

Working Group

Questioning concepts of citizenship and transnationalism in migration

10 May 2023

Sala Triaria - Villa Schifanoia, Via Boccaccio 121 - Florence

Migration Working Group

Introduction

This session will question the concepts of citizenship and transnationalism, confronting how they have been conceptualised in law and the social science literature in conversation with the normative theory of justice and empirical migration realities.

Moderator:

Leon Boveland | Department of Economics, EUI

Programme

Just EU citizenship? Access to EU citizenship and the equality ideal

15.00 - 15.45

Speaker:

Christian Gormsen | Department of Law, EUI

In recent years, EU citizenship has been severely tested. A key example of this stress is the so-called 'citizenship-by-investment' (CBI) schemes in the EU Member States, and another notable example is the Brexit, both of which exert strong pressure on the concept of EU citizenship. In this context, this paper presents a Rawlsian conception of EU citizenship, as a critical reflection on the rules governing access to EU citizenship, from a liberal-egalitarian perspective. Specifically, the paper argues that EU citizenship, due to the valuable rights that come with the possession of this status, can be conceived as a primary good to which all individuals subject to the coercive political power of the EU are entitled, including third-country nationals (TCNs). Against this backdrop, a critique of the current EU citizenship rights allocation regime has been advanced. In the researcher's view, this regime is flawed insofar as the allocation is conditional on nationality, which is a morally arbitrary contingency. EU citizenship thus fails to meet a standard of fair equality of opportunity, and thus expresses the need to think of an alternative and more inclusive nexus for the individual and the EU political community than nationality.

Discussant:

Timothy Jacob-Owens | Edinburgh Law School, University of Edinburgh

Rethinking the transnational: (trans)border practices in immigration detention

15.45 - 16.30

Speaker:

Maxine Both | Department of Political and Social Sciences, EUI

How can we reconcile the multiplication of borders with the increase in movements across borders? Although existing theories on the transnational study movements across state borders, these movements continue to be conceptualised in relation to the external borders of the nation-state. Scholars have not yet taken into account the possible change in the nature and location of borders, where global issues of migration, security and cross-border trade have generated both the internalisation and externalisation of borders and the emergence of movements across these new borders. This article therefore invites us to rethink the concept of the transnational by taking borders seriously, reconciling theory with empirical reality. To do so, the concept of (trans)-border has been proposed, referring to the interactions, movements or ties formed between at least two actors across a border, regardless of the geographical location of the border itself. Drawing on practice theory, a conceptual framework of (trans)border practices was proposed to explain the different ways in which actors form ties across border spaces. Distinguishing the “(trans)” from the “border”, the researcher argues that (trans)border practices involve two processes: 1) the crossing of the border, or the “trans”, through relations, movements or interactions across a border, and 2) the reproduction of borders, as these practices interact with borders and create social differentiation between insiders and outsiders. The article illustrates these dynamics by using an insider border site – immigration detention centres – as an example of the relationships that emerge between actors across the ‘boundaries’ of these spaces. By bringing together previously isolated bodies of literature on the transnational and borders, the paper prepares the field of the transnational to consider the relevance of movements across alternative borders and by different actors.

Discussants:

Federica Infantino | Migration Policy Centre, Robert Schuman Centre for Advanced Studies, EUI

Maxime Christophe | Migration Policy Centre, Robert Schuman Centre, EUI