective identities are constructed through interaction between group members and their social reality. This does not necessarily mean, however, that group members consider their identity as constructed.³⁸ In addition, the constructivist approach suggests that the historical variability of collective identities need to be taken into account. For this reason, sections 3 and 4 consider the historical context in which European identity was formed by addressing the EU's perceived issues with democracy and legitimacy as well as addresses the EU's efforts to stimulate a European identity. In addition, in sections 5 and 6, when addressing the debates from which a conceptualisation of a European identity in the Netherlands shall be deduced, the social facts that gave rise to statements and debates are enlightened.

1.1 Content and contestation: a working definition of collective identity

In a broad sense, collective identity can be defined as a sense of belonging to a group, or a 'sense of community'.³⁹ Because this research is, amongst others, aimed at unravelling the *content* of European identity, i.e. what gives meaning to a sense of European identity, a more narrow working definition of collective identity is necessary. In addition, collective identities should be understood as constructed and continuously reconstructed through a dynamic process of agreement and disagreement about their meanings amongst group members; this element of *contestation* must be taken into

³⁵ Eder, 'A Theory of Collective Identity', 427.

³⁶ Ibid., 433.

³⁷ K. Eder, 'Europe as a Narrative Network: Taking the Social Embeddedness of Identity Constructions Seriously', in: S. Lucarelli, F. Cerutti and V.A. Schmidt (eds.), *Debating Political Identity and Legitimacy in the European Union* (London 2011), 44.

³⁸ Abdelal et al., 'Identity as Variable', 29.

³⁹ Scheuer and Schmitt, 'Dynamics of European Political Identity', 551-568.

account as well.⁴⁰ Therefore, a definition by Abdelal et al. shall be used. This definition is quite elaborate, but it takes into account the elements of content and contestation. Abdelal et al. define collective identity as ‘a social category that varies along two dimensions – content and contestation’. According to Abdelal et al., content describes the meaning of a collective identity, and can take the form of four, nonmutually exclusive types: constitutive norms, social purposes, relational comparisons and cognitive models – these shall be discussed in more detail in the following paragraph. Contestation refers to ‘the degree of agreement that exists within a group over the content of shared identities’.⁴¹

The first of the four nonmutually exclusive types that together constitute the content of collective identities in the analytical framework sketched above is *constitutive norms*. Constitutive norms refer to ‘the formal and informal rules that define group membership’. These constitutive norms not only identify appropriate behaviour for members of a collectivity, they also provide for recognition: constitutive norms are the actions that make actors recognisable for others as having a particular identity. Thus, constitutive norms help establish ‘collective expectations and individual obligations’. As such, constitutive norms play a role in both determining the preferences of group members and they define boundaries and distinctive practices of members of a particular collectivity.⁴²

Abdelal et al. argue that the process of internalisation of constitutive norms by group members, also termed socialisation, can manifest in three ways. First, constitutive norms may bias choice, which entails that certain behaviours are deemed inappropriate for one’s identity. Second, the level of consciousness of choice may be reduced by constitutive norms. This means that some options of action are barely considered and dismissed easily because they do not comply with the constitutive norms of a particular collective identity. Third, some norms may be internalised so deeply that group members act upon them unconsciously. In other words, options are not considered, but established practices are followed.⁴³

The second type that constitutes the content of collective identity is *social purposes*, which refers to ‘the goals that are shared by members of a group’. Thus,

⁴⁰ Eder, ‘A Theory of Collective Identity’, 442.

⁴¹ Abdelal et al., ‘Identity as Variable’, 19.

⁴² Ibid., 19-21.

⁴³ Ibid., 21-22.

collective identities may have purposive content, and this content contributes to defining group interests, preferences and goals. Abdelal et al., notice that just like constitutive norms, social purposes may impose obligations on a group's members, but whereas norms may oblige members to 'engage in practices that reconstitute the group', social purposes may impose an obligation on members to engage in practices that contribute to the achievement of certain goals.⁴⁴

Third, *relational comparisons* refer to 'defining an identity group by what is not – that is, the way it views *other* identity groups, especially where those views about the other are a defining part of the identity'. The relational content of a collective identity comprises discursive formulations of the relation between the collectivity and other groups. Therefore, collective identities are fundamentally social and relational. This makes collective identities contingent because they depend on interaction with other groups. Abdelal et al. identify a number of possible relational characteristics of collective identities, including: 'the extent to which one social identity excludes the holding of another (exclusivity); the relative status of an identity compared to others; and the existence or level of hostility presented by other identities'.⁴⁵

Lastly, *cognitive models* refer to 'the worldviews or understandings of political and material conditions and interests that are shaped by a particular identity'. Cognitive models can be seen as a framework of thinking, or ways of reasoning: it enables members of a collectivity to make sense of political, economic and social conditions. Therefore, collective identities may affect members' interpretations of both the present and the past. In addition, collective models affect understandings of self, group and other, as well as understandings about political and economic interests.⁴⁶

The content of collective identities, composed of the four types discussed above, is neither predetermined nor an a priori fact. As discussed earlier, collective identities are constructed through interaction between group members and their social reality. Therefore, the content of collective identities is the outcome of a process of *contestation* amongst group members; they continuously shape and reshape the meaning of their collective identity. This makes collective identities neither stable nor fixed, but rather

⁴⁴ Abdelal et al., 'Identity as Variable', 19, 22.

⁴⁵ Ibid., 19, 23-24.

⁴⁶ Ibid., 19, 24-27.

fluid and subject to change. Because some elements of the content may be agreed upon, whereas others are more disputed, contestation can be considered a matter of degree.⁴⁷

Debates about the content of collective identities can both be implicit and explicit. Debates are explicit when the meaning of a collective identity is intentionally discussed. Implicit debates are more common and are described by Abdelal et al. as: 'the everyday, implicit contestation of identity, which takes place among members of a group without their consciously seeking to revise or remake the meaning of their identity'. Within these implicit debates, the four types of the content of identity may or may not be contested, but this does not occur with the explicit aim of shaping the content of collective identity.⁴⁸ In this thesis, for each type of content of European identity, the degree of contestation is considered. When there is little contestation, it can be argued that that particular part of identity is taken for granted, or considered 'natural' for Europeans.⁴⁹

⁴⁷ Abdelal et al., 'Identity as Variable', 27-28.

⁴⁸ *Ibid.*, 29.

⁴⁹ *Ibid.*, 27-29.

2. Context: the debate on legitimacy and democracy in the European Union

In the introduction, it appeared that that scholars debate the importance of a European identity for the input legitimacy of the European Union. In order to situate concerns with a European identity in its context, this section elaborates on the debates about the European Union's legitimacy crisis and the democratic deficit, which was deemed to preclude input legitimacy.

2.1 Legitimacy and the EU

In the early years of European integration, acquiring input legitimacy was not high on the Community's agenda. The relation between the European Community (EC) and its citizens can be described as 'permissive consensus'; the EC derived its legitimacy from its policy outputs and citizens were, by and large, not interested in what occurred on European level. An important source of legitimacy was the view that European integration was indispensable to guaranteeing peace and prosperity in Europe.⁵⁰

In the 1970s, the EC's output legitimacy declined as a consequence of, amongst other factors, an economic crisis that showed that a common European market was in itself not sufficient to foster economic growth and thus undermined output-based legitimacy claims. Another factor was that the necessity of European integration for securing peace and the security of member states came to seem less obvious as a result of both the time that had elapsed since the Second World War and the normalisation East-West relations.⁵¹ In addition, whereas earlier European integration had been focused on economic cooperation, in the 1970s the creation of a political union was considered the overarching goal of European policy making.⁵² This increased the necessity of legitimation typical of other known and established political systems, most notably the nation state.

⁵⁰ Smismans, 'Democracy and Legitimacy in the European Union', 43-44.

⁵¹ O. Ruchet, 'Cultural Diversity, European Identity and Legitimacy of the EU: A Review of the Debate' in: D. Fuchs and H-D. Dieter Klingemann (Eds.), *Cultural Diversity, European Identity and the Legitimacy of the EU* (Cheltenham 2011), 6; Sternberg, *The Struggle for EU Legitimacy*, 74-75.

⁵² A. Wiener 'Assessing the Constructive Potential of Union Citizenship: A Socio-Historical Perspective', *European Integration online Papers (EIoP)*, 1:017 (1997), 5.

While losing its claims to output legitimacy, the EC was increasingly criticised for lacking input legitimacy, i.e. legitimation through democracy. Most notably in the academic field, a concern was expressed with the EC's untransparent and technocratic nature, and scholars called for more visibility and parliamentarisation of the EC.⁵³

During the 1970s and 1980s, a large part of the citizens of EC member states remained largely unconcerned with the European Community, or debates pertaining its legitimacy. In the 1990s, however, public opinion became increasingly critical towards the European Union. This was fuelled by the Maastricht Treaty; the process of its ratification sparked political and popular resistance. In both public and academic discourse, commentators have argued that since 'Maastricht', the EU suffers from a 'legitimacy crisis'.⁵⁴

The Treaty included a significant expansion of EU's competences, therefore increasing its influence over citizens' lives. This, once again, raised questions as to the indispensability of the European Union as well as the EU's capability in fostering prosperity and its problem-solving capacities, considering recession, budget deficits and high unemployment in member states.⁵⁵

In addition, the Treaty of Maastricht strengthened European Parliament's powers and introduced European citizenship. Although these innovations, especially the latter two, were introduced to increase input-based legitimacy, they actually reinforced doubts about EU's legitimacy. Questions were raised about the possibility of practicing democracy beyond the nation state, especially in the absence of a common sense of belonging amongst its constituents, as well as the consequences of European integration on democracy within member states and national sovereignty.⁵⁶

2.2. A 'democratic deficit'?

A much-heard argument in debates pertaining EU's legitimacy was that the European Union suffered from a 'democratic deficit'. An important consequence was that the EU could not claim input-oriented legitimacy, because it was not sufficiently democratic.⁵⁷ Although there is no consensus as to what the democratic deficit comprises, by and large there are five reasons for scholars to diagnose a democratic deficit in the EU. Andreas

⁵³ Ruchet, 'A Review of the Debate', 6-7.

⁵⁴ Ruchet, 'A Review of the Debate', 7; C. Sternberg, 1, 103-106.

⁵⁵ Sternberg, *The Struggle for EU Legitimacy*, 106-111.

⁵⁶ *Ibid.*, 115-127.

⁵⁷ Smismans, 'Democracy and Legitimacy in the European Union', 342-343.

Follesdal and Simon Hix have given an overview of these five diagnoses, which they call the 'standard version'.⁵⁸

The first reason that causes some to argue that there is a democratic deficit is that European integration has meant an increase in executive power on European level accompanied by a decrease in the powers of national parliaments. Whereas in the representative governments of member states the government is accountable to its citizens through national parliaments, on European level the executive agents, composed of national ministers and government appointees, are much more isolated from scrutiny and control by national parliaments. As a consequence, it is argued that decision making in the EU is dominated by an unelected, unaccountable technocratic elite.

Secondly, related to the previous argument, it is argued that the European Parliament is too weak relative to the Council of Ministers and the European Commission. In the course of the 1990s, scholars started to perceive European integration as an increase of European executive institutions at the expense of powers of national parliaments unparalleled by an increase in powers of the European Parliament. It was widely held that the solution would be to increase the powers of the European Parliament relative to the Council and the Commission.

The third reason identified by Follesdal and Hix for a democratic deficit in the European Union is that there are no actual 'European' elections, which causes the EU to be perceived to lack input legitimacy. Although European citizens elect both their national parliaments and the European parliament, it is argued that these elections are not genuine 'European' elections for these are not about Europe, or parties and personalities on European level. Follesdal and Hix point out that national elections concern domestic issues rather than European issues and the media treats elections to the European Parliament as 'mid-term national contests'. Besides, contrary to national elections, elections to the European Parliament do not directly influence the composition of EU governance. In addition, turnout to the European Parliamentary elections have declined steadily since the first elections were held in 1979 – turnout has

⁵⁸ A. Follesdal and S. Hix, 'Why There is a Democratic Deficit in the EU: A Response to Majone and Moravcsik' *Journal of Common Market Studies* 44:3 (2006), 533-562.

dropped below 50% since 1999 – which raises questions as to the extent to which the European Parliament can provide the European Union with input legitimacy.⁵⁹

Fourth, it is argued that the European Union is too distant from its voters. Follesdal and Hix notice that this argument has two facets, one institutional and one psychological. Institutionally, control over the Council and the Commission is too far removed from the electorate, which is the result of a lack of effective control by the European Parliament or national parliaments. Psychologically, the EU and its institutions are perceived to be too dissimilar from national democratic institutions, and therefore too complex, consequently citizens are not able to understand or identify with institutions of the European Union.

The fifth aspect of the democratic deficit, according to Follesdal and Hix, is related to and as a result of the previous four. This aspect comprises the argument that the European Union produces a ‘policy drift’ from voters’ policy preferences; it adopts policies that are not supported by a majority of its citizens.⁶⁰ Consequently, The European Union is perceived to lack input legitimacy since its policies are not realised through a democratic process, and are neither supported by European citizens.

Others reject the claim that the European Union suffers from a democratic deficit and believe that the European Union does not need democratic mechanisms or institutions.⁶¹ According to Andrew Moravcsik, for example, ‘the European “democratic deficit” is a myth’. Moravcsik rejects the notion of the European Union as an unaccountable technocratic polity and instead argues that the EU is even more democratically accountable than national governments of member states. In addition, Moravcsik believes that the European Union does not suffer from a legitimacy crisis in terms of public trust and popularity among citizens. Because the EU treats non-salient

⁵⁹ Follesdal and Hix, ‘Why There is a Democratic Deficit’, 534-536; Turnout at the European elections (1979-2009). Retrieved on January 12, 2014 from:

[http://www.europarl.europa.eu/aboutparliament/en/000cdcd9d4/Turnout-\(1979-2009\).html;jsessionid=BEEE34E353FCE227AEC5438EEAE9AF84.node2](http://www.europarl.europa.eu/aboutparliament/en/000cdcd9d4/Turnout-(1979-2009).html;jsessionid=BEEE34E353FCE227AEC5438EEAE9AF84.node2)

⁶⁰ Follesdal and Hix, ‘Why There is a Democratic Deficit’, 536-537.

⁶¹ See for example: A. Moravcsik, ‘The Myth of Europe’s Democratic Deficit’ *Intereconomics: Journal of European Public Policy* (November/December 2008), 331-340; G. Majone, ‘Europe’s “Democratic Deficit”’: The Question of Standards.’ *European Law Journal* 4:1 (1998), 5-28; G. Majone, *Dilemmas of European Integration: The Ambiguities and Pitfalls of Integration by Stealth* (Oxford 2005).

issues, Moravcsik argues, citizens do not seem bothered with the European Union; however, this does not affect the legitimacy of the EU.⁶²

Although there appears to be no consensus that the European Union suffers from a lack of democratic legitimacy, it was often argued that a lack of democracy precludes legitimacy of the European Union. Various reasons caused scholars to diagnose a democratic deficit in the European Union, including a European Parliament that is too weak relative to executive institutions and a failure to engage citizens in European politics. This thesis now proceeds with a historical analysis of how such concerns took shape in European policy.

⁶² Moravcsik, 'The Myth of Europe's Democratic Deficit', 332-340.

3. Historical background I: EU policies to increase legitimacy

The previous section demonstrated that there were concerns with legitimacy of the European Union. This section discusses how the European Union has attempted to increase its input legitimacy. It was perceived that the European Union lacked a corresponding 'demos' with a shared European identity, and this precluded the European Union from acquiring input legitimacy. Therefore, the European Union set out to create a sense of European identity amongst its citizens.

3.1 Democratisation through parliamentarisation

European decision makers were not unsusceptible of criticisms on its legitimacy. The EU responded by attempting to increase its democracy through parliamentarisation. Gradually, a representative democratic system in which the role of the European Parliament increasingly came to resemble the role of national parliaments of member states was institutionalised in the EU.⁶³ Since the 1970s, the budgetary and legislative powers of European Parliament were gradually increased and since 1979, European citizens can directly elect the European Parliament. Since the Lisbon Treaty entered into force in 2009, EP shares legislative powers with the Council of Ministers in the vast bulk of policy areas.⁶⁴

Despite the European Union's attempts at parliamentarisation, the continuing debate shows that the EU was not able to successfully increase its legitimacy. There are two important difficulties related to the strategy of strengthening the EP as a means to enhance the EU's legitimacy. First, there is a difference in the roles that national parliaments play on a national level, and the role that the European Parliament plays on a European level. For example, whereas elections to national parliaments ultimately result in the formation of a government, thus giving citizens the chance to vote for the composition of their national governments, in elections to the European Parliament European citizens do not automatically vote for the composition of the European executive, the Commission. Members of the Commission are appointed by the Council

⁶³ B. Rittberger, 'Institutionalizing Representative Democracy in the European Union: The Case of the European Parliament' *Journal of Common Market Studies* 50 (2012), 18.

⁶⁴ Smismans, 'Democracy and Legitimacy in the European Union', 343; Rittberger, 'Institutionalizing Representative Democracy in the European Union', 18-37.

and selected from candidates proposed by national governments.⁶⁵ In the 2014 elections, however, European political parties are for the first time required to propose a candidate for Commission president, giving European citizens a small increase in their influence on the composition of the European Commission. According to Yves Mény, the EU's decision to parliamentarise, and therefore attempt to copy familiar democratic institutions from national governments to supranational level, actually reinforced concerns with the EU's supposed democratic deficit. This caused the democratic quality of the European Union to be compared with- and judged along national standards, to which it could not live up.⁶⁶

Second, and more relevant for this thesis, it is often argued that the European Union has no demos – despite the fact that the EU is neither a state, nor a traditional international organisation. The 'no demos' thesis comprises the argument that the European Union lacks a people with a feeling of collective identity.⁶⁷ As discussed in the introduction, some scholars argue that the lack of a feeling of a shared identity prevents the European Union from successfully democratising. In the next section, it becomes apparent that European decision makers have picked up this argument and have attempted to construct a policy that promotes a European demos.

3.2 People's Europe

European decision makers were aware of the fact that a lack of a demos posed a problem for the EU's legitimacy. As discussed earlier, in the 1970s the creation of a political union was considered the overarching goal of European policy making, therefore increasing the demand for input legitimacy. It was acknowledged that, in order to succeed, a European political union needed a European identity; European citizens needed to feel that they belonged to the European Community: '[p]eople should not be able to say: all we know of Europe is the VAT and the increase in the price of vegetables, but we don't feel that we belong to a new entity. *Europe should be personalized*'.⁶⁸

During the mid-1970s and the 1980s, an attempt to address this issue was made with the 'People's Europe' project. The goal of People's Europe was to bring Europe

⁶⁵ Smismans, 'Democracy and Legitimacy in the European Union', 343, Ruchet, 'A review of the debate', 7.

⁶⁶ Y. Mény, 'De la démocratie en Europe: Old Concepts and New Challenges' in: J.H.H Weiler, I. Begg and J. Peterson (eds.), *Integration in an Expanding European Union* (Oxford 2003), 399-404.

⁶⁷ Smismans, 'Democracy and Legitimacy in the European Union', 343.

⁶⁸ Belgian Commissioner Etienne Davignon, as cited in: Wiener, 'Assessing the Constructive Potential of Union Citizenship', 6.

closer to the citizens, and ensure that all citizens of member states felt an immediate link to the common European project.⁶⁹ This goal echoes the so-called Tindemans Report, a report by then Prime Minister of Belgium, Leo Tindemans. In 1975, Tindemans noticed that popular support for the European integration project was waning, and argued that: 'Europe must be close to its citizens'. In order to increase popular support, Tindemans argued, the policies of the European Community should: 'give expression to the deep aspirations of our citizens'. In addition, the EC needed to be made more visible to the public, and 'its advantages and gradual achievement must be perceived by everyone'.⁷⁰

As Sternberg notices, the project of People's Europe transformed the EC's relation with its citizens: 'the People's Europe campaign appealed to European citizens no longer mainly as consumers, employees or market participants. Rather, it addressed them as culturally embedded human beings endowed with political and civil rights specific to the European Community'.⁷¹

Thus, the People's Europe project aimed at constructing a community of European citizens. In order to accomplish this, it was deemed important to strengthen and consolidate the awareness of citizens' European identity. Without a sense of European identity, the Europe project risked to fail: 'European integration will not and cannot be a success unless our [...] people are interested and involved'.⁷² Hence, the EC set out to foster a sense of European identity amongst its citizens. What European decision makers understood to be the content of a European identity, and how this endeavour was carried out, is discussed in more detail in the next section.

By fostering a sense of European identity, the EC aimed to get support for its policies. Thus, as Sternberg notices, citizens were seen as 'objects of manipulation' who, through the aforementioned cultural policies, were to be manipulated into giving their support to the European Community. Another strategy to bring the European Community closer to the citizens, and consequently to acquire legitimacy, was to align European integration with the expectations and desires of citizens. In the Community's official discourse, the 'will of the people' acquired an important role. By making its

⁶⁹ Sternberg, *The Struggle for EU Legitimacy*, 78.

⁷⁰ European Commission, 'European Union. Report by Mr Leo Tindemans, Prime Minister of Belgium, to the European Council', *Bulletin of the European Communities* (1976), 26-28, 34.

⁷¹ Sternberg, *The Struggle for EU Legitimacy*, 76-78.

⁷² European Commission, 'A People's Europe. Communication from the Commission to the European Parliament' COM (88) 331/final, *Bulletin of the European Communities* (June 1988), 5.

policies more in line with the will of the people, the EC attempted to increase its input-oriented legitimacy.⁷³

The European Community developed a means to understand what the people wanted: the Eurobarometer. The Eurobarometer is a series of Community-wide public opinion surveys that investigates popular attitudes towards the EC, as well as attitudes towards particular policies. In addition, Eurobarometer investigates citizens' opinion on matters such as the level of democracy in the EC, and their sense of European identity.⁷⁴

Thus, from the 1970s onwards, the EC attempted to increase its legitimacy by promoting a European identity and emphasising the 'will of the people' in its policies. How the EC set out to do this, and how they conceptualised a European identity is discussed in more detail in section 3. First, this section proceeds with the Constitutional Treaty, a means that was considered of utmost importance for the EU's input legitimacy.

3.3 The Treaty establishing a Constitution for Europe

On October 29, 2004, the Treaty establishing a Constitution for Europe, or the Constitutional Treaty (CT) was signed. The decision-making procedure leading up to the CT demonstrates that the European Union explicitly sought democratic legitimacy for its future. The 2001 Treaty of Nice contained a section titled 'Declaration on the future of the Union', which formulated goals along which the European Union was to be constructed in the future. Subsequent negotiations about the EU's future should involve 'all interested parties'; these did not only comprise heads of state and government, but also: 'representatives of national parliaments and all those reflecting public opinion, namely political, economic and university circles, representatives of civil society, etc.'. In addition, the purpose of future changes to the treaties was to 'improve and to monitor democratic legitimacy and transparency of the Union and its institutions, in order to bring them closer to the citizens of the Member States'.⁷⁵

In the Declaration on the Future of the European Union, adopted at the 2001 Laeken summit, the European Council declared that a constitution for the European Union needed to be drafted which needed to make the European Union 'more

⁷³ Sternberg, *The Struggle for EU Legitimacy*, 80-82, 100-102.

⁷⁴ *Ibid.*, 83.

⁷⁵ 'Treaty of Nice amending the Treaty on European Union, the Treaties establishing the European Communities and certain related acts, signed at Nice, 26 February 2001', *Official Journal of the European Communities* C80 (10/03/2001). Retrieved on 29 April 2014 via <http://eur-lex.europa.eu>, 85-86.

democratic, more transparent and more efficient'. In addition, it was explicitly formulated that the European Union needed to be simplified and that it needed to become 'closer to its citizens'. In addition, the EU's role in the world needed to be strengthened as a unified polity aimed at carrying out human values and democracy. The Declaration called for a Convention on the Future of Europe, which would eventually make the draft for the Constitutional Treaty.⁷⁶

In accordance with the Treaty of Nice, the participants of the Convention on the Future of Europe were not only heads of state or government as was the norm with previous treaties, but also included members of national parliaments as well as members of the European Parliament, observers and civil society interests. However, it must be noted that, in practice, deliberations were dominated by 'predominantly Europhile and integrationist members of the political elite'.⁷⁷ Nevertheless, it was a novelty that a treaty reform was not decided upon solely through an intergovernmental conference, and this made the deliberations relatively open as compared to earlier debates on treaty reforms.⁷⁸

Thus, the CT was designed with the purpose of enhancing the democratic legitimacy of the European Union as well as bringing the EU and its institutions closer to the citizens of the member states. It was perceived by European decision makers that a constitution was required in order to deal with the political integration of an enlarged European Union in accordance with democratic principles. Innovations of the CT that were supposed to make the European Union more democratic were the extension of powers of the European Parliament,⁷⁹ as well as the possibility for citizens to start of citizens' initiatives, which were designed to give European citizens the opportunity to

⁷⁶ European Commission, 'Laeken Declaration on the future of the European Union (15 December 2001)' *Bulletin of the European Union* 12 (2001). Retrieved at 2 June 2014 via: <http://www.cvce.eu>.

⁷⁷ D. Phinnemore, *The Treaty of Lisbon: Origins and Negotiations* (Basingstoke 2013), 16-17.

⁷⁸ Phinnemore, *The Treaty of Lisbon*, 16-17; F. Laursen, 'Introduction: Overview of the Constitutional Treaty and the Main Elements of the Treaty', in: F. Laursen (ed.), *The Rise and Fall of the EU's Constitutional Treaty* (Leiden 2008), 3-5.

⁷⁹ Since the Maastricht Treaty, European Parliament and the Council of Ministers shared legislative powers in the co-decision procedure. The Constitutional Treaty renamed this procedure the 'ordinary legislative procedure' (OLP) and expanded the number of policy areas to which the OLP applied. See: 'Treaty Establishing a Constitution for Europe', *Official Journal of the European Union* C310 Vol. 47 (16 December 2004). Retrieved on 2 May 2014 via <http://eur-lex.europa.eu>, 27; C. Church and D. Phinnemore, 'From the Constitutional Treaty to the Treaty of Lisbon and Beyond' in: M. Cini and N.P. Borragán (eds.), *European Union Politics* 4th ed. (Oxford 2013), 45; Laursen, 'Introduction', 13.

place issues on the Commission's agenda. Moreover, the principle of subsidiarity was affirmed and national parliaments were given the responsibility to scrutinise whether European policies comply with this principle.⁸⁰ In addition, the CT provided the EU with symbols such as a flag, an anthem and 'Europe day', to be celebrated annually on May 9, so that the European Union would be more visible for citizens.⁸¹

The CT was not solely aimed at democratising the European Union; it was also designed to make the EU more efficient and to simplify its structure and operation so as to make it more comprehensible for European citizens. Other innovations included, amongst others, qualified majority voting instead of unanimity for the Council of Ministers, providing the European Council with a permanent president and the instalment of a new post of Union Minister of Foreign Affairs. In order to increase the EU's transparency, the CT provided that the Council of Ministers debated new laws in public meetings, rather than behind closed doors as was customary.⁸²

After member states signed the CT in October 2004, ten member states opted to hold referendums as part of the ratification process. Public endorsement of the treaty was intended as a means to acquire democratic legitimacy for the CT. The large amount of member states that chose to hold referendums was unprecedented; only Ireland and Denmark have held referendums to ratify previous treaties because they are bound to do so by their constitutions.⁸³ In the first referendum in Spain, the CT passed, albeit with a low turnout of 42%.⁸⁴ In the subsequent two referendums, in France and the Netherlands in May and June 2004 respectively, the CT was rejected by the public.

The 'no' votes in the French and Dutch referendums led to the fall of the Treaty and led to what was arguably 'the biggest crisis in the EU's history'.⁸⁵ Although some who voted 'no' in the referendums did so because they objected to the CT *per se*, studies have shown that a significant part of the voters to the CT had concerns about the pace and direction of European integration, and they felt a gap between popular and elite

⁸⁰Laursen, 'Introduction', 2-13; Church and Phinnemore, 'From the Constitutional Treaty to the Treaty of Lisbon and Beyond', 42-45.

⁸¹'Treaty establishing a Constitution for Europe', 13.

⁸²Laursen, 'Introduction', 9-13; Church and Phinnemore, 'From the Constitutional Treaty to the Treaty of Lisbon and Beyond', 45.

⁸³Phinnemore, *The Treaty of Lisbon*, 17; Church and Phinnemore, 'From the Constitutional Treaty to the Treaty of Lisbon and Beyond', 46.

⁸⁴Laursen, 'Introduction', 17.

⁸⁵I. Bache, S. George and S. Bulmer, *Politics in the European Union* 3rd ed. (Oxford 2011), 211.

support for the integration process.⁸⁶ Therefore, the rejection of the CT raised concerns about the EU's low popularity and legitimacy.

It has become clear that European decision makers were not unsusceptible of criticisms on its legitimacy. It was believed that the lack of a demos, or a people with a shared sense of identity, prevented the European Union from successfully democratising. In order to increase its democratic legitimacy, European decision makers set out to bring the European Union closer to its citizens and to foster a shared sense of European identity. Several means were believed to contribute to this end, such as the Constitutional Treaty. Prior to starting an investigation in the conceptualisation of European identity by Dutch citizens, this thesis now proceeds with analysing what decision makers understood by a European identity.

⁸⁶ Laursen, 'Introduction', 16; Church and Phinnemore, 'From the Constitutional Treaty to the Treaty of Lisbon and Beyond', 46; Phinnemore, *The Treaty of Lisbon*, 18.

4. Historical background II: A European identity

From the previous sections, it appeared that from the 1970s onwards, European decision makers have sought to increase the EU's input legitimacy. For this, a sense of a common identity amongst Europeans was deemed important in order to make citizens feel more connected with one another and the European Union. This section analyses how European decision makers have formulated the content of European identity, and how European identity was formulated according to Eurobarometer surveys.

4.1 European identity according to European decision makers

4.1.1. 1970s and 1980s: Declaration of European Identity and European symbols

In the 1970s, the question of identity first appeared on the European agenda. In 1973, following the Copenhagen Summit, the European Community published the Declaration on European Identity.⁸⁷ This document was the first official formulation of what European identity might consist of, and European identity for the first time became an element of European policy.

The goal of the declaration was to realise a European identity that affirms the unity of the (then) nine member states, with the purpose of enabling the European Communities to 'achieve a better definition of their relations with other countries and of their responsibilities and the place which they occupy in world affairs'. The document asserted that, on the international arena, power was concentrated in the hands of a small number of great powers and that it was the wish of a united Europe to make itself heard and achieve a 'proper role in the world'. Thus, one goal of the European identity was to facilitate a common European foreign policy. Apart from asserting the EC's role in the world, the EC's foreign policy and thus a European identity served another purpose, namely further European integration: 'building up [a European foreign] policy will help [...] to tackle with confidence and realism further stages in the construction of a United Europe thus making easier the proposed transformation of the whole complex of their relations into a European Union'. At this point, it was not explicitly stated that the

⁸⁷ European Commission, 'Declaration on European Identity (Copenhagen, 14 December 1973)' *Bulletin of the European Communities* 12 (December 1973). Retrieved at 25 February 2014 via <http://www.cvce.eu>.

formulation of a European identity served to bring the EC closer to its citizens, or to increase the EC's legitimacy, however, it was stated that a European identity would strengthen internal cohesion within the European Community.⁸⁸

According to the Declaration, the nine member states were united by common ideals and objectives. The nine member states share the political will to construct a united Europe. Unity in Europe was, considering their past conflicts, deemed necessary in order to ensure the survival of 'the civilization which they have in common'. Thus, a goal of a united Europe was perceived to be to maintain peace on the continent. While working towards a united Europe, the member states have established institutions, common policies and an apparatus for cooperation, and they have created a common market based on a customs union. These elements, according to the document, are 'an essential part of the European Identity'.

Furthermore, the peoples of the nine member states share values and principles, which form part of the European identity. These include the determination of building a society which measures up to the need of the individual, the principle of representative democracy, the rule of law, respect for human rights and social justice. The latter is termed the 'ultimate goal of economic progress'. Besides, the nine member states share a common history and heritage which comprises, amongst others, having overcome enmities amongst one another.

In addition, the declaration acknowledges that, despite their similarities, the peoples of the member states are not homogenous. In the document, it is emphasised that a European identity was not intended to replace national identities. Instead, the nine member states wished to preserve 'the rich variety of their national cultures'.⁸⁹

As appeared in the previous section, with the People's Europe project, the necessity of a shared sense of a European identity for the EC's input legitimacy was acknowledged by European decision makers. The EC attempted to invoke a sense of European identity by making Europe present in citizens their everyday lives, amongst others through symbols. Examples of Community symbols were the blue flag with yellow stars, standard custom signs at international frontiers and harmonised license

⁸⁸ European Commission, 'Declaration on European Identity', 1-4.

⁸⁹ Ibid., 2.

plates that came to carry the EC-emblem.⁹⁰ An additional element that the European Community adopted in order to enhance a sense of common identity amongst its citizens was corresponding passports for all citizens of European member states. All passports issued by EU member states were given the same design, including the burgundy coloured cover. The benefit of a EC passport for a sense of European identity was twofold. First, one passport for all people's of European member states would provide an official, shared document of identity; on the basis of this document, citizens could recognise one another as having the same identity. Second, the rights accompanied with the European passports enabled citizens to move freely across European member states without being stopped at national frontiers. This was expected to enhance a feeling of belonging to something larger than single member states.⁹¹

Attempts to foster a sense of European identity also included a cultural policy by the European Commission which was to create a feeling of a shared culture amongst citizens of various member states, a: 'European cultural area'.⁹² This cultural policy included the promotion of cultural events such as writer contests or an official 'Europe Day', as well as the protection of architectural heritage through restoring monuments. In addition, the EC also actively supported media coverage in member states on Europe, which included documentaries, cultural programmes, but also light entertainment such as the Eurovision Song Contest.⁹³ In short, the various symbols used and promoted by the EC served the purpose of making citizens of member states feel more alike and connected with one another, therefore fostering a sense of European identity.

Another way of making the EC more present in people their everyday lives was by providing more information about the European Community, and especially by emphasising special rights derived from European citizenship and its material benefits. These material benefits included the freedom of movement within the EC, the possibility to buy unlimited, and on some occasions cheap, alcohol, fuel and cigarettes across the border, or student exchange programs and stipends.⁹⁴

⁹⁰ European Commission, 'A People's Europe', 5-9; C. Shore, 'Inventing the "People's Europe": Critical Approaches tot the European Community "Cultural Policy"' *Man, New Series* 28:4 (1993), 787-789; Sternberg, *The Struggle for EU Legitimacy*, 89-91.

⁹¹ Wiener, 'Assessing the Constructive Potential of Union Citizenship', 8.

⁹² European Commission, 'A People's Europe', 12.

⁹³ European Commission, 'A People's Europe', 10-12; Shore, 'Inventing the "People's Europe"', 789-790; Sternberg, *The Struggle for EU Legitimacy*, 89-92.

⁹⁴ Sternberg, *The Struggle for EU Legitimacy*, 89-91.

An additional special right associated with EC citizenship was access to political participation. It was argued that integration of the peoples of the EC would proceed more easily if citizens had the opportunity of political participation. Therefore, political rights were granted to European citizens, such as the right to vote – since 1979 citizens directly elect their representatives in the European Parliament – and the right to stand elected. The granting of political rights was intended to invoke a sense of belonging within the European Community. Consequently, the political dimension became an important aspect of European identity; inhabitants of European member states were no longer merely addressed as market consumers but became considered as participants in the European integration process.⁹⁵

4.1.2. 1990s: Maastricht Treaty and Copenhagen criteria

The Maastricht Treaty of 1992 established official European citizenship. From this moment on, all citizens of member states were also formally European citizens and their political rights were legally set. Apart from creating a feeling of belonging between European peoples, they now enjoyed the same legal status, which established '*legal ties of belonging*'.⁹⁶

Thus, the Maastricht Treaty made all citizens of member states legally 'European'. What was European, however, was subject to debate in the 1990s. Until the late 1980s, the European Community considered itself 'Europe' and European identity applied to Western Europeans. In the early 1990s, however, with the collapse of the Soviet Union, the geopolitical situation changed. The emergence of new Central and Eastern European countries and their interest in EU membership led to a reconsideration of what constituted a European identity, which was no longer evidently Western European.⁹⁷

What, then, was considered 'European' in the 1990s was formulated in the Copenhagen criteria. In 1993, these criteria were drawn up to determine whether an aspirant country is eligible to join the European Union. Together, these accession criteria can be seen as an assessment of the constitutive norms that define European identity according to EU decision makers.⁹⁸ The criteria were formulated as follows:

⁹⁵ Wiener, 'Assessing the Constructive Potential of Union Citizenship', 7, 10-11.

⁹⁶ Ibid., 13-14.

⁹⁷ Ibid., 10.

⁹⁸ Abdelal et al., 'Identity as Variable', 21.

Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities, the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union. Membership presupposes the candidate's ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union.⁹⁹

The accession criteria formulated by the European Council in Copenhagen contain the guiding norms and values to which aspirant member states must adhere in order to qualify for membership.¹⁰⁰ The 1999 Treaty of Amsterdam explicitly added respect for 'fundamental freedoms' to the list of EU principles.¹⁰¹ In a document titled 'Agenda 2000', the Commission evaluated aspirant member states. Elements that the Commission paid attention to were, amongst others, the existence of democratic institutions and independent judicial and constitutional authorities, the holding of free and fair elections, the existence of various political parties and acknowledgement of the role of opposition parties. Other elements included respect for freedom of expression and association, the possibility of citizens to take cases to the European Court of Human Rights, as well as the independence of press. Regarding the economic criteria, the Commission assessed a country's market economy on the basis of elements such as privatisation, liberalisation and the stability of their economies.¹⁰²

4.2 European identity according to Eurobarometer

As discussed in the introduction, European identity according to close-ended quantitative surveys such as the Eurobarometer have been investigated by several

⁹⁹ European Council, 'Conclusions from the Copenhagen European Council: excerpt on the EU accession criteria (21-22 June 1993)', (1993). Retrieved at 27 May 2014 via: <http://www.cvce.eu>, 2, 3.

¹⁰⁰ M. Cini and N. Pérez-Solórzano Borragán, 'Introduction' in: Cini, Michelle and Nieves Pérez-Solórzano Borragán (eds.), *European Union Politics* 4th ed. (Oxford 2013), 3-4.

¹⁰¹ 'Treaty of Amsterdam amending the Treaty on European Union, the Treaties establishing the European Communities and certain related acts, signed at Amsterdam 2 October 1997', *Official Journal of the European Communities* C340 Vol. 40 (10 November 1997). Retrieved on 27 May 2014 via <http://eur-lex.europa.eu>, 8.

¹⁰² European Commission, Agenda 2000. For a stronger and wider Union COM (97) 2000/final, *Bulletin of the European Union* 5 (1997), 39-43.

scholars. Michael Bruter, Angelika Scheuer and Hermann Schmitt, and Dieter Fuchs and Christian Schneider use Eurobarometer data to determine whether a European identity is present amongst European citizens.¹⁰³ Their findings are discussed in this section.

The Eurobarometer, which was already briefly discussed in section 2, is a series of surveys that investigates public opinion regarding the European Union. The Eurobarometer surveys address a wide variety of topics concerning European citizenship, for example European enlargement, health, culture, environment, social and economic situation and the Euro.¹⁰⁴

On the basis of Eurobarometer surveys, it can be concluded that a European identity exists, and that a European identity increased over the last decades in almost all member states.¹⁰⁵ Bruter analyses the influence of symbols on the emergence of European identity, and found that when new symbols are introduced to the public, levels of European identity increase. In addition, news also influences European identity. Member states in which mass media tend to publish predominantly negative messages on the European Union, such as in the United Kingdom and Denmark, a level of European identity is relatively lower than in other member states. Hence, Bruter concludes that institutions and institutional messages have an impact on citizens' political identity.¹⁰⁶ Scheuer and Schmitt argue that a European identity has slowly emerged, and that the highest level of identifications exists in the six founding countries. When it comes to a we-feeling amongst European citizens, most citizens consider peoples of the new Eastern member states as different, therefore 'the East-West continental divide remains detectable'.¹⁰⁷ Fuchs and Schneider notice that 66,9% of European citizens feel either very attached or fairly attached to Europe, which leads to the conclusion that a European identity exists.¹⁰⁸

Hence, the above studies use the quantitative data of the Eurobarometer to determine whether or not a European identity is present amongst European citizens. The authors acknowledge that the Eurobarometer is not a suitable means to

¹⁰³ Bruter, *Citizens of Europe?*; Scheuer and Schmitt, 'Dynamics in European Political Identity', 551-568; Fuchs and Schneider, 'Support of the EU and European Identity', 61-85.

¹⁰⁴ *Public Opinion Analysis: Eurobarometer Surveys*. European Commission. Consulted on June 1, 2014 via: http://ec.europa.eu/public_opinion/index_en.htm .

¹⁰⁵ Fuchs and Schneider, 'Support of the EU and European identity', 74-76; Bruter, *Citizens of Europe?*, 135-140.

¹⁰⁶ Bruter, *Citizens of Europe?*, 140-146.

¹⁰⁷ Scheuer and Schmitt, 'Dynamics in European Political Identity', 563-564.

¹⁰⁸ Fuchs and Schneider, 'Support of the EU and European Identity', 74-76, 82-83.

conclusively determine the content of European identity, but both Bruter and Fuchs and Schneider have set out to make remarks on the content of European identity.

Fuchs and Schneider do use the Eurobarometer to address the question on the content of European identity. They have analysed a 2009 survey in which the Eurobarometer asked: 'In your opinion, which of the following are the two most important elements that go to make up a European identity?' Respondents were given a list of seven elements from which they could select elements that they deemed important for a European identity. The element that was chosen most often (40,8%) by respondents is 'democratic values', followed by geography, social protection, common history and common culture (varying between 21,6% and 26,6%). The two remaining elements were entrepreneurship and religious heritage; from the available options, these were considered the least important elements of the content of European identity.

Fuchs and Schneider acknowledge that the close-ended Eurobarometer surveys have an important trade-off with regard to investigating the content of European identity. Because in the survey, the respondents were given a list of seven preconstructed elements of what European identity might possibly mean to them. Hence, the possible meanings ascribed to European identity is limited and consists only of what the European Community expects that citizens associate with a European identity. The Eurobarometer does not provide insights in how European citizens have conceptualised their European identity themselves, and what it means for them to be European.¹⁰⁹

Bruter uses a different approach to address the question of the content of European identity; through the use of focus group interviews, he tried to determine what it meant for citizens to feel European. The focus groups were organised in the Netherlands, France and the United Kingdom, and contained four to eight respondents each. Questions that were addressed during the interview sessions are respondents' perception of symbols and news on the European Union, their perception of the impact of Europe on citizens' daily life as well as their perception on the meaning of European identity. On the basis of these focus group interviews, Bruter concludes that citizens both have a 'civic' and a 'cultural' identification with Europe. Civic identifiers relate to elements such as the possibility to travel freely within Europe, prosperity and new ways

¹⁰⁹ Fuchs and Schneider, 'Support of the EU and the European Identity', 79-82.

of policy-making, whereas cultural identifiers are associated with the fading of historical divisions, peace, harmony and cooperation between similar people and cultures.¹¹⁰

Although in contrast to the Eurobarometer survey, Bruter's approach allows for a formulation of European identity by citizens themselves, this approach has trade-offs as well. The focus groups are quite small and conducted in only three member states, which renders the representativeness and therefore the generalisability and external validity of the findings questionable.¹¹¹ In addition, the participants were consciously discussing their perception of European identity. As discussed in section 1, the meaning of collective identities emerge for an important part from implicit debates in which participants do not consciously seek to define or revise the meaning of their identity. Therefore, this research focuses on the public debate on topics related to the European Union, from which only a fraction explicitly seeks to define a European identity.

Hence, the Eurobarometer surveys demonstrate that for European citizens, the most important feature of the content of European identity was democratic governance. Other elements that were deemed to be compose European identity were geography, social protection, and a common history and culture, however there was less agreement on the latter features.

Since 1973, European identity has been an element of European policy. In this section, it is discussed how the European Union attempted to foster a sense of European identity amongst its citizens, for example through various symbols, events and endowing them with official European citizenship. Moreover, it appeared how European decision makers formulated European identity. The Copenhagen criteria, which were used to assess if applicant states qualify for EU membership, demonstrated which elements were deemed to compose European identity. The Eurobarometer consisted of categories that the European Commission deemed to compose European identity. These Eurobarometer surveys have been used by several scholars to analyse the sense of European identity amongst European citizens. In order to reveal how European identity was conceptualised by citizens themselves, this thesis now proceeds with an empirical analysis of Dutch political and media debates.

¹¹⁰ Bruter, *Citizens of Europe?*, 150-165, 192-194.

¹¹¹ *Ibid.*, 164.

5. A European identity? Debates in the Dutch parliament

Whereas the earlier sections studied European policy regarding and formulation of European identity, the following sections aim at arriving at a conceptualisation of European identity by Dutch citizens in the period leading up to the referendum on the Constitutional Treaty through an analysis of the Dutch public debate. In the first half of the period studied, the Dutch government held the presidency of the Council of the European Union. During the second half, debates became increasingly concerned with the prospective referendum. This section addresses debates conducted by politicians in the Dutch parliament, and focuses on the discourses that dominated the political debate. These are controversy surrounding Barroso's new European Commission, the project of the European Union as a community of values initiated by the Dutch government, European enlargement, the EU's external policy and the referendum on the Constitutional Treaty.

5.1. Controversy about Barroso's new European Commission

The Dutch presidency faced an important event regarding the institutional structure of the EU. A new European Commission was scheduled to be installed in November 2004, however this did not proceed without difficulties. When the new president of the Commission, José Manuel Barroso, proposed a new Commission, one Commissioner received a fair amount of criticism. Prior to assuming office, the new Commission had to be approved by the European Parliament. The European Parliament could not reject individual members; they could only dismiss the entire Commission.

The controversial Commissioner in question was Rocco Buttiglione, an Italian conservative Roman Catholic, who was the prospective new European Commissioner for Justice, Freedom and Security. Buttiglione's personal views were opposed by many and therefore his suitability as Commissioner was questioned. Buttiglione held a strong opinion about homosexuality, which he believed was a sin, and the role of women, which was to give birth to children and to be taken care of by their husbands.¹¹² These views were condemned by Dutch politicians, who stated that these views violated the Charter of Fundamental Rights of the European Union which forbids discrimination based on

¹¹² 'Europarlementariers wijzen Buttiglione af' *NRC Handelsblad* (12 October 2004), 1.

gender or sexual orientation. Consequently, the Dutch parliamentarians did not consider Buttiglione an apt member of the European Commission, especially not because his prospective portfolio included civil liberties. The parliamentarians urged the Dutch government to condemn Buttiglione for his views, so as to send a signal to the European Union that people who discriminate should not be placed in such a high office. The Dutch government, however, disagreed. They argued that, even though they did not condone discrimination, the appointment of Buttiglione as Commissioner was a matter between Barroso and the European Parliament, and the Dutch government should refrain from intermeddling.¹¹³

Eventually, prior to the vote in the European Parliament, Barroso withdrew his Commission. Although members of the European Parliament had not yet officially voted, it was expected that they would, for the first time in history, dismiss the European Commission. When Barroso proposed a new group of Commissioners, Buttiglione was replaced and the European Parliament approved the new European Commission.¹¹⁴

In a later debate in November 2004, the Buttiglione affair was discussed once again. A Christian democratic politician questioned the course of events in the debate about Buttiglione. He felt that the debate was focused too much on depicting Buttiglione as a discriminator, while Buttiglione, in accordance with freedom of ideas and expression, was fully entitled to hold his views. Holding certain attitudes, he argued, is not discriminating in itself; it would only be discriminating if such views were converted into administrative decisions. The parliamentarian in question, however, did not elaborate on whether or not he believed that it was correct that Buttiglione was rejected because of his views. A member of a more orthodox-conservative Christian party denounced Buttiglione's rejection, which he argued was on the basis of his personal views derived from Christianity. Though not elaborating on discrimination, the parliamentarian argued that Buttiglione's rejection formed a 'black day' for freedom of thought. Others responded by saying that Buttiglione's rejection was justified, because his personal views would have interfered with his position as a Commissioner concerned with civil rights. If his portfolio would have been, for example, Maritime Affairs and Fisheries, his personal views would probably not have been a problem.¹¹⁵

¹¹³ *Handelingen II* 2004/05, 14, p.711-713.

¹¹⁴ 'Het Europees Parlement bekent kleur' *Trouw* (30 October 2004), 19.

¹¹⁵ *Handelingen II* 2004/05, 21, p. 1223-1225, 1237.

Thus, in debates about Buttiglione's candidature, it appeared that anti-discrimination trumps freedom of ideas. Although it was widely agreed that everyone is entitled to hold certain personal views, some views were deemed irreconcilable with the holding of a political office, especially when these personal views might influence the execution of decisions. Indeed, in the Dutch Senate it was argued that because Buttiglione's personal views clashed with anti-discrimination principles, i.e. private views clash with legal positions, doubts about Buttiglione's suitability as Commissioner were well-grounded.¹¹⁶

The fact that Barroso withdrew his prospective Commission under pressure from the European Parliament was a fact that was positively received by Dutch politicians. It was perceived a positive development for democracy in the European Union because the European Parliament, the only European institution that directly represents European citizens, showed that it was able to influence the institutional architecture of the European Union.¹¹⁷ Indeed, in the section 2.2. it appeared that an important argument for a democratic deficit in the European Union was that executive institutions were too powerful in the European Union relative to the European Parliament, which motivated claims of the European Union as being too technocratic. Since the European Parliament showed itself capable of providing counterweight to the European executive institutions, and even influence the composition of the European Commission, this was perceived as an increase in democracy in the European Union.

5.2. The European Union as a community of values

The controversy surrounding Barroso's Commission thus involved a debate about values. In these debates, another prominent aspect of the Dutch presidency resound, which was the project of the European Union as a community of values. This project is based on the premise that the European Union is more than economic cooperation between member states; it is a community of shared values.

The reason for the Dutch government to make the project of a central element of their presidency were important developments in the field of enlargements. In May 2004, ten eastern European states accessed the European Union. In addition, during the Dutch presidency, important decisions were to be made regarding new enlargements.

¹¹⁶ *Handelingen I* 2004/05, 4, p.100.

¹¹⁷ *Handelingen II* 2004/05, 21, p.1217, 1239.

The European Council had to determine whether accession negotiations with Bulgaria and Romania could be finalised, and whether negotiations with Turkey could be opened. The recent enlargement as well as the prospect of new enlargements made the Dutch government decide to emphasise the fundamentals of European integration, i.e. shared norms and values that inhabitants of European member states had in common. The goal was to ensure that those norms and values that were held in high esteem by European decision makers were widely shared, but also that European citizens were aware of the values that they shared with European citizens in other member states, and therefore make them feel more connected with one another, as well as more involved with and supportive of the Europe project.¹¹⁸ In other words, the project of the European Union as a community of values served to emphasise nature and identity of the European Union, improve internal cohesion between the various member states and increase citizens' support for European integration.

At the conferences on European values, it was determined that European citizens are united in diversity. The European Union consists of various cultural and religious traditions, and therefore there exists diversity amongst its citizens. Despite their dissimilarities, European citizens are bound together by shared values, which are freedom, equality, solidarity, respect for human rights and rule of law, and democratic governance. These European values do not serve as a replacement of national uniqueness of member states; instead, the variety in histories, cultures and languages across the European Union was considered an indispensable.¹¹⁹

With regard to the historical roots of these European values, the conferences established that the European values have their origin in numerous religious and philosophical traditions, as well as in the shared experience of the Second World War. European history contained both low and high moments, which have influenced European values. Amongst the lows were numerous eruptions of violence and war on the continent. Highlights of European history include flourishing arts and culture, the Enlightenment, Renaissance, influential thinkers like Charles Montesquieu, and the development of science and technology. With regard to tradition and religion, the Dutch

¹¹⁸ *Kamerstukken II 2003/04*, 29361, 5, p.2-4; J.J. van Dijk, 'Europa als waardengemeenschap', *Internationale Spectator* LVII:6 (June 2004), 316-319.

¹¹⁹ 'Premier: Europa negeert waarden' *NRC Handelsblad* (7 September 2004), 1; 'Europa dreigt knarsend tot stilstand te komen' *Trouw* (8 September 2004), 14; 'Op zoek naar de Europese ziel' *De Volkskrant* (4 September 2004), 13.

Prime Minister Jan Peter Balkenende, who gave several speeches during the conferences, argued that the heritage of the European Union is not solely formed by Greek, Roman and Judaeo-Christian traditions, but has been influenced by Islamic and Arabic traditions alike. The experience of the Second World War brought to the fore the importance of cooperation within a framework of shared values. After the war, European leaders were determined to prevent such a large-scale war from happening again and the ideals of peace, stability and prosperity were widespread and guided European integration in the subsequent decennia. All these elements, Balkenende argued, have shaped the European values that are held in high esteem and valued by citizens of diverse backgrounds in European member states.¹²⁰

In debates in the Dutch parliament, the project of the European Union as a community of values was debated. With regard to the fundamentals of the European Union, parliamentarians agreed that the historical foundations of the EU lie in an attempt to secure peace and security on the European continent after the Second World War. Europeans share a history of fascism, and the cooperation that followed liberation brought peace, security and prosperity for those involved.¹²¹

The parliamentarians agreed with the outcome of the conferences that the central values, which together constitute the European Union as a community of values, were freedom, respect for human rights and the rule of law, solidarity, equality and democratic governance. These values, it was argued, demonstrated that the European Union is more than merely an economic collaboration between states on the European continent.¹²²

Because the European Union signifies more than economic relations, it was deemed important that new member states adhere to these values as well.¹²³ This assumption was already included in EU policy since the early 1990s, when the Copenhagen criteria were drawn up. As discussed in section 4.1.2., the Copenhagen criteria were a set of criteria, both political and economic, to which a state must adhere in order to qualify for membership. These accession criteria included democratic governance, the rule of law, protection of human rights and fundamental freedoms, and

¹²⁰ 'Op zoek naar de Europese ziel' *De Volkskrant* (4 September 2004), 13; 'Europa dreigt knarsend tot stilstand te komen' *Trouw* (8 September 2004), 14; 'We blijven een christelijke natie' *NRC Handelsblad* (11 September 2004), 39.

¹²¹ *Handelingen II* 2004/05, 21, p.1229, 1231.

¹²² *Ibid.*, p.1218, 1229, 1231.

¹²³ *Ibid.*, p.1218.

respect for and protection of minorities, as well as having a functioning market economy. The Copenhagen criteria thus largely correspond to the values that were deemed the central values of European Union by Dutch parliamentarians.

5.3. European enlargement

As discussed above, under the Dutch presidency the Council of the European Union had to make important decisions regarding the possible accession of Romania, Bulgaria and Turkey to the European Union. Because Turkey was by far the most extensively debated applicant state, and the Bulgarian and Romanian cases received substantially less consideration in the Dutch public debates, the scope of this thesis regarding European expansion remains limited to the Turkish case. Debates in the Dutch parliament were mostly concerned with assessing if accession negotiations could be started with Turkey, and whether or not Turkey was a 'European' country in the first place. A decision on accession negotiations was scheduled to be made during the EU summit in December 2004. Prior to this summit, the European Commission has assessed the situation in Turkey. In its recommendation on accession negotiations with Turkey, the European Commission argues that Turkey has made considerable progress in its political reforms in order to meet the Copenhagen criteria. However, there were areas in which Turkey has to improve. These areas include the fight against tortures, freedom of expression, freedom of religion, women's rights and minority rights. Nevertheless, the European Commission is convinced that these areas can be improved significantly within the foreseeable future, therefore the Commission concludes that Turkey 'sufficiently fulfils the political criteria and recommends that accession negotiations be opened'.¹²⁴

In debates in the Dutch Parliament, it was widely agreed that Turkey had made significant improvements over the past decade with regard to the political criteria of the Copenhagen criteria. However, there were concerns about the fact that Turkey did not fully meet the criteria at this point. Concerns were expressed with regard to the practice of torture by Turkish police and in Turkish prisons. According to the Human Rights Watch and other NGO's, tortures occurred regularly, therefore the Turkish government

¹²⁴ European Commission, 'Communication from the Commission to the Council and the European Parliament: Recommendation of the European Commission on Turkey's progress towards accession' COM (2004) 656/final (6 October 2004). Retrieved at 29 July 2004 via: <http://eur-lex.europa.eu>, 9.

failed to protect human rights. As discussed earlier, the guarantee of citizens' human rights was one of the Copenhagen criteria for applicant states.¹²⁵

Concerns were also expressed with the status of religious freedom in Turkey. Although Turkey was formally secularised, the government had a profound influence on the practice of religion in Turkey, whose formal religion was Sunni Islam. The Turkish government finances religion and prescribes the practice and mandatory education of Sunni Islam. Moreover, and this aspect caused particular concern, other religions enjoyed an inferior status. Members of other religious movements such as Shia Islam or Orthodox Christianity had a difficult position in Turkey. They were tolerated by the Turkish government, but they were not allowed to train clergy or to exercise a public function. Protestantism and Catholicism were only allowed as religious movements for foreigners, but not for Turkish citizens. In addition, it was highly difficult for members of religious minorities to build churches or to organise church services. Just like religious minorities, member of ethnic minorities, such as the Kurds, did not enjoy equal rights and opportunities as the rest of the Turkish population. There are considerable restrictions on the exercise of cultural rights for minorities, especially in the areas of broadcasting and education, and it is much more difficult for a member of a minority group to reach a high office. Thus, minorities in Turkey did not enjoy fundamental freedoms and discrimination was still common practice.¹²⁶

Although there was consensus that, despite having made significant developments over the past decade, Turkey still had much to improve in order to fulfil the Copenhagen criteria, opinions differed about what this meant for the further accession procedure. The European Commission had advised that accession negotiations could be opened with Turkey, even though not all political criteria were met. In addition, the European Union would closely monitor the progress of political reforms in order to make sure that Turkey would meet the Copenhagen criteria.¹²⁷ On the one hand, there were those who argued that Turkey should meet the political criteria of Copenhagen before accession negotiations with Turkey could be opened. They argued that the situation in Turkey with regard to human rights and discrimination should meet the standard set by the Copenhagen criteria. If this is the case, only then can Turkey and the

¹²⁵ *Handelingen II* 2004/05, 21, p. 1219, 1222, 1227.

¹²⁶ *Handelingen II* 2004/05, 21, p.1218, 1222; Progress report Turkey 2004, 18, 29-51.

¹²⁷ European Commission, 'Recommendation of the European Commission on Turkey's progress towards accession', 6, 9.

European Union start negotiating about Turkish membership of the EU. It was argued that one could not fiddle with the Copenhagen criteria, otherwise the European Union as a community of values would be subverted.¹²⁸ On the other hand, echoing the Commission's recommendation, it was argued that the fulfilment of the Copenhagen was not a necessary condition for accession negotiations. The Dutch government agreed with the European Commission that Turkey 'sufficiently fulfils' the Copenhagen criteria. In addition, the pace and efficiency with which Turkey has implemented previous laws had made the Commission and the Dutch government confident that Turkey could also effectively implement those laws required to improve the human rights situation in Turkey so that it meets the Copenhagen criteria in due time. An important provision for starting negotiations, however, was that the implementation and the progress of the political criteria were closely monitored by the European Union. Moreover, the Dutch parliamentarians who agreed with the government on accession negotiations with Turkey urged that an 'emergency brake procedure' would accompany the negotiations. This entailed that, in case that EU monitoring shows that the situation in Turkey with regard to the Copenhagen criteria has stopped progressing or even has worsened, the accession negotiations could be aborted. They attached great importance to such a procedure and argued that, on the conditions of close monitoring and the emergency brake procedure, negotiations could be opened with Turkey prior to a complete fulfilment of the Copenhagen criteria.¹²⁹

An implicit notion in the debates about Turkey, which essentially revolved around the question if negotiations could be opened, was whether Turkey's accession to the EU was desirable. Indeed, at the Helsinki summit in 1999, the European Council recognised Turkey as a 'candidate state destined to join the Union'.¹³⁰ Some parliamentarians felt that, because the decision on Turkish candidacy was already taken in 1999, they could no longer conduct a debate about the desirability of a possible Turkish membership of the EU. They argued that, once they raised the question whether Turkey should be considered a European country and whether it was appropriate for Turkey to join the European Union, the government would refer to the Helsinki

¹²⁸ *Handelingen II* 2004/05, 21, p. 1214-1215, 1218-1219, 1237.

¹²⁹ *Ibid.*, p.1219, 1230, 1238-1239.

¹³⁰ European Council, 'Conclusions of the Helsinki European Council: extract concerning preparations for enlargement (10-11 December 1999), (1999). Retrieved at 29 July 2014 via: <http://www.cvce.eu>, 3.

European Council and argue that this question was no longer relevant. This course of affairs was considered undesirable because the public was left out of the debate about the possibility of Turkish accession, and parliamentarians feared there was no public support for Turkish membership. Because parliamentarians noticed widespread concerns about the Turkish candidacy in Dutch society, it was felt that a broad public debate was needed which was not conducted by intellectuals only, but included all segments of society. This way, citizens' concerns could be addressed and citizens could become more involved in European affairs.¹³¹

Another element that was believed to involve the public in the decision making about Turkish accession to the EU was a referendum on the matter. Parliamentarians from various parties called for a referendum once negotiations with Turkey were completed, and thus when Turkey has implemented all political reforms and complies with the Copenhagen criteria. Through a referendum, citizens could be given a say about Turkish membership and the government would be able to carry out a European policy for which there is public support.¹³² The government, however, was not enthusiastic about a referendum concerning candidate member states. They argued that the judgement of whether a candidate state was apt to join the EU should be left to national parliaments, whose judgement is based on its fulfilment of the Copenhagen criteria. If referenda on the accession of candidate states would become common practice, applicant member states would have to meet yet another criterion, which was to fall into good grace with citizens of EU member states. This was deemed unfair towards new applicant states. Because the Copenhagen criteria were the official accession criteria, the government did not agree with adding referenda to the accession procedure for new member states and instead wished to leave the final judgement to the representatives of citizens, the national parliaments.¹³³

Regardless of the argument that the decision on Turkish candidacy for EU membership had already been taken at Helsinki in 1999, and therefore debates about whether Turkey qualified as a 'European country' would not make a difference on the decision-making, some parliamentarians expressed whether or not wished to see Turkey access the European Union. The majority of the parliamentarians were in favour of Turkish membership. They argued that Turkey belonged to the European continent;

¹³¹ *Handelingen II* 2004/05, 21, p.1217, 1225, 1237, 1244, 1257-1258.

¹³² *Ibid.*, p.1217, 1228, 1244.

¹³³ *Ibid.*, p.1273.

therefore Turkey qualified for candidacy. The proponents argued that not only would Turkish membership yield economic growth and more prosperity, but the European Union would also become safer with Turkey as a member state, although they did not elaborate on how safety in the European Union would benefit from Turkish membership.¹³⁴

Opponents of Turkish membership, on the contrary, disagreed that Turkey was a European state. They rejected the geographical argument that Turkey was situated on the European continent. For this reason, they urged the government and EU decision makers to definitively determine where the boundaries of Europe are, so as to prevent future discussions on whether applicant states belong to the EU. Moreover, they argued that Turkey was neither culturally nor religiously connected to other European member states. A member of the right populist party argued that one of the main reasons not to admit Turkey to the EU was because it was a Muslim state. He feared that Turkey would become the EU's largest and therefore most powerful member state while it was religiously very different from other member states. He feared that this would not, as proponents of Turkish membership claimed, would increase safety in Europe, but instead result in reduced safety. According to the MP, Islamic fundamentalists, especially those from the caliph movement, would consider the Turkish accession to the European Union as a choice for the West and therefore perceive it as 'an act of betrayal' of Islamic thought, which would lead to more acts of terrorism. Instead, the parliamentarian argued, Europe's security would be served best when relations between the EU and Turkey were marked by a NATO alliance. As such, Turkey could play the role of mediator between the West and the Middle East, a role that Turkey is not able to fulfil if it becomes a EU member. As a mediator, Turkey is capable of fostering relations between the West and the Middle East.¹³⁵

When in December 2004 the European Council decided that accession negotiations with Turkey could be opened, the proponents of Turkish membership welcomed the decision, and expressed the hope that Turkey, as a modern, democratic state, would eventually join the EU. Others were disappointed with the European Council's decision; although they did support the principle of Turkish membership, they were convinced that Turkey should first meet all the Copenhagen criteria prior to

¹³⁴ *Handelingen II* 2004/05, 21, p.1215, 1228, 1238, 1248.

¹³⁵ *Ibid.*, p.1225, 1233, 1237, 1243

opening accession negotiations. A third group, consisting of those who object to the principle of Turkey as an EU member state, was also disappointed with the European Council's decision because this entailed that Turkish membership was one step closer. As discussed earlier, they were convinced that Turkish membership of the European Union was inappropriate because Turkey was not a 'European' state in the first place, and it was feared that the EU's safety could only negatively benefit from Turkish accession.¹³⁶

5.4. External policy

During the Dutch presidency of the Council of the European Union, the EU's external policy was another topic that was regularly debated. The Dutch government formulated the aim to further develop the external policy of the European Union into an effective, coherent and involved policy. The EU wished to increase its role in the world, not only economically but also as a normative power, for example by endeavouring to break the impasse in the Middle Eastern peace process.¹³⁷ Topics that were discussed most intensively in the Dutch parliament with respect to the European external policy mostly revolved around the EU's attitude towards other states. These debates were for example triggered by international events, such as a prospective association agreement between the state in question and the EU, or war and an act of violence elsewhere in the world.

Association agreement with Lebanon

In March 2005, the Dutch parliament discussed the ratification of an EU association agreements with Lebanon. Association agreements are concluded between the EU and individual states, and serve as a framework for bilateral relations. An association agreement usually covers cooperation in the realms of trade, politics, culture and security. Whether or not the Dutch parliament would ratify an association agreement depended on whether the agreement would contribute to a good relationship between the EU and the state in question, and whether an agreement would have an added value for both parties. The EU could gain from an association agreement in the form of trade benefits or in the creation of a stable area surrounding its borders. For the other state,

¹³⁶ European Council, 'Conclusions of the Brussels European Council: extract concerning enlargement (16 and 17 December 2004)', (2004). Retrieved at 01 August 2014 via <http://www.cvce.eu>, 3; *Handelingen II* 2004/05, 37, p.2464-2466, 2469-2471, 2473-2474, 2477-2482.

¹³⁷ *Kamerstukken II* 2003/04, 29361, 5, p.6-7, 20-25.

added value of an association agreement could consist of trade benefits, but also, as was stated in the Dutch parliament, in conducting a political or cultural dialogue with the EU.

The association agreement with Lebanon was contested. Lebanon was considered politically unstable for two reasons: first, the presence of Syrian troops, and second, the presence of Hezbollah. Syrian troops had been present in Lebanon since the outbreak of the Lebanese civil war in 1976. It was argued that the Syrian presence undermined the sovereignty of the Lebanese government, because it was influenced by Syria. However, Syrian influence was expected to decrease, because Syria had announced to withdraw its troops from Lebanese territory. The presence and influence of Hezbollah was problematic because Hezbollah was considered a terrorist organisation and was added EU list of terrorist organisations. Nevertheless, there were signs that Hezbollah, whose political branch formed a political party in the Lebanese parliament, might develop into a 'serious political party' that would turn away from its military branch and renounce terrorism. However, it was hard to predict which course Hezbollah would take and in which direction the political situation in Lebanon would develop.

Thus, Lebanon had a difficult political situation, however its future was potentially positive; the prospect of the Syrian departure and Hezbollah's realignment offered possibilities for serious political reforms in Lebanon. Lebanon's unstable and unpredictable political situation had divided the Dutch parliament in two camps regarding the ratification of the association agreement with Lebanon. One group opposed the ratification with the argument that Lebanon should first implement political reforms and modernise, and that there should be more clarity as to the influence of Syria and Hezbollah prior to entering into an association agreement. Before concluding an agreement with Lebanon, the EU should have the guarantee that the political situation in Lebanon evolved into the right direction. In addition, it was argued that the prospect of an association agreement might constitute an extra incentive for Lebanon to pursue political reforms, because when Lebanon successfully modernised, it could acquire the association agreement as a sort of reward. For these reasons, it was argued that the ratification of the association agreement should be postponed.

Other parliamentarians disagreed with this position. They believed that, now that Lebanon was on the verge of political reforms, the EU should in fact conclude an association agreement so as to support the process of political reforms and

modernisation in Lebanon. The association agreement was deemed a means to demonstrate that the EU supports Lebanese reformist groups. In addition, the association agreement provides a framework for dialogue with Lebanon, and through dialogue the EU could put pressure on Hezbollah to reform and renounce terrorism, and on Syria to retreat its groups. Hence, the ratification of the association agreement with Lebanon was believed to have a positive impact on Lebanon's political situation, and thus to contribute to democratisation and stabilisation of Lebanon.

The association agreement with Lebanon was not only believed to form a positive contribution to improvements of the Lebanese situation, it was also argued that the agreement could contribute to democratisation and stabilisation in the whole Middle Eastern region. As discussed earlier, the European Union aimed to have stable border areas, and the added value of association agreements for the EU consisted partly in creating a stable area around the EU. Hence, apart from its aim to become a normative power that contributes to the promotion of peace and democracy in other states, it was in the EU's security interests to encourage democratisation and stabilisation in the Middle East. The Dutch parliamentarians hoped that, by concluding an association agreement with Lebanon, which might possibly lead to more stability and democracy in Lebanon, doors would be opened for increased EU influence in the Middle Eastern region and new dialogues with Middle Eastern states, and consequently have a positive effect on the stabilisation of other Middle Eastern states, as well as on the Middle Eastern peace process.¹³⁸

Middle Eastern peace process

The Middle Eastern peace process and the role of the European Union in this process was another topic that provoked debates in the Dutch parliament about the EU's external policy. After an eruption of violence between Israel and the Palestinians in 2004, which consisted of rocket attacks and air strikes back and forth between Israel and the Gaza Strip, the European attitude towards the conflict in the Middle East was debated. In order to end violence in the Middle Eastern region and to break the impasse in the peace process, it was in the Dutch parliament that the European Union should enter into a dialogue with both the Israelis and the Palestinians. In this way, the European Union could be engaged in the Middle Eastern peace process and be able to

¹³⁸ *Handelingen II* 2004/05, 61, p.3928-3935.

urge both sides to ‘take their responsibility’, i.e. to cease fighting and resume the peace process.¹³⁹

At the end of October 2004, it was announced that PLO-leader Yasser Arafat was ill and he would probably pass away within a couple of weeks. This caused concerns about his succession as president of the Palestinian National Authority. Dutch parliamentarians attached great importance to the holding of free elections in the Palestinian areas. Palestinians should be offered the opportunity to democratically choose their new political representative. Moreover, the European Union had to ensure that Palestinian elections would proceed smoothly. As one parliamentarian put it, the European Union ‘has the obligation’ to guarantee fair and transparent elections. The Dutch minister of foreign affairs responded to these statements by assuring that the European Union would assist the Palestinians in their preparations towards elections, and commit itself to ensuring that Palestinians could hold fair and transparent elections. Assistance would consist of technical as well as financial aid, but the EU also planned on sending observers to monitor the elections. In addition, the EU would engage in a continuing dialogue with all parties concerned, including the Israeli government, to attain free and fair elections for the Palestinians.¹⁴⁰

5.5. Referendum on the Constitutional Treaty

Another topic that dominated the debate was the Constitutional Treaty. A nation-wide referendum was scheduled for June 2005, during which Dutch citizens could vote either for or against the ratification of the Constitutional Treaty.

In the Dutch parliament, there was no consensus as to whether the Constitutional Treaty should be ratified or not. The largest parliamentary groups were in favour of the Constitutional Treaty; they argued that it should be accepted because it would increase the EU’s transparency and would lead to a more efficient decision-making structure, as well as making the European Union more democratic, for example through an expansion of powers of the European Parliament and the introduction of a citizens’ initiative. In addition, it was argued that the European Union originated as a project to advance peace and security in Europe, and the Constitutional Treaty improves and reinforces this project. As such, the Constitutional Treaty forms a project of hope for new member states or states that aim to access to the European Union. Whereas a couple of decades

¹³⁹ *Handelingen II* 2004/05, 9, p.446-448.

¹⁴⁰ *Handelingen II* 2004/05, 21, p.1227, 1255-1256; *Handelingen II* 2004/05, 37, p.2478-2479.

earlier the European continent was plagued by disunity and war, now the former hostile states form a unity characterised by cooperation, peace and security, and their achievements and basic rights are guaranteed by a constitution.

Moreover, because the CT clarified the EU's competences in, amongst others, the areas of environment and freedom, security and justice, the Constitutional Treaty was deemed an improvement because transboundary issues such as air pollution and international terrorism could be more effectively addressed. Furthermore, the CT called for a common security and defence policy that included that the EU could undertake military missions outside the EU, with the purpose of peace-keeping, conflict prevention and strengthening international security. For the execution of such missions, the EU could draw from member states' civilian and military capabilities. The fact that the European Union acquired the competence to carry out military operations was welcomed by parliamentarians; they argued that now, the European Union could autonomously address international crises, for examples crises similar to the Balkan Wars, without having to ask the Americans for help, because such operations could to date only be conducted in within a NATO framework.

Not all parties in the Dutch parliament supported the Constitutional Treaty. Opponents of the Constitutional Treaty objected to the consequences of the CT. Members of the Socialist Party argued that the Constitutional Treaty would lead to a thoroughgoing liberalisation of European markets, including the service sector. According to the socialists, the CT would further contribute to a European super state that is solely aimed at pursuing its economic interests. From an ideological stance, socialist denounced the economical aspect of the CT because they argued that the CT emphasised and formalised free and undistorted competition in the entire European economy, hence including areas such as education and health care. This would lead, it was feared, in a demolition of the Dutch social system for the purpose of strengthening the European economy. According to the socialists, the CT strengthens the economy as the nucleus of the European Union; therefore, the central values that were emphasised so heavily by the Dutch presidency, such as solidarity and equality, become increasingly unrecognisable in European policy. In addition, whereas proponents of the Constitutional Treaty argued that it would increase the democratic quality of the European Union, opponents were convinced that the CT was not capable of decreasing the EU's democratic deficit. They argued that while it was true that the European

Parliament's powers were expanded, this was accompanied by a loss of influence of national parliaments. The parliamentarian, however, did not refer to articles of the Constitutional Treaty that proved his argument, and neither did he enlighten his argument. In fact, the role of national parliaments were increased through the Constitutional Treaty because they became de jure responsible for ensuring that EU legislation complied with the principle of subsidiarity.¹⁴¹

Another important reason for opponents to disprove of the Constitutional Treaty and to urge citizens to vote against the CT in the referendum was because they objected to the possibility of Turkish accession to the European Union. This position, however, was heavily criticised by others, because they argued that the referendum about the Constitutional Treaty could not change anything about possible Turkish membership. Turkey could also access the EU on the basis of earlier treaties, therefore rejecting the Constitutional Treaty would not prevent Turkey from accessing the European Union. They disproved that opposing parties used arguments that had no direct relation to the CT, and therefore should not govern citizens' motivations to vote either for or against in the referendum. Indeed, they argued that the public debate preceding the referendum should be 'fair' and purely about the significance of the CT, and citizens should only vote for reasons that are directly related to the Constitutional Treaty, such as its content and consequences. Opponents, however, disagreed that the Constitutional Treaty and Turkish membership were completely unrelated. They were aware that a rejection of the CT would not prevent Turkey from accessing to the European Union, yet they believed that the consequences of Turkish membership could be influenced through voting in the referendum. Opponents argued that, as a consequence of the Constitutional Treaty, the European Union would evolve into a United States of Europe, whereas without the CT, the European Union would remain a 'union of sovereign states [...] who cooperate in the economic field'. They did not object to Turkish accession to a European economic community, however they did object to Turkish membership of a European Union that increasingly comes to resemble a federal state with a president and a minister of foreign affairs. Opponents objected to being in a European Union governed by a constitution together with Turkey because through the CT, they argued, nations with more inhabitants acquire more influence in the decision making process. As a

¹⁴¹ *Handelingen II* 2004/05, 21, p.1234-1235; *Handelingen II* 2004/05, 74, p.4524; 'Treaty establishing a Constitution for Europe', 204-205.

consequence, Turkey would acquire a large influence on Dutch legislation and this, the opponents argued, was undesirable since Turkey was considered considerably different from other European states with respect to geography, culture and religion.¹⁴²

Hence, there was contestation about whether the issue of the Constitutional Treaty and the issue of possible Turkish membership of the EU were interwoven. Those who did observe a relevant connection argued that it was naïve of the Dutch government to expect to start a public debate only about the Constitutional Treaty, shortly after having conducted an intense debate about Turkish accession to the EU from which the parliamentarian deduced that the majority of the Dutch citizens did not desire Turkish membership. Indeed, the issue with public opinion about Turkish EU membership touched upon a broader issue related to the public and the European Union. It was recognised by the parliamentarians that there was a widespread dissatisfaction amongst European citizen about the European Union and their influence on the European decision-making process. Citizens felt that they did not have a say in EU decision-making and, therefore, EU decisions were not made democratically and did not correspond with their preferences. Indeed, as demonstrated in section 2.2., the European Union's 'democratic deficit' included that the European Union was too far removed from its voters. The decision-making procedure in the European Union was perceived technocratic as a result of a lack of effective control by parliamentary institutions. Consequently, policies produced by the European Union are not widely supported by European citizens, which results in a 'policy drift' from citizens' policy preferences. This had been the case with decisions made about Turkish accession, e.g. in 1999 when Turkey was granted candidate status at the Helsinki summit or in December 2004 when it was decided to open accession negotiations with Turkey, as well as with other European decisions such as the introduction of the euro. This caused a feeling amongst citizens that regulations were imposed upon them with which they did not identify.

Attempts to address the issue of European public opinion was not only acknowledged by European decision-makers, as appeared from the People's Europe project discussed in section 3.2., but also in the Dutch parliament where parliamentarians argued that it was important to bring the European Union closer to its citizens. One of the ways in which this issue was addressed by the Dutch government

¹⁴² *Handelingen II* 2004/05, 37, p.2473-2476, 2483-2485.

was through the referendum on the Constitutional Treaty. The parliamentarians that initiated the referendum argued that they intended to involve the citizens in European decision making, and consequently to reduce the feeling amongst citizens that unsolicited regulations were imposed upon them. And it was expected that, since the referendum marked the first time that citizens could pass their judgement on EU policy, that citizens would involve other aspects about which they previously had no say and about which they were dissatisfied, e.g. Turkish accession to the EU.¹⁴³

Thus, there existed confusion about the relation between the Constitutional Treaty and the issue of Turkish accession. As discussed earlier, proponents of the Constitutional Treaty, including members from the Dutch government, criticised others for confusing the debate about the CT with topics that they deemed irrelevant, i.e. Turkish EU membership. Members of the government themselves, however, were more than once criticised for creating confusion and involving irrelevant and erroneous arguments. In a public speech, the Dutch minister of Foreign Affairs had apparently suggested that in some cases, it would be wiser if citizens refrain from voting in the referendum on the CT. This statement was criticised in the Dutch parliament. In light of polls that pointed in the direction of a NO-vote in the referendum, MP's questioned whether the government was served by a low turnout, since the parliament would only take into consideration the results of the referendum if turnout was at least thirty per cent. In response to questions about the nature of his statement, the minister of Foreign Affairs argued that he intended to say that if citizens based their vote on reasons that were not directly related to the Constitutional Treaty, i.e. Turkish EU membership or perhaps dissatisfaction with the introduction of the euro, they should refrain from voting. He rejected claims that he intentionally evoked a low turnout so that the CT would be ratified automatically; instead, he hoped for a high turnout and encouraged citizens to vote, albeit for reasons related to the CT.

The minister's position was not supported in the parliament. Parliamentarians argued that the government should not decide which topics are relevant to inform the citizens' voting preferences in the referendum; instead, citizens decide the relevancy of certain topics. The principles of freedom of choice, debate and public discussion dictate that citizens have the freedom to choose on what grounds citizens decide their position,

¹⁴³ *Handelingen II* 2004/05, 21, p.1225-1226, 1229, 1236; *Handelingen II* 2004/05, 37, p.2473-2476; *Handelingen II* 2004/05, 82, p.4917.

and base their vote. Hence, parliamentarians argued that citizens have the right to vote against the Constitutional Treaty and to do so for reasons that they see fit.¹⁴⁴

At other instances, the government used arguments that were criticised for being erroneous to convince citizens to vote. As the referendum approached and polls hinted at a rejection of the Constitutional Treaty, the minister of economic affairs had, for example, warned that economically 'the light would go out' in the Netherlands in case of a NO-vote, the Prime Minister referred to Auschwitz in his advocacy for the Constitutional Treaty, and the minister of justice warned against 'Balkanisation' of Europe and new wars similar to wars in the former Yugoslavia. These statements were perceived as a government strategy to convince citizens to vote 'YES' by terrifying citizens and by depicting doom scenarios. Opponents of the CT, on the one hand, perceived this government strategy as evidence that the government lacked good arguments to convince people to vote in favour of the CT and, consequently, that perhaps there were no good arguments to ratify the CT. On the other hand, proponents of the Constitutional Treaty, who thus were convinced that there were in fact good arguments in favour of the CT, rather wished that the government promoted the CT positively and that the government emphasised the CT's abilities to strengthen peace and security in Europe and foster a democratic EU.

Although the first two statements by the minister of economic affairs and the Prime Minister were not extensively debated in the Dutch parliament, a parliamentary debate was dedicated to the latter statement by the minister of justice. The minister elucidated his statement by arguing that, since a large amount of people cohabit on a relatively small surface, governmental structures are required to solve conflicts, and protect citizens against crime, the demolition of social security and other possible issues. In order to ensure an effective and efficient approach to these issues, he argued, the Constitutional Treaty was required. Members of the parliament, however, were not convinced and questioned to what extent the Constitutional Treaty would lead to substantial changes, and pointed out that over the last decades, inhabitants of the European Union managed to coexist peacefully without the Constitutional Treaty, but on the basis of voluntary cooperation. Although the minister refrained from providing a clear answer, he implied that through the Constitutional Treaty, the European Union would be able to more effectively address issues such as crime, economic insecurity and

¹⁴⁴ *Handelingen II* 2004/05, 83, p.4961-4965.

social demolition, and that if the Constitutional Treaty would not be implemented, an 'uncontrollable situation' would arise.¹⁴⁵

6. A European identity? Debates in the Dutch media

This section continues to study the Dutch public debate in order to arrive at a conceptualisation of European identity. Whereas the previous section was focused on Dutch political debates, this section studies the debate in the Dutch media as it manifested in newspapers, opinion magazines and talk show broadcasts. The topics that dominated the Dutch media debates with respect to the European Union were the controversy about Barroso's new European Commission, the project of the European Union as a community of values, European enlargement and the referendum on the Constitutional Treaty. Although in the Dutch parliament the EU's external policy received a fair amount of attention, this issue was substantially less debated in the Dutch media and therefore is omitted from this section.

6.1. Controversy about Barroso's new European Commission

The controversy surrounding Buttiglione's candidacy as the prospective European Commissioner of Justice, Freedom and Security, and Barroso's subsequent withdrawal of his European Commission under pressure of the European Parliament provoked responses in the Dutch public debate. The events were met with various responses. It was positively received that the European Parliament managed to pressure Barroso to retract his Commission; this was perceived a victory for the European Parliament as well as for democracy in the European Union. As the only European institution that is democratically elected by European citizens, the European Parliament showed itself capable of acting as counterweight to the 'dictatorship' of the European Commission and the Council of Ministers. Since it was the first time that the European Parliament influenced the composition of the European Commission, it was argued that this had increased, at least momentarily, democracy in the European Union.¹⁴⁶

¹⁴⁵ *Handelingen II* 2004/05, 74, p.4524-4527, *Handelingen II* 2004/05, 82, p.4914-4917; *Handelingen II* 2004/05, 82, p.4950.

¹⁴⁶ 'Europarlement kiest tegen fundamentalisme' *Trouw* (6 November 2004), 18; 'Macht aan gekozenen' *NRC Handelsblad* (28 October 2004), 7; 'Europese Constitutie hinkt nog maar op één been' *NRC Handelsblad* (30 October 2004), 14; *Barend en Van Dorp*, RTL 4 (27/10/2004).

While no one denied that the European Parliament should possess the power to counterbalance the European Commission and the Council of Ministers, nor that the European Parliament's performance had benefited democracy in the EU, the Commission's withdrawal was not perceived positively by everyone. In several opinion pieces, it was argued that Buttiglione's rejection infringed the EU's tenet of 'unity in diversity' as well as the interrelated freedoms of ideas and expression. Commentators questioned whether it was appropriate that a prospective Commissioner was rejected due to his or her personal views, and feared that Buttiglione's rejection meant that European institutions leave no room for conservative catholic beliefs, or any form of orthodox thought for that matter, even though such views are shared by many millions of Europeans in Southern and Eastern European member states. In addition, they argued that the Buttiglione-affair was evidence of EU's intolerance towards dissenters and this demonstrated that the amount of diversity that was tolerated by the EU was limited.¹⁴⁷

6.2. The European Union as a community of values

The series of conferences about the European Union as a community of values, organised by the Dutch government as part of their presidency of the Council of the European Union, did not go unnoticed in the Dutch media. As explained in section 5.2, the Dutch government initiated the project of shared European values in the wake of recent enlargements with ten Central and Eastern European countries in May 2004, as well as in anticipation of possible enlargements with Bulgaria, Romania and Turkey. The central aim of the conferences was to discover what unites citizens from the various European member states. As discussed in section 5.2., the premise of the project was that the European Union was more than merely economic cooperation; citizens were bound together by adherence to shared values. The project of the European community of values served to emphasise the nature and identity of the European Union, to improve internal cohesion between various member states, and to increase citizens' support for European integration.

¹⁴⁷ 'Het Europees Parlement bekennt kleur' *Trouw* (30 October 2004), 19; 'Europarlement kiest tegen fundamentalisme' *Trouw* (6 November 2004), 18; NRC, 'Een Europees Commissaris heeft wel meer aan zijn hoofd' *NRC Handelsblad* (16 October 2004), 16; 'Opvattingen Buttiglione leven in brede kring' *NRC Handelsblad* (27 October 2004), 4; 'Een nog grotere EU is een gotspe' *NRC Handelsblad* (27 October 2004), 7; 'Macht aan gekozenen' *NRC Handelsblad* (28 October 2004), 7.

At the conferences, it was determined that European citizens are united in diversity; citizens are bound together by shared values: freedom, equality, solidarity and respect for human rights. In the Dutch media, those who agreed that the European Union could be considered a community bound together by shared values, supplemented the values of freedom, equality, solidarity and respect for human rights with additional values that they deemed indispensable for the European Union. These values include secular governance, peace, tolerance, democratic governance, rule of law, pluralism, prosperity and fraternity. The values of respect for human rights and equality were often specified in minority rights and gender equality.¹⁴⁸

With regard to the historical roots of these European values, the conferences established that the European values have their origin in numerous religious and philosophical traditions, such as the Enlightenment and the Renaissance, as well as in the shared experience of the Second World War. The Second World War brought to light the importance of cooperation within a framework of shared values. After the war, the shared ideals of peace, stability and prosperity were widespread and guided European integration in subsequent decennia.

By and large, opinion pieces in the Dutch media did not demonstrate a large amount of contestation about the historical roots of the European Union and European values, and neither did the visions in public media differ to a great extent from the image that was brought forward during the conferences on European values. The EU's most important heritage was formed by the Second World War, which in opinion pieces was widely recognised as the episode that motivated European leaders to cooperate in the areas of coal and steel with the purpose of assuring peace and stability on the European continent. As shall be discussed in section 6.4, the efforts of European leaders were not considered fruitless, as it was widely recognised that European cooperation had contributed significantly to sixty years of peace, stability and prosperity in Europe. Moreover, it was also acknowledged in the Dutch media that the Enlightenment and the Renaissance had contributed to shared European values.¹⁴⁹

¹⁴⁸ 'Europa gezocht, maar (nog) niet gevonden' *NRC Handelsblad* (4 December 2004), 6; 'Turkse islam is geen bedreiging' *NRC Handelsblad* (9 December 2004), 9; 'Kerken' *NRC Handelsblad* (28 May 2005), 15; 'Hoe blank is de ziel van Europa?' *De Volkskrant* (15 September 2004), 15; 'Godswonder' *De Volkskrant* (27 April 2005), 13; 'Sociale rechtvaardigheid' *Trouw* (28 May 2005), 12.

¹⁴⁹ 'De Europese droom' *De Volkskrant* (7 September 2004), 13; 'Hoe blank is de ziel van Europa?' *De Volkskrant* (15 September 2004), 15; 'EU moet het idee van de civil society niet te

With respect to religion as a formative factor of the European Union, opinions differed. During the conferences, Balkenende had argued that European values were influenced by both Christianity and Islam alike. In opinion pieces, however, there was contestation about the role of Islam in the European Union, as some authors argued that the European history and the development of European values was essentially a Christian process, and European culture was predominantly a Christian culture. Contestation about this topic occurred predominantly when Turkish membership of the EU was discussed, therefore the role of Islam in the European Union shall be discussed below in more detail.¹⁵⁰

Although the idea of the European Union as a value of communities was supported by a number of authors, others were rather sceptic about the assumption that citizens of various member states of the European Union are bound together by certain European values. They argued that the values that were deemed 'European', i.e. freedom, democracy, equality, respect for human rights etcetera, were indeed Western, or universal values, and therefore not distinctly European. During the conference on European values, Balkenende had referred to the values of freedom, solidarity, equality and respect for human rights as 'universal values', which entails that these values, to use Isaiah Berlin's definition, are 'values that a great many human beings in the vast majority of places and situations, at almost all times, do in fact hold in common, whether consciously and explicitly or as expressed in their behaviour'.¹⁵¹ In other words, universal values are values that are willed and pursued by the vast majority of people all over the world. In opinion pieces, the notions of 'European' values and 'universal' values were deemed incompatible. It was argued that if the values of freedom, solidarity, equality and respect for human rights were universal, they could not be exclusively European, because they could be shared by inhabitants of other states as well. Therefore, the term 'European values' was deemed inappropriate because it suggests that these values are only intended for European citizens.

Others did not object to the notion of 'universal values' to describe European values, however they did agree that the values that were termed 'European' during the

grabbel gooien' *NRC Handelsblad* (8 September 2004), 7; 'Zum ewigen Frieden' *NRC Handelsblad* (26 April 2005), 9.

¹⁵⁰ 'EU moet het idee van de civil society niet te grabbel gooien' *NRC Handelsblad* (8 September 2004), 7; 'Europese waarden – ze zijn er niet' *Trouw* (11 September 2004), 21.

¹⁵¹ R. Jahanbergloo, *Conversations with Isaiah Berlin* (London 1992), 37.

conferences on European values were in fact not exclusively European. They argued that the values were also incorporated in Western states that were not part of the European Union, such as the United States and Canada. Therefore, they felt that it was more appropriate to refer to the highly esteemed values of freedom, equality, solidarity, and respect for human rights as 'Western' values rather than European values, and it was not adherence to these values that provided citizens of the European Union with a distinct European identity.

Because of the generality of values that are deemed 'European', and thus the lack of something distinctly 'European', it was argued that these values cannot serve as a basis for European unity because these values might as well serve as the basis for world unity. Commentators, however, argue that the unsuitability of 'European' values to provide the basis of European unity does not render the search for what it is that binds citizens from European member states together meaningless in advance. Instead, it is argued that European unity must find its basis in something else. In opinion pieces, commentators do not offer conclusive remarks about the unifying factors for Europeans, although it was suggested that geography is an appropriate unifying factor, i.e. citizens of European member states are unified because they inhabit states that are situated on the European continent.¹⁵²

6.3. European enlargement

The project of the European Union as a community of values served to determine what unites citizens from various member states. As discussed earlier, this was deemed relevant in the face of recent and prospective enlargements of the European Union, which increased variety in the EU with regard to culture, language, religion and histories of the citizens of member states. In section 6.2., it appeared that although participants at the series of conferences concluded that it were European values that unite European citizens despite their diversity in other areas, the public opinion as it manifested in the Dutch media was not entirely convinced that the alleged 'European' values provided enough grounds to bind together citizens of various member states. Therefore, it was

¹⁵² 'Geef burger een gidsje met Europese plekken' *NRC Handelsblad* (16 September 2004), 9; 'Balkenendes Europese waarden' *NRC Handelsblad* (23 September 2004), 11; 'Er zijn geen Europese waarden maar alleen westerse waarden' *NRC Handelsblad* (11 December 2004), 17; 'Normen, waarden en negermuziek' *De Volkskrant* (3 September 2004), 13; 'De Europese droom' *De Volkskrant* (7 September 2004), 13; 'Burger is verliezer in steeds uitbreidende EU' *De Volkskrant* (27 October 2004), 13; 'Europese waarden – ze zijn er niet' *Trouw* (11 September 2004), 21; 'Status en rijkdom staan haaks op waarden' *Trouw* (28 December 2004), 15.

argued, it must be something else that made states distinctly European. This quest for qualifications to determine what factors bind states together with other European states, and hence to determine whether or not a state was European, continued in the public discourse about prospective enlargements of the European Union, about which important decisions were scheduled to be made during the Dutch presidency of the Council of the European Union. It was the possibility of Turkish accessions that stirred most debates about its 'Europeanness'.

An important argument of opponents of Turkish accession to the European Union was that Turkey could not be considered a European state; therefore it did not qualify for EU membership. It was argued that not only did Turkey's geographical location render it ineligible for EU membership, but also that Turkey was religiously, culturally and historically too dissimilar from other European Union member states. Commentators argued that since the vast majority of Turkey is situated in Asia, Turkey should be considered an Asian state rather than European and this fact alone rendered Turkey unfit as a member of a union composed of European states. Moreover, Turkey's largest religion is Islam, whereas European states had a predominantly Judeo-Christian tradition. Some authors deemed it indispensable that European states had experienced a somewhat similar history, which included, amongst others, the Enlightenment, the Renaissance as well as the humanist tradition. The absence of these historical traditions, which, it appeared, were deemed important formative factors of European values, provided more reasons to question whether Turkey's candidacy for the European Union was appropriate.

Another reason why opponents argued that Turkey should not become a member of the European Union was because its status of human rights, the rule of law, secularity, religious freedom and democracy did not meet European standards. As discussed in section 6.2., these elements were among the values that were considered indispensable for European nations. Although there appeared to be contestation as to whether these values could be termed European, Western or universal, their role in European policy was significant. When states wished to access to the European Union, their application was evaluated against the EU accession criteria. These criteria included democratic governance, the rule of law, protection of human rights and fundamental freedoms, and respect for and protection of minorities. The political criteria are supplemented with economic criteria; states are required to have a functioning market economy.

Turkey's failure to meet the Copenhagen Criteria caused commentators in the Dutch media to argue that Turkey would be an unfit member of the European Union. One of their arguments was that Turkey lacks sufficient democratic governance because since the death of former Turkish president Mustafa Kemal Atatürk, the Turkish army has monitored the prevalence of secularism in Turkey. During the second half of the twentieth century, the Turkish army has staged several coups to prevent the Turkish government from steering a too authoritarian and too religious course. However, since 2002 the religious Justice and Development Party, led by Recep Tayyip Erdoğan, has headed the Turkish government without interference of the Turkish army, and the army's influence has gradually declined. Nevertheless, some commentators were convinced that the influence of the Turkish army still blocked adequate democratic governance, and that this was evidence that Turkey should not access to the European Union.

Another argument of commentators who were convinced that Turkey should not join the EU was that Turkey's policy towards religion did not meet European standards. They questioned Turkey's secularism and pointed out that Turkey lacked religious freedom. Commentators argued that Turkey could not be termed a secular state. Although since Atatürk's reign, Turkey's government and the army have strictly prevented any religious influence from interfering with politics, the Turkish government had a profound influence on the practice of religion in Turkey. As mentioned in section 5.4., the government finances and prescribes the practice and mandatory education of the states' dominant religion, Sunni Islam. Because this did not constitute a de facto separation of state and religion, it was argued that Turkey could not be termed a secular state.

Apart from Turkey's preoccupation with Sunni Islam, other religions in Turkey enjoyed an inferior status. They were either forbidden by the Turkish government, such as Catholicism or Protestantism, which were not allowed for Turkish citizens but only for foreigners, or their freedoms were restricted. Members of religious movements that were acknowledged by the Turkish government, such as Shia Islam or Orthodox Christianity, were not allowed to train clergy or to exercise a public function, and it was highly difficult for them to build religious buildings or organise religious services. Because of the tight control and restrictions placed on both Sunni Muslims as well as on religious minorities, and therefore the lack of religious freedom in Turkey, authors of

opinion pieces in the Dutch media argued that Turkey could not be a member of the European Union, which was a union of states that did in fact highly value secularism and religious freedom.¹⁵³

Hence, some authors in the Dutch media argued that Turkey could not enter the European Union because it was not European, not only culturally, religiously or geographically, but neither did Turkey meet European standards in areas such as human rights, democracy and freedom. Others, in contrast, were convinced that Turkey could in fact be termed 'European'. They pointed out that over the years, Turkey had successfully endeavoured to meet the Copenhagen criteria. Although the commentators acknowledged that Turkey did not yet fully comply with the criteria, they were convinced that Turkey might do so in due time and applauded the progress that Turkey has made over the years. In order to meet the Copenhagen criteria, Turkey has, amongst others, implemented laws to guarantee the compliance with human rights and reduced the power of the army in Turkish governance. Authors of opinion pieces argued that, as a result of Turkish ostensible successful efforts to reform according to European standards, Turkey became more 'European'. Therefore, Turkey's candidacy for EU membership was appropriate and when Turkey, in the future, fully meets the Copenhagen criteria, it should be able to access to the European Union. Turkey's secularism was often mentioned as a factor that rendered Turkey particularly suited to become a European member state. Whereas opponents of Turkish accession expressed doubts as to the influence of the Turkish government on religious matters, this was not shared by the proponents of Turkish membership. They merely emphasised that religious influence was strictly kept out of Turkish decision making, and therefore Turkey could be considered a secular state. Hence, Turkey's culture, religion or geographical situation, which opponents deemed irreconcilable with other European

¹⁵³ 'Europa moet zijn grenzen kennen' *Vrij Nederland* 65:42 (16 October 2004), 24-25; 'EU moet het idee van de civil society niet te grabbel gooien' *NRC Handelsblad* (8 September 2004), 7; 'Turkije in de EU is spelen met vuur' *NRC Handelsblad* (30 September 2004), 8; 'Turkije op cultureel gebied niet Europees' *NRC Handelsblad* (16 November 2004), 8; 'Er zijn geen Europese waarden maar alleen westerse waarden' *NRC Handelsblad* (11 December 2004), 17; 'Terechte vraagtekens bij Turkije en de EU' *NRC Handelsblad* (27 December 2004), 7; 'Bange politici vrezen het volk' *De Volkskrant* (11 December 2004), 8; 'Turkse kwestie gaat Europa nog opbreken' *De Volkskrant* (4 January 2005), 12; 'Turkije leerde dat EU straffeloos valt te schofferen' *De Volkskrant* (14 January 2005), 11; 'EU-Grondwet versterkt rol kleine landen' *De Volkskrant* (15 February 2005), 12; 'Turkije' *Trouw* (11 January 2005), 12; 'Turkije is een goede buur van de EU - meer niet' *Trouw* (30 September 2004), 16; 'Meerderheid is tegen EU met Turkije' *De Telegraaf* (3 October 2004), 3.

member states, were not considered significant factors in judging whether Turkey's EU membership would be appropriate.¹⁵⁴

In order to invigorate their stance in favour of Turkey's accession to the European Union, commentators in the Dutch media emphasised the advantages of Turkish EU membership. An important argument was Turkish membership would offer the European Union economical benefits. As an EU member, Turkey would bring with it a large market, growth potential, and a relatively young population, which was deemed welcome in light of an aging population in the other member states. Another widely shared argument was that the prospect of Turkish membership would motivate reform-minded forces within Turkey, and reinforce reforms towards more democracy and respect for human rights in Turkey, reforms that were already set in motion in order to meet the Copenhagen criteria. Turkish membership of the European Union would not only prove beneficial for democracy and stability within the enlarged European Union, but it was also argued that with a stable, democratic Muslim state as a member, the European Union could be able to spread democracy and stability over Turkish borders, into the Middle East. Turkey would serve as an example to states in the Middle East that Islam is perfectly compatible with democratic governance. It was hoped that when populations or leaders of Middle Eastern states would perceive benefits coming from democratic governance in an Islamic state, they would feel an incentive to democratise and modernise, either with or without help from the European Union. Amongst the benefits associated with democratic governance that authors in the Dutch media identified were compliance with human rights and fundamental freedoms, i.e. no oppression of the population, as well as prosperity and stability for the states concerned. The European Union, in turn, would benefit from democratisation in the Middle East because it would create stability at the EU's borders, and the threat of terrorism coming from the region was expected to decline since it was expected that Turkey could assist in more effectively tackling the threat of terrorism.

¹⁵⁴ 'Ankara ligt in Europa' *Vrij Nederland* 65:50 (11 December 2004), 6; 'Europese kwestie: mag Turkije in de EU?' *Elsevier* 60:40 (2 October 2004), 24-31; 'Turkije moet een faire kans krijgen' *NRC Handelsblad* (13 September 2004), 7; 'Turkse islam is geen bedreiging' *NRC Handelsblad* (9 December 2004), 9; 'Webcongres is verdeeld over Turkije en de EU' *NRC Handelsblad* (11 December 2004), 16; 'EU wordt juist beter van Turkije' *Trouw* (9 October 2004), 21; 'Populisme Verhagen is CDA-er onwaardig' *Trouw* (12 October 2004), 12; 'Emoties en ratio in debat over Turkije' *De Telegraaf* (7 September 2004), 7.

Apart from emphasising the benefits of Turkish EU membership, proponents also regularly pointed out that the decision regarding Turkish accession had already been made. It was considered pointless to discuss whether it was appropriate that Turkey should access the European Union because at the European Council in Helsinki in 1999, Turkey was already recognised as a candidate for full EU membership. In the Dutch media, some authors of opinion pieces argued that Turkey should access to the European Union because the decision has been made, and the European Union should adhere to its commitments. Moreover, commentators warned for the consequences if the EU would revise its decision. It was feared that denying Turkey membership might greatly disappoint Turkey, increase anti-western and radical sentiments in Turkey and cause Turkey to ally with Middle Eastern states that are hostile towards the West.¹⁵⁵

Whereas proponents of Turkish accession to the European Union emphasised the practical advantages and warned for the consequences if the EU would revise their decision about Turkish membership, opponents in turn emphasised the disadvantages they believed would accompany the accession of Turkey. An important concern of commentators in the Dutch media was that Turkish accession to the European Union would significantly alter the power relations in the European Union. Because of Turkey's relatively large population, it would acquire an influential role in the European Union's decision-making, and thus have an impact on EU legislation and foreign policy. This was considered undesirable due to the differences between current EU member states and Turkey. As discussed earlier, Turkey was considered too different from EU member states with respect to culture, religion and history. Some feared the influence of Islamic culture and religion on the European Union, which they deemed to have a Judaeo-Christian basis. It was argued that the Islam was more traditional with respect to the role of women, and some dubbed it misogynistic. Commentators were concerned that such an attitude towards women might influence EU legislation. Others argued that,

¹⁵⁵ 'Weib' *Vrij Nederland* 65:40 (2 October 2004), 47; 'Ankara ligt in Europa' *Vrij Nederland* 65:50 (11 December 2004), 6; 'Turkije moet een faire kans krijgen' *NRC Handelsblad* (13 September 2004), 7; 'Wereldrijk in wording' *NRC Handelsblad* (6 November 2004), 7; 'Webcongres is verdeeld over Turkije en de EU' *NRC Handelsblad* (11 December 2004), 16; 'Discussie over besluit toetreding Turkije' *NRC Handelsblad* (21 December 2004), 8; 'EU wordt juist beter van Turkije' *Trouw* (9 October 2004), 21; 'Populisme Verhagen is CDA-er onwaardig' *Trouw* (12 October 2004), 12; 'Turkije brug tussen EU en moslimwereld' *Trouw* (16 December 2004), 14; 'Uitbreiding EU bevordert stabiliteit' *De Volkskrant* (7 January 2005), 13; 'Emoties en ratio in debat over Turkije' *De Telegraaf* (7 September 2004), 7; Turkije is in' *De Telegraaf* (8 October 2004), 7; 'Volkswil geeft niet altijd de doorslag' *De Telegraaf* (12 October 2004), 7.

since the accession of Turkey would increase the internal diversity of the European Union, the European Union would become more unstable and it would become increasingly difficult for the EU to effectively make decisions because Turkey's interests might not correspond with those of other EU member states.

In addition, the influx of Turkish immigrants was another concern in the Dutch media. Commentators expected that, with Turkish accession to the European Union, the European principle of free movement of persons would, either sooner or later, also come to apply to Turkey and this would lead to a large wave of immigration to the more prosperous EU member states. Commentators deemed the influx of large amounts of Turkish immigrants undesirable because they feared that this would lead to a tense labour market, increased unemployment, and societal tensions and segregation as a result of the different cultural and religious background of immigrants.¹⁵⁶

Moreover, echoing the proponents of Turkish accession, the opposing commentators noticed that the decision regarding Turkey's candidacy for EU membership had in fact been taken in 1999. Consequently, attempts at discussing the desirability of Turkish membership were often met with the argument that debates regarding this topic were fruitless because the decision has been made and therefore the desirability of Turkish membership was no longer an issue. The opponents of Turkish accession resented the lack of opportunities to enter into a public debate about Turkish membership because they sensed that the majority of the population was opposed to Turkish accession to the European Union. Indeed, the course of events surrounding the decision about Turkish membership was deemed exemplary of the decision-making process in the European Union, in which, commentators argued, decision makers often failed to consult citizens. Consequently, it was argued that the European policy output consisted of decisions that were not supported by citizens, and therefore there was a gap between European politics and European citizens. In the case of Turkish accession, several authors of opinion pieces advocated to hold referenda in European member

¹⁵⁶ 'Europese kwestie: mag Turkije in de EU?' *Elsevier* 60:40 (2 October 2004), 24-31; 'Europa: Turkije? Nee' *Elsevier* 60:50 (11 December 2004), 10; 'Turkije in de EU is spelen met vuur' *NRC Handelsblad* (30 September 2004), 8; 'Turkije is een goede buur van de EU - meer niet' *Trouw* (30 September 2004), 16; 'Emoties en ratio in debat over Turkije' *De Telegraaf* (7 September 2004), 7; 'Meerderheid is tegen EU met Turkije' *De Telegraaf* (3 October 2004), 3.

states, so as to make sure that Turkish membership of the European Union would be supported by European citizens, and therefore would be legitimate.¹⁵⁷

The debate in the Dutch parliament regarding Turkish accession to the European union centered mostly around the question whether or not the European Union should open accession negotiations with Turkey. In the Dutch media, however, the debates mostly addressed whether or not it was desirable if Turkey were to become a member states, and whether Turkey's European Union membership would be appropriate.

6.4. Referendum on the Constitutional Treaty

The referendum on the Constitutional Treaty, scheduled for June 2005, stirred a public debate in the Dutch media. Amongst the commentators, there was no consensus as to whether or not the Constitutional Treaty should be ratified by the Dutch government. Proponents of the Constitutional Treaty often emphasised the merits of European integration in order to invigorate their argument that the CT should be supported by Dutch citizens. They asserted that European integration has led to peace, security and prosperity on the European continent. Whereas the continent used to be characterised by rivalry and conflicts between states, and with the experience of two devastating world wars, the current status of peace in Europe for over sixty years and counting was deemed unique. Peace and stability in Europe was attributed to the interdependence amongst European states that was created through the process of European integration, characterised by cooperation between European countries, initially in the areas of coal and steel and later in an increasing number of economic and political policy areas. This has made war in the European Union inconceivable.

The high level of prosperity for European citizens was deemed the result of stability on the European continent, as well as cooperation between European states that eventually led to the founding of an internal market with free movement of persons, goods and services. The principle of free movement of persons and goods was an element that was regularly emphasised in the Dutch media as an important merit of

¹⁵⁷ 'Europa moet zijn grenzen kennen' *Vrij Nederland* 65:42 (16 October 2004), 24-25; 'Capitulaties' *Elsevier* 60:53 (1 January 2005), 21; 'EU moet het idee van de civil society niet te grabbel gooien' *NRC Handelsblad* (8 September 2004), 7; 'Turkije in de EU is spelen met vuur' *NRC Handelsblad* (30 September 2004), 8; 'Turkse islam is geen bedreiging' *NRC Handelsblad* (9 December 2004), 9; 'Arrogante politici' *NRC Handelsblad* (23 December 2004), 12; 'Geslaagd door soberheid' *NRC Handelsblad* (30 December 2004), 7; 'Bange politici vrezen het volk' *De Volkskrant* (11 December 2004), 8; 'Meerderheid is tegen EU met Turkije' *De Telegraaf* (3 October 2004), 3; 'Turkije is in' *De Telegraaf* (8 October 2004), 7; 'Volkswil geeft niet altijd de doorslag' *De Telegraaf* (12 October 2004), 7.

European integration. Commentators experienced the ease with which citizens could travel, both for work and leisure, to other European member states, as well as being able to study relatively easily in other European member states, often with a scholarship funded by the EU. Because the European Union had been so important in securing peace, security and prosperity in Europe, authors argued that Dutch citizens should vote 'yes' in the referendum on the Constitutional Treaty. For them, a 'yes' vote consisted of the acknowledgement of the merits of European integration and support of the European Union and its policies. Because the commentators supported the European Union and appreciated its merits, it was innate for them to support the EU's new treaty.¹⁵⁸

Moreover, apart from explaining the merits of the European Union, proponents also emphasised the advantages and the improvements that the Constitutional Treaty had to offer. As discussed in section 3.3, the Constitutional Treaty was designed to make the European Union more transparent and democratic through the extension of the European Parliament's powers, the introduction of the citizens' initiative, national parliaments' role as guardians of the principle of subsidiarity and the provision that the Council of Ministers meet in public. In addition, the Constitutional Treaty made the decision-making structure of the European Union more efficient through the expansion of the procedure of qualified majority voting. Proponents of the CT emphasised these innovations as necessary; they argued that, in light of the enlargement of May 2004 with ten new member states, institutional reforms were required to make the European Union more easily governable.

Furthermore, authors argued that with a more efficient decision-making structure, the EU could more effectively address issues such as transboundary crime and terrorism, national and international conflicts, and violation of human rights. Such issues did not only occur within the boundaries of the European Union, but also on other continents. Thus, the commentators ascribed to the European Union the role of a normative and political world power, aimed at advancing peace, security, democracy

¹⁵⁸ 'JA - Max van Weezel' *Vrij Nederland* 66:17 (30 April 2005), 12; 'JA - Sanders' *Vrij Nederland* 66:18 (7 May 2005), 16; 'Webcongres: Grondwet EU voorkomt conflicten in Europa niet' *NRC Handelsblad* (23 April 2005), 14; 'Zum ewigen Frieden' *NRC Handelsblad* (26 April 2005), 9; 'Grondwet verbetert samenwerking' *NRC Handelsblad* (29 April 2005), 7; 'Godswonder' *De Volkskrant* (27 April 2005), 13; 'Grondwet nodig in oorlogsvrije EU' *De Volkskrant* (6 May 2005), 11; 'Voor-stem is een stem voor het wonder van Europa' *De Volkskrant* (27 May 2005), 13; 'Nooit meer oorlog' *Trouw* (7 May 2005), 14; 'Ja tegen grondwet' *De Telegraaf* (14 May 2005), 45; 'Wie een EU wil, stemt straks voor' *De Telegraaf* (18 May 2005), 7; *Barend en Van Dorp* RTL 4 (27 May 2005).

and human rights worldwide. Besides the role of a normative and political power, Dutch authors argued that the European Union should become an economic world power that is able to compete with the United States and Asia. The Constitutional Treaty would attribute to these goals by making the EU's decision-making structure more efficient, but also by providing a common security and defence policy, as discussed in section 3.3. Moreover, the instalment of a Union Minister of Foreign Affairs would provide the EU with an international representative with the purpose of creating continuity and clarity in its foreign affairs.

In addition, the reforms that were designed to make the European Union more democratic and transparent were deemed indispensable, especially in light of debates about the EU's supposed democratic deficit and concerns with a gap between the European Union and its citizens. With these improvements, commentators expected that citizens could become more involved with the EU, for example by putting issues on the Commission's agenda through the citizens' initiative, and the EU could more successfully align its policies with citizens' preference.¹⁵⁹

Others, however, had more trouble forming an opinion about the Constitutional Treaty. It was perceived by many that the Constitutional Treaty was a topic too complicated to be put to vote in a referendum. The Dutch government chose to send the legal text of the Constitutional Treaty to its citizens in order to inform them about its content. This document consisted of over 200 pages of legal articles, which many Dutch commentators perceived difficult to comprehend. In the Dutch media, there were a lot of complaints about the difficulty of the text. As a result, many people felt that they did not

¹⁵⁹ 'JA – Max van Weezel' *Vrij Nederland* 66:17 (30/04/2005), 12; 'JA – Harm Botje' *Vrij Nederland* 66:19 (14/05/2005), 18; 'Ik stem voor' *Elsevier* 61:45 (28 May 2005), 45; 'Grondwet: nu de burger' *NRC Handelsblad* (13 January 2005), 7; 'Met de Europese Grondwet kan je alle kanten op' *NRC Handelsblad* (16 April 2005), 17; 'Grondwet verbetert samenwerking' *NRC Handelsblad* (29 April 2005), 7; 'Kerken' *NRC Handelsblad* (28 May 2005), 15; 'Samenwerking: JA' *NRC Handelsblad* (28 May 2005), 15; 'Lees eerst zelf die Grondwet eens' *De Volkskrant* (3 March 2005), 12; 'De Europese grondwet verdient een ja-stem' *De Volkskrant* 21 May 2005), 15; 'Een volwassen ja asjeblijft' *De Volkskrant* (25 May 2005), 15; 'Samenwerken betekent altijd het opgeven van het eigen gelijk' *Trouw* (27 May 2005), 8; 'Sociale rechtvaardigheid' *Trouw* (28 May 2005), 12; 'Grote problemen gezamenlijk te lijf' *De Telegraaf* (25 May 2005), 7; *Barend en Van Dorp*, RTL 4 (05 May 2005); *Barend en Van Dorp*, RTL 4 (10 May 05); *Barend en Van Dorp*, RTL 4 (26 May 2005); *Buitenhof*, VPRO (29 May 2005).

understand the content of the Constitutional Treaty and its consequences for them, the Netherlands and the European Union.¹⁶⁰

For a group of authors, the confusion caused by the Constitutional Treaty and the complexity of the topic caused them to vote 'no' in the referendum. They felt that they did not want to approve of something of which it was unclear what the consequences would be. Moreover, voting against the Constitutional Treaty was considered a form of protesting against the course of events surrounding the referendum, which was perceived to consist of a topic too difficult to understand for the majority of the citizens as well as the Dutch governments inability to adequately inform its citizens about the content of the Constitutional Treaty.¹⁶¹

Others voted against the Constitutional Treaty because they opposed to the content of the document. Most opponents of the Constitutional Treaty feared the loss of Dutch sovereignty. This fear was stimulated by one passage in the CT, in which it is stated that 'law adopted by the institutions of the Union [...] shall have primacy over the law of member states'.¹⁶² Although, as was pointed out by some, this had been the case since 1964 when the European Court of Justice ruled that Community law has primacy over national law in the areas of EU competences. Hence, the primacy of EU law over national law was not a de facto innovation, however it was the first time that this was explicitly mentioned in the treaties. Nevertheless, the passage in the Constitutional Treaty caused commentators to argue that the European Union would become a 'superstate' that was capable of influencing Dutch policy to a great extent.

Moreover, as a consequence of the loss of national sovereignty, it was feared that the Constitutional Treaty would cause the Netherlands to adopt policies that were not in the Dutch national interest. The process of qualified majority voting of the Council of

¹⁶⁰ 'Ja nee geen mening' *De Groene Amsterdammer* 129 (May 2005), 24; 'Nee! – Robert van de Griend' *Vrij Nederland* 66:17 (30 April 2005), 13; 'Pseudo-opinies over EU' *Elsevier* 61:16 (23 April 2005), 51; 'De Europese grondwet (4)' *Elsevier* 61:19 (14 May 2005); 'Met de Europese Grondwet kan je alle kanten op' *NRC Handelsblad* (16 April 2005), 17; 'Op zoek naar wijsheid' *NRC Handelsblad* (21 May 2005), 2; 'Gepruts' *De Volkskrant* (26 April 2005), 13; 'Grondwetkrant vergoot de kloof' *De Volkskrant* (30 April 2005), 7; 'Bemoeizucht' *Trouw* (20 April 2005), 8; 'Europa en de Fabeltjeskrant' *De Telegraaf* (3 February 2005), 11; *Barend en Van Dorp*, RTL 4 (20 April 2005); *Barend en Van Dorp*, RTL 4 (27 April 2005); *Barend en Van Dorp*, RTL 4 (13 April 2005); *Barend en Van Dorp*, RTL 4 (13 May 2005); *Barend en Van Dorp*, RTL 4 (23 May 2005); *Barend en Van Dorp*, RTL 4 (31 May 2005); *Buitenhof*, VPRO (30 January 2005).

¹⁶¹ 'Bemoeizucht' *Trouw* (20 April 2005), 8; *Barend en Van Dorp*, RTL 4 (20 April 2005); *Barend en Van Dorp*, RTL 4 (13 April 2005).

¹⁶² 'Treaty establishing a Constitution for Europe', 12.

Ministers dictated that most EU legislation had to be adopted through a qualified majority, i.e. by at least 55% of the members of the Council of Ministers, comprising at least fifteen of them and representing Member States comprising at least 65% of the population of the EU.¹⁶³ This led commentators to argue that, since larger states generally have a larger population, the larger states would become more powerful to the detriment of smaller states. Therefore, larger states would be able to pursue an agenda that is in their national interests, but not necessary in the interests of smaller states.

The fear that the Netherlands would lose its national sovereignty and would be compelled to adopt policies that were not in its national interest was further translated into concrete concerns. A much heard argument against the Constitutional Treaty was that the Dutch government would lose control over its immigration policy and its social security policy. Commentators argued that the Dutch government would lose control over its immigration policy because the CT aimed at developing a 'common immigration policy' subject to qualified majority voting.¹⁶⁴ Because of the free movement of persons in the EU, if one state would allow immigrants to enter, they could freely travel to other EU member states. Because the Netherlands has relatively high welfare benefits compared to other European states, commentators expected that immigrants would want to travel to the Netherlands so that, after a few years of work, they could benefit from the Dutch social security system. The Dutch government would not be able to refuse social security to immigrants, because the Constitutional Treaty dictates that all European Union citizens as well as legal immigrants enjoy the same rights with respect to social benefits, health care and social housing.¹⁶⁵ These elements combined caused commentators in the Dutch media to believe that the Constitutional Treaty would lead to an influx of immigrants in the Netherlands who are focused on acquiring Dutch social security benefits. Moreover, the Dutch social security system was already believed to be under pressure due to the disproportionate amount of beneficiaries relative to the, as a result of ageing, decreasing number of workers who can contribute to the social security. Therefore, it was argued that the Dutch social security system could not cope

¹⁶³ 'Treaty establishing a Constitution for Europe', 21.

¹⁶⁴ 'Treaty establishing a Constitution for Europe', 117.; 'The Union's decision-making procedures' Retrieved at August 12, 2014 from:

http://europa.eu/scadplus/constitution/majority_en.htm .

¹⁶⁵ 'Treaty establishing a Constitution for Europe', 444.

with the influx of a large number of immigrants as was expected to be the result of the Constitutional Treaty.

Other policies that were feared to be affected by the anticipated Dutch loss over national sovereignty were the Dutch policies on soft drugs, euthanasia, abortion and gay marriage. These policies were considered pioneering and it was feared that more conservative or religious forces from elsewhere in the European Union might influence these Dutch policies.¹⁶⁶

Another reason for opponents to vote against the Constitutional Treaty was because they were sceptical that the innovations of the CT would have the desired effect. Whereas proponents of the Constitutional Treaty often asserted that the CT would lead to more democracy, transparency and efficiency in the European Union, opponents were not convinced that this would in fact be a result of the CT. They argued that the innovations of the Constitutional Treaty were too marginal to lead to a significant increase in the EU's democratic quality, for instance because the European Parliament would maintain its role as co-legislator with the generally perceived undemocratic Council of Ministers, rather than being a legislator in itself, and its competences did not include all areas of EU legislation. In addition, although European citizens can start a citizens' initiative to put issues on the Commission's agenda, the Commission is under no obligation to undertake action regarding these issues. Moreover, it was argued that the perceived lack of a European public opinion and European political parties prevented the European Union from becoming truly democratic.¹⁶⁷

¹⁶⁶ 'Wie dit leest is gek' *De Groene Amsterdammer* 129:8 (4 March 2005), 42; 'EU wietplannen' *De Groene Amsterdammer* 129 (May 2005), 28-29; 'Europese Unie: lastige keuze' *Elsevier* 61:6 (26 February 2005), 14; 'Begin van het einde' *Elsevier* 61:9 (5 March 2005), 20; 'Referendum: waarom nee beter is dan ja' *Elsevier* 61:15 (16 April 2005), 26-28; 'Brusselse waanzin' *Elsevier* 61:17 (30 April 2005), 20; 'Duister EU debat' *Elsevier* 61:18 (7 May 2005), 41; 'Noodrem' *Elsevier* 61:20 (21 May 2005), 7; 'Grondwet: nu de burger' *NRC Handelsblad* (13 January 2005), 7; 'Webcongres: Grondwet EU voorkomt conflicten in Europa niet' *NRC Handelsblad* (23 April 2005), 14; 'Feitelijke fouten inzake de Europese Grondwet' *NRC Handelsblad* (12 May 2005), 8; 'Ik wil weten voor wel Europa ik ga stemmen' *De Volkskrant* (26 February 2005), 7; 'Grondwet vestigt Europa als staat' *De Volkskrant* (15 April 2005), 11; 'Plan B' *De Volkskrant* (22 April 2005), 13; 'Grondwetkrant vergoot de kloof' *De Volkskrant* (30 April 2005), 7; 'Koketteren' *De Volkskrant* (30 April 2005), 7; 'Europa bemoeit zich nu al met allerlei details EU-Grondwet' *Trouw* (26 April 2005), 8; 'Grondwet 2' *De Telegraaf* (21 May 2005), 2; *Barend en Van Dorp*, RTL 4 (20 April 2005); *Barend en Van Dorp*, RTL 4 (27 April 2005); *Barend en Van Dorp*, RTL 4 (13 May 2005); *Buitenhof*, VPRO (24 April 2005).

¹⁶⁷ 'Nee - Malou van Hintum' *Vrij Nederland* 66:21 (28 May 2005), 10; 'Daarom stem ik tegen de Europese Grondwet' *Trouw* (28 January 2005), 16; 'Europa bemoeit zich nu al met allerlei

Furthermore, although the opponents of the Constitutional Treaty widely agreed with the proponents that European cooperation has provided the European continent with the post-1945 equilibrium of peace, security, stability and prosperity, they did not agree that this provided enough grounds to vote 'yes' in the referendum on the Constitutional Treaty. In contrast, opponents of the Constitutional Treaty argued that because the current constellation of European cooperation has brought peace and stability, the EU should not change this by ratifying the Constitutional Treaty. Hence, the opponents of the CT were satisfied with the status quo and opposed further changes to the constellation of the European Union. Commentators supported the current mode of European cooperation; they perceived no necessity to change European cooperation since its goals had already been achieved. Therefore, they argued that the Constitutional Treaty was not necessary in order to maintain peace, security, stability and prosperity in the European Union. In addition, it was argued that in case a conflict would arise between EU member states, the Constitutional Treaty would not prevent them from waging a war if they wished to do so.¹⁶⁸

6.5. Crossovers

Although two separate sections were dedicated to Dutch political debates and the debate in the Dutch media, it must be noted that the Dutch political and media debates were not strictly separate. Crossovers occurred between the debates, which entailed that participants of one debate sought the audience of the other to voice their opinions. Although debates in the Dutch parliament were not accessible for media commentators, politicians often sought media platforms, such as newspapers or television broadcasts. Through the media, politicians tried to reach the Dutch public in order to inform them or convince them of their views.

The Dutch Prime Minister, Jan Peter Balkenende, gave several interviews to newspapers in order to inform the Dutch public about European affairs by explaining

details EU-Grondwet' *Trouw* (26 April 2005), 8; 'De Grondwet is een grabbelton' *Trouw* (18 May 2005), 8; *Barend en Van Dorp*, RTL 4 (25 May 2005).

¹⁶⁸ 'Ja nee geen mening' *De Groene Amsterdammer* 129 (May 2005), 24; 'Webcongres: Grondwet EU voorkomt conflicten in Europa niet' *NRC Handelsblad* (23 April 2005), 14; 'Geen Grondwet nodig' *NRC Handelsblad* (21 May 2005), 16; 'EU-Grondwet versterkt rol kleine landen' *De Volkskrant* (15 February 2005), 12; *Barend en Van Dorp*, RTL 4 (13 May 2005); *Barend en Van Dorp*, RTL 4 (23 May 2005).

the purpose and results of the conferences on European values, and how this related to Dutch citizens. With respect to the issue of possible Turkish EU membership or the referendum on the Constitutional Treaty, politicians used media platforms to influence public opinion and convince Dutch citizens to go along with their arguments. Politicians also responded to one another and refuted each other's arguments in the Dutch media, for instance in submitted pieces on opinion pages. Hence, they sought to publicly debate salient issues in a manner accessible to a wide audience, so as to engage Dutch citizens in the debate. With regard to the Constitutional Treaty, the politicians sought to influence voting behaviour of citizens in such a way that it aligned with their preferred referendum outcome.

Moreover, by participating in the debate in the media, Dutch politicians attempted to accommodate dissatisfaction amongst citizens about the complexity and ambiguity of the Constitutional Treaty. They used media platforms to clarify the content and consequences of the CT. In addition, politicians regularly commented on arguments that they deemed irrelevant or untrue. Politicians emphasised that certain topics did not play a role in the referendum on the Constitutional Treaty, such as Turkish EU membership, and urged citizens not to let their voting behaviour be influenced by these ostensibly irrelevant arguments. Furthermore, politicians refuted arguments that they deemed untrue, such as the argument that the Constitutional Treaty would lead to an influx of immigrants in the Netherlands who are aimed at acquiring Dutch social security benefits.

The past two sections have given an overview discourses in the Dutch politics and media. Dominant topics included the European Union as a community of values, the prospective accession of Turkey to the European Union and the referendum on the Constitutional Treaty. In these debates, that include contestation over various topics, a European identity is narratively constructed. This thesis now proceeds with analysing the conceptualisation of European identity by Dutch citizens.

7. Conceptualisation of European identity in Dutch public debate

In this section, the content of Dutch political and media debates are analysed using the working definition of collective identity that was formulated in section 1. As a result, a conceptualisation of European identity is formulated. Moreover, since these debates contained critical notes about the European Union, Euroscepticism shall be briefly addressed in the latter part of this section in order to provide a complete picture of how Dutch citizens expressed their Europeanness.

7.1. Conceptualisation of European identity

7.1.1. A theoretical recap

Prior to analysing the conceptualisation of European identity, the working definition of collective identity as discussed in the first section is briefly recalled. This thesis approaches collective identities as narratively constructed, and therefore uses a constructivist approach to collective identity; it is assumed that collective identities are constructed through interaction between group members and their social realities. The working definition of collective identities that is used to identify the conceptualisation of European identity consists of the elements of content, which describes the meaning of a collective identity, and contestation, which refers to the degree of disagreement about the content of a collective identity. It is argued that when there is little contestation about elements of the content of a collective identity, these elements are internalised whereas other elements are less taken for granted.

The content of a collective identity consists of four nonmutually exclusive types. The first is constitutive norms, which refers to the formal and informal rules of group membership. The second type, social purposes, are the goals shared by members of a group. Thirdly, relational comparisons refer to a collectivity's relations and comparisons with other collective identities. The last nonmutually exclusive type of the content of a collective identity are its cognitive models, which are the worldviews and understandings of political and material conditions that underlie the ways of thinking or reasoning of members of a collectivity.

The meaning of a collective identity is discussed and contested either explicitly, which means that the meaning of identity is intentionally discussed, or implicitly, which refers to the everyday implicit contestation of identity that takes place amongst members of a group without their consciously seeking to revise or remake the meaning of the collective identity.

7.1.2. Conceptualisation EU identity from political and media sources

Constitutive norms

The content of European identity is composed of four types: constitutive norms, social purposes, relational comparisons and cognitive models. The first type, constitutive norms, was quite explicitly addressed in debates about the European Union as a community of values. This project served to identify and emphasise the nature and identity of the European Union, with the purpose of making European citizens aware of the values that they shared with citizens in other European member states and, consequently, making European citizens feel more connected with one another. Because the project of European values served to identify what made European citizens 'European', and thus what constituted their identity as 'European', debates about this topic explicitly addressed the normative content of European identity.

During the conferences on the European Union as a community of values, several values that were deemed constitutive of the European identity were discussed. It was determined that the European values were: freedom, equality, solidarity, democratic governance and respect for human rights and the rule of law. Commentators in the Dutch political and media debates who agreed that there were certain values constitutive of the European identity supplemented this list of values with: secular governance, peace, tolerance, pluralism and prosperity. Moreover, and these could be grouped under 'equality', the values of minority rights and gender equality were explicitly mentioned.

In the Dutch political debate, it was widely agreed that the abovementioned 'European' values constituted the European identity, and there was consensus that European citizens were united by more than merely an economic bond. In the Dutch media, however, there was contestation as to whether these norms could be considered constitutive norms of European identity, as they were arguably 'Western' or 'universal' values. Therefore, they could not provide Europeans with something distinctly

European. Consequently, commentators in the Dutch media argued that something else was required to serve as a basis for European unity – something that distinguishes Europeans from members of other collective identities. Geography was opted as an alternative of European values. Indeed, geography played a role in determining the relation between European identity and other collective identities, as is discussed in more detail in the section on relational comparisons.

Although there was contestation about whether these ‘European’ values could serve as constitutive norms for European identity, these values were nevertheless deemed indispensable for European decision making, as became apparent in the procedure that was used by the EU to judge applicant states. Since the constitutive norms of a collective identity comprise the formal and informal rules that define group membership, constitutive norms played a role in determining which state qualified for European membership. The constitutive norms of European identity were operationalised in the Copenhagen criteria, a list of criteria to which a state must adhere in order to qualify for EU membership. These criteria, both political and economic, included democratic governance, the rule of law, protection of human rights and a functional market economy. The political criteria correspond with the abovementioned European values and applicant states were required to have internalised these. The economic criterion adds another dimension to the constitutive norms of European identity, namely that of a market economy.

In debates about Turkey’s application for EU membership, constitutive norms of European identity were implicitly discussed. It was argued that, with respect to the Copenhagen criteria, Turkey had managed to achieve significant improvements. However, several issues caused concerns and were deemed to conflict with European constitutive norms. In both media and parliamentary debates, the practice of torture in Turkish prisons, discrimination of minorities, a lack of religious freedom and influence of the military on Turkish governance raised doubts about Turkish application for EU membership. These practices stood in contrast with European standards regarding human rights, equality, rule of law, secularity, religious freedom and democratic governance. Whereas commentators in the Dutch media mostly debated the question as to whether or not Turkey should become a member of the European Union, Dutch parliamentarians were concerned with procedural steps in the accession procedure. It was because of Turkey’s failure to guarantee European values for its citizens that there

was contestation in the Dutch parliament about further steps in Turkey's accession procedure.

The constitutive norms of European identity help identify appropriate behaviour, not only for member states but also for Europeans. As such, they impose obligations on Europeans to act in a certain way that corresponds with European norms and values. This became apparent in the case of Rocco Buttiglione's nomination for European Commissioner for Justice, Freedom and Security. Because in debates about Buttiglione the appropriateness of his candidacy was the main point of concern, rather than the intention to discuss the meaning of European identity, these are implicit debates about the European identity.

In the Dutch parliament, Buttiglione's views on homosexuality and the role of women were not considered in accordance with European norms because they were perceived to be discriminating regarding homosexuals and women. Hence, non-discrimination was another constitutive norm of European identity. There was, however, contestation about the consequences that Buttiglione's views had for his position as a Commissioner. The resistance against Buttiglione as a European Commissioner had been so comprehensive that Barroso saw himself compelled to withdraw Buttiglione's candidacy as European Commissioner. However, Dutch media and political debates demonstrated that, although there was agreement that discrimination contravened European norms, the withdrawal of Buttiglione's candidacy was perceived to contravene the principle of freedom, more specifically the freedom of thought, ideas and expression. It was argued that Buttiglione's fundamental freedoms were violated since he was refused a position based on his personal views. Hence, it was concluded that, as constitutive norms identify appropriate behaviour for members of the European Union, the European identity appeared to exclude conservative catholic beliefs, or any form of orthodox thought for that matter. European identity thus dictates that in some cases, personal views cannot be acted upon and that personal views might render an individual unfit to exercise a public function.

Political debates on the European Union's external policy also contained implicit references to the constitutive norms of European identity. From these debates, it appeared that the European identity entailed a rejection of terrorism. There was contestation about whether or not the European Union should conclude an association agreement with Lebanon because of the influence of Hezbollah, a terrorist organisation.

The European Union only wanted to cooperate, through an association agreement, with states in which terrorist organisations do not influence the decision making process. However, as is discussed in more detail in the section on the social purposes of European identity, there was contestation about whether the EU should conclude an association agreement with Lebanon after Hezbollah had formally renounced terrorism, or before so as to provide a stimulus for reformist factions in Lebanon.

In debates in the Dutch parliament and media about the Constitutional Treaty, several constitutive norms of European identity were added to the list. These norms were believed to guide public governance; they identified appropriate behaviour and practices of European decision makers. According to Dutch politicians, the decision making process on European level should be democratic, transparent and efficient. Indeed, for proponents of the Constitutional Treaty, the argument that the CT would enhance the EU's democracy, transparency and efficiency formed grounds to ratify the treaty. Implicitly, parliamentary debates on the CT demonstrated that the freedoms of choice, debate, and public discussion were considered important constitutive norms of European identity, when it was argued that citizens should have the freedom to choose on which grounds they formulate their position regarding the referendum on Constitutional Treaty. This was a response to the government's concerns that citizens would vote against the Constitutional Treaty based on arguments that arguably were unrelated to the CT, for example the possibility of Turkish accession to the EU.

In Dutch media debates, commentators argued that that another important constitutive element of European identity was the EU's free internal market with free movement of persons, goods and services. Hence, this constitutive norm described appropriate behaviour for Europeans, which was to participate in a market economy, but it also offered members the possibility to travel freely within Europe, for example for work, school and leisure.

Hence, for European citizens, the constitutive norms on the one hand provided them with basic guarantees, whereas on the other hand constitutive norms prescribed and limited their behaviour. The constitutive norms of European identity ensure citizens that, at least legally, they have certain freedoms and that their human rights are protected against violation by other individuals or governmental powers through the rule of law, which provides citizens with basic securities about their life. Important freedoms that were discussed were the freedom of thought, ideas, and choice, which

entails that European citizens can, to a high extent, organise their own life. The freedoms of expression and public discussion give citizens the right to voice their views and opinions. Moreover, the principle of equality dictates that they are treated alike and enjoy the same opportunities. European citizens are, for example, protected against discrimination. The norm of democratic governance entails that European citizens enjoy democratic rights and therefore, through a set of procedures, they can participate in the decision-making procedure and that the government, as a chosen representative of the citizens, takes decisions that are in citizens' interests. In addition, the constitutive norms of European identity provided European citizens with the possibility to travel freely within Europe and to freely exchange goods and services within EU borders.

However, despite having fundamental freedoms guaranteed, the constitutive norms of European identity prescribe appropriate behaviour for Europeans and therefore oblige Europeans to act in a certain way and limit their opportunities of behaviour. Citizens, as well as European decision-makers were not allowed to act in a discriminating manner. The affair with Buttiglione's candidacy for European Commissioner demonstrated that more importance was added to non-discrimination and equal treatment of citizens, even though this contravened Buttiglione's freedom of thought and expression. In addition, terrorism was not condoned so citizens' European identity prevented them, at least legally, from behaving in such a way that could be labelled 'terrorist'. Moreover, aspirant member states were expected to have internalised the European constitutive norms before they were allowed to access the European Union; they had to conform to a pattern of behaviour typical for European states. As such, the constitutive norms provide for recognition of members of a European identity by on the one hand prescribing and on the other hand limiting manners in which Europeans could act.

Social purposes

Several social purposes of European identity were discussed in political debates in the Netherlands in the year leading up to the referendum on the Constitutional Treaty. In political debates on the European Union as a community of values, the purpose of a shared European identity was explicitly addressed. It was argued that a shared identity based on shared norms served to improve internal cohesion between various member states by making citizens feel more connected to one another. Another related social

purpose according to Dutch politicians was to increase the EU's democratic legitimacy because a shared identity was expected to increase citizens' support for the Europe project. By emphasising those norms that constitute the European identity, and emphasising that those norms underlie European cooperation, it was argued that citizens' support for the Europe project would increase.

In the Dutch media, the social purpose of increasing democracy in the European Union was also addressed. Buttiglione's withdrawal was perceived as an event that had made the European Union more democratic, since it was under pressure of the European Parliament that Barroso revised his Commission. This event was applauded by political and media commentators, which demonstrated that they perceived it a social purpose of the European Union to become more democratic.

When the Constitutional Treaty was discussed, the social purpose of increasing the European Union's democratic legitimacy was also addressed. An argument that was used to recommend the CT was that its innovations made the European Union more democratic, through an extension of the powers of European and national parliamentary institutions, and the introduction of a citizens' initiative. These innovations were deemed capable of reducing the gap between EU decision makers and European citizens, and make citizens more involved with the EU. Consequently, the EU would be able to more successfully align its policies with citizens' preferences. However, in the Dutch media there was contestation as to whether the CT would de facto be able to increase the EU's democracy; they argued that the CT's effects on democracy in the European Union would be marginal or non-existent. Scepticism as to the CT's ability to increase democracy in the European Union often used as an argument to oppose the Constitutional Treaty. Hence, democratic governance was a social purpose of European identity that influenced interests and preferences of Europeans in their voting behaviour.

Moreover, a historical social purpose that constitutes the European identity was regularly emphasised. It was argued that the Europe project found its basis in the shared goal to secure peace and security on the European continent. Therefore, the European Union was the result of cooperation between states that shared the social purpose to prevent war from occurring in Europe and to guarantee a sphere of stability, peace and security for all states involved. Although it could be argued that this goal had been achieved because the states involved in the Europe project had not waged war with one

another after the Second World War, this social purpose continued to influence interests, preferences and goals of members of the European identity. For example, social purposes influenced European policy, and these were implicitly addressed when European policy matters were discussed. In debates on the EU's external policy, which was discussed in the Dutch parliament, the argument that the European Union should advance peace and security played an important role. It was argued that the European Union was a normative power with the task to promote peace beyond the EU's borders. When the association agreement with Lebanon was debated, it became apparent that the EU wished to increase stability in Lebanon. Moreover, it was argued that stability in Lebanon might contribute to stability in the whole Middle Eastern region and have a positive effect on the Middle Eastern peace process. This was in the interest of the EU because this entailed that the European Union would have a stable border area, which in turn would increase safety in the European Union. Hence, the realisation of peace and stability alongside and outside EU borders did not only meet the EU's desire to play a normative role in the world, it was also in the security interests of the European Union.

Apart from advancing peace and stability beyond the EU's borders, it was deemed a social purpose of the European Union to export its constitutive norms to other states. With respect to the EU's external policy, alongside stimulating peace and stability in other regions, the European Union wished to stimulate democratic modes of governance outside its borders. Although there was contestation as to in which phase of political reforms in Lebanon the association agreements should be ratified, either before or after Lebanon had implemented political reforms and managed to modernise, there was agreement that an association agreement would be beneficial for the reform process and could contribute to democratisation in Lebanon. Moreover, if Lebanon successfully achieved political reforms and implemented democratic governance, it was hoped that other Middle Eastern states might notice the positive effects and this might encourage reformist groups elsewhere.

Not only in relation to Lebanon, but also when discussing the conflict between Israel and the Palestinians, social purposes of European identity were addressed. With regard to an eruption of violence between the two parties, it was argued that the European Union should be involved in the peace process and enter into a dialogue with both Israel and the Palestinians in order to urge both sides to stop fighting and to resume peace negotiations. When the question about succession of Yasser Arafat as PLO

leader arose, Dutch politicians argued that free elections should be held in Palestinian areas so as to provide Palestinians with the opportunity to democratically choose their political representative. Furthermore, it was argued that the European Union had the responsibility to ensure that elections in Palestinian areas would be carried out, and that these would proceed in a democratic manner. Hence, it was a social purpose of the European Union to export democratic governance to the Middle Eastern region.

More evidence that the European identity contained the social purpose to advance its constitutive norms beyond the EU's borders became apparent when European enlargement was discussed. The social purpose of exporting the EU's constitutive norms became apparent through the Copenhagen criteria, a list of accession criteria that largely correspond to the central values of the European Union. By requiring that European states fulfil the Copenhagen criteria, the European Union had a tool to ensure that applicant states would internalise European constitutive norms, given that the applicant states were eager to access to the European Union. When the EU would decide to grant an applicant state membership, this signified that the European Union had successfully exported its constitutive norms.

In addition, in the case of Turkish candidacy of European Union membership, it was argued that Turkish membership might stimulate developments towards more democracy and stability in the Middle East. Hence, for some commentators Turkish accession formed a means with which to fulfil the social purposes of European identity.

Apart from exporting its constitutive norms, European enlargement served another social purpose, as became implicitly apparent in the Dutch public debates. It was a goal of the European Union to expand its community with likeminded European states. However, in the case of Turkish accession, there was much contestation about whether or not Turkey could be termed a European state with respect to geography, culture and religion, and therefore whether or not Turkish accession to the European Union was a social purpose

In debates about the desirability of Turkish EU membership, the social purpose increasing the EU's democratic legitimacy implicitly emerged. As previously mentioned, a social purpose of European identity was to ensure democratic legitimacy of the European Union. With respect to Turkey's candidacy for EU membership, there was widespread concern in the Dutch society about possible Turkish membership. For this reason, they proposed to hold a referendum on the topic so as to ensure that the

European policy regarding Turkish accession was in line with public opinion and, thus, to provide EU policy with democratic legitimacy.

Additional social purposes can be deduced from debates on the Constitutional Treaty. These include the aim to make the European Union more efficient and transparent. As a more efficient governmental structure, the European Union could more adequately address conflicts between European citizens and protect citizens against crime, economic insecurity and the demolition of social security. Indeed, the provision of social security was more often referred to as a social purpose, and this purpose caused some commentators to disagree with certain policies. In the Dutch parliament, some politicians disagreed that the CT would guarantee social security; instead, they argued that thoroughgoing liberalisation would result in the demolition of the social system and this provided grounds to reject the Constitutional Treaty.

Moreover, the historical social purpose of securing peace and security on the European continent was affirmed in debates on the Constitutional Treaty, when it was argued that the Constitutional Treaty would improve and reinforce the European Union and thus the project that started out as an attempt to guarantee peace and security for Europeans. Indeed, the fact that European cooperation had brought not only peace and stability, but also prosperity for Europeans was advanced as an argument to vote in favour of the Constitutional Treaty. Hence, this social purpose of European identity was argued to influence the interests and preferences of Europeans with regard to the Constitutional Treaty.

Furthermore, the Constitutional Treaty provided for the social purpose of European identity to increase the EU's normative powers with the goal of exporting peace and security was provided for by the CT, because a common security and defence policy entailed that the EU would be able to undertake military missions aimed at peace-keeping, conflict prevention and strengthening international security without the USA or the NATO. In addition, it became apparent that, apart from a normative and political world power, it was a social purpose of European identity to develop the European Union into an economic world power, able to compete with the USA and Asia. Hence, it was believed that the European Union should have significant influence internationally.

For European citizens, these social purposes put an obligation on Europeans to refrain from behaviour that jeopardises the EU's goals, such as actions that might endanger peace and security in the European Union, and to support policies that

arguably increase the European Union's ability to be an international normative power, such as the Constitutional Treaty. With respect to the EU's international goals, the obligation was mostly attributed to European decision makers to engage in actions that contribute to the achievement of the goal of diffusing peace and security, and the European constitutive norms. These actions included concluding association agreements with states, engaging in the Israeli-Palestinian peace process and assimilate European states that comply with the Copenhagen criteria. With regard to the social purpose to increase the EU's democratic legitimacy, this social purpose defines the interests and preferences of Europeans in the sense that it creates the expectation that Europeans are in favour of democratising measures, for example embodied in the Constitutional Treaty. Moreover, it puts an obligation on EU decision makers to adjust their behaviour in such a way that it might be beneficial for the EU's democratic legitimacy, such as accept measures that are deemed to increase democracy in the EU, for example to hold referenda on salient issues or to increase powers of parliamentary institutions in treaty reforms. The underlying social purpose is to accept measures that can more adequately align EU policies with citizens' preferences. For European citizens, this meant that they should participate in democratic procedures of the European Union, such as voting in referendum on the Constitutional Treaty. For European citizens, the social purposes of European identity meant that these influenced their interests and preferences, for example their voting behaviour in the referendum on the Constitutional Treaty or their attitude towards Turkish accession to the European Union.

Relational comparisons

In Dutch political and media debates, commentators implicitly made relational comparisons with Turkey. The possibility of Turkish accession to the European Union was debated extensively during the Dutch presidency of the Council of the European Union. There was a large degree of contestation as to whether Turkish citizens formed a separate collective identity, or whether they could be included in the European identity.

Some commentators did not question the EU's decision to grant candidate status to Turkey, which implicitly entailed that Turkey was considered European. Others, however, rejected on forehand that Turkey was, or potentially could be, a member of European identity. A much-heard argument against Turkish EU membership was that Turkey was not European because the vast majority of Turkey was not situated on the

European continent. This argument further elaborates on the question surrounding the basis for European unity. As discussed earlier, there was no consensus as to whether 'European' values were capable of providing Europeans with a distinctive European identity, since these values could also be termed 'Western' or 'universal'. As a consequence, an alternative basis for European unity had to be established. For some commentators this alternative basis was to be found in the geographical position of European member states. They argued that what made Europeans distinctly 'European', was the fact that they lived on the European continent. Because Turkey was for the most part situated in Asia, Turkey was considered an Asian rather than a European state, which rendered Turkey unfit for EU membership. Not only did Dutch commentators find Turkey geographically too distinct from other European member states, they also argued that culturally, historically and religiously Turkey did not match European states. In debates on the European Union as a community of values, the heritage from which the European Union derives its values was discussed. During the conferences, Balkenende identified several of the EU's influential historical roots, such as Enlightenment, Renaissance, and both Greek and Roman traditions. It was agreed in the Dutch public debate that these indeed composed the European heritage, and this caused commentators to argue that Turkey was not suitable to become an EU member because it did not experience neither the Enlightenment, nor the Renaissance and nor did it have a European humanist tradition. Whereas European member states had somewhat of a corresponding culture and history, Turkey's cultural and historical experience was considered significantly different.

Moreover, during the conferences Balkenende had argued that European values had been influenced by both Judeo-Christian and Islamic traditions alike. Whereas there was not much contestation on the former elements, Balkenende's views on religion as a formative factor of the EU were met with resistance. It was argued that European culture and values were quintessentially informed by Christianity and not by Islam. Indeed, the argument that the European Union has a Judeo-Christian heritage was used as an argument against Turkish membership of the European Union. Because Turkey was a Muslim state with a predominantly Islamic tradition, commentators argued that Turkey was too distinct from European states to become a member of the European Union.

Another reason why Turkey could not be included in European identity was because it did not fully comply with the constitutive norms of European identity. Turkey was considered to fall short with respect to secularism, religious freedom and compliance with human rights. Although this group of commentators considered Turks to compose a separate collective identity, this group did not exclude Turkey from European identity per se. However, they demanded that Turkey internalise European constitutive norms before Turkey could be considered part of the European identity.

In the statements of Dutch commentators who a priori exclude Turks from European identity based on geography, culture, history and religion, a hostile perception on the relation between the European identity and Turkish identity can be observed. It was argued that Turkish accession would alter power relations in the European Union.

As a relatively large state, it was feared that Turkey would acquire significant influence on European decision making, this was deemed undesirable because commentators questioned whether, considering Turkey's distinct geographical position, culture and religion, the Turkish interests corresponded with European interests. Moreover, commentators feared that Turkish EU membership would be accompanied by open borders, resulting in a large influx of Turkish immigrants. This was deemed undesirable for economic reasons and, considering the distinct cultural and religious background of Turks, a large influx of Turkish immigrants was feared to create social tensions and segregation. Since there was such a large degree of contestation on the matter of the relation between Turkish and European identity, it can be argued that this aspect of European identity was not taken for granted but rather a highly disputed element of European identity.

Cognitive models

The cognitive content of European identity contains a strong belief in certain values as being supreme, or pre-eminently good. These values include the values that were determined to constitute European identity: freedom, solidarity, equality, respect for human rights and rule of law, and democratic governance. Hence, underlying European identity is a strong belief in the justness of these values, and the conviction that these values should guide social, political and economic life. The justness of these values is not deemed to be bound by time or place, which became apparent from the fact that in the Dutch public debate, these values were given the term 'universal' values.

The belief in these universal values that form the cognitive content of European identity has significantly shaped preferences of Europeans and influenced European policies. In the Dutch debates, it became apparent that commentators believed that even though not everyone on the world lives by these values, does not mean that they shouldn't strive to do so. Moreover, a sense of responsibility was inherent in the cognitive content of European identity. From the Dutch debates, it can be deduced that Europeans were deemed to be responsible for the diffusion of universal values, so as to ensure that people worldwide are guaranteed freedom, equality, human rights, democratic governance and the rule of law.

In European policy regarding applications for membership, the influence of cognitive models of European identity became apparent. The cognitive content influences interpretation of a state's status and judgement of whether a state could join the European Union or not. A state had to comply with the Copenhagen criteria prior to be able to become an EU member. The procedure of the Copenhagen criteria was evidence of the EU's sense of responsibility to spread universal values, since the benefits of being a full EU member were only provided once an applicant state had successfully internalised the values.

The Dutch political debates demonstrated that the strong belief in values and the sense of responsibility as cognitive model of European identity underlie the EU's external policy, for example with regard to Lebanon or the conflict between Israel and the Palestinians. This policy was partly aimed at advancing democracy, but also peace and stability in regions outside of the EU's borders. In stable, democratic states, the European Union would be better able to exert its influence and promote its values.

One of the pre-eminently good values was democracy. The belief that citizens should either directly or indirectly be able to participate in European governance was an important element of the cognitive content of European identity. As discussed above, Europeans were convinced that all states should be governed through a democratic system, as became apparent when discussing the European external policy. Evidently, the importance of democracy also influenced interpretations and judgements concerning internal European affairs. When Buttiglione's candidacy was withdrawn under the European Parliament's pressure, the fact that this was evidence of democracy in the European Union was positively received. Moreover, this cognitive content has significantly influenced perceptions of good policy, as it was argued that policies were

required to be aligned with citizens' preferences. In order to ensure this, citizen participation through democratic institutions was deemed necessary. Indeed, the cognitive model of European identity has severely influenced perceptions of legitimacy, since European policies were judged based on the involvement of citizens in the decision-making process and alignment with citizens' preferences. As discussed in section 2, a lack of democracy in the European Union was argued to form an important part of the legitimacy crisis of the European Union, since insufficient democracy prevents the European Union from acquiring input legitimacy.

7.2. Euroscepticism in the Dutch public debate

In sections 5 and 6, it became apparent that not all commentators expressed themselves positively about the European Union. Therefore, it can be concluded that a fair amount of Euroscepticism is present amongst Dutch citizens. Euroscepticism poses a problem for the EU's legitimacy because it means that public support for the European Union is lacking. Even though the study of support for the European Union falls beyond the scope of this research and demands a different research focus, Euroscepticism is briefly addressed in order to provide a complete picture of how European citizens expressed their Europeanness. As Bruter demonstrated, Euroscepticism does not contradict European identity; an increasing European identity can in fact be accompanied by an increase in Euroscepticism. This can be explained by the fact that citizens become more concerned with and therefore critical of the European Union as it is and as it is developing.¹⁶⁹

7.2.1. Assessing Euroscepticism: conceptual clarification

In order to assess Euroscepticism that was expressed in the Dutch public debate in the year leading up to the Constitutional Treaty, the conceptualisation used by Cas Mudde and Petr Kopecky is used. Mudde and Kopecky distinguish two dimensions 'through which support for European integration in general, and scepticism about European integration in particular can be studied'. The first dimension is *diffuse* support. Diffuse support refers to support for the general ideas of European integration that underlie the

¹⁶⁹ M. Bruter, 'Legitimacy, Euroscepticism and Identity in the European Union – Problems of Measurement, Modelling and Paradoxical Patterns of Influence', *Journal of Contemporary European Research* 4:4 (2008), 276.

European Union. These general ideas have a political and an economic element, which are institutionalised cooperation based on pooled sovereignty and an integrated liberal market economy. The second dimension is *specific* support, which denotes ‘support for the general practice of European integration; that is, the EU as it is and as it is developing’.¹⁷⁰

In the Dutch public debate studied for this thesis, the general ideas that underlie European integration were hardly contested, therefore the dimension of diffuse support for the European Union is not given further consideration. The statements that expressed traces of waning or lack of support for the European Union pertained the dimension of specific support. Therefore, this brief overview of Euroscepticism in the Dutch public debate only addresses specific support. According to Mudde and Kopecky, the dimension of specific support functions to separate EU-optimists from EU-pessimists. Whereas the EU-optimists are positive about the European Union either because they are satisfied about the way it is operating or about the direction into which the EU is developing, EU-pessimists do not support the European Union as it is at the moment, or are pessimistic about the direction of its development.¹⁷¹

7.2.2. Assessing Euroscepticism in the Dutch public debate

In the Dutch media and political debates, a lack of support for the European Union became apparent at several instances when citizens’ influence on EU decision-making was discussed. EU-pessimists were dissatisfied with the European Union because it lacked democracy. It was argued that the EU failed to consult its citizens – important decisions such as the decision to grant Turkey candidate status in 1999 were taken without a broad public debate. They perceived this issue not only in the events surrounding decisions about Turkish EU membership, but argued that this is exemplary of the decision-making process in the EU. Consequently, the European Union was criticised for not being sufficiently democratic and produced a policy output that is not supported by its citizens. Therefore, a gap existed between the European Union and its citizens.

The feeling that the European Union only produces policies that are not in accordance with citizens’ preferences led to diminished support for the European Union

¹⁷⁰ P. Kopecky and C. Mudde, ‘The Two Sides of Euroscepticism: Party Positions on European Integration in East Central Europe’ *European Union Politics* 3:3 (2002), 300-302.

¹⁷¹ Mudde and Kopecky, ‘The Two Sides of Euroscepticism’, 302.

as it is at the moment and the direction of its development. Because this does not provide insight into commentators' support for the general ideas of European integration that underlie the European Union, these expressions of Euroscepticism are considered to relate to specific support for the European Union.

The decreased support for the European Union as a result of a lack of democracy, in turn, further decreases the democratic legitimacy, or input legitimacy, of the European Union since, as Scharpf demonstrated, for this type of legitimacy policies should be reflect the will of the people.¹⁷² As was acknowledged earlier in section 7.1., when the goal of increasing the European Union's democratic legitimacy was identified as a social purpose of European identity, the lack of democracy and democratic legitimacy of the European Union was inherent to the European identity. Hence, both the element of Euroscepticism and the realisation that the European Union lacks democratic legitimacy demonstrates that European identity allows for self-reflection and self-criticism.

¹⁷² Scharpf, *Governing in Europe*, 6.

Conclusion

The aim of this thesis is to arrive at a conceptualisation of European identity by European citizens. It appeared that in academic literature there is a widespread concern with the democratic legitimacy of the European Union, and European identity is considered inherent to democratic legitimacy. In academic debates, the relationship between European identity and the EU's democratic legitimacy is portrayed as a causal one in a formal model from a constitutional, judicial perspective. In the debate on the EU's democratic legitimacy, much attention has been paid to the dependent variable democratic legitimacy, what democratic legitimacy is and how it can be achieved. Grimm and Scharpf argue that, in order to increase the EU's democratic legitimacy, it was indispensable that a thick sense European identity was present amongst European citizens, something that they deemed absent to date. Hence, they are convinced that a European identity is a necessary condition for democratisation in the European Union, and therefore for the EU's input legitimacy. Habermas disagrees with this view and rejects the notion of European identity as a necessary condition for democratic legitimacy in the European Union. In contrast, Habermas is convinced that a sense of European identity amongst citizens emerges from their participation in a democratic process.

Despite the fact that authors consider European identity as an independent variable in the debate on the democratic legitimacy of the European Union, the concept of European identity has received little consideration. Scharpf, Grimm and Habermas fail to elucidate the concept of European identity. A definition of the concept remains limited to Scharpf's perceived 'essential sameness' or Grimm's 'awareness of belonging together'. Regardless of whether the relation between the EU's democratic legitimacy and European identity is correctly portrayed as a causal one, it can be argued that European identity is nevertheless considered inherent to the EU's legitimacy. In other words, great importance is attached to European identity for democratic legitimacy of the European Union. Therefore, this thesis aims to fill the gap in the academic debate about the EU's democratic legitimacy and has set out to provide more clarity about European identity and to determine what European identity actually is.

In the second, third and fourth sections of this thesis it is demonstrated that, like in the academic debate, European decision makers ascribed great importance to European identity when the EU's democratic legitimacy was considered; they have been concerned with increasing the EU's democratic legitimacy through the construction of a European identity. The creation and intensifying of a European political Union was accompanied by the argument that the European Community lacked a demos, which prevented attempts at democratisation from becoming successful. From the 1970s onwards, European decision makers set out to foster a sense of shared identity amongst citizens. The purpose of a shared European identity was to make European citizens feel more connected with the European Community so as to acquire support for EC policies. Paradoxically, however, Eurobarometer surveys have demonstrated that a sense of European identity has increased in all member states since the 1970s, while concerns with the European Union's democratic legitimacy all but decreased and, since the 1990s, came to dominate the public debate as well. A possible explanation for this seemingly paradoxical development might be that as citizens increasingly identify with the European Union, they feel more involved with the EU and therefore are more concerned with its status and development. Consequently, as they come to care more about the EU, citizens become more critical of the European Union as it is and as it is developing.

The shared European identity, as formulated by European decision makers from the 1970s onwards, comprised that members of the European identity were united through the political will to construct a shared Europe and share values and principles. Moreover, it was acknowledged that there existed considerable differences with respect to national cultures amongst members of European identity, however this variety was perceived an integral element of European identity. A further formulation of 'Europeanness' by European decision makers can be found in the Copenhagen criteria, which comprised criteria to which aspirant member states had to comply prior to being able to access to the European Union.

The fifth, sixth and seventh sections contained a study and analysis of the sources from which a conceptualisation of European identity is deduced. In order to arrive at a conceptualisation of European identity, a constructivist approach of collective identities was used. Collective identities are considered narratively constructed, and consist of the dimensions of content and contestation. The conceptualisation of European identity is derived from a variety of sources: newspaper articles, opinion magazines, TV show

broadcasts and proceedings of the Dutch parliament. In the Dutch political and media discourses, the European identity was predominantly implicitly debated, which means that European identity was conceptualised in Dutch debates without the participants consciously intending to shaping European identity. During debates on the European community of values, European identity was explicitly and therefore intentionally shaped.

With regard to the conceptualisation of European identity, it can be concluded that European identity is a fluid and multi-faceted social construct. European identity is composed of multiple factors, emerges from narratives between group members and their social realities, and is subject to change through public discourse among European citizens. The content of European identity comprised four types: constitutive norms, social purposes, relational comparisons and constitutive norms. A number of norms composed the constitutive norms of European identity. These include the norms that had been acknowledged by European decision makers in the Copenhagen criteria: freedom, equality, solidarity, democratic governance and respect for human rights and rule of law. Other norms that Dutch citizens deemed indispensable for European identity were secular governance, peace, tolerance, pluralism, and prosperity. For European citizens, the constitutive norms of European identity meant on the one hand that they enjoyed basic guarantees, but on the other hand prescribed and limited their behaviour. This included that citizens' human rights were protected; they were given equal opportunities and protected against discrimination. On the other hand, citizens were obliged by these norms to act in a certain way and refrain from discriminating acts or terrorism. In addition, since new member states had to have internalised the European constitutive norms, these provide for recognition of members of a European identity by both prescribing and limiting manners in which Europeans could act. However, although it was not denied that these values played an important role in European policies, and that European decision making as well as citizens' behaviour should adhere to these values, it was contested whether these values could serve as the basis of European identity, since they could also be termed 'European' values.

The social purposes of European identity include the purpose of the advancement of peace and security for European citizens, the purpose of making the European Union more democratic and the goal to turn the European Union into a normative, political and economic world power. The social purpose of advancing peace and security on the

European continent was considered the foundation of European unity, and an important merit of European integration was that war, political violence and genocide in Europe was overcome. For European citizens, social purposes put an obligation on them to engage in practices that contribute to the achievement of these goals. For decision makers, this meant that they should not only strive to advance peace and security internally in the European Union, but also export these and other constitutive norms outside its borders. In addition, citizens were expected to participate in democratic procedures of the European Union, such as voting in the referendum on the Constitutional Treaty.

The relational comparisons of European identity were a much contested element of European identity, and therefore cannot be considered an internalised element of European identity. There was a large degree of contestation about whether or not Turkey could be included in the European identity. Whereas some did not consider the possibility of Turkish EU membership problematic, other argued that Turkey was not European with respect to culture, geography and religion. In fact, they observed a hostile relationship between the Turkish collective identity and the European identity, since they expected that Turkish inclusion in the European Union would have negative effects on members of the European identity. Hence, it was argued that the European identity had distinct boundaries, and that the boundary of the European Union runs along the Turkish-European border. When discussing the constitutive norms, it became apparent that there was contestation as to whether the norms could serve as the basis of European identity, and it was argued that perhaps something else was required to unify Europeans. From the relational comparison, it appeared that some Dutch commentators argued that there were geographical limits to the European identity, and thus that European identity had a geographical basis. Moreover, distinct cultural and religious elements, which Turkey arguably lacked, were deemed to unite European citizens.

The cognitive content of European identity consists of a strong belief in certain values, which correspond with the EU's constitutive norms, as being supreme or pre-eminently good. For European citizens, the belief in the justness and universality of these values has significantly influenced their judgement and perception, either consciously or not.

The European identity as a fluid, multi-faceted construct includes the belief in values and the aim to incorporate these in daily life as well as a sense of responsibility to

spread these worldwide. In addition, the ambition and vision to become a democratically legitimate and influential world power shapes the identity of Europeans. Members in the European identity were those who were situated on the European continent, although the geographical location and cultural and religious background raised doubts as to the inclusion of Turks in the European identity.

The sources that were used to conceptualise European identity have the advantage that these allow for the possibility to investigate how citizens themselves have conceptualised their sense of European identity, and what it meant for them to be European, in contrast to other researches that are based on close-ended quantitative Eurobarometer surveys that use preconstructed categories of identity. Several outcomes of the above conceptualisation of European identity by Dutch citizens correspond to the outcomes of the close-ended quantitative Eurobarometer surveys. The elements of democratic governance, geography, protection and security, and a common history and culture as content of European identity were proved by both methods. The qualitative analysis used in this thesis, however, provided a more thorough and more extensive representation of European identity. Elements such as the shared goals of members of the European identity, relational comparisons with members of other identities and cognitive models underlying European identity were demonstrated in this thesis, whereas these remained out of the picture in the Eurobarometer surveys. Therefore, this research has contributed to current academic literature on the content of European identity by providing a more thorough and complete picture of what constitutes the European identity and what European identity means for European citizens.

Although the Dutch public and media debates as sources have proven to provide a more thorough and extensive representation of European identity than earlier methods, these sources have one trade-off. It would be difficult to precisely ascertain how the general population conceptualised their sense of European identity since it is often a select group that participates in the public debate. However, it is argued that public opinion is shaped through the media and politics; therefore it can be assumed that public discourses play an important role in shaping and influencing the opinion of citizens and, consequently, the outcome of this thesis might be considered representative.

In the debate in academic literature on the EU's input legitimacy, Grimm, Scharpf and Habermas consider European identity to act as the independent variable that

modifies input legitimacy. However, despite the importance ascribed to European identity, scholars failed to elucidate the concept of European identity and their descriptions remained limited to a perceived 'essential sameness' or an 'awareness of belonging together'. This thesis demonstrates that there is much more to the matter. The investigation into the Dutch public discourse revealed a comprehensive conceptualisation, and demonstrates that European identity is a multi-faceted, fluid construct that is subject to change.

The outcomes of this thesis as to the conceptualisation of European identity raise questions about the approach used in the academic literature on the EU's democratic legitimacy. When Grimm, Scharpf and Habermas debate European identity as a necessary condition for the EU's democratic legitimacy, they portray European identity as a stable social fact, as something that is either present or not, i.e. Europeans either feel a sense of belonging together or they do not. The authors approach democratic legitimacy through a formal model from a constitutional perspective that postulates the relationship between the EU's democratic legitimacy and *the* European identity as a causal relationship between dependent and independent variables. The outcomes of this research, however, suggest that such an approach might not be suitable to deal with the versatile nature of European identity. Grimm, Scharpf and Habermas make a sharp distinction between democratic legitimacy and European identity as two separate variables. This research, however, indicates that such a distinction might not always apply. An overlap between the two elements has become apparent when social purposes of European identity were discussed. It became clear that the pursuit of democratic legitimacy was actually inherent to European identity; therefore it might not be fruitful to assume in advance that European identity and democratic legitimacy solely relate to one another as two separate variables. Since the representation of Grimm, Scharpf and Habermas of European identity as a stable social fact that is either present or not does not correspond with the outcomes of this research as to the fluid, multi-faceted nature of European identity and what European identity means for European citizens, the value of their approach towards the EU's democratic legitimacy is questioned. Can an approach that postulates a causal relationship between European identity and democratic legitimacy, yet does not adequately acknowledge the nature of European identity, yield meaningful conclusions? Therefore, it seems worthwhile to explore alternative approaches towards the European Union's democratic legitimacy that

acknowledge the multi-faceted and fluid nature of European identity and whether alternative approaches are more suitable to assess if there is in fact a relationship between European identity and democratic legitimacy, and what the nature of this relationship might be.

Furthermore, for limits of time and space, this thesis is limited to the conceptualisation of European identity in the Netherlands in the year prior to the Constitutional Treaty. Although this thesis has offered insight in the conceptualisation of European identity, it cannot offer conclusive remarks about European identity in the whole European Union and over a longer period of time. Thus, the image of European identity provided in this thesis might just be a snapshot since, as it was argued, European identity is continuously shaped and reshaped through contestation amongst group members. It would therefore be highly interesting to assess how European identity has evolved over time, which dimensions have been included for a long time and which ones have been added more recently. In addition, it might be interesting to investigate if the conceptualisation of European identity by Dutch citizens corresponds with the conceptualisation in other European member states, or if the Dutch conceptualisation of European identity has unique elements. Hence, in conjunction with the definition of collective identities provided by Abdelal et al., the outcomes of this paper offer possibilities to conduct a further in-depth investigation into European identity and what it meant for citizens to be European.

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