**CITIZENSHIP, NATION-BUILDING AND IDENTITY IN THE EU: THE CONTRIBUTION OF ERASMUS STUDENT MOBILITY**

**By**

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**To Simon, Freddie and Anna, and to the memory of my father**

**TABLE OF CONTENTS**

|  |  |  |
| --- | --- | --- |
| **INTRODUCTION** | | |
| a) | **Citizenship – a concept in flux** | |
| b) | **Student mobility – a citizen’s awakening?** | |
|  |  |  |
| **CHAPTER ONE: EU CITIZENSHIP – THROUGH A GLASS DARKLY** | | |
| a) | **Introduction** | |
| b) | **EU citizenship – background and genesis** | |
| c) | **EU citizenship – what the Treaties say** | |
|  | i) | **Overview** |
|  | ii) | **Who are the citizens? Membership, exclusions and limitations** |
|  | iii) | **The cornerstone: the right of free movement** |
|  | iv) | **Electoral rights: the impossible dream of a European polity?** |
|  | v) | **Citizens’ initiatives: an idea whose time is still to come? Active citizenship and the current Erasmus generation** |
|  | vi) | **Who are the current Erasmus generation?** |
|  | vii | **The safety net: the right we hope we’ll never need** |
| d) | **EU citizenship – the CJEU’s contribution** | |
|  | i) | **Free movement of students: an investment for the future, a cost for the present** |
|  | ii) | **How to be mobile: the different forms of student mobility** |
|  | iii) | **Degree mobile students at the CJEU: straitened circumstances, citizenship growth** |
|  | iv) | **Integration: have you been here long, or, have you put down roots?** |
|  | v) | **Solidarity, the quid pro quo** |
|  | vi) | **The implications for Erasmus students** |
| e) | **EU citizenship – the Commission’s perspective** | |
|  | i) | **Student mobility and the production of citizens: a rather tangled web** |
|  | ii) | **The creation of truly European citizens and the creation of Erasmus: the quest for European identity** |
|  | iii) | **Via European identity to *homo economicus*: the role of universities** |
|  | iv) | **The advent of EU citizenship: who are the citizens? The clear red line and the softer focus of Erasmus** |
|  | v) | **(Towards) the Erasmus citizen?** |
|  | vi) | **Erasmus makes…European citizens or EU citizens?** |
| f) | **Conclusion** | |
|  |  |  |
| **CHAPTER TWO: UNIVERSITIES AS CRADLES OF CITIZENSHIP, OR, A SPECIAL SORT OF PUBLIC SPACE** | | |
| a) | **Introduction** | |
| b) | **What is meant by a university? The provision of ‘national glue’** | |
| c) | **The historical role of the university in Europe** | |
|  | i) | **Relationships with the state and the cultivation of citizenship** |
|  | ii) | **The development of national identity in the German university: academic autonomy and the relationship of university and state** |
|  | iii) | **The development of higher education in France: service to the state** |
|  | iv) | **The development of the university elsewhere in Europe: language and national identity in the Habsburg Empire** |
|  | v) | **The English university: Newman’s view and the significance of ‘utility’** |
| d) | **Citizenship development in universities today** | |
|  | i) | **A globalised world** |
|  | ii) | **The official role of the university today; social or economic, or social for economic?** |
|  | iii) | **The university in Europe or the European university: a citizenship of where?** |
| e) | **The European university and globalisation** | |
|  | i) | **The transformation of the social mission** |
|  | ii) | **The price of funding: the effect on universities** |
|  | iii) | **The price of funding: the effect on students** |
| f) | **A European university?** | |
|  | i) | **An idea whose time had not yet come** |
|  | ii) | **The Bologna Process: the social dimension again** |
| g) | **The ‘marketization’ of universities and its effect on citizenship** | |
|  | i) | **Can universities retain a role as public space?** |
|  | ii) | **The public sphere and the importance of communication** |
| h) | **Conclusion: communication in universities: the European citizen student in the public sphere** | |
|  |  |  |
| **CHAPTER THREE: THE ERASMUS PROGRAME IN CONTEXT** | | |
| a) | **Introduction** | |
| b) | **EU Higher Education law and policy** | |
|  | i) | **From a standing start: how and why did the Erasmus Programme come into existence?** |
|  | ii) | **Why was education excluded from the remit of the Community in the early days?** |
|  | iii) | **How did education come within the remit of the Community? The role of the CJEU** |
|  | iv) | **Who undertakes student mobility? The choices available to students** |
|  | v) | **What is distinctive about Erasmus student mobility? Mixed motivations and mixed messages in the Erasmus Programme** |
|  | vi) | **How did education come within the Community’s remit? Treaty change** |
|  | vii) | **From People’s Europe to Citizen’s Europe: citizenship undefined? What is the role of citizenship in the Erasmus Programme and the Bologna Process?** |
| c) | **Conclusion** | |
|  |  |  |
| **CHAPTER FOUR: THE ERASMUS PROGRAMME AND THE LANGUAGE QUESTION** | | |
| a) | **Introduction** | |
| b) | **Language policy in the EU** | |
|  | i) | **The context** |
|  | ii) | **What is the significance of language in the Erasmus Programme?** |
|  | iii) | **What is the EU’s language policy and what is it trying to do?** |
|  | iv) | **The language(s) of Europe: communication for integration** |
|  | v) | **A European public space** |
|  | vi) | **Students on Erasmus: a reflection of EU language policy?** |
| c) | **Conclusion** | |
|  |  |  |
| **CHAPTER FIVE: “TRULY EUROPEAN CITIZENS?” STUDENTS ON THE MOVE** | | |
| Overview | | |
| a) | **Why do they go? Testing the[ir] boundaries. Growing up and growing away** | |
|  | i) | **Introduction** |
|  | ii) | **Go international!** |
|  | iii) | **An eye to the future? Building employability – or not?** |
|  | iv) | **A time of uncertainty: living (mostly) in the present** |
|  | v) | **‘We need to talk’: communication in a globalised world** |
|  | vi) | **After Erasmus: Erasmus as game changer?** |
| ***Vignette: Erasmus as escape: (1) The Adventurer*** | | |
| ***Vignette: Erasmus as escape: (2) Cultural constraints in modern Europe*** | | |
| b) | **The heart of the matter: life as it is lived during Erasmus: all in the same boat, or, ships passing…?** | |
|  | i) | **Introduction** |
|  | ii) | **Life in the bubble** |
|  | iii) | **‘Hello, I’m new here. Where are you from?’** |
|  | iv) | **Living with the locals; or, escaping from the bubble** |
|  | v) | **Home sweet (temporary) home** |
|  | vi) | **What shall we talk about?** |
| ***Vignette: The culturally curious student*** | | |
| c) | **Communication: the language barrier and the elusive ideal of the multilingual polity** | |
|  | i) | **Introduction** |
|  | ii) | **A many stranded web: the competing pushes and pulls of multilingualism** |
|  | iii) | **‘English is number one…’** |
|  | iv) | **Location, location and location: the effect of who you lived with and where** |
|  | v) | **Investing in the tongue less spoken: the cost benefit analysis** |
| ***Vignette: The reluctant Anglophones*** | | |
| d) | **The university as public space? How the Erasmus Programme shapes the reality for Erasmus students** | |
|  | i) | **Introduction** |
|  | ii) | **In the classroom** |
|  | iii) | **A level playing field?** |
|  | iv) | **The non-universality of universities** |
|  | v) | **A byword for bureaucracy: the effect of the structure and organisation of the Erasmus Programme** |
| ***Vignette: The Erasmus student at university (1): a rather private space?*** | | |
| ***Vignette: The Erasmus student at university (2): the possibilities of pedagogy in the creation of a public space? The view from the East*** | | |
| e) | **‘Civis Europeus sum? The Erasmus student and true European citizenship** | |
|  | i) | **Introduction** |
|  | ii) | **How different can it be? I completely underestimated the cultural difference** |
|  | iii) | **Adapting to the local culture, or culture by any other name** |
|  | iv) | **Part of Europe** |
|  | v) | **‘Civis sum…?’** |
|  | vi) | **‘Civis Europeus sum?’** |
|  | vii) | **‘Civis Europeus sum’ – the difference it makes** |
|  |  |  |
| **CHAPTER SIX: CONCLUSIONS** | | |
|  |  |  |
| **EPILOGUE: THE IMPACT OF BREXIT** | | |
|  |  |  |
| **APPENDIX: METHODOLOGY** | | |
|  |  |  |
|  | | |

# LEGISLATION

**European Union**

**Decisions**

Council Decision 87/327/EEC adopting the European Community Action Scheme for the Mobility of University Students (Erasmus), OJ L 166, 25/6/87

Decision 1720/2006/EC of the European Parliament and the Council establishing an action programme in the field of lifelong learning, OJ L 237, 24/11/06

**Directives**

Council Directive 90/366/EEC on the right of residence for students, OJ L 180, 13/7/90

Council Directive 93/96/EEC on the right of residence for students, OJ L317, 18/12/93

Council Directive 93/109/EC on the right to vote and stand in European elections, OJ L329, 31/12/93

Council Directive 94/80/EC on the right to vote and stand in local elections, OJ L 368, 31/12/94

Council Directive 2003/109/EC concerning the status of third-country nationals who are long-term residents, OJ L 16, 23/1/03

Directive 2004/38/EC of the European Parliament and the Council on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, OJ L158, 30/4/04

**Regulations**

EEC Council Regulation 1/58 determining the languages to be used by the European Economic Community and also the European Community for Nuclear Energy, OJ 017, 6/10/58

Regulation (EEC) of the Council No 1612/68 on freedom of movement for workers within the Community, OJ L 257, 19/10/68

Regulation (EU) of the European Parliament and the Council No 1288/2013 establishing Erasmus +, OJ L 347, 20/12/13

**Resolutions**

Resolution of the Ministers of Education meeting within the Council of 6 June 1974, on co-operation in the field of education, OJ C 098, 20/08/1974

Resolution of the Council and of the Ministers of Education meeting within the Council of 9 February 1976, comprising an action programme in the field of education, OJ C 38, 19/2/76

Resolution of the Council and the Ministers of Education meeting within the Council on the European dimension in education of 24 May 1988, OJ C 177, 6/7/88

Resolution on obstacles to and discrimination against EU citizens participating in the European elections, OJ C 128/317, 21/4/94

Resolution of 21 November 2008 on a European strategy for multilingualism, OJ 2008/C320/01

**Treaties**

Charter of Fundamental Rights of the European Union

Constitutional Treaty

EC Treaty

Euratom Treaty

Lisbon Treaty

Maastricht Treaty

Treaty of Rome

Treaty on European Union (‘TEU’)

Treaty on the Functioning of the European Union (‘TFEU’)

**Council of Europe**

European Charter for Regional or Minority Languages

European Social Charter

Framework Convention for the Protection of National Minorities

**CASES**

**Court of Justice of the European Union**

Baumbast and R v Secretary of State for Home Department[2002] ECR I-7091 (C-413/99)

Bidar v London Borough of Ealing[2005] ECR I-02119 (C-209/03)

Blaizot v University of Liège[1988] ECR 389 (24/86)

Bressol and Others and Chaverot and others v Gouvernement de la Communauté francais (C-73/08)

Brown v Secretary of State for Scotland[1988] ECR 03205 (197/86)

Bucher v Landrat des Kreises Düren[2007] ECR I-9161 (C-12/06)

Casagrande v Landeshauptstadt München[1974] ECR 00773 (9/74)

Commission v Council (Erasmus*)* [1989] ECR 1425 (242/87)

Commission v Belgium[2004] ECR I-6427 (C-65/03)

Commission v Austria[2005] ECR I-5969 (C-147/03)

Dano v Jobcentre Leipzig(11/11/14 (C-333/13)

Dereci v Bundesministerium für Inneres[2011] ECR I-11315 (C-256/11)

D’Hoop v Office national de l’emploi[2002] ECR I-6191 (C-224/98)

Forcheri v Belgium[1983] ECR 2323 (152/82)

Förster v Hoofddirectie van de Informatie Beheer Groep[2008] ECR I-08507 (C-108/07)

Garcia Avello v Belgian State[2003] ECR I-11613 (C-184/02)

Gravier v Ville de Liège[1985] ECR 00593 (289/83)

Grzelczyk v Centre public d’aide sociale d’Ottignies-Louvain-la-Neuve[2001] ECR I–6193 (C-184/99)

Konstantinidis v Stadt Altensteig [1993] ECR I-1191 (168/91)

Lair v Universität Hannover[1988] ECR 3161 (39/86)

Lawrie-Blum v Land Baden-Württemberg[1986] ECR 2121 (66/85)

Martens v Minister van Onderwijs, Cultuur en Wetenschap(EU:C:2015:118) (359/13)

Martinez Sala v Freistaat Bayern[1998] ECR I-02691 (C-85/96)

McCarthy v Secretary of State for the Home Department[2011] ECR I-03375 (C-434/09)

Metock and others v Minister for Justice, Equality and Law Reform[2008] ECR I-06241 (C-127/08)

Micheletti v Delegación del Gobernio enCantabria[1992] ECR I-4239 (C-396/90)

Morgan v Bezirksregierung Köln ECR I-9161 (C-11/06)

Prinz v Region Hannover EU:C:2013:524(C-523/11)

Raulin v Minister van Onderwijs en Wetenschappen[1992] ECR I-01027 (C-357/89)

Rottman v Freistaat Bayern[2010] ECR I-01449 (C-135/08)

Ruiz Zambrano v Office national de l’emploi[2011] ECR I-01177 (C-34/09)

Seeberger v Studentenwerk Heidelberg EU:C:2013:524 (C-585/11)

Thiele Meneses v Region HannoverEU:C:2013:683 (C-220/12)

Zhu and Chen v Secretary of State for the Home Department[2004] ECR I-9925 (C-299/02)

**European Court of Human Rights**

Campbell and Cosans v The United Kingdom,judgment, Series A No 48 (1982)

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