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THE VIRUS AFFECTING EUROPEAN CITIZENSHIP

European citizenship and the European Union itself have never been so seriously in question as during the pandemic crisis we are experiencing.

Even though it may seem early to draw conclusions and to foresee the health state of the European project in the years to come, there are some clear lessons to take from the past months' experience.

We thought that the sovereign debt crisis and the economic depression of the past years had already stressed the EU building as never before, but the reality is now getting much farther. With some similarities and some differences.

In my opinion, the main difference lays in the level in which European citizenship has been struck. Freedom of movement has been suspended for citizens but also, at least in part, for goods and services. The mythology of a space without internal borders seemed to vanish in a few days: the pictures of physical barriers between Schengen States gave us the idea that the integration process is in some way reversible.

In fact, in spite of some abused rhetoric, the sense of belonging to the European Union is less spiritual and more material than the one to one's own country, so the interdiction to move throughout the continent may have furtherly weakened it. On the other hand, restrictions imposed at State level seem to have made nationals closer to each other. News about bilateral agreements on the reopening of borders within the EU and, more in general, an asymmetric management of borders, with white and black lists of fellow European citizens to let in or keep out, have made the context even worse.

If we transfer this to a more technical or legal plan, we see that the exception used to justify the suspension of the rule may turn the exception itself into the new rule for the years to come. On the other hand, the rule - i.e. freedom of movement - may become in fact the new exception. Furthermore, the lack of coordination in adopting such decisions shows how fragile these fundamental European freedoms are.

The second level of risk for European citizenship is at the decisional process level. We all know about the matter of the democratic *deficit* within the EC and then EU, though gradually reduced through the various treaties. Nevertheless, we have also seen how the actual decisional level has gradually moved to the European Council, thus stressing the intergovernmental dimension of the EU.

During the pandemic, the European institutions seem, overall, to be firmly committed to the survival of the Union. The European Commission, the European Central Bank and obviously the (marginalised) European Parliament are deploying their influence and power to rescue the common

house. On the other hand, national governments are showing apparently irreconcilable visions on the steps to take and did not give the idea on any kind of unity. Unfortunately, it is clear to everyone that, even beyond the treaties, the layer holding the steer of Europe is not the former but the latter.

The pandemic crisis emphasised the weaknesses and the limits of the supranational level in a more and more State-centred Union. With the only exception of a non-democratic body like the ECB, which is nonetheless potentially under attack following the German Constitutional Court's decision. It all seems to be about the quantitative easing, but in fact it is the primacy of the EU law and of the European Court of Justice to be in question. In other words, the very principle at the base of the legal structure of the supranational order.

The lack of a dimension other than the simple sum of national wills may turn into a deadly virus for the Union and kill any living form of European citizenship. This is why it is necessary to go back to the Community method, emphasising and improving the democratic dimension of the Union.

In this respect, the role of Parliaments, the European as well as national ones, is still fundamental. Although they have been put aside during the emergency, now they have to regain their constitutional space. The European Parliament, which has already voted for the European Commission, will vote for the 2021-2027 budget and the legislation implementing it. National parliaments, on the other hand, will have to scrutinise the European legislation adopted to face the crisis. It is not enough, but it is an occasion to begin to reconstruct some confidence between the European citizens and the European Union, while discussing about its future.