

Essay

The Birth of the European Citizen Out of the Dutch No Vote

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Dutch government disoriented and confused. Confusion and surprise are normal. Confusion becomes visible. Gap between authorities and people is part of political life. Citizenship aspects. Citizenship cannot be produced. Community of fate. Institutions and routines needed.

Politicians are confused, and there is a gap between the voters and the political class. These are the two hard truths that the Dutch referendum on the European constitutional treaty has made plainly visible to everyone. Opinions differ about the meaning and implications of the referendum, but the confusion and the gap stand as undeniable facts. Are these facts bad, are they a *problem* to be addressed and solved? I think that the new visibility of confusion among politicians and of the gap with voters is liberating. It signals the dawn of a new beginning: The birth of the European citizen.

The confusion among Dutch politicians became painfully and even comically manifest in May. Quite a few of them were not up to their task of defending the European Constitution. Cabinet members insulted and humiliated citizens by telling them that they did not understand enough, that if so, they had better not vote. They warned that rejecting the treaty would lead to war and surely make the Netherlands ridiculous, while at the same time maintaining that rejection would leave things in Europe as they are. An important argument that the political class offered in recommendation of the constitutional treaty was that it was an improvement when compared to the Nice Treaty. Actually they said: We did so badly in Nice that almost anything constitutes an improvement.

In their reactions to the 'No' vote politicians continued to make remarkable mistakes. First, after the French referendum of 29 May, Prime Minister Balkenende

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exhorted the Dutch 'to teach the French a lesson' and vote 'Yes'. Liberals leader Van Aartsen boldly labelled the French who had voted 'No' as either fascists or communists. After the Dutch 'No' of 1 June politicians produced a torrent of instant interpretations of the signal that the citizens supposedly had wanted to give. 'We' have moved too fast, have forced the citizen to swallow too much, 'We' standing for the progressive clearheaded political vanguard. 'Ordinary people', they maintained, do want European co-operation, only at a slower pace. Both the voters who thought that the treaty did not go far enough and those who disapproved of the direction that it took fell outside their interpretation of the signal. They were declared to be mere noise.

It is remarkable that the outcome of the referendum was interpreted in terms of what *individual* citizens feel and think. Understanding this supposedly would provide the key to explanation and improvement. Relatively little attention was given to analysing patterns that could be recognised in the result of the vote itself. Pattern recognition is a primary activity of stock market analysts and an important determinant of investors' behaviour. Patterns in the behaviour of a set of individuals can be quite compelling and hardly leave any room for individual choice – think of busy traffic or of a panic in a stadium.

It is also remarkable that this 'No' of the French and Dutch voters resounded in a European public space. The reactions of the authorities in Brussels – the ratification process must continue – was broadcast on television in many European countries. International journalists sped towards the Netherlands and reported about anxiety, emotions and gut feelings. Such a European public space did not really exist before, or only in a very limited sense. It was the domain of professionals and Europeans, not of the citizens. If they were at all present, then it was only in a public space that was circumscribed by the national domain. The Spanish debate about admission of new member states from Middle and Eastern Europe had no connection whatsoever with the discussion in the Netherlands. In acting by way of referendum, voters have finally created a really European public space, without which European democracy and citizenship could never materialize.

CONFUSION AND SURPRISE

Before developing this I want to consider in more detail the confusion that politicians exemplified. Was this a unique event, an occasional lapse that may happen from time to time? Or was it, in the Netherlands, a question of the novelty of a countrywide referendum, the first in the country's modern history? Or was it a manifestation of a general alienation between citizens and politics which two years before was felt around the murder of Pim Fortuyn, who posthumously captured one fifth of the seats in parliament? Or is the confusion a result of incompetence

that can be met by recruiting more capable leaders from outside the political ranks?

I think that being confused is a normal state for politicians these days. Normal not only in their relations with ordinary citizens, but also in other domains as well and even when politicians themselves do not realise that they are confused. It is liberating that this confusion is now visible and known to all; that is good for the citizens and good for the politicians.

Confusion takes hold of politicians when they are surprised by events that they had not foreseen and which they cannot ignore. Over the past decades we have witnessed an increase in accusations of corruption, in parliamentary inquiries and in emphasis on accountability of office holders. This indicates an increase in the occurrence of surprise. One can also observe a considerable increase in 'surprise of the second order', caused by things and events that are known, and therefore not unforeseen, but which nevertheless keep surprising because the best available reaction is insufficient. Illegal immigrants have continued to surprise Dutch policy makers for over twenty years now.

One wonders what may account for the historical increase of surprise. I think that it has to do with the greater prominence of information and of horizontal relations between citizens and authorities. Among those addressed by a policy at least someone will normally outsmart the policy makers. Formerly the authorities could isolate or buy off such a person. Nowadays his smart behaviour spreads rapidly through information networks and is copied by thousands of others before the authorities realise what is going on.

When from their repertoire of reactions they select the most appropriate one and see it prove insufficient, politicians become unsure of themselves. When even the best you have to offer is not good enough, you feel the ground under your feet slip away. New certainties are sought, on the one hand by extending the repertoire of available reactions, e.g., by hiring new advisors, on the other hand by implementing the existing repertoire more thoroughly, for instance by way of stricter control and zero tolerance. This control strategy does not look for the causes of failure in the substance of the policies but rather in their lacklustre implementation.

What politicians do not do – or do only in exceptional circumstances and with great effort – is to show their confusion. Mostly they conceal uncertainty behind toughness and self-assurance. But when this fails, there is only greater confusion and uncertainty.

That the confusion in which politicians continue to live has now, with the referendum, become visible to all, this I consider to be a liberating event. Denial and hiding will no longer do; lack of knowledge and uncertainty can be acknowledged as normal. A politician who is never confused, does he have his ears and

eyes open? In what world is he living? From toughness and control the emphasis can shift towards acknowledgment of not knowing and of confusion, and towards asking for support when, in a confusing situation, citizens and rulers have to act together. Power, wrote Hannah Arendt, arises out of acting together. Such power can only come about if politicians, instead of despising and secretly being afraid of citizens, respect them. This brings us to the second truth revealed by the referenda in France and the Netherlands, the gap between ordinary citizens and the political class.

GAP

Europe has outer borders which are being redrawn by welcoming new member states and which are being made less forbidding by concluding association treaties between selected countries and fortress Europe. There are, however, still borders inside the 'Europe without borders'. Not only old borders between nation states and cultures, but also new ones. Think of the position of illegal immigrants or of people who have turned their backs on the state and refuse all contact with the sphere of politics. The referenda revealed the existence of a border inside the official political regime itself – the gap between the political class and a considerable number of active citizens who refuse to legitimise the policies.

At the time of the Maastricht treaty political leaders were already worried about the lack of binding ties between Europe and its citizens. That treaty instituted European citizenship. The leaders took initiatives actually to give substance to this citizenship. Europe got a flag, a currency, a hymn on Beethoven's *Ninth*. There came exchange programs for students and other stimuli to get inhabitants of Europe to know and respect each other in their differences. The intended outcome would be a sense of a European community of fate. Without such a sense of belonging together there is no 'demos', no people, and thus no European democracy.

Those initiatives stimulated symbolic citizenship. There is nothing wrong with that as long as it is not all there is. Full citizenship requires, next to symbolic citizenship, also legal (equal access to courts of justice), socio-economic (guaranteed means of living), and political (voting) citizenship. Citizenship which remains purely symbolic is a form of false consciousness. Fortunately the European leaders have done more than stimulate symbolic citizenship. They have paid ample attention to the legal citizenship of Europeans and have given it teeth. But socio-economic citizenship, which was supposed to provide basic security to all, never really took off at the European level, while it was at the same time being reduced at the national level of the welfare state. And political citizenship has, with elections for an expensive but rather powerless European parliament, never taken

root. Participation in elections went down from one election to the next.

Members of the European vanguard had hoped that serving the citizen well would bear fruit in the long run. When the customer sees that the product is good, he will credit the producer for it. Such 'output legitimacy' in a consumers' society might compensate for the lack of 'input legitimacy'. When the outcomes of European policies had become visible, it would be time to ask the customer/citizen, who had tasted their fruits, for support and legitimacy, which he or she would surely want to give. This was the expectation that failed when, after almost fifty years of building up Europe, voters in the referenda in France and the Netherlands refused to endorse what was offered them.

Europe started as a project carried out by an elite but it has brought many good things for the many. Old situations of political stalemate in member states were broken by the coming of Europe. Without the equal treatment directives the Netherlands would probably still be stuck with pension arrangements that unjustly discriminate against women. It had always been thought prohibitively expensive to bring those arrangements into line with contemporary notions of justice.

Europe has definitely not destroyed everything that was national and valued. There are programs for protecting cultural treasures. Nor has national consciousness been destroyed; it is rather being heightened by Europe. In the Netherlands both opponents and supporters of the constitutional treaty assumed simply that everyone would want to vote in the best interest of the country. Where did this obligation to vote 'Dutch' come from? Why not vote 'Portuguese' or out of considerations of justice that have nothing to do with the Netherlands in particular?

CITIZEN

Since approaching the citizen as a customer got stuck and could never be a substitute for political citizenship anyway, the whole project of creating European citizens stagnated. A citizen is one who is both ruler and ruled and who, on both sides of the relationship of authority, respects the rules of the Republic, the common cause (*res publica*). There are three requirements for citizenship: *autonomy* (not having to sell your vote), *judgment* and *loyalty* to a community of fate. Political elites doubted the judgment of the European citizen. Worse, according to Dutch cabinet members, Brinkhorst and Bot, both European veterans, such judgment was absent because the citizens were ignorant. With the community of fate there were problems as well. It actually did exist *an sich* (in itself), but not in the consciousness of people, *für sich* (for itself).

A community of fate obtains when people are related in such a way that withdrawing from the relationship cannot be done without considerably changing one's own life and/or that of the other. Members in a community of fate unavoid-

ably have to deal with each other. How they give shape to their connectedness may vary. They can ignore the other, shoot or gas him. They may also give shape to a community of fate by organising differences in such a way that there is reasonable access to citizenship for all involved: Constituting their relationship in terms of common citizenship. In this vision fellow citizens need not be your friends or people you feel at home with. Fellow citizens are also those who could be your enemies whom you would fight with violence, but with whom you now deal non-violently as opponents in the republic.

Attempts to produce a European citizenship and a European ‘demos’ by stimulating a symbolic feeling of belonging together had to fail. First, they proceeded from the idea of citizens as friends and too little as antagonists. Second, they neglected the central active political element of citizenship. Citizenship cannot be ‘made’ by policy makers. These can at most create and sustain the conditions under which citizenship may emerge.

Citizenship only becomes a reality through the actions of citizens themselves. The referendum on the constitutional treaty was such a condition for citizenship to emerge. The citizens have seized this opportunity and acted. Thus they have in one move realised European citizenship and a real European public/political space. We witnessed the birth of the European citizen.

Whether he or she will stay alive and whether the mother will survive is at present uncertain. The birth was, as things go, surprising, painful and the beginning of something new. That a gap was revealed to exist between political elites and citizens was nothing new and also nothing bad in itself. In free societies the appearance of a gap is perfectly normal. What counts is how it is dealt with, how the perception of a gap is transformed into action, what is being learned. For doing these things we have at present too few institutions and routines at the European level. In the coming period much creativity, civility and wisdom will be needed to develop these. Because whatever will happen, these referenda will have consequences – either by way of institutions or by circumventing them. It is dangerous to think that we can simply continue as we did. Insisting on restoring trust will also remain an empty gesture as long as one does not realise that in a free republic trust is a by-product of the freedom occasionally to express a healthy distrust.

It is undeniable that we have to continue with Europe in one way or another. In Europe we are all connected by fate, not only through wars, but also through a half-century-old project producing the Constitutional Treaty that has now been stranded.

The shipwreck could be a liberation and the beginning of real European citizenship.

