

EU CITIZENSHIP REGIME, LABOR MOBILITY AND UNFULFILLED PROMISES: PRACTICES FROM AN ENLARGED EU

By

Jana Gottschalk

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Advisor: Professor Szabolcs Pogonyi

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ABSTRACT

This thesis deals with EU citizenship and the increased migration into EU-15 labor markets after the Eastern enlargements in 2004 and 2007. Using the “citizenship regime” concept by Jenson (2007), it is argued that current EU citizenship policies enhance and perpetuate social inequalities between citizens from the old and new member states when migrating for labor. As such, EU citizenship policies and associated legislations play a crucial role in stratifying the European society into “model citizens”, “secondary citizens” and “non-citizens”. The argument builds around an analysis of institutional and practical legacies under socialism and capitalism, which define the connection of work and (social) citizenship in very different terms and consequently have different effects on labor migrants’ statuses when exercising their freedom of movement, the most important of the EU citizenship rights. This finding will be supported by giving empirical evidence from EU citizenship provisions and analyzing quantitative data on the post-2004 East-West migration flows. Explanations for the remarkable mismatch in individual high qualification and low skill work performed usually concentrate on exclusionary mechanisms displayed through insufficient language knowledge, the under-supply of appropriate job posts in the destination countries or migrants’ individual rationale in accepting low skill and low wage employment. However, by conceptualizing the EU citizenship regime as prototypical neoliberal and by introducing the notions “European orientalism” and “post-socialist citizenship” to the discussion, a different explanation will be offered.

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I Introduction

A “European wedding”

In late February 2011, the wife of José Manuel Barroso, current president of the European Commission and former prime minister of Portugal, visits the town of Sighetu Marmăției in the Maramures region of northern Romania. Maria Margarita Barroso’s visit does not have official character, however, for she made her way from Brussels for a private occasion – the wedding of her housekeeper’s daughter, a local from of the Maramures region. The Romanian media are effervescent with enthusiasm that Maria Topan, a woman from a poor family of northern Romania, has become so closely affiliated with the Barroso family and enjoyed “200 percent confidence” within the household, because she is hardworking, diligent and has proven to be trustworthy and full of common sense, as Ms. Barroso states in a media interview conducted during the wedding. Ms. Barroso also did not tire of stressing that she and Maria Topan have in fact become “close friends” and that it was an honor for her to attend this “European wedding”. Thus, 53-year-old Ms. Topan, according to local media, served successfully as an “unofficial ambassador to Romania” and has been able to do more for the reputation of the country and its people in Europe than any diplomat could have achieved through official diplomacy. Ms. Barroso also took up the chance of visiting some sights of Maramures county while there and was impressed with the “traditional beauty and remoteness of the landscape and architecture”, as she expressed in the local media. After the stay of Maria Margarita Barroso, who does not, as the background commenter of a local media footage highlights, label Romanians simply as “thieves, rapists and criminals”, Maria Topan was awarded honorary citizenship of the town of Sighet, for in her ten years of employment in the Barrosos’ household, first in Portugal and then later also in Belgium, she had proven that Romanians are different from the wide-spread stereotypes. The vice mayor of Sighetu Marmăției stressed the importance of Ms. Barroso’s visit by saying that she had the power to change the image of Romania and to convey the content of how it really is to the rest of the world. Ms. Topan who first worked in Spain after migrating from Romania in the early 1990s, was then recommended through an acquaintance to a Portuguese family, which in turn helped her to take up the position in the Barroso household. Thus, Maria Topan managed to enter the household of the Barrosos before Romania’s accession to the EU.¹

This illustration of recent “on the ground coverage” of European realities is placed here to retrace from it four prominent themes within the current EU integration project – some of them neglected in academic literature, others overtly explored and debated. In the following,

¹ The information for this story was covered in many different Romanian national and local media in print and online coverage, see among others Adevarul.ro (2011), Gazeta Maramures (2011a ; 2011b), Realitatea.net (2011), and Stirilepro TV (2011). All articles accessed as of March 15, 2011. For the English translations of the sources I am indebted to Sergiu Novac.

these four themes, European social integration, national legacies with a focus on capitalist and socialist understandings of citizenship and work, labor migration of EU citizens in an age of neoliberalism, and the EU citizenship regime as a governance policy open to anthropological enquiry will be introduced and the main argument, which incorporates the main findings and shortcomings of research on each of the themes, will be outlined. In short, the argument builds on the symptomatic case study of East-West labor migration within the EU after the enlargement in 2004 and finds that labor migrants from the formerly socialist states form a group of “second-class” citizens of the union, due to mechanisms and processes that will be analyzed in detail throughout the paper.

One can read this story of the two so different Marias as a parable of successful integration, where one European gets emotionally and physically involved in the living space of an individual from another member state, and willingly, as well as publicly, questions and fights old stereotypes such as the above mentioned. Thus, a prominent feature of this work is to contemplate the *state of art of European social integration* on the ground, with a special focus on relations of the old with the newer member states, which in addition to having accessed the EU later, share a socialist and postsocialist legacy.²

European integration. Bottom up or top down?

In this context it is important to designate what a truly European integration entails, and where and how to measure it. Some authors have gone for examining institutional set up and concluded that there is an overall comprehensive elite project underway that is lacking substantive support on the ground³ when considering political participation in EU elections and Eurobarometer polls (Medrano, 2009). Fligstein (2008), on the other hand, argues that the

² Malta and Cyprus are mostly exempted from these considerations, although they are also new member states. Their treatment within the European Community, however, e.g. not dealing with transitional restrictions on the movement of workers, and not having the shared history of state socialism make the case of these two countries obsolete for the paper.

³ Most recently, this concern was voiced by prominent philosopher Jürgen Habermas (2011) in the German centrist daily “Süddeutsche Zeitung”.

everyday life of Europeans has already been channelled into one broad mainstream already, by giving examples from football, telecommunication and shopping habits. Furthermore, he claims that due to deepened crossnational cooperation in supranational businesses integration there is also ground to argue for an advanced state of European social integration. As such, he implies that there is an inherent connection between interaction and identification in the EU sphere, a notion that will be challenged, and subsequently modified in this thesis. However, Fligstein also acknowledges that high numbers of the EU population are not part of this integration project because it is mostly a concern of younger, better educated and mobile parts of the population. In a critical review of Fligstein (2008), Favell (2008b) calls for a stronger emphasis of the empirical evidence of European action, such as cross-border shopping or property acquisition and city-twinning projects, and not only political participation meters like Eurobarometer.

Another branch of bridging both the institutional and the on-the-ground approach of studying European integration is represented in Wilson (1998, p.151):

If the annual statistics of EU budgets, salaries, legislation, litigation, and dissemination of Euro-image and Euro-information were not enough to convince any social scientist of the need to study all European social formations within the EU context, then consider that the foods Europeans eat, the roads they travel, the beaches and forests they walk, the schools they attend, and the television they watch are but a sample of the conditions of daily life that bear the stamp of EU policy and administration.

What Wilson manages to show in his account is the connection and mutually reinforcing structure of social integration on the ground with the institutional setting that are managing those interactional spheres, which are commonly termed European “culture” or, in a more contested rhetoric, European identity. In sum, EU integration here is understood in the framework that Wilson (1998) proposed, as a set of institutional and geopolitical structures and practices which are intertwined, and the cause and result of social processes on the ground.

Legacies of the West, legacies of the East

It is certainly not the aim of this work to once again reconstruct the debate, whether and how the EU integration project overcomes national identification, or how the two are related in the field of possible identifications.⁴ When I talk about EU integration, I am mostly interested in the historical and current dispositions that nation states (and individuals) have for identifying with the European Union, and how individuals can make sense of the bigger processes in their own surroundings. As mentioned before, the field I am interested in is the one of *post-welfare capitalist and postsocialist legacies*, because it is this field that is surprisingly understudied in the sociology and anthropology of the European Union. Certainly, there is a vast number of publications on the impact of the accession of eight postsocialist states in the past decades, and its outcomes for the overall EU economies and institutions, especially with regard to the much feared “welfare tourism” from East to West, the down-scaling of living standards for Western European⁵ countries or corroding of employment and social security structures.⁶

This literature, however, infused by economic premises, has mostly been concerned with the overall numbers of integration, and not with the possibility of integrating the post-socialist experiences of the EU-8 and EU-2 in the European project.⁷ What is missing from the discussion largely is the evidence of how Western Europeans relate to Eastern Europeans, and

⁴ For some discussion on the topic, however, see Bruter (2004), Castano (2004); or Smith (1993) for a very different assessment of the topic.

⁵ In the following, the category of “Eastern Europe” is referring to the new member states that joined the European Union either in 2004 (EU-8, without Malta and Cyprus) or 2007 (EU-2, namely Romania and Bulgaria). They have in common a past of socialist regimes and postsocialist transitions that paved the way to their accessing the EU. Consequently, “Western Europe” is a reference to the old member states of the EU, thus the EU-15. I am aware that those are huge and sometimes even misleading categories in the sense that they denote a number of countries and histories that are diverse and much more nuanced than this generalized use would imply. However, given the premise of the shared experience of either state socialism or liberal democracies as a common denominator for this category, the imperfections of language will hopefully not affect the argument.

⁶ See, for example, Carrera (2005), DeGiorgio and Pellizzari (2006), or Sinn and Ochel (2003) for economists’ approaches.

⁷ This is not only due to the ubiquitously announced “end of history” that has dominated the social sciences’ assessment of the EU after the transition and subsequent phenomena that are related to what Case (2009) calls the Western hegemony over Eastern Europe, but also due to the fact that in many of the post-socialist countries these legacies are also suppressed or condemned as remnants of an unpleasant past.

how Western European states relate to East European ones in a hegemonic way. One exception is the work by Case (2009), other approaches can be found in Buchowski (2006) and Kalb (2009). Obviously, there is a whole field that examines problems and potentials in the postsocialist states of Europe,⁸ however, not in light of EU integration and the possible outcomes in the situation of neglecting the distinct past of substantial parts of the European population.⁹ It is one important aim of this thesis to bring back on the agenda the suppressed legacies of socialism and postsocialism¹⁰, because many EU debates can be explained when taking into consideration exactly these experiences and the historically shaky cohabitation of “Eastern” and “Western” perceptions of the past and the present, including orientalizing practices and hegemonies. And it is exactly characteristics of this theme that one can also retrieve from the story of Romanian Maria Topan and Portuguese Maria Barroso, and especially through the media coverage of the “European wedding”: there is still a need to reconcile false prejudices in older EU member states regarding “the East”, and also internalized stereotypes in postsocialist countries. One theory that has been proposed by Kalb (2009, 2011) is the connection of the European integration and economic status in a society, and the emergence of nationalist and populist sentiments. He argues for a reintroduction of class into the analysis of culture, and especially a – national or local – culture that is increasingly being derived from processes that are being negotiated on a supranational, or transnational level. It is in this light that the next theme will become crucial.

⁸ See Hann et al. (2002), or Verdery (1996), for that matter.

⁹ Laitin (2000) is among the few optimists that do assert East European nationals to have the same attitudes and perceptions of Europe. As he finds in his research, the political attitudes and socio-cultural practices of the six postsocialist countries he examines are closest to the perceptions of the first, then EC, member states. Only when taking the larger EU-15 framework as a comparative, one gets more diverse results. Overall, he concludes that the cultural and political integration potential for East and West bears little ground for pessimism, since the constructive potential for EU integration is much bigger.

¹⁰ I am describing these legacies as “suppressed”, since a history of Europe is mostly told without further mentioning the decades-long socialist experience, and thus downplaying its importance in shaping West European policies, but also the value and contribution of those countries in the history of Europe as such.

Labor and citizenship. Migration patterns in an age of neoliberalism

Having introduced the themes of EU integration and systemic legacies, an additional feature needs to be discussed and analyzed, since a core item of the above story is the geographic *mobility of labor*, and prior to taking up the job post, migration that enables this kind of interaction and friendship between Maria and Maria. As a matter of fact, it is by far more East Europeans than West Europeans that take up their right to workers' mobility in the EU, despite the overall low migration rate in the EU that does not exceed 1-2 percent of the overall – then – EU-25 (Hantrais, 2007). Favell (2008a) confirms these findings, for he also does not see a dramatic change in the overall migration, especially since there was working schemes that enabled East Europeans to work in the West before their formal accession to the EU. When considering the actual migration flows in numbers, however, one can find the remarkable increase of 250,000 migrants per annum since 2004, with an increase of EU-8 migrants to EU-15 from 893,000 in 2003 to 1,910,000 in 2007. Numbers for the EU-2 suggest an even steeper increase, with 278,682 work migrants to the EU-15 in 2000, to an enormous 1,863,610 migrant workers in 2007, the year of EU-2 accession (European Commission, 2009b). What is even more remarkable is that the East-West migration follows a pattern that is characterized by precarious working conditions, and a deskilling, if not brain waste, in the positions taken by the migrants from the East (European Commission, 2009b; Favell, 2009; Favell and Nebe, 2009; Galgóczi et al., 2009; Kahanec and Zimmermann, 2010; Kurekova, 2011). In sum, the topic of employment abroad and cross-border mobility for labor will be re-examined, for it might be taken for granted in our mobilized world. However, and this is one of the big puzzles, labor migration is only taken up by parts of the population, and happens in a specific environment of the EU. It will be part of this work to depict the situation that leads to massive out-migration, despite the emerging trend of temporary and, thus, circular migration within the EU (Favell, 2008a).

After all, the story of European integration based on workers mobility, that Fligstein (2008) posts as a prerequisite to identification with the EU, most frequently happens in an employer-employee relationship,¹¹ which again invokes immediately the traditionally overloaded debates on power relations and even “class struggles”. It goes without saying that in this constellation one can easily predict which of the two European Marias is the employee, and thus the less powerful one in socioeconomic terms. For all the above reasons, I render it highly necessary to reconsider the nature of European integration with a focus on labor migration, especially since the whole Union is set against a background of economic integration. Since labor and welfare are ever since closely connected, and the provision of welfare has been subsumed under the heading of “social citizenship” (Marshall, 1992), it seems a logical step to re-examine the interrelated natures of labor, migration, and national citizenship, and, especially so in this emergent social space of the European Union, in an age of neoliberalism and contested welfarism.

Most authors in the field have argued that access to social citizenship, thus to welfare rights and economic equality of opportunity, is actually not so much an issue between EU citizens from any member state, but that between fortress Europe and third-country nationals (Joppke, 2010; Soysal, 1994). However, as recent research suggests, the tension does not arise on these grounds, but rather between labor migrants of the EU-8 and third-country nationals. For reasons that will be explored in later in the thesis, EU-15 nationals do not compete for the same job positions as do EU-8 and third-country migrants when migrating within the integrated EU labor market (Currie, 2008, p. 69). A recent Commission Report (2009a) presents even more drastic results, as it finds the position of EU-8 and EU-2 nationals even worse in the UK than that of third-country nationals when it comes to job opportunities: EU-

¹¹ In spite of the tens of thousands of registered self-employed persons from CEE countries that de facto work in employee relationships, without the social protection that dependent wage earners enjoy. This information was provided at a discussion during the “3rd European Public Policy Conference” which took place at CEU Budapest on April 18-19, 2011.

8+2 migrants to the UK earn on average 42.5 percent less than natives, despite a slightly better education level than the native population. As a comparative example, if people from the EU-15 migrate within the EU, they usually benefit of it in terms of an average 2.3 percent income increase. Third-country nationals and global migrants to the UK experience an income deficit of 14.7 percent compared to natives, again with a comparable equal education level (European Commission, 2009b, chapter 6). Given these numbers that have long been known to economists of the European Union,¹² it becomes clear that the relationship between EU countries in terms of job chances for different EU nationals greatly varies, and thus deserves more attention than to date has been attributed to them. Exceptions to this rule in social science literature, can be found in Currie (2008), though with a socio-legal focus on the temporary transitional restrictions concerning the freedom of movement, Favell (2008a, 2008b, 2009) and Favell and Nebe (2009) with a similar focus, however, not through engaging with legacy and structural explanations of the situation.

A last aspect of the theme on labor mobility and citizenship will be highlighted in the context of global neoliberalism, and global labor migration. Again, the usual focus when examining the effects of neoliberalism on welfare, employment structure and migration patterns, is mostly on either nation states or with regard to “fortress Europe” and immigrating third-country nationals. To my knowledge, there is no account of this situation concentrating on the EU citizenry only, and how they accommodate within the European dimension. Furthermore, again, the emphasis will be on differences and similarities of outcomes for states with a socialist past and those states that were traditionally welfarist capitalist, which has also

¹² On April 19, 2011, I had the opportunity to participate in a lecture by Martin Kahanec, professor in the department of public policy at CEU, who held a 90-minute lecture entitled “Migration in an Enlarged EU: Who Wins, Who Loses?” within the curriculum of “3rd European Public Policy Conference”, where I presented an earlier draft of this paper. Kahanec presented similar numbers from various sources, however, with the assessment that for the GDP of sending and receiving countries, as well as for the economic well-being of the EU generally this development has many advantages. As such, he could not name any losers in this situation of increased East-West labor migration in the EU, although he clearly mentioned some personal negative evaluations by the labor migrants themselves.

remained an understudied area in both European studies or studies of welfare, and partly also in the study of postsocialism.¹³

One common objection to this understanding is that it is not a novelty in academia to discuss the possibility of participation in an unequal, non-egalitarian, but neoliberal democratic state, even more so being a migrant and non-citizen to the receiving society. One might furthermore argue that discussing issues of opportunity and justice in a union of sovereign states, which is furthermore grounded in economic and not necessarily normative cooperation, is even more redundant. This line of argumentation is highly contested in my work, as will become obvious in the following subsection.

Citizenship regimes in the European Union

The premise I would like to base my analysis – and my fourth theme – on, is that with establishing a *European Union citizenship*, and by along-the-way facilitating the movement of individuals even further since the Maastricht Treaty of 1992-93, work and citizens' relations enter a new stage of union and societal agreement. The Lisbon then also visibly extended the previously predominantly economic and political union into a clearly social one, even if that dimension currently seems fragmented (Fligstein, 2008). Therefore, by establishing upon the already existent migration patterns from East to West Europe the concept of citizenship, a new floor of negotiations and also academic analysis has opened up, even more so in light of the accession of ten postsocialist states in the past decade. Hence, I fully embrace the idea that Recchi and Favell (2009) forward in the preface of their recent publication “Pioneers of European Integration”: “The free movement of EU citizens is the immediate and most visible sociological consequence of this political and peaceful (r)evolution – arguably the noblest, bravest and most popular achievement of the process of European integration so far” (Recchi

¹³ Studies of postsocialism actually have a number of insightful case studies of labor migration, the shifting labor patterns in the aftermath of transition and also in the field of accommodating neoliberalism in one's life. However, a direct comparison of postsocialist and postwelfarist neoliberals is also missing here.

and Favell, 2009, p. vii). More precisely, what I am intending to do in this thesis, is to reveal some implications of the recently acquired rights that are enshrined in the European Union citizenship. Obviously, EU citizenship is a citizenship open to every citizen of each of the member states, which can be exclusively accessed from outside one's own state. From this fact it derives its high relevance for migrant workers in general, but due to absolute numbers, especially so for migrants from Eastern to Western Europe. And the relevance of the topic become more pressing when transitional restrictions expire by May 2011 for the EU-8 countries, and by January 2013 for the EU-2 countries, respectively and grants same rights to every EU-citizen.

The theoretical emphasis, put more precisely, will be on *citizenship regimes in post-war Europe*, and how the capitalist West and the (post)socialist East have differed in their citizenship regimes. In fact, EU citizenship regime and the way how citizens are created in the European Union poses a third regime type in this scenario, which will open up even more space for analysis with regard to possible interactions of the three, but also for EU citizenship as a new type of citizenship of our time. The chosen approach is especially fruitful, because – and I am repeating myself here – the traditional analytical framework on EU citizenship was largely informed by economic and policy considerations. Alternatively, we have the debate on similarities and differences of specific EU citizenship rights and nation state citizenship.

This work will not repeat this debate in content or form, but, through the analysis of different citizenship regimes, aims to reveal what the outcomes of EU citizenship policies are for individuals on the ground, and for the EU integration project as a whole. Certainly, some of the aspects of the traditional discussion need to be addressed and therefore will be mentioned, e.g. the assumed democratic deficit, the identity component, the reproach of little rights and no obligations in 'the market citizenship' concept, and the efficiency in the allocation of work demand and supply. However, the aim is not to provide yet another

evaluation of the above, but an approach that analyses the outcomes, and intertwined processes of national citizenships and legacies with this newer EU citizenship regime.

Throughout the thesis, I will focus on how work and citizenship rights and obligations are connected in any of the three described citizenship regimes, although the concept of “socialist citizenship” bears some uneasy intellectual burdens.¹⁴ Consequently, and more importantly, I will argue that the inherent connection of EU citizenship and migration for labor operates to the disadvantage of the millions of East European workers in West European labor markets when compared to that of the local population – despite a higher or equal education level; exceptions to the rule are rare and not easy to find. If they are to be found, then most often in high-skilled migration schemes, which are more decoupled from rank-and-file prejudices and also more facilitated administratively as a matter of urgent demand. In a last step, mechanisms that trigger this kind of partial exclusion from the same professional and wage opportunities will be explored. The situation gets even more severe if one considers the situation in the sending countries, where labor shortages in some sectors more and more frequently occur, not to even speak of the social costs of disrupted family lives, deskilling or “brain waste”, and the erosion of the domestic infrastructures in terms of low-fee education or qualified personnel in the health care sector.

Section by section overview

In the next five sections I hope to synthesize the aforementioned four themes in the following ways. Chapter II will deal with theory and scholarship on the manifold relations of citizenship and labor. It will be organized in a way that implicit assumptions on citizenship regimes will be made explicit, and the – sometimes obfuscated – interweavedness and interdependency of work and citizenship will be retrieved. Since much of what I would like to

¹⁴ The concept of ‘citizenship’ has evolved as a consequence of democratization and industrialization. In a class by Violetta Zentai (WS 2011), the question arose whether one in light of factual non-democracy one can actually use this concept for describing the relationship between individual and state. This puzzle will be thoroughly analyzed in chapter II; therefore here I will leave the discussion here.

achieve in this work is connected to the different legacies of postwelfarist Western Europe and the socialist legacies of Central and Eastern Europe, the picture will become much clearer as to what the migration flows actually imply for the social stratification of Europe and, consequently, the state of art of EU integration.

Chapter III is devoted to the analysis of EU integration in institutional terms and especially in the evolution of the EU freedom of movement and related policies. The aim of this part is to understand the logic of the EU citizenship regime, which heavily builds upon the connection of work and rights, and consequently non-work as equal to non-entitlement. As part of this historical analysis, also former migration patterns from South to North as well as other European migration flows find their way into the picture.

Chapter IV will compile data on the actual migration pattern from East to West, and especially from the period when the postsocialist member states acquired EU citizenship for their nationals. Part of the problem in this field are the scarce and not systematic data sources; however, in some very recent publications – which again are mostly conducted by researchers of public policy and economics, and not social scientists – one finds information on numbers, destinations, and fluctuations of recent East-West migration. Through the compilation of data from various sources the discrepancies and problems of current intra-European labor migration will be revealed and challenges will be outlined, and, last but not least, the demographic composition of migrants and receiving societies will be addressed.

In chapter V, the mechanisms and problems of EU labor migration, and thus also EU integration, will be revisited and put into a wider context. While spelling out implicit assumptions on the “model citizen” of EU citizenship policies, it will be depicted how EU citizenship became neoliberal and how it interacts with nation state and systemic models. Subchapters will deal with orientalizing practices in contrast to the inclusionist rhetoric of official EU documents and the interplay of EU and national citizenship regimes in an era of

neoliberalism and postsocialism. Here I would like to particularly elaborate on the consequences for East Europeans' identification with the EU, which might or not have severe outcomes for the overall integration project. Furthermore, administrative hurdles and existent practices of labor migration itself will be addressed to show that the "dual labor market" structure (Favell, 2008) bears the danger of becoming a perpetuated phenomenon, and not only the transitory one that is already an acknowledged fact.

In the conclusion, considerations regarding the "future of the EU" will be connected to normative questions of social justice in an age of neoliberalism. Furthermore, a call for more social anthropological study of policies and citizenship regimes will be formulated, as well as for the EU as a field for further inquiry and on the theoretical connection of migration, citizenship and work.

A side note on understandings of the "EU"

As concluding remarks to this introductory part, I will add some thoughts on the theoretical and methodological approach, particularly on the way data and theory should be perceived. I would like to do this by introducing two methodological calls from anthropological literature, one dealing specifically with the European Union as a field of analysis, the other concerned with the anthropology of policy.

The benefit of the former approach is that research on the EU can be fruitfully decoupled from criteria usually ascribed to nation states. The EU here is understood as distinct entity, which can or not bears characteristics of any European nation state, but can also invoke completely differing structural traits due to its open character. Thus, the EU serves as a tool to overcome methodological nationalism in the way that is suggested by Wimmer and Glick Schiller (2002). One might argue that differentiating between the inside and the outside of the EU can be harmful, for by this one disregards millions of individuals that have dual citizenship, are minorities outside EU member states, or live in an EU member state without

holding citizenship. However, the EU must still be understood as a more closed or integrated entity than other regions in the world that have not entered this kind of economic, political and partly social union, where few spheres of life are left unaffected by EU jurisdiction or policies, though mediated through national and nationalized channels (Bellier and Wilson, 2000, p.3). Therefore, the EU is also a field of cultural articulations between the local, regional, national and supranational, but even more so a field and object of social practices. As such, the EU is not static but in flux, and is highly dependent of the interpretations and meanings that different actors give to it over time and depending on context (Bellier and Wilson, 2000, p.8).

The EU labor market then, as well as the policies concerning it, is a key institution and field of practices within this larger sphere. Understanding labor and citizenship regimes as embedded in a larger “culture” (Polanyi, 1944), and treating them not as separated and disconnected spheres opens up an interpretational space, which is otherwise closed. Thus, although one might – at first glance – try to rationalize EU citizenship and migration patterns as pure economic public policy products, they are also indicators of the interplay of the greater cultural, economic and social layers of the EU (Bellier and Wilson, 2000). By the same token one has to understand the type of economic culture we currently encounter, which I have termed earlier “neoliberal capitalism”, as one “culture of capitalism”. Through this, neoliberalism as a set of distinct features becomes thinkable as being firmly rooted in broader social relations, and not as an alienated and essentialized given. Carrier (1997) coined the term “Market model” for this very culture of capitalism we encounter in contemporary Europe, and most parts of the world. Again, this perspective gives researchers the opportunity

to treat the EU as well as its key institutions and policies not as givens, and reify what is presented by policy makers and in official documents, but analyze it critically.¹⁵

The latter of the two calls from anthropology then concerns the study of policy in general. Questions that can be answered using this approach proposed by Shore and Wright (1997) are as follows: How do policies work as instruments of governance, and why do they sometimes fail to function as intended? How is policy framed linguistically? How do policies affect the lives of individuals? Usually carried out in two distinct spheres, anthropological study of policy in the EU has generated case studies on communal life as affected by certain policies, as well as studies on the actors of policy-making, the so-called Eurocrats (Parmann, 1998; Shore and Wright, 1997; Wilson, 1998). One big advantage of this approach in policy study is that it does not directly tackle questions of “culture” or “identity”, and can therefore be sensitive to the situational relatedness of cultural production in interaction, and thus does not essentialize these processes as inevitable in nature. Furthermore, with the study of policy on the EU level, one can collect data that is genuinely transnational in character, just as EU policy as a supranational instrument of governance is in itself. As Wilson (1998, p. 155) puts this situation,

perhaps there is no better arena in which to study the processes of nationalism and transnationalism than at the international borders between the states of Europe, where the EU’s integration policies have resulted ostensibly in a ‘Europe without frontiers’, but where reduced barriers to commerce have not affected cultural and political constructions of the frontiers between nations and states.

Furthermore, when studying specific policies, like in this case labor market policies and citizenship regime of the EU, one has a powerful tool to analyze how the individual is categorized and given statuses and roles as subject, citizen, professional, national, criminal, or deviant in different settings (Shore and Wright, 1997, p.4). Therefore, also power relations

¹⁵ This is pretty much the way that Brubaker (2004, introduction) proposes in order to do research on nations or ethnic groups. An actor-centered, not essentializing way of perceiving entities that gives space to nuances and fluctuations as well as to changes and alliances over time.

and hierarchies are made visible in written documents and existent practices, be this legally intended or not. “Policy” in the anthropology of policy thus means much more than just a written document, rather it grasps the whole range of institutional arrangement, linguistic shaping of discourses, as well as practices and acts of governance on the ground without reifying the meaning that is ascribed to those by certain actors in power positions.

In sum, both approaches are very well-suited to analyze fruitfully the very complex dynamics of European labor markets, the policy study of the key institution of EU citizenship to understand the EU’s citizenship regime and the subsequent future chances for the overall European integration project.

II Legacies of work and citizenship: post-war European citizenship regimes

As a starting point of the argument, in this section, I will demonstrate how work has been and continues to be a crucial element in defining citizenship status, despite minor or substantial repositioning over time and despite the effect of systemic legacies and socio-political processes such as migration and transnationalization of everyday lives. A substantial aspect of this argument is that citizenship in Western Europe was slowly decoupled from work in the earlier decades of the 20th century and reached a universal quality regardless of employment status. In the words of Castles and Davidson (2000, p. 43) this means that with the rise of welfarism a crucial shift in the perception of the “citizen” occurred, from what a person does to what a person is entitled to. Contrary to this development, work until the very end of state socialism remained an ideological prerequisite and a practical means to achieve socialist, and finally communist, citizenship. An early publication by Friedrich Engels is therefore also entitled “The Essential Role of Labor in the Transformation Process from the Ape to Human Being”.¹⁶ This different evolution has far-reaching implications for the post-socialist understandings of work and citizenship, especially in light of the Central and Eastern European countries (CEEC) adopting the neoliberal capitalist agenda and citizenship regime of our time with few reservations.

These differences alone are certainly of high analytical importance, but, since with the EU citizenship both capitalist and socialist legacies are merged with another form of neoliberal and also supranational citizenship regime, they serve here as the main preparatory ground for addressing the main concern of this thesis: What does the current EU citizenship regime actually contain, and what constitutes the ideal neoliberal EU citizen? Furthermore, which

¹⁶ My translation. The original title of Engel’s essay (1876) reads “Der Anteil der Arbeit an der Menschwerdung des Affen”.

parts of the citizenry – can potentially – live up to the ideal type that is enshrined in EU citizenship documents? In order to solve these questions in the following chapters, in this chapter classical understandings of capitalist and socialist citizenship regimes in the 20th century will be reviewed and then interpreted in light of post-socialism and the post-Marshallian welfare state, which are both increasingly characterized by neoliberal practices.

A different approach to dealing with citizenship: citizenship regimes

For the endeavor of systematizing citizenship regimes as outcomes of a certain organization of political economy, social order and welfare arrangement, several points need to be addressed. First of all, the concept itself lacks a fixed meaning. Whereas Lupo (2010, p. 68) understands citizenship regime as the regulations that are used to exclude and include persons into the domestic citizenry, and ultimately concentrates on the state's practices to assimilate naturalized citizens, Schmidtke (2001) has a more elaborate definition. To him, citizenship regimes designate the stipulation of rights and duties of the national citizenry, but also engage with boundary-construction of the society in the sense in which Lupo uses the term. In addition, to Schmidtke there is a strong notion of nationhood that is intertwined with citizenship regime, despite his attempt to decouple the two; this is a notion that ultimately will not hold truth when applying the model to the EU's citizenship regime. Furthermore, Schmidtke considers citizenship regimes as inclusive to the inside, and exclusive to the outside, in much the same way that Brubaker (1992) asserts for nation-building in 19th century France and Germany. In a comparable fashion, citizenship regimes are defined by Feakins and Białasiewicz (2006), when they describe it as the privilege of the sovereign state to define the citizenry, and how to include and exclude through legal provisions and state practices.

However, among the recognized citizenry there are status differences, as Jenson (2007) and Lem (2008) would powerfully and plausibly argue. Lem (2008), borrowing heavily from Jenson (2007), sets out citizenship regimes as “institutional arrangements, rules, and

understandings that guide and shape concurrent policy decisions and expenditures of states, problem definitions by states and citizens, and claims made by citizens” (pp. 60-61). The function of citizenship regime(s) within the state is understood as a warranty to overall social order and stability. As a consequence, citizenship regimes tend to react flexibly and through new mechanisms in times of political and economic transformation or turmoil (p. 61). Furthermore, it “encodes within it a paradigmatic representation of identities, of the ‘national’ as well as the ‘model citizen’, the ‘second-class citizen’, and the ‘non-citizen’. It also encodes representations of the proper and legitimate social relations among and within these categories” (Jenson 2000, in Bjornson (2007, p. 66)).

Yet another elaboration can be found in Jensen (2007, pp. 55-56) who finds that citizenship regimes consist of four different dimensions: first of all, the already introduced notions of recognition and entitlement, and then the also aforementioned identity component. The third dimension is the institutional design and how it enables civic and political participation, which corresponds to the need for a stable social order. Lastly, the question in which situations and for what provisions the state is responsible is enshrined in the “responsibility mix” and regulates basic values and regulations regarding social stratification and the interplay with markets, families and the overall society.

There are a number of reasons why the concept of citizenship regime is very useful. Jenson (2007) herself finds that framing the issue in this way enables the researcher to capture conceptual and practical changes over time, which gives the relation of state and citizenry more dynamics, and it is also sensitive to shifts of boundaries and regulations. Besides accounting for temporal change, the notion of citizenship regime allows for a critical analytical reading of policies and their impacts on the affected populations, and thus does not reify understandings that are proposed by policy makers and other powerful actors. In addition, the focus is not exclusively bound to the study of policy documents and official

statements and actions, but creates the potential for a critical shift towards the individual, for it can grasp the agency and perceptions of individuals or social groups.

This is an important step forward, since meanings of citizenship or welfare policies are likely to vary in content, with unexpected outcomes in terms of reactions to these policies (Bellier and Wilson, 2000). A last point should be mentioned, in order to pre-empt the objection that the concepts of welfare regime and citizenship regime overlap too closely to be analytically useful. As Schmidtke (2001) observes, workers in a society can have access to welfare benefits without nominally being included in the citizenry. While the study of welfare regimes certainly gives crucial insights into the policies of inclusion and exclusion, the analysis of citizenship regimes can provide a much more nuanced and comprehensive picture of the situation of different parts of a population without producing the blind spots of temporal change and individuals' responses to policies.

There is one modification to the concept of citizenship regimes that I would like to introduce to the discussion, the issue of legacies. Although Jenson (2007) explicitly spells out the advantages of the usage of citizenship regime in the context of the EU, especially in the context of disconnecting it from earlier static notions that take the nation state as a vantage point, she does not address the interplay of national citizenship with EU citizenship regimes. However, I consider exactly this interplay of national citizenship regimes with the EU level a highly fruitful one, especially when it comes to explaining postsocialist citizenship regimes and their ways of associating with EU citizenship. This is so, since conceptual and practical differences of socialist understandings of work and citizenship have very different implications for the interconnection with the EU citizenship regime. Therefore, in the following sections, exactly this content of capitalist and socialist citizenship regimes will be addressed. A special focus will be on how citizenship is defined through the employment status of the individual, and how that relationship changed – or not – over time.

Capitalist welfare states and national citizenries

The evolution of capitalist welfare states in Western Europe and the possibilities of entitlement and exclusion have engaged a vast number of scholars, especially in the era after World War II. The following section has by no means the incentive to generalize and obscure the various remarkable differences between European capitalist welfarist histories, and subsequent citizenship regime legacies. However, taking over a point by Crouch (1999), when comparing Western Europe with other regions of the world, particularly with North America, a West European preference for structured, ordered and limited diversity in capitalism becomes visible. Furthermore, Crouch (1999) argues that although in many respects welfare regimes on the European continent have conflicted and contradicted each other in their underlying premises and policies, they nevertheless show a lesser potential and degree of deregulation than the American or British system. As a matter of fact, I am mostly interested in these broad frames of comparison, since it is the aim of this exercise to show crucial differences between European capitalist and socialist understandings of work and citizenship. As I explained earlier, welfare regimes have much in common with citizenship regimes, but since the circumstances of legal and practical entitlement have changed very much over the past fifty years, the notion of citizenship regime can account more for the dynamics of policies and society.

In a very schematic definition, the western welfare-capitalist experience can be understood as a history of “state responsibility for securing some basic modicum of welfare for its citizens” (Esping-Anderson, 1989, p.183). How this living minimum then has been defined, varies greatly across countries. Esping-Anderson (1989) introduced three different clusters that roughly share characteristics of either 1) need-based social security that is uncoupled from employment, but gives little unemployment rights and other forms of state benefits, or 2) unemployment benefits and other social assistance, which heavily rely on work

performance and employment, or 3) a social democratic system that grants universal security for everyone, but is not much connected to work performance, nor need. The inherent stratification of the working and non-working population is obvious: firstly, whereas type one, the liberal, mostly Anglo-Saxon model creates a relatively equal degree of poverty among welfare recipients, citizens with an income are highly diversified.¹⁷ The second type, the corporatist model, which is represented in countries like Germany, Austria, Italy, and France, consists of a society that is layered in three social strata: the poor, the working middle class, but also very rich elites. The last regime cluster is the social democratic type, which favors regulation of the dualism of state and market, and between the social strata the most, for welfare is mostly universal and can translate into the highest degree of equality among citizens.¹⁸

It is not very surprising that other authors have suggested different classifications, mostly as a result of analyzing Esping-Anderson's model. Handler (2009, p.81) suggests, citing Ferrera (1998), that there are not only three European welfare types, but four, and that the fourth type can be called the "Southern European" type consisting of countries like Italy, Spain, Greece and Portugal.

As a consequence, one can argue that different welfare systems have helped to shape very different citizenship regimes, which is depicted in the different social strata they produce, and in varying social inclusion patterns. Another – quite obvious – conclusion can be drawn from the fact that welfare has since its emergence in the late 19th century depended to a decisive degree on labor market participation (Kolberg and Esping-Anderson, 1992). This relationship is not unidirectional but interdependent, since welfare regimes have traditionally also functioned as a tool for shaping the labor market participants, e.g. through regulations on mother protection, family programs or disability provisions as well as definitions of labor

¹⁷ According to Esping-Anderson, the US, the UK, Canada, Australia, Denmark and Switzerland can be found in this cluster.

¹⁸ Esping-Anderson names Sweden, Finland, Norway and Denmark as country examples in this category.

market entry and exit age. The next question that needs to be considered then is how welfare and work can be framed in the language of citizenship, and consequently, citizenship regimes. Most prominently, and by now a classic in both citizenship and welfare studies, this connection is offered by T.H. Marshall, who introduced the concept of social citizenship to the discussion in the earlier post-war years.

Following the Marshallian tradition, all scholars in the field of citizenship study (e.g. Brubaker, 1992; Crouch, Eder and Tambini, 2001; Joppke, 2010) have agreed upon the basic definition that citizenship is the demarcation of a status of full membership in a community that entitles a person to certain (participation) rights and is based on a principle of basic equality for all members, while it also entails certain duties. In Marshall's understanding, and this view is more contestable, citizenship consists of three distinct elements that, once unified in a single thread, re-emerged as separate dimensions in the British society from the early 18th century onwards. At the end of the feudal era, civil rights functioned as a means and driver of facilitating economic market exchange among burghers and other free men, and thus as "rights necessary to individual freedom- liberty of the person, freedom of speech, thought and faith, the right to own property and to conclude valid contracts, and the right to justice" (Marshall, 1992, p.8). Castles and Davidson (2000, p. 105) consequently sum up these civil rights as rights that an individual bears against the state.

During the 19th century then, political rights as a way of alleviating class inequalities in power-sharing and economic participation were introduced. Political rights contain "the right to participate in the exercise of political power, as a member of a body invested with political authority or as an elector of the members of such a body" (Marshall, 1992, p.8). More specifically, these rights include the right to vote or run for offices, the right to free assembly and association, and also the right to information (Castles and Davidson, 2000, p. 110). Finally, to Marshall it was social rights that in the 20th century helped to substantially

undermine the evils of social inequality inherent to the class society, because they allowed every citizen to enjoy “the whole range from the right to a modicum of social welfare and security to the right to share to the full in the social heritage and to live the life of a civilized being according to the standards prevailing in that society” (Marshall, 1992, p.8). As such, they were also means to enhance the civil and political participation of citizens within the national community. However, unlike the other realms, social rights are much more easily reversible (Castles and Davidson, 2000), since they are reliant upon the state’s willingness to regulate the tension of markets and states.

The main puzzle that Marshall tries to solve is how citizenship, which he sees as a principle intrinsically bound to equality, can emerge and even flourish in an economic and societal system that is built upon social inequality. His solution implies that citizenship has a mitigating function for capitalist inequalities, and opens spaces for equality of opportunity for each member of the community plus the universal right to minimum sustenance regardless of the market value of the citizen. Zincone (1999, p. 3) interprets Marshall’s social citizenship as a huge emancipatory step from closure, prejudice, and also class. However, as is often argued by others, and also by Marshall, social citizenship of the 20th century did not substantially undermine capitalist inequality, but rather helped to implement it more thoroughly, because it did not question the system itself but balanced insecurities within the lifespan of the working class, while allowing for more elaborate status and employment differentiations within these societies (Crowley, 1998; Turner, 2009).

Historically then, the evolution of social citizenship is closely linked to the labor market participation of the working class and the benefits earned through employment – first within private corporations like in classical Bismarckian corporatism, but then increasingly also on a state-wide level. This is the result of the successful struggles of emerging labor unions and subsequent state policies, which mirrors the ways in which Esping-Anderson (1989, 1990)

describes the evolution of the welfare state. Also the inclusion of women as holders of political rights in the beginning of the 20th century helped to 1) bring welfare provisions onto the state level agenda and 2) separate it ideologically from labor market participation and thus push it towards universal entitlement, because it was assumed that women participate less in the labor force. According to Powell (2002), especially the post-war shift towards universal entitlement for welfare meant as an acknowledgement towards the fact that economic hardships within society might actually stem from structural problems, and not so much from individual failure. As such it equaled the abatement of personal stigma and the state's recognition of responsibility for the sustenance minimum of each member of the society.

This acknowledgment is important for understanding different developments in treating citizenship within academic and social policy discourse when global economic forces undermined this ideal of universal right to welfare in the era of what Bjornson (2007) calls “post-Fordism”. With post-Fordism, the author denotes the shift from national male breadwinner family-based welfarism that allowed for universal entitlement with a lowered connection of personal ties with the employment status towards a labor market that is characterized by flexible accumulation. Thus, welfare that was formerly distributed on the basis of gender and nationality, now slowly became re-commodified and newly discussed in terms of entitlement through labor market performance and willingness to participate.¹⁹

One reason for this decline of the Marshallian “exclusive universalism” (Schmidtke, 2001) is the fact that from the late 1970s onwards social policy had to react to economic crises and growing numbers of unemployed due to higher international competition, the decrease of the manufacturing sector and lobby groups that had specifically in mind labor interests (Fraser, 1997). Through this, the sphere of duties and obligations within citizenship, which was mostly absent in Marshall's approach, became more important in the social policy

¹⁹ The era of post-Fordism is closely linked to the discussion of neoliberal citizenship regime, which is discussed later in this chapter.

discourse on citizenship, and was subsequently accompanied by a re-commodification of welfare, especially in terms of welfare “services” that demand for a “contribution” from the side of the citizen (Crouch, Eder and Tambini, 2001). The tension between scarcity of resources in employment opportunities and welfare budget and the societal idea of universal solidarity has ever since not ceased to determine the social policy debates on welfare, although the marketization of citizenship and working rights has informed the general direction of citizenship regimes in European national states, as well as in the development of the European Community (Offe, 2004). It is part of this neoliberalization of contemporary policies that citizens once again are educated towards self-responsibility for their well-being, and also for their unemployment²⁰ in an ever-growing situation of competition in job markets and a more pressingly work-related value system like the one described above as a post-Fordist citizenship regime (Evans, 2001).

Another indicator of a shifting citizenship regime in Western Europe is the tendency to discuss social citizenship and inequalities increasingly in terms of ethnic, gender or cultural minority identities. As becomes obvious from various hints in the above discussion, Marshall’s account of social citizenship takes for granted a national and relatively bounded society; however, with the increased mobility of peoples over the past decades, this premise was undermined. Consequently, this development led to expanding the idea that citizenship not only carries ideals of status equality and legal entitlement to civil, political and social rights, but also an identity component (Joppke, 2010). Other authors in the field who engage with matters of redistributive justice and the question of equal access to citizenship rights in light of minority status, are obviously Fraser (1997, 2000), with a nuanced discussion of dilemmas of identity recognition, and material and ideational redistribution, or, with a more

²⁰ The stigma of unemployment and subsequent poverty and material exclusion is thus ascribed to individual failure, and not to structural forces. Gans’s (1995) chapter on the “undeserving” poor is especially informative in this respect.

pronounced focus on identity, and not so much on socio-economic access, Kymlicka (1995) and Taylor (1992).

Also in light of increased migration across EU member states, the West European welfare systems face huge challenges. Practically all of them have become immigration countries and struggle to define their citizenry in less national, less gender-biased and less culturally normative way while still trying to keep up the level of welfare that has emerged over the decades in times of tighter job competition.

As a preliminary conclusion to Western capitalist legacies, one can state that the development towards stratifying citizens according to their success in the labor market should be understood as a decisive step away from the social citizenship that Marshall once described which has severe implications for understanding citizenship of our age. However, the experience of the neoliberalization of the citizenship regime was gradual, and is not necessarily accompanied by less expenditure on welfare by the state, which might be a European specificity in neoliberalism, or the result of changing redistributive targets, such as increased retirement benefits due to the changing demographics.

East legacies: Citizenship regimes in socialism

When comparing the emergence of Fordist welfarism with the emergence of state socialism out of another phase of capitalism, several issues need to be taken into account. The first problematic assumption is that since all aspects of citizenship are intrinsically linked to the emergence of industrial capitalism, this will not support the analytical use of the concept “socialist citizenship” in socialism.

I disagree with this assessment, and would argue that, used in a cautious way, the concept can be utilized fruitfully. First of all, state socialism in the countries of Central and Central Eastern Europe did emerge in a time when capitalism had already shaped the affected populations in a way that they perceived themselves as bounded nations, which, as we can see

from Marshall and other authors' works, is a very important predisposition to internalize the notion of citizenship. Arguing with Brubaker (1996) then, it becomes clear that nationhood did not become extinct under socialism, but was actively used by state authorities for social engineering. Thus, one precondition for citizenship "as-we-know-it" is certainly given. Furthermore, the very legacy of pre-socialist capitalism and urban centers with a thriving burghers (citoyen) stratum gives reason to believe that civil and political rights emerged in a similar manner as elsewhere in Europe, even though with a delay and as part of multinational empires.²¹ In sum, there is substantial reason to believe that the concept of capitalist-democratic citizenship had enough ground to manifest itself despite different historical developments.

Another reason for using citizenship in the context of state socialism is the fact that it preempts the use of an ideological tendency to antagonize capitalism and socialism, and define them in antithetical terms. This attitude is not only reifying the politicized rhetoric of the Cold War and the transition era, but also confuses the fact that "the socialist world" was not a disembedded or isolated hemisphere on the globe, quite to the contrary, it accounted for a quarter of world economies, and was tightly embedded into the otherwise capitalist world (Böröcz, 2010). With the ever increasing foreign loans since the 1970s, also macro-influences such as the oil crisis became a domestic concern of socialist states, which makes them even more comparable to capitalist states at the same points in time.

Yet another reason for discussing citizenship regimes of socialism and capitalism in a comparative framework is the shift of discussion towards defining citizenship regimes, and not the "citizenship" of a certain state. Having this concept in mind, one can speak about the development and the shape of certain rights, not only in comparative terms, but also in their

²¹ This obviously contradicts Szelenyi's (1981) claim for a delayed modernization in Eastern Europe due to the "second serfdom" that assumingly paved the way for socialism better than for any other system. However, my response to his theory would be that the second serfdom was not present in urban centers and thus cannot account for the whole region that I am discussing.

absence. Like this, one can define the dimension of civil rights as severely limited under state socialism without questioning the appropriateness of the concept itself. In general then, one should understand the evolution of citizenship regimes in the former socialist states of Central and Eastern Europe – through state agency in the realms of political economy, social engineering and attempts to accomplish social order – as a complementary, and not so much an oppositional story of the developments in Western European societies. Through the lens of citizenship regime then, it will be possible to see how the spheres of “work” and “citizenship” were engaged by state officials and have played out in state socialism.

The next big issue is with the definition of state socialism itself, since there are a variety of different states that were subsumed under this category. I use the term “state socialism” like Massino and Penn (2009, p. 221, endnote 1) do, thus with regard to “the type of political, economic, and social welfare system that existed in postwar Eastern Europe. This was different from the social democracy practiced in Western European democracies, which, while providing social services and benefits to the population did not advocate the complete overthrow of the market economy and the leading role of one political party”. And yet against this commonsensical understanding, it is also necessary to stress the fact that there were different types of citizenship regimes like in East European countries, based on national pre-socialist legacies, different emphases in social engineering, e.g. in bio-politics, or the liberties granted to the individual.²²

However, what is more important for the comparison with capitalist Western Europe, is the fact that they all nominally subscribed to the critique of capitalism that Karl Marx and his followers had developed in the mid-19th century, but in reality at most times did not succeed. Thus, also the earlier existent types of state socialisms were subjects to historical

²² I am referring here to the very extreme Romanian policies regarding contraception and abortion, or the GDR with very restrictive travelling policies and the extent of persecution in case of disobedience. It also played a crucial difference, e.g. for the influx of Russophones into the country, whether states were part of the Soviet Union or just a “satellite state”.

contingencies that Marx did not predict (Böröcz, 2010), as well as their ideological and practical impact on other states. As a consequence, also the historical force of Marxist ideology on the shaping of Western welfare states needs to be acknowledged. Among other reasons, it was due to Marxist socialism that the workers' movements across Europe could enhance political and social citizenship rights for the working class in the 19th and 20th century in European societies. Hence, the political decision to enhance welfare provisions in the West was one tool of the state to avoid more substantive restructuring of state institutions and remain within a market-oriented mode of production *vis-à-vis* the threat of an expansive socialist revolution.

Verdery (1996) points out that socialism has an emphasis on productivity that is derived from the basic needs of workers. As such, it places competition not on the side of producers and variety of products, but – because of material shortages and systemic characteristics such as hoarding and planned production – to the sphere of consumers. Also efficiency is not placed on the ideal balance of demand and supply, and consequently on the profit-maximization of market economies, but on possibilities and efficient planning of production.

It is work that is the universal right of the socialist citizen, and enables active participation in society. Marx, who developed his version of socialism based on the shortcomings of the capitalist mode of production, assumed that meaningful work is an essential human activity. However, in the capitalist mode of production the worker, so Marx's argument, is alienated from the means of production, as well as the final products and profits of labor. Due to these circumstances, the working conditions of the working class are to be called exploitative and should be restructured so that meaningful employment becomes possible. The aim of socialist states then was not only to provide meaningful employment as a universal right that is understood as a precondition for individual well-being, but they tried to bring the means of productions into the hands of the workers through collectivization of private property

(Burawoy, 1984; Grabb, 1997). Thus, socialism can be understood as the fusion of state politics with production, whereas capitalism stands for their separation in the public and private spheres (Burawoy, 1984, p. 40).

Since work was the essential form of participating in the society, also all entitlements and welfare provisions were connected to the local working place (Humphrey, 1997). People that did not participate – for whatever reason – in productive labor or had difficulties adapting to local working conditions were therefore referred to as “asocial” and “dangerous” elements that were perceived as threats to the socialist ideal of citizenship.

However, despite all grounds to compare the two, social citizenship in the Marshallian sense should not be equated with the socialist welfare system of closely connecting work and citizenship. Bottomore (in Marshall and Bottomore, 1992) argues that in Eastern Europe the successive evolution of the citizenship rights’ threads of civil and political entitlement were never thoroughly carried out, therefore the abolishment of substantial civil and political rights in the form that Marshall proposed could be more easily abandoned for the sake of huge socialist projects of social provisions in cheap housing, workers’ protection, elaborate infrastructure and pension schemes. While I do not agree with the reasons that Bottomore proposed for refuting the claim that socialist welfare provisions are not just an equivalent to the social citizenship of democratic traditions, I share his conclusion.

Being a meaningful member of the socialist state largely meant giving up individual freedoms of political and civil nature. Szalai also argues that despite generous welfare provisions in socialist states, these were not rights that one could claim as a free individual and on quasi-universal grounds, but which were tightly connected to the willingness to cooperate with state authorities and comply with official policies. Therefore, the fundamental nature of rights vs. duty against the state was different in socialist countries and therefore

should be framed in a different way.²³ Framing this argument in terms of citizenship regime, one might argue that the “ideal citizen” of state socialism would comply with these ideologically informed regulations and policies, however, as history has shown, this was not overwhelmingly the case. Verdery (1996) notes that through participating in the second economy or obtaining Western, consumer-oriented goods, or through an attitude of “sabotage” – or, more mildly expressed, “non work” – acts of distinction within the system could be realized, as could resistance.

From early on, socialist citizenship regimes were more successful in integrating “minorities” such as women and ethno-cultural groups, which in capitalist systems were more hesitantly and much later incorporated. This policy was the result of socialist citizenship being built upon the assumption of basic equality of all humans capable and willing to work.²⁴ However, attempts towards full inclusion and equality were mostly discursive, and did not actually accomplish in practical terms what they promised: not only did women participate to a lesser degree in the workforce than men; they were also placed in lower ranks of the working hierarchies. In addition to formal employment, they also carried out all of the domestic work, as was prescribed by the pre-socialist legacies that had put – and, in the West, continued to put at least until the mid-1970s – an emphasis on the female as care provider (Sandole-Staroste, 2002). The same kind of double standard was applied in case of the Roma and other minorities who officially participated equally in the production process, but most often in the least prestigious and most elementary professions. In addition, the cultural practices of minorities were despised by socialist officials and resulted in direct and massive surveillance by secret services. However, in public discourse these differences in treatment

²³ In a lecture during the class “The Welfare State in Comparative Perspective” Fall Term 2010 at CEU.

²⁴ Especially for women and Roma the effects were tremendous in terms of emancipation and ways of participating in society, although with limitations regarding the general position in society. For Roma, see e.g. Laitin (1995). On the position of women in socialism, cf. Massino and Penn (2009).

were neglected or played down for the sake of a false capitalist-socialist dichotomy and the feeling of moral and material superiority in this comparison.

Other forms of stratification among groups of citizens were enacted through the type of profession, as Yurchak (2006) describes with the use of “nasi” in the late years of the Soviet Union, which means “ours”. If one was described as “ours”, this inevitably ascribed some sort of credibility and non-ideological common sense to the so called person, which was usually not to be found within the political profession. Alongside the knowledge that party members and other supporters of the system enjoyed enhanced social capital, the qualification as “nasi” proved to be a powerful tool of exclusion and inclusion apart from official rhetoric. Yet a distinct form of stratification within the “classless societies” took place in the shift towards managers as people in power over big state-owned companies, which led to the emergence of the “managerial class” especially in the 1980s. These managers also in the period of transition could translate their social capital from socialism into positions of power.

In sum, one can see how Marxist ideology played a decisive role in shaping real socialist policies by including women and minorities into the labor force, industrialization and through the urbanization of formerly rural populations as well as by creating a new set of strategies of distinction. However, despite the distinct ideology of equating meaningful work with access to citizenship, there were still means to produce social inequalities, e.g. through the logic of willingness, or through the patriarchal dominance in society despite the explicit goal of female equality in the production process and thus in society. Other forms of stratifications were performed more informally, like through the second economy, the use of surveillance and threat, or the oppression of minoritarian cultural practices within the majority national society.

Finally, some thoughts should be mentioned also on the postsocialist condition that the Central and Eastern European states found themselves in after the events of 1989-90.

Although the “end of history” and the subsequent superiority of liberal democratic capitalism was often proclaimed, as Böröcz (2010) criticizes, one can still find very different forms of capitalism in the postsocialist countries of Europe when compared to the older EU member states. Since the postsocialist era was under the strong impact of a neoliberal agenda, the concept will be introduced and discussed before turning to the actual social changes in the postsocialist era.

Neoliberalism and ideal citizens

Before turning to theoretical specificities of neoliberal citizenship regimes in contrast to Fordist Keynesian or socialist ones, a definition of neoliberalism needs to be proposed. Most authors working on neoliberalism agree to the extent that the phenomenon of neoliberalism is global, albeit with the limitation that it produces national and local adaptations, and thus operates on different scales, in different territories, and through different power structures (Ong, 2006). Furthermore, as Herod and Aguiar (2006) argue in line with many others (e.g. Carrier, 1997; Clarke, 2008), it denotes a strong belief in the power of the market and its higher ratio of efficiency in allocating resources and increasing profit. Ong (2006) in this context uses the term “optimization” of market transactions. Moreover, it is characterized by the overall privatization of state-owned enterprises and the deregulation of markets in order to facilitate efficient market operation, which is often but not always, accompanied by only a thin layer of social welfare expenditures.²⁵

Working conditions in neoliberalism are characterized by the limited possibility of providing the means to household reproduction as in the early after-war decades, but by increased insecurity in terms of temporariness, length of working hours, rights, and easier

²⁵ While most of the other characteristics of a neoliberal social policy can be easily traced in European state policies, in absolute terms welfare expenditures have not declined over the last decade. However, there is plenty of evidence to argue that this is due to changes in calculation and redistribution, and per se an argument for the non-existence of the neoliberalization of European societies. A more pronounced take on this point will be presented in chapter V.

dismissal from the position. Protection against all sorts of accidents, sickness and disability is only provided on a limited basis, and leads to the permanent flexibility of the labor force (Pattison, 2008, p. 93). In addition to higher levels of job insecurity, an emphasis is put on the necessity of “lifelong learning” which fits the continuous demand for flexibility and constant retraining as well as further education (Martin, 1997).

The “model citizen” (Lem, 2008) in neoliberalism adapts to this norm of individual agency and contends against all sorts of collectivism (Herod and Aguiar, 2006, p. 3). Thus, the neoliberal citizen worker is called to internalize an ideal that is close to an “independent contractor” or “entrepreneur”, and to take responsibility for their own health care, pension and well-being, but also for their failure. As such, the neoliberal citizen is anchored in the sphere of personal “interests” and only loosely linked to state-protected “rights”. Individuals that cannot comply with these norms in terms of skills or agency, or simply luck, have to fear social and symbolic exclusion, as “secondary” or “non-citizens”. The pronounced individualism in neoliberalism undermines, what Herod and Aguilar (2006) see as the protection function of the state for weaker groups in society, especially for workers’ rights through the fragmentation of labor unions. Clarke (2008), borrowing from Harvey, adds the dimension of “a new class division” through discursive practices, and governance instead of governing and representations. However, and here Lem (2008) stresses a very important point, neoliberal governance should be understood in its functionality, thus as a remedial tool to previously perceived evils, such as economic stagnation and high unemployment. Ceasing workers’ rights in employment security and in provisions of decent working conditions in the sphere of citizenship rights might then also be an expression of remedial measures to secure “future employability” (Crouch, Eder and Tambini, 2001). However, as Olafsson (1992) argues, flexible employability, turn-out work levels and decreased social security are not necessarily correlated, the same accounts for income equality. Thus, the argument of

neoliberalism as securing employment and high work levels can be refuted on the basis that opportunities and a strong work ethic increase work levels in the same way (Olafsson, 1992, p. 64).

As a preliminary conclusion one can state that neoliberal capitalism – as any other form of political economy – is a field of contradictions that opens new spaces of interaction and exclusion, as well as antidotes to some older contradictions, while triggering new forms.

Postsocialism. The return to Europe?

The focus in this section will be on the impact of the socialist legacies for the immediate past and present citizenship regimes. As a consequence, some conclusions will be reached regarding the “nature” of postsocialism, and similarities and differences across different postsocialist countries’ citizenship regimes. And indeed, similarities that all Central East European countries share can be seen in their experience of four decades of state socialism and their experience of sovereign statehood before the Second World War. Furthermore, they were in relative geographical and historical proximity to the West and became accession candidates for the EU right after the transition, in 1993 (Vachudova, 2005). These initial structural similarities had an impact on the organization of welfare and citizenship regimes after the transition. As Bohle and Greskovits (2006) argue, in all of the European postsocialist states, welfare was organized centrally, as dependent on employment and through state enterprises. Furthermore, some of the benefits like child and family allowances, free education and health care or housing provisions remained largely universal despite exploding numbers of unemployed in the early postsocialist years.

Huge challenges were faced in light of the closure of most state-owned companies, the dismantling of the socialist generous welfare system and the sudden increase of populations living below the poverty line. Below, the changes in the economic, political and social sphere will be addressed in turn, as proposed by Cerami (2007), since all of the above have

implications for the character of the citizenship regimes that were installed and enacted. First of all, with the transition a whole collection of supranational actors entered the scene and facilitated the symbolic “return to Europe” with large financial transactions and investments in the region. Not only the EU played a major role in the transformation, but also the OSCE, NATI, the Council of Europe, EFTA, OECD, the World Bank and the IMF, as well as the UN. For these actors, EU-conditionality played out, which means the dependence of the CEEC on foreign investment and the prospect of accessing the EU while installing the rules of the *acquis communautaire* (Vachudova, 2005; Verdery, 1998). Böröcz (2010) understands the interest of these transnational actors as strategic, because they saw great opportunities in the supply of human and natural resources, e.g. in the high levels of education, discipline and the willingness to make significant social adjustments in search for individual economic opportunities (Böröcz, 2010, p.146f.).

A strategy that involved a radical shock therapy was favored by these neoliberally informed transnational actors, despite the possibility of alternatives. Adam (1999) thus argues that neoliberalism as such was not an endogenous phenomenon, but was imported, since knowledge in the field was largely missing and domestic politicians and scholars were insufficiently prepared to carry out the changes without foreign economists from the IMF and the World Bank, which were also the holders of the capital. However, it would be a false assumption to see these neoliberal developments in the postsocialist years as completely and exclusively enforced from the outside. Rather, one should see the adopted measures as results of a mutual process, since the governments of the CEEC were hoping for positive financial impacts in connection to the lucrative EU markets, the prospect of financial assistance, and the prospect of electoral successes following economic growth and the escape from the “communist legacy” (Bandelj, 2010, p. 482).

Politically then, postsocialist governments had the task to manage the outcomes of the transition and stabilize the feeble economies, in addition to taming social conflicts that were arising when new risk groups emerged. Furthermore, they had to ensure loyalty and legitimacy of the new political system among the citizenry, but also for foreign investors (Cerami, 2007). That these quests were not necessarily performed in an exhaustive manner, is reflected in the argument by Tarifa and de Gay Fortman (2001), who argue that most of the postsocialist countries were not able to set up effective and prolonged democratic systems, since to the authors it is not only procedural democracy that is an indicator of political legitimacy, but also practical effectiveness.

As a consequence of socialist legacies and due to the large economic and political transformations, the social policy sphere was also influenced, which led to the emergence of new and broader risk groups. This is no surprise, for the CEEC faced the double task of accounting for old and new risks for a larger part of the population in addition to an increase in the severity of problems (Cerami, 2007). Hanley and Szelenyi (2001) find that the rapid decline in dependent employment led in turn to a rapid increase in self-employment and a substantial increase in social inequalities. This can be interpreted in the way that not only the poorest part of the population became poorer, but also the middle income earners suddenly found themselves closer to the bottom of the income continuum; a point that is also reflected in Cerami (2007).

The sectors of agriculture and industry were highly affected by mass dismissals in the early 1990s, accompanied by an increase in the private and service sectors (Böröcz, 2010, p.186). The explicit turn towards flexibility and individualization of failure made it hard for large parts of the skilled manual workers to find new employment, while it also indicates a shift towards the neoliberalization of the formerly socialist-inclusivist social policy. Furthermore, specific skills could not be transferred to the new labor requirements and

resulted in still high percentages in unemployment, especially among women and members of ethnic minorities, who were most often the first to be dismissed.

A change in the employment policies was directed towards individualization of failure and risks, the monetarization of access and “activation” programs that aimed at re-skilling and at support for start-ups. In this situation, differences in the welfare regimes among the postsocialist countries bore huge implications and very different outcomes: whereas the poverty-affected population in other countries was much higher, in Hungary, the Czech and Slovak Republics it could be more effectively treated (Cerami, 2007). Generally speaking, the Visegrad countries chose another path from the other postsocialist countries, for they still had quite generous welfare spendings when compared to the other countries in the area. Greskovits (2009) argues that this policy resulted in comparatively high social cohesion with decreased risks of poverty and relative income inequality. However, the Roma in all these countries were pushed to the margins of the system and now face the situation of multiple deprivations in economic, social and cultural capital (Greskovits, 2009).

Compared to the EU-15, in 2001 the welfare spending of the postsocialist countries overall did not exceed 18.7 percent of the GDP, in contrast to 27.6 percent in the older EU member states. Nevertheless, the emphases on welfare are more or less the same in the old and the new member states, with the same parities on old age and sickness support, but much more spending on family and disability allowances in the postsocialist countries. However, in the areas of housing and unemployment, EU-8+2 tend to spend much less than the EU-15 (Bohle and Greskovits, 2006, p. 282). As a consequence, social benefits in cases of unemployment is much lower than in the West European countries and inevitably accompanied by much larger insecurity and financial as well as social vulnerability. This social vulnerability is also reflected in the increasing rates of mortality, drug and alcohol

addiction, infectious diseases and suicides and the increased perpetuation of poverty with limited exit options (Cerami, 2007).

Another aspect within the postsocialist citizenship regime can be found in the new or re-emerging policies regarding nationality and cultural minority status. First of all, with the re-introduction of basic civil and political liberties, minorities faced a much easier situation when claiming rights based on their minority status, e.g. with regards to minority language education or funds for minority associations. However, since most of the states also carry signs of what Brubaker (1996) calls “nationalizing states”, large acts of exclusion were performed, e.g. with regard to the Russian-speaking population in the Baltic states. Especially Latvia and Estonia implemented hard measures that stripped former Soviet citizens who became residents of the Estonian and Latvian Republics after 1940 off citizenship and produced several hundred thousands stateless residents (Feakins and Białasiewicz, 2006; Verdery, 1998). With regard to the Hungarian regulations, which allow citizens of other nation states who can prove their ethnic affiliation with the Hungarian state, to claim some citizen rights in Hungary, Verdery (1998) speaks of nationalization in light of transnationalization practices. Joppke (2010) refers to the same situation as a re-ethnization of populations through facilitating access to otherwise exclusive citizenship privileges.

In conclusion to the section on postsocialist legacies, one can find that, despite the mourning over the declining universality of entitlement in Western European welfare states, it is still more comprehensive when compared to an Eastern European perspective. Even more so, the neoliberal changes towards flexibility and individualization happened in a much more pervasive fashion and from a very different point of departure, which resulted in much bigger structural problems for the postsocialist countries. Nevertheless, one has to acknowledge that East European transformed welfare states successfully fought some of the worst outcomes of the transition through granting early retirement and generous family allowances. Furthermore,

Bandelj (2010) argues that the EU and other transnational actors with an explicit neoliberal agenda can work fruitfully in tandem with the socialist legacies, especially in cases where they do not function simply as structural constraints but create ideational resources. As such, she argues, this interplay can also help to shape discursive and strategy options for domestic elites, especially when deciding about foreign direct investment.

Implications and conclusions

What conclusions for contemporary citizenship regimes can be drawn from the findings that citizenship is historically very closely bound to work and successive struggles of the working classes? The considerations presented here provide the ground for the successive argument that EU citizenship as a prototypical neoliberal citizenship is mostly devoted to the free movement of labor and only some thin layer of civil, political and social rights, which are subject to national legislations of the host country. Certainly, this claim has its flaws because EU citizenship is just complementary to the still very persistent national citizenships of the member states and is not intended as a fully-fledged citizenship in the full civil-political-social sense. However, as will be argued in the next chapter, the EU does have several indicators not only of a fully integrated labor markets, which does not differentiate between nationalities, but also a range of social rights that are, though blurry in their formulations, still comparable to the social rights that nation states offer in that they offer access to national security systems.

The point that I would like to develop in the next chapters is that the reality of political disempowerment and social fragmentation in light of neoliberalizing citizenship regimes on both national and EU level is much more severe for nationals from formerly socialist countries, for with the breakdown of the socialist system, not only social security changed for the worse, also the citizens' possibility for identifying with the workplace was dramatically altered. This is not only a result of the high numbers of staff suspensions during the

transformation of transform state-owned companies into market-efficient entities, but also because of the sudden influx of the global neoliberal agenda. This new citizenship regime with “model citizens” and “secondary citizens” holds the individual responsible for declining social security and thus plays – ironically – well in line with the socialist logic of work as a prerequisite to entitlements and welfare, thus citizenship.²⁶ This argument will be essential to explain mechanisms why so many East Europeans are willing to take up very elementary skill jobs in Western European labor markets despite relatively high individual qualifications and the fact that nationals of these countries are not willing to take on these jobs despite “objective” similarities in necessity or economic situation.

In Western European societies, the transformation towards neoliberalism was much more gradual, though probably nevertheless a degrading experience. However, in most of the West European societies there is still some public and political consensus about the universality of certain minimum standards of welfare provision, whereas this picture is much more diluted in the East. Some of the countries adopted a strictly neoliberal agenda, like in the Baltic states, others a system of embedded neoliberalism like in the Visegrad region or a neo-corporatist welfare system in Slovenia (Bohle and Greskovits, 2007). Thus, it is not only a question of need for money and the East-West income gap that Pine (1998) asserts as catalysers for the labor migration for the former female workers from the weaver factory in Łódź, but also a certain type of entitlement-based work ethic and socialist legacy that drives workers into, firstly, migrating and, secondly, taking up certain occupations that are considered substandard by locals of the old member states.

²⁶ One has to acknowledge the fact that some welfare provisions are still not dependent on labor market participation, because they are legally granted as sustenance minimum. However, this is not universally the case across countries and also sometimes of temporary nature.

III Labor migration patterns in light of EU citizenship: Evolution and symptoms

So far, the story of national and systemic legacies has omitted one powerful actor, the European Union, and its newest tool to regulate migration and citizenship, EU citizenship. Based on the preceding analysis of the relationship between work and access to citizenship in socialist and capitalist in after-war Europe, in this chapter, another dimension of the connection of work and citizenship will be presented and analyzed, however, through the lens of a third concept – migration. EU citizenship is a citizenship that only becomes relevant and feasible in the act of mobility, and most prominently in the act of moving from one member state to another. This is the context in which the Lisbon Treaty, Article 20 (1) reads that “citizenship of the Union shall be additional to and not replace national citizenship”. Thus, EU citizenship status and rights gains their relevance from the fact and act of cross-border migration by the holder of a member state’s citizenship.

It is the aim of the chapter to highlight the connection of the mobility of labor as a prerequisite to the evolution of EU citizenship policies, which got finally established through the Maastricht Treaty in 1992-3, in order to then confront it with actual data regarding intra-EU migration in chapter IV. I have no intention to argue, as some EU-pessimists do (Everson, 1995, in Downes, 2001, p. 93), that EU citizenship is a pure ‘market citizenship’, which is only aiming at enhancing market dynamics by deregulating human mobility. Quite the contrary, it will become obvious how the EU actually expanded its notion of “European citizenry” over the last decades and moved away from a pure movement of labor understanding towards a comprehensive notion which includes civil, political and – due to the latest developments – also social rights when enacting one’s right to mobility.

The focus in the first part will be on key developments before the actual provisions in the Maastricht and Lisbon Treaty as well as the Charter of Fundamental Rights and how they are

framed in EU publications for a broader public. Throughout this discussion, the historical evolution of EU citizenship from the provisions that facilitated certain kinds of movements of labor will be reconstructed and it will then be shown that the newest wave of intra-European migration follows a very specific pattern just like earlier migrations from South and South-East to Northern Europe. However, through the chapters III and IV it will become clear that current migration is not, as labor migration in previous decades, the movement of low skilled workers that mostly work in bigger locations of production and industry, but that now migrants are medium to high skilled and work in positions that are characterized by a lack employment security, a remarkable mismatch with actual qualifications and mostly in the care, agriculture, gastronomy and cleaning as well as construction sectors.

In sum, a picture of the self-selected and structurally enforced “ideal citizen” of the European Union citizenship regime in the post-enlargement era will be delivered on the basis of established rights for claim-making and the actual situation.

“Your rights – European (EU)”²⁷

The Maastricht Treaty, in Article 8a-e, regulates as the first legal document in the history of the European community the rights of and provisions on EU citizens. It not only presents boundaries of citizenship status, e.g. for third-country nationals who do not hold the nationality of any member state, but also defines the rights that EU citizens have. In the literature the right to reside and move freely within the territory has been voiced as the most important in terms of its implications and the relevance for citizens’ lives (Joppke, 2010; Recchi, 2008). In principle it became possible for the first time to migrate temporarily or permanently without explicitly being a dependent worker or entrepreneur, however, a binding legal guideline that also regulates the movement of non-economically active citizens was only

²⁷ This heading is borrowed from the European Youth Portal, a website which aims at enhancing the transparency and distribution of information on the EU citizens’ rights.

released in the form of Directive 2004/38/EC. Also, the directive entails several blurry regulations for the restriction of movement, such as proof of sustenance and health care resources, and thus gives member states to restrict movement of unwanted EU-citizens (Hantrais, 2007). Maastricht established the political right to vote in local and European elections as well as the right to run for political offices while residing abroad. These provisions were accompanied by the right to diplomatic protection by any member state while staying elsewhere in the world and to petition the European Parliament or the Ombudsman.

With the Lisbon Treaty becoming effective on December 1, 2009, a fifth citizens' right was added to the list – the right “to participate in a citizens’ initiative, a request signed by at least 1 million EU citizens inviting the European Commission to propose a new policy measure”, so the Flash Eurobarometer 294 (2010) wording. The same public opinion survey finds that, whereas the overwhelming majority of citizens can identify their earlier implemented EU rights, only 7 in 10 EU citizens are able to identify this newly established right.

Together with the (Lisbon) Treaty on the Functioning of the European Union, the Charter of Fundamental Rights of the European Union became legally binding. The Charter not only names the citizenship rights that were described above, but also brings into effect a number of rights which are truly social rights in the Marshallian sense. Especially Article 15 (1) and (2)²⁸ with regard to the right to work and the right of citizens to choose their profession freely, Article 21²⁹ on non-discrimination and the whole chapter IV, which is entitled “Solidarity”, testify the existence of a social union in a much stricter sense than any preceding treaty.

²⁸ Since the provisions are not yet well reflected in the literature on EU citizenship, I will provide here the exact wordings of the articles that I am referring to.

15(1) Everyone has the right to engage in work and to pursue a freely chosen or accepted occupation.

15(2) Every citizen of the Union has the freedom to seek employment, to work, to exercise the right of the establishment and to provide services in any Member State.

²⁹ 21(1) Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.

2(2) Within the scope of application of the Treaty establishing the European Community and of the Treaty on European Union, and without prejudice to the special provisions of those Treaties, any discrimination on grounds of nationality shall be prohibited.

Among the most relevant social security provisions are the rights to information, collective bargaining, protection from unjust working conditions³⁰ and dismissal³¹, as well as to social security and social assistance³² and health care³³, though the latter in accordance with community law and national laws and practices. However, these rights and provisions have not been very well consolidated in the public mind, first of all, because of the recentness of the developments and then because of the still high prevalence of nation states' policies over the European level, if one remains in one's home state.

Even job search EU-wide, and thus across national borders, is facilitated and sometimes even supported with transportable social benefits for times of unemployment and job search abroad, which is only known by a minority of EU citizens, despite the attempts by the EU and various institutions to facilitate information for job seekers. Guidance for these issues can be found on the websites on Employment, Social Affairs and Inclusion³⁴, through the citizenship site³⁵ or in detailed information on recognition of diplomas and work skills abroad, a lengthy process that can take up to four months.³⁶ That there are still problem areas can be seen in the

³⁰ Art. 31 Fair and just working conditions

(1) Every worker has the right to working conditions which respect his or her health, safety and dignity.
(2) Every worker has the right to limitation of maximum working hours, to daily and weekly rest periods and to an annual period of paid leave.

³¹ Art. 30 Every worker has the right to protection against unjustified dismissal, in accordance with Community law and national laws and practices.

³² Article 34 Social security and social assistance

(1) The Union recognizes and respects the entitlement to social security benefits and social services providing protection in cases such as maternity, illness, industrial accidents, dependency or old age, and in the case of loss of employment, in accordance with the rules laid down by Community law and national laws and practices.
(2) Everyone residing and moving legally within the European Union is entitled to social security benefits and social advantages in accordance with Community law and national laws and practices.
(3) In order to combat social exclusion and poverty, the Union recognizes and respects the right to social and housing assistance so as to ensure a decent existence for all those who lack sufficient resources, in accordance with the rules laid down by Community law and national laws and practices.

³³ Article 35 Health care

Everyone has the right of access to preventive health care and the right to benefit from medical treatment under the conditions established by national laws and practices. A high level of human health protection shall be ensured in the definition and implementation of all Union policies and activities.

³⁴ European Commission website on Employment, Social Affairs and Inclusion. Available at: <<http://ec.europa.eu/social/main.jsp?langId=en&catId=457>> [Accessed 23 May 2011].

³⁵ European Commission website on Justice. Available at: <http://ec.europa.eu/justice/policies/citizenship/policies_citizenship_intro_en.htm> [Accessed 23 May, 2011].

³⁶ European Commission website Your Europe. Available at: <http://ec.europa.eu/youreurope/citizens/work/migrant-worker/qualifications-for-employment/index_en.htm?profile=0> [Accessed 23 May 2011].

EU Citizenship Report issued by the European Commission (2010a), which in response proposes a plan on “25 steps to enhance citizenship rights” in order to tackle the addressed problems. Furthermore, there are serious attempts to provide information on EU citizens’ rights for a broader public, e.g. through the preparation of information guides for migrating to another EU state.³⁷ Finally, for 2013 a “Year of the European Citizen” is announced for the promotion and enhancement of the knowledge and awareness of citizens’ rights in the EU citizenry.

From the above provisions and examples, it becomes obvious that the legal basis of a social union is well manifested in official documents, and now subject to implementation and practice on the individual and nation state levels. The overview also proves wrong earlier skepticism of the validity of the EU citizenship content, at least for the population included (Maas, 2007 and 2008; Reich, 2001).

However, that the EU citizenship regime still carries some problematic burdens as well as clear signs of an unfulfilled promise will be extensively discussed in chapter V. Before proceeding to these parts, it will be necessary to reconstruct the shift from the purely economic union that had on its agenda mostly the geographic mobility of labor, to the social union that grants in principle extensive social rights even outside one’s own nation state. Against this historical background, the mismatch between high education among current EU-8+2 migrants and the accepted employment in the low skill sector in EU-15 labor markets reveals its uniqueness in the European context.

Movement of labor, movements of citizens

The legal text defining what is now known as EU citizenship is the final product of decades-long negotiations over proposals, positions and minimum consensus by several actors

³⁷ European Commission (2010b). A guide to your rights as an EU citizen. Available at: http://ec.europa.eu/justice/policies/citizenship/docs/guide_free_movement_low.pdf [Accessed 23 May 2011].

and interest groups (Maas, 2007; Wiener, 1998). The freedom of movement for workers and employed was introduced as early as in the Treaty of Rome in 1957. It explicitly referred to workers as carriers of the right, which reflects the understanding of migrants as labor factor, and not as citizens as pools for rights (Recchi, 2008, p. 57). As such, workers were subjects to national immigration policies just like other migrants, and needed to apply for work and residence permits. Nevertheless, already in 1958 detailed social provisions were introduced on the European Economic Community Level for these migrant workers (Maas, 2007).

These legal developments were reactions to the then pressing shortage of labor, since the demographics of Europe had changed dramatically due to the losses in the Second World War and the about 2.7 million migrants, who had left for the US in the 1950s. In order to fulfill the demand for labor in the economically flourishing states of Northern Europe, labor migration into heavy industry, construction and the service sector was facilitated (Recchi, 2008, p. 54). Many of the migrants were actually intra-European migrants, e.g. from Italy, Portugal, Spain and Greece, in addition to the well-known labor migration from Turkey that started at around the same time. Italians were the avant-garde of the post-war movers, in line with their early membership in the European Coal and Steel Community, which had been established in 1951 for the economic collaboration of Italy, West Germany, France, Belgium, the Netherlands and Luxemburg. Driven by domestic economic problems and the guest worker migration scheme, the Spanish then followed in the early 1960s. As Recchi (2008, p. 55) points out, in the after-war period up until 1970, the most common migrant was Italian and was likely to move to Germany. The total number of labor migrants in this wave amounted to 4.5 millions, however, about three millions returned after some years. The 1973 oil shock and the subsequent economic crisis then ended this specific intra-European migration surge (Recchi, 2008).

The freedom of movement provisions were gradually enhanced over the years and included more categories of persons: first certain categories of workers in manufacturing and

industry, then most professional workers and self-employed persons, then the workers' families. By the mid-eighties and the implementation of the Single Act in 1986, an extension was launched that included students, retired and other "inactive" individuals into the population that could move without further limitations. The inclusion of ever more parts of national populations into the right for free movement can be seen as the result of the EC's attempt to stress its identity component more, a process which, according to Neveu (2000), started in the 1970s. As Steiner and Woods (2009) point out, there was also a structural reason, since in the European area capital of all sorts should circulate freely, movement of goods, capital and services, and obviously that of human labor.

That this process was not uncontested is shown in the discussions over the freedom of peoples whenever new enlargement rounds approached. Maas (2007) argues that the 1973 enlargement, when Ireland, the UK and Denmark accessed the EC, put a temporary end to the discussion and to the enhancement of freedom of movement. Thus, the 1979 draft directive on the freedom of residence was stalled, a direct result of the fear of mass migration from Greece, which had a very low wage level compared to the older EC states. In the next round of accession in the 1980s,³⁸ however, the topic gained new precedence and paved the way to the Maastricht Treaty in 1992. With the signing of the Maastricht Treaty, which has been termed the "constitutional moment" of EU citizenship (Recchi, 2008), a direct relationship between EU institutions and the newly created category of the citizen was established (Neveu, 2000, p. 124).

In addition to the economic interests of member states and also political will for further integration by European elites, the European Court of Justice (ECJ) had a decisive role in shaping the movement and then citizenship provisions. Favell and Geddes (1999, p. 5) go as far as describing the ECJ as "supranational lord over national legislations" and also as main

³⁸ Greece accessed the EC in 1981, and Spain and Portugal in 1986.

“interpreter of the Treaty articles”. Both Joppke (2010) and Recchi (2008) argue that it was due to ECJ jurisprudence that the self-employed were included in the freedom of movement in the 1970s, as were paid apprentices in the 1980s. Furthermore, the ECJ provided the European Community with a strong legal practice of anti-discrimination on grounds of nationality. All in all, the history of the freedom of movement and the final introduction of a union citizenship can be called a success for European integration, since it greatly shaped economic possibilities for states and willing movers alike. Especially the introduction of ever more supranational social rights should be emphasized since they created a sphere where the individual migrant has claims not only to sending and resident nation states, but also to the unique structure of EU institutions, which in many cases are more progressive and inclusive than national legislations.³⁹

However, with the introduction of citizenship the migration structure in the EU did not dramatically change, for the number of citizens living in another EU member state during the 1990s only increased 10 percent. The migration rate of third-country nationals is seemingly more spectacular during that period, with an increase of 33 percent. This uneven development in migrant populations has several reasons. First of all, the movement pre-Maastricht was mainly triggered by bilateral agreements and was not directly a subject of EC legislation, e.g. the seasonal working schemes between Germany and Poland before Poland’s accession to the EU. Thus, there is a problem of categorizing movers, and the subsequent problem for statistics to capture an appropriate picture of movements in light of accessions. Then, EU citizenship provided the ground for more flexible movements under three months, which do not need to be announced to local authorities and thus are harder to trace. Also the phenomenon of commuting is hard to document. A last reason is the fact that many of the

³⁹ For example, see Art. 21 of the Charter of Fundamental Rights of the European Union, which prohibits discrimination on several grounds, among them sexual orientation, age or disability, which has so far been not been the case in several national legislations like Poland.

former labor migrants from South Europe chose to naturalize in their country of residence, and are thus not counted as ‘foreign population stock’.

In this context, one can also pose the normative question, whether increased intra-EU mobility is actually preferable over the status quo of low migration.⁴⁰ This can not be answered that easily, because it presupposes the thorough investigation of actors and these actors’ intentions. First of all, all EU states have an economic and demographic incentive in increased immigration, since the European societies are aging and labor becomes a scarce resource, especially in nation states like Germany that fund their pensions out of the current work force’s contributions (Kahanec and Zimmermann, 2010; Martin, Abella and Kuptsch, 2006). Others have argued, with the classical sociological contact theory, that for a flourishing political and social integration of the EU and its citizens it is necessary to enhance mobility, for only through interaction the integration agenda can be perceived positively and consequently endorsed (Fligstein, 2008; Geddes, 2003; Recchi, 2008). Thus, in a best-case scenario there could be only winners of labor migration in the EU: individuals gain economic and cultural capital and have the flexibility to return or move on as they please, the member states in the EU integrated EU labor market can efficiently regulate their labor demand and supply, and the integration process could be deepened through increased interaction between individuals. As my argument implies, currently this scenario does not suit the reality of intra-European migration, at least with regard to East-West migration since the 2004 and 2007 enlargements.

⁴⁰ In numbers this means that whereas intra-state mobility in the USA accounts for 3.1 percent in 2002 (Recchi 2008, p. 75), even in light of the latest upsurge of migration since the opening of the labor markets for EU citizens from the EU-8 countries, overall documented EU mobility in 2007 did not exceed 0.5 percent of the population (European Commission, 2009a, b). Recchi names as reasons for low migration in the EU the fast convergence of wage differentials [sic!] between member states and the “deep-seated” national identities that are not as easy to overcome as in the more culturally homogenous USA. Bertola (1999) and Kurekova (2011), however, find some other and surprisingly easy to prove explanation for lower migration structure when looking at the sending location: both find that, despite high unemployment in European societies, migration is low if the welfare support is still on a sustenance level.

Patterns and waves

Looking for patterns in the history of intra-European migration facilitates the classification of the surge of labor migrants from postsocialist countries, which will be the focus of the next chapter. Against this background it will be revealed that current migration from East to West is common, but not the only pattern. Secondly, it is important to bear in mind that migration in Europe has traditionally not only taken the way of the European supranational agreements discussed above, but also the form of manifold bilateral contracts, which is the case in earlier as well as current waves of migration, e.g. Italy and Spain agreeing on temporary labor contractors with Romania in 2000 or the German government's agreements with Portugal (1964) and Yugoslavia (1968). Yet another pattern is the informal migration into an informal labor relationship, which should be mentioned as a particular type of migration because of the regularity and similarity in the importance of networks and migration tracks. In the history of the EU then, there is not only economically driven migrants, but also refugees, postcolonial migrants or other types of mobility that involve third-country nationals (Messina, 2007), which are not dealt with here in greater detail.

Moreover, Recchi (2008) identifies yet two other types of intra-European migration, which he also qualifies as typical EU citizens' migrations: the retirement and resort migration, which is the extended stay of pensioners in popular vacation destinations, and also the form of educational and students' migration. Most prominently here, he mentions the Erasmus exchange that has, over the past 23 years since its introduction, enabled around two million students to spend time in another EU country.⁴¹ Generally, Recchi (2008) attributes to the migration of the 21st century that it is not as permanent and long-term as earlier migration waves and, due to much cheaper means of transportation and communication, is characterized by flexibility, even commuting across borders, or circular migration.

⁴¹ Please see the website of the Lifelong Learning Programme. Available at: <http://ec.europa.eu/education/lifelong-learning-programme/doc80_en.htm> [Accessed 23 May 2011].

The comparison of current East-West migration with earlier postwar labor South-North migration suggests itself, since both waves have been mostly economically driven, facilitated through bilateral agreements and contested in the political arena in the form of populist xenophobic anxieties. Also the wage and GDP differentials between sending and receiving countries make the two patterns comparable in terms of expected migrant's influx and the subsequent introduction of transitional restrictions on the movement of migrant workers. However, there are also differences, since in the case of the South-North migration the EU as political and social union had not yet emerged, and migration was mainly regulated through the European Coal and Steel Community, and its successors. Also the comparison of wage differentials is somewhat flawed, because the wage and GDP gaps in the 2004 and 2007 accession were much higher than in the 1980s (European Commission, 2009a). With the accession of the ten postsocialist countries since 2004, the populations in principle enjoyed citizens' rights though with the arbitrary delay in the form of transitional restrictions, which have been subject to national negotiations. Especially Currie (2008) has been an outspoken critic of these currently in place transitional restrictions, because *de facto* they are creating second and third class citizens of the union, and cannot be explained by the migration patterns since 2004.

Consequently, EU citizenship, which is based on the principle of equality like any other citizenship, in combination with transitional restrictions for nationals from postsocialist states has produced more inequality in addition to difficult economic starting positions, which will not be balanced in the near future, despite existing convergence (Burdelnii, 2004, p. 40; Caminda et al., 2010). Or, more mildly put by Recchi (2008, p. 76): "Originally conceived as an integrative tool across national borders, EU citizenship could thus instead become the basis for emerging forms of social stratification." It will be the aim of the next sections to give evidence to these claims.

IV Practicing an EU right: Postsocialist migrations into the EU-15 labor markets

Through the analysis of data⁴² in this section, many questions can be considered, among them the following. Who are the migrants that take up their right to free movement, and thus constitute the most mobile European citizenry? What can be said about the demographics of these migrants regarding their nationality, gender, age, education and employment status? In the context of post-enlargement migration to the EU-15, can we actually speak of a migration pattern, and what indicators point to existing exceptions? Which trends can be observed in terms of destinations and sending countries, and how did the transitional restrictions affect migration flows? What are the main findings with regard to the duration of labor migration in the EU-15? Which are employment sectors that are over-proportionally frequented by migrants, and what effects can be expected for the sending societies? Which native or other migrant groups are mostly affected by this new labor supply, and in what way?

Furthermore, it should be considered that 2004 and 2007 are actually misleading demarcation lines, since migration from CEEC has happened at least since the 1990s in form of bilateral agreements, with the German and Austrian economies being the primary destinations. Is there any ground to make future predictions, since data is only available until 2009 the latest, and especially in light of the global financial crisis worsening the labor market situation?⁴³

Due to the lack of data concerning the two latest years of EU labor market developments, precise statements on the current situation cannot be made, especially so, since EU-8 migrants

⁴² The data here mostly stems from four different sources: a publication by the European Commission (2009a and b), a book by Galgóczi et al. (2009), one by Kahanec and Zimmermann (2010) as well as by Kurekova (2011). Surprisingly, the data seems to be quite uncontested and stands in overall agreement, despite minor differences in generalizations of numbers. Only the consequent interpretation is subject to disagreement, however, not to a substantial level. The assessment of East-West migration is overall positive, with minor deviations on the normative evaluation of the mismatch of qualification and work performed by migrants.

⁴³ Particularly Ireland's economy was in dire need for financial first aid once the financial markets collapsed. Unfortunately, there is no data available for the migrants affected by the situation.

enjoy full freedom of movement since May 1, 2011. Nevertheless, for the data available, the findings can be generalized in this way: the average postsocialist labor migrant is under the age of 35, well-educated in comparison to the sending country, and similarly or slightly better educated when compared to the receiving country's population. The migrant is slightly more often male than female, rather single and not married, and takes on elementary skill employment in the low wage sector of the host country. Since Ireland, the UK and Sweden opened their labor markets already with the accession of the EU-8 and did not impose transitional restrictions, the average migrant tends to migrate to one of these destinations. Romanians and Bulgarians face more administrative hurdles but could profit from bilateral agreements since the 2000s and open labor markets in Italy and Spain. Employment sectors in receiving countries are diverse, but in the UK and Ireland especially low skill sectors like construction, manufacturing, gastronomy and retails are among the ones that absorb most East European migrants. Migration in some countries led to a shortage of skilled labor (Latvia, Romania, Poland) and is mentioned with regard to a potential brain drain; also the phenomenon of de-skilling is described throughout the new analyses as a worrisome development.

Hardship or choice?

With the accession of ten postsocialist countries to the EU, a new era in the intra-European movement of peoples started. Even in absolute numbers, one can describe a sharp increase in mobility: whereas in 2003 about 893,000 persons from the EU-8 were residing abroad, it was a remarkable 1.91 million persons in 2007. Similarly, the number of Romanians and Bulgarians residing in other member states rose from 702,000 to about 1.86 million persons during the same period of time (European Commission, 2009a, p.22⁴⁴).

⁴⁴ The page numbers for this publication do refer to the page numbers of the pdf-document and not necessarily to the numbers given in the document. Since it was published as one document by the Commission, however, the page indications are easy to trace also in this case.

Newer numbers even suggest that in 2009, about 11.7 million EU citizens resided in another member state legally (European Commission, 2010a, p. 14). Nevertheless, one should keep in mind that the non-EU27 migrants continue to constitute the majority of non-domestic residents, the exception being Ireland, where it is migrants from the EU-8, and Belgium, where it is persons from the EU-15 migrating (Kahanec, Zaiceva and Zimmermann, 2010, p. 12).

In addition, it is noteworthy that the accession was not only a challenge in terms of channeling migration flows, but even more so, since in 2004, not only the smallest new country (Malta) joined the EU, but also the poorest one (Latvia). The GDP of the ten postsocialist states in 2007 only accounted for as much as 48 percent of that of the EU-15, and thus created the biggest GDP differential in the history of EU enlargements (European Commission, 2009a, p. 25). The same gap can be spotted in the wage levels, which for the EU-8 amounted to 25 percent of that of the EU-15 in 2006, in contrast to only 11 percent for the EU-2 in the same year. However, these average calculations are obscuring the numbers of individual countries, which reached a surprising plurality ranging from Slovenia's wages with 57 percent and Bulgaria's with 8 percent of the EU-15 average wage.

Despite the sharp differences in economic output and gross wages, authors are quite optimistic about the overall effect of enlargement and subsequent labor migration. The European Commission (2009a, p. 139) published numbers that the migration from the EU-8 to the EU-15 between 2004 and 2007 helped to increase the GDP of the enlarged EU by 0.11 percent in the short-run, and even 0.20 percent in the long-run. Migration from the EU-2 to the EU-15 then has the same effect in the short-run, but increases the overall GDP of the EU-27 by 0.28 percent in the long-run. Galgóczi et al. (2009) ascribe the same positive effects, as well as Kahanec, Zaiceva and Zimmermann (2010).

These numbers might mask the fact that migration from the CEEC started much earlier, and was actually viable in an age where visa and work permits made entry to the EU-15 labor markets much more difficult. This is due to the fact that many migrants worked in informal sectors or were excluded from the data samples for these were conducted during seasons where seasonal workers were commonly not employed abroad (European Commission, 2009a, p. 37). There are estimations that around 300,000 migrant workers worked and lived temporarily in the old member states, in working contracts mostly comprising temporary and seasonal work. In addition to the official number, approximately 600,000 individuals worked without legal permission (Maas, 2007, p. 80). With the accession and the immediate acquisition, these illegal immigrants suddenly were legal movers, however, due to the transitional restrictions, still not entitled to legal work. Therefore, the transitional restrictions are not only contestable in economic rationale, but also since they severely limited the rights of several hundred thousands of new EU working citizens and were mostly the political answer to xenophobic fears of higher influx of immigrants (Martin, Abella and Kuptsch, 2006, p. 23).

In light of the already existent East-West migration pattern in the pre-enlargement period, Kurekova (2011) makes an important point when distinguishing between different forms of migration from the postsocialist area. She argues that there is two types, the hardship and choice migration, despite the fact both types happen in a mostly circular, temporary or cross-border commuting arrangement. Hardship migrants are usually jobless due to the transition and subsequent restructuring of the economy, from a middle-class background, and are thus migrating out of desperate economic necessity, and mostly prior to accession. The migration decision is made on the basis of the current unfavorable situation of the whole household. Choice migrants, on the other hand, are commonly emerging as phenomenon after EU accession, are young and educated and migrate with the aim of enhancing their future

opportunities at home through labor migration, and not in order to support their household substantially. Both types do not make use of the welfare systems of the receiving country. “Choice” has to be understood here in relation to the hardship migrants’ group who faced an even more severe labor market situation; although for the choice migrants this situation is still severe and lacking opportunities, e.g. through high youth unemployment.

Not surprisingly then, the most prominent reasons for migration, that were named in a 2006 survey containing respondents from Hungary, Poland, the Czech and Slovak Republics, are “better earnings”, “higher living standard” and “good employment prospects” (European Commission, 2009a, p. 384). However, it is a surprise that among the popular answers was also the option of “better working conditions”, since it would not turn out to be a quite realistic expectation, as will be laid out in the subsequent sections. Now it would be false to believe that migrants do not have realistic expectations about the migration experiences, among deterrents for mobility, potential migrants name the “fear of losing family and personal networks” and their home environment, as well as lack of language knowledge and other human capital factors (European Commission, 2009a, p. 403).

In sum one finds higher numbers of East-West migrants since the enlargements in the 2000s, although several hundred thousand persons were just legalized in their fact of having already migrated. Furthermore, Kurekova (2011) attributes several characteristics to the post-enlargement “choice” migrants, which are mostly confirmed by the demographic findings of the other authors.

Demographics of the post-enlargement migrants

Among the postsocialist EU member states, Romania and Poland have been the main sending countries, with 1.6 million and 1.3 million labor migrants at the end of 2007, which equals 7.2 percent of the Romanian and 3.4 percent of the Polish population. Other countries have a very different migration ratio, like the Czech Republic with 104,442 individuals

(equals 1.0 percent of the population), Hungary with 132,582 persons (1.3 percent), and Slovenia with 35,848 individuals (1.8 per cent). Other high outflows can be observed in Bulgaria with 310,335 (4.1 percent) and Lithuania with 128,361 migrants (3.8 per cent). More details can be found in the table on page 60. The numbers by and large are very uncontroversial and have been reported by Baas, Brücker and Hauptmann (2010, p. 51) as well as in the Commission Background Report (European Commission, 2009a).

When looking at the gender structure of migrants, one can say that overall slightly more males decided to migrate; however, the structure becomes more diverse when looking at individual EU-15 destination countries. Whereas in Sweden and Denmark, post-enlargement migration is mostly characterized by a rise of the male workforce, German data suggest a development towards higher female employment, with a number of almost two-thirds from EU-8 and 55 percent of the EU-2 migrants being female in 2006 (European Commission, 2009b, p. 157). Other countries with higher inflows of females are generally France and Italy (European Commission, 2009b, p. 168). In addition to that, migration to Spain tends to be gender-balanced, and with no greater imbalance also in the composition of sending country laborers. In terms of sending countries, it is striking that especially out-migration from Poland tends to be male, with shares of up to 65 percent after the enlargement (European Commission, 2009b, p.157) due to openings in the construction sector in Denmark. Lately, Romania has provided the highest share of females to EU-15 countries.

A typical socialist legacy can be found in the shares of females in employment. In 2006, female participation rates from the EU-8 were the largest in the Belgian (63.4 percent), French (74.4 percent), Italian (81.7 percent) as well Dutch (69.3) and Luxembourgian (69.1) workforces. Numbers for female employment from the EU-2 are hardly available; however, the scarce data suggest that they are about the same as among EU-8 migrants, and on average higher than the overall female participation in EU-15 societies. EU-8 have a female labor

force of 51.3 percent in the EU-15, compared to 47.4 percent of EU-2 and 44.7 percent among native females (European Commission, 2009a, p. 57). In the same publication it argued that these differences are a direct result of the traditionally higher female participation in the labor market of countries with a socialist past (p. 31).

Table 6a: EU-15 emigrants from the NMS-8, NMS-2 and CAND-6, 2000-2007

| Sending country | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 |
|--------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| <i>in persons</i> | | | | | | | | |
| Czech Republic | 42,379 | 52,810 | 58,138 | 71,119 | 62,894 | 71,185 | 90,952 | 104,442 |
| Estonia | 18,458 | 20,924 | 22,639 | 26,699 | 26,746 | 30,567 | 32,885 | 36,735 |
| Hungary | 84,976 | 94,905 | 98,492 | 94,274 | 91,961 | 102,158 | 105,939 | 132,582 |
| Latvia | 21,713 | 19,309 | 22,184 | 24,632 | 24,194 | 32,920 | 42,119 | 42,547 |
| Lithuania | 24,154 | 36,567 | 41,577 | 53,572 | 52,613 | 85,364 | 114,185 | 128,361 |
| Poland | 476,229 | 531,986 | 545,072 | 576,939 | 606,442 | 757,252 | 992,924 | 1,297,647 |
| Slovak Republic | 25,195 | 36,947 | 39,019 | 43,948 | 52,343 | 81,705 | 91,560 | 132,207 |
| Slovenia | 23,814 | 30,697 | 31,218 | 35,672 | 32,355 | 34,698 | 34,395 | 35,848 |
| NMS-8 | 716,917 | 824,145 | 858,338 | 926,854 | 949,548 | 1,195,850 | 1,504,957 | 1,910,370 |
| Bulgaria | 71,437 | 102,980 | 140,864 | 166,330 | 203,528 | 219,233 | 255,163 | 310,335 |
| Romania | 217,669 | 285,075 | 389,045 | 553,508 | 724,697 | 880,738 | 1,072,307 | 1,553,276 |
| NMS-2 | 289,106 | 388,054 | 529,909 | 719,839 | 928,225 | 1,099,971 | 1,327,470 | 1,863,610 |
| Albania | 412,915 | 434,002 | 514,291 | 581,605 | 670,751 | 717,450 | 743,485 | 805,416 |
| Bosnia-Herzegovina | 227,011 | 323,006 | 323,929 | 330,751 | 313,440 | 314,624 | 310,651 | 319,347 |
| Croatia | 249,031 | 316,953 | 329,448 | 334,136 | 324,698 | 326,088 | 322,926 | 316,504 |
| Macedonia | 83,848 | 103,932 | 112,922 | 137,863 | 146,209 | 153,059 | 161,556 | 171,450 |
| Serbia-Montenegro | 679,548 | 835,178 | 806,739 | 777,571 | 342,551 | 521,495 | 508,255 | 471,764 |
| Turkey | 2,453,924 | 2,541,316 | 2,526,518 | 2,378,011 | 2,299,713 | 2,302,017 | 2,263,013 | 2,241,489 |
| Cand-6 | 4,106,277 | 4,554,386 | 4,613,847 | 4,539,937 | 4,097,363 | 4,334,733 | 4,309,886 | 4,325,970 |

Sources: National population statistics, Eurostat, LFS, own calculations and presentation.

2000: without Austria; 2000-2001: without Luxembourg; 2000-2003: without Ireland

2004-2007: Ireland included with structure of PPSN

Source: European Commission, 2009a, p. 46.

The age structure of among post-enlargement migrants is very evenly contributed, and the vast majority of migrants is younger than 35 (Galgóczi et al., 2009). Kurekova (2011, p. 59) agrees with this assessment and presents country-specific data for the main destination countries: while in the UK around 80 percent of migrants are in the age group 18-35, and the average age of Poles in Ireland accounts for 27.5 years, Baltic migrants tend to be a bit older. Also in Sweden, the majority of migrants is younger than 35. On this basis, one can argue that the working population in the destination countries has undergone a change towards a younger average age, whereas in the sending countries the average working age has risen (European Commission, 2009a, p. 55).

Coming to the most contested area of the data, the education and skill level of migrants, one can find that even here overall agreement among authors is persistent. Skills are separated between three skill levels; individuals with a lower secondary degree are categorized as low skill, with upper secondary degree as medium skilled and with tertiary education as high skilled. However, education systems vary greatly across countries; therefore data in this field can turn out to be imprecise (European Commission, 2009a, p.48).

Migrants from the new member states are generally concentrated at the medium or high skill level, with about 61 percent of EU-8 working migrants in the EU-15. In comparison, only 17 percent of the EU-8 migrants are low skilled, which stands in contrast to the overall EU-15 number of 27 percent among native workers. Only in the high skill range, the native population rules out the EU-8 migrants with 27 percent on average in the EU-15 in comparison to 22 percent among EU-8 migrants. All data report the distribution rates in the year 2006 (European Commission, 2009a, p. 48) and to some extent also hint at a socialist or postsocialist legacy, which provided relatively high-level education for high shares of the population (European Commission, 2009a, p. 241). For the countries with open labor markets since May 2004, the UK, Ireland and Sweden, it can be reported that migrants on average are slightly better educated than the native population, however, the qualification level of migrants from the EU-8 in Sweden is the closest to the native population (Kurekova, 20). It can be concluded that, although the wage level of the new member states is relatively lower than that of the old member states, migrants are well educated and have high school enrollment rates, especially when comparing the EU-8 with Southern EU-15 states. Furthermore, tertiary education is much higher in the EU-8 countries when compared to accession candidates and other non-European sending countries. Therefore, the overall assessment is that migrants from the EU-8+2 are well qualified and have a great potential for high skill employment in the destination countries of the EU-15 (European Commission,

2009a, p. 35). Galgóczi et al. (2009, p. 17) share this opinion; however, they emphasize the concern of a mismatch of qualification and work performed more than the other authors. The actual sectors and works performed are the subject of the section below.

Employment sectors and work performed

All the reviewed data suggest that migrants from the new member states do not have a high return for their relatively high educational skills. No extensive EU-wide research was carried in this field; however, since Ireland and the United Kingdom have registration schemes for workers, it is easy to retrieve the occupations at least in these two destinations. According to the period between May 2004 and March 2008, migrants in the UK tend to work highly concentrated in business and management (39 percent), hospitality and catering (19 percent), agriculture (10 percent), and manufacturing sectors (7 percent). While this sectoral distribution might be interpreted in that way that migrants are relatively successful in finding employment, this picture has to be corrected for the fact that most of the occupations require only simple skills and consist of very routine tasks (European Commission, 2009a, p.255).

When looking at the actual occupations and not sectors then, the picture becomes clearer: about 27 percent of the EU-8 migrants in the UK work as process operatives (27 percent), or warehouse operatives (9 percent), in addition to 6 percent packers, kitchen and catering workers (6 percent), or cleaners and domestic staff (5 percent). The remaining percentiles are distributed among farm workers (4 percent) and other occupations (European Commission, 2009a, p. 255). Since data was interpreted based on a 4-year-period, it can also be found that this type of low skill occupation did not significantly change over time. Kurekova (2011, p. 64) finds a very similar pattern and sectoral concentration of EU-8 nationals in the Irish labor market. More general figures are reported by Kahanec, Zaiceva and Zimmermann (2010, p. 20). They find that migrants from the new member states are very likely to be overrepresented in low and medium-skilled sectors like manufacturing and construction, hotels and

gastronomy as well as in agriculture and domestic work. Especially the last two sectors have high representation among migrants from the EU-2. Galgóczi et al. (2009, p. 21) in this context also refer to the sectors of catering and hotel, retail sales, and construction as mostly absorbing the migrants from the new member states. Finally, also Kurekova (2011, p. 60) confirms the trend of low skill routine and manual labor in sectors such as agriculture, business and administration, retail and hospitality.

As can be expected, these low and medium skill jobs are also in the low wage sector of EU-15 economies, and thus lead to the situation that the returns for the post-accession migrants' relatively high education is relatively little, and even four times lower when compared to the education returns of natives in the UK labor market. This effect was also visible for migrants in the pre-enlargement era; however, the mismatch between qualification and return cannot be described as so severe when compared to the group of the post-enlargement migrants. This finding becomes even more remarkable when noting that the returns of education for migrants from the older member in the UK labor market are actually the highest among the EU-15 (European Commission, 2009a, p. 259). To make this picture even more striking, Kahanec, Zaiceva and Zimmermann (2010, p. 52) find also no figures to suggest that the returns to education grow with more time spent in the EU-15 labor markets. However, they acknowledge that too little time has passed to generalize this finding for the overall assimilation of East European post-accession migrants in the future. Galgóczi et al. (2009, p. 18), on the other hand, find that Latvians in the Irish labor market could improve their employment situation and had returns to their education after an adjustment period, which was spent with improving language skills.

Nevertheless, given that even the low wage sector employment in the EU-15 is more economically attractive than employment in the home countries, it is not a surprise that all of the above findings do not discourage potential Eastern European migrants. On the contrary,

the prospect that most of the earnings can be spent in the country of origin lets EU-8+2 migrants accept positions that are well below their education level, and in most cases, completely decoupled from the original professional background. This situation might also explain the remarkable number of 36 percent highly educated EU-8 migrants taking on employment in elementary occupations, compared to only 1 percent of the native UK workforce in 2006 (European Commission, 2009a, p. 261).

In conclusion, it needs to be highlighted that the mismatch between qualifications and accepted positions of post-enlargement migrants from Eastern Europe is extraordinary in its magnitude and persistency over time. As such, post-accession migration is a unique phenomenon especially when compared to the labor migration structure of the post-war migration to the North, and earlier migrations from East to West. It will be one of the main aims of chapter V to explore triggers and underlying structural reasons for this development; main explanatory factors lie in the neoliberal citizenship regime of the EU and the sending countries that are still characterized by socialist and postsocialist legacies.

Migration destinations since 2004

As pointed out in the last sections, the flow of intra-European migration changed after the Eastern enlargement of the EU. While Germany and Austria had been the main destinations of migrants from postsocialist countries since the 1980s, this picture altered with the 2004 enlargement. The share of EU-8 migrants in those two countries dropped from 63 percent in 2002 to 34 percent in 2007. The most popular destinations for EU-8 nationals became the UK and Ireland, both of which opened their labor markets from the day of accession of the EU-8 and experienced a total increase of EU-8 migrants from 11 percent (2002) to 41 percent in 2007 (European Commission, 2009a, p. 39). In numbers this means that the UK experienced a more than four-time increase of EU-8 migrants between 2004 and 2007 (120,999 to 609,415),

and the same holds truth for the Irish numbers of the same period (43,500 to 178,504 individuals) (European Commission, 2009a, p. 38).

Especially for Ireland, the relative number of migrants is impressive, since it amounted to 4 percent of the native population by the end of 2007. For the UK the numeral impact was smaller, when compared to absolute population numbers, since EU-8 migrants only accounted for 1 percent of the native population (European Commission, 2009a, p. 39). All in all, it can be found that the influx of migrants from the EU-8 was much higher than anticipated, however, this trend cannot be generalized for all countries.

In this context, Sweden has experienced a relatively little influx in migrants although it had opened its labor markets from day one just like Ireland and Great Britain. This is reflected in the quite low absolute numbers (23,257 EU-8 migrants) in 2004, which did not significantly increase until 2007 (42,312 individuals). Moreover, when put in percentiles, the number of EU-8 migrants in 2007 did not exceed 0.46 percent of the Swedish population, a number that is even lower than the EU-15 average (0.50 percent) of the same year (European Commission, 2009a, pp.38-39).

For migrants from the EU-2 countries, the transitional restrictions played an important role in directing their migration decisions, since most of the EU-15 and EU-8 used their rights to limit the labor market access for EU-2 workers. However, among the countries that opened their labor markets with Romania's and Bulgaria's accession on 1 January 2007 are most of the Scandinavian countries, apart from Denmark which allowed free access from 2009 onwards. Among the EU-8 states, only Hungary made use of its right to restrict access, since it feared an influx of ethnic Hungarians from Romania.

Interestingly, Spain and Italy have turned out to be main destinations for migrants from Bulgaria and Romania. Italy allowed free access for EU-8 migrants from 2006 onwards, and also facilitated the labor market entry of EU-2 nationals in certain sectors, most commonly

agriculture, tourism and domestic work, directly upon accession (European Commission, 2009a, p. 100). As a result, the number of Romanian residents doubled in 2007 and rose to 658,755 individuals (European Commission, 2009a, p. 41). The EU-2 migration effects for Spain were not as visible, since in the year before accession already 649,076 individuals were residing in the country, and an increase of less than 200,000 until the next year took place (European Commission, 2009a. p.41). However, when looking at the whole period of 2000-2007, a continuous visible rise of migration from Romania and Bulgaria becomes apparent, which is due to the bilateral agreements that Italy and Spain signed with these countries in 2000 (p.40).

From the numbers above alone it is quite questionable to conclude that only the transitional restrictions were the reasons for migration decisions, since they do not explain the low migration flow into countries that did restrict their access for EU-8 or EU-2 migrants. Furthermore, it needs to be understood that most transitional restrictions were actually political answers and not economically rational decisions (Martin, Abella and Kuptsch, 2006), as becomes now apparent in the case of Germany that is lacking qualified labor in many sectors. Similarly, it has been argued that the public climate in the receiving country also shapes migration decisions and that the feeling of not being “welcome” in Germany and Austria led to a shift in migration destinations (European Commission, 2009a, p. 387).

Explanations have also been sought in the area of language knowledge that can drive migrants to a particular country. This theory accounts for the migration trend away from German-speaking countries towards English-speaking countries insofar as it accounts for the stronger emphasis of English and not German as a second language in the education systems of postsocialist countries, which formerly had a more pronounced German-speaking tradition (European Commission, 2009a, p. 387; Kurekova, 2011). Most importantly, the actual labor demand of the EU-15 economies should not be underestimated, because employment

opportunities play a major role in defining migration flows. Therefore, a mono-causal explanation of migration flows due to transitional restrictions should be replaced by a multi-causal approach, such as the one presented above.

Competition in the receiving country

In the discussions on the value and efficiency of post-enlargement migration through the exercise of the EU freedom of movement, the dictum of “triple-win-situation” has been very persistent. This means that sending and receiving countries as well as the migrants benefit from the decision to migrate. And indeed, for the overall GDP of the EU and also for the receiving countries this seems to be the case. The case for sending societies is not that easy to decide, for different countries have to face different outcomes, and also face huge social problems due to massive out-migration, and the out-migration of the workforce in specific sectors such as healthcare and skilled manual workers. And then also it is questionable what a “win-situation” for the individual migrant would actually contain, or whether there are actual objective standards to determine the intended outcome. Even Kahanec⁴⁵ who is among the scholars that call the post-enlargement migration a triple-win-situation admits that in some surveys labor migrants in the EU-15 express unhappiness in their new surroundings and with the overall decision.

All in all, this assessment is questionable, not only because the newly arriving migrants are competing with local labor force, but also because in the short-term perspective wages decrease in the sectors that absorb migrants and unemployment of local workers increases. The findings here are for the UK labor market mostly, since the data situation is the clearest, and suggest that EU-8 immigration to the UK decreases the per capita GDP by 0.34 percent in the short run, while in the long run the effect is supposed to be almost neutral (European Commission, 2009a, p. 127). Similarly, the wages of the local labor force tends to decline in

⁴⁵ Please see footnote 12 for further reference on the occasion.

the short run by 0.29 percent, but then tend to be neutral in a longer time frame. Also the unemployment rate in the UK market is expected to increase by 0.26 percent in the short run, and stay in the 0.18 percentile in the long-term perspective. The report by the European Commission (2009a, p. 127) also suggests that the effects for Germany are similar in their polarization, however on a much lower level since labor market access was mostly restricted and fewer migrants entered the labor market.

Now it would be misleading to assume that competition from EU-8+2 migrants affects the whole labor market in the same way. As pointed out in the last sections, postsocialist migrants are mostly absorbed by the low wage sectors of the host economies, and mostly affect the wages of the workers that are employed in these sectors. This finding contrasts the theory that Dustmann and Glitz (2005) forward by arguing that local wages and employment composition are not affected because of the highly ethnically segmented labor markets. However, most studies and authors suggest the opposite: In the European Commission report (2009a, pp. 127-128) it is determined that British workers with no vocational qualifications are the most affected by the inflowing East European workers, in terms of decreasing wages in the short-run (-0.67 percent) and the long-run (-0.38 percent). Also in the employment opportunities this group loses the most, in the short-run unemployment increase over 1 percent, to stay at 0.92 percent in the long run. When compared to the above overall results, this means that the lower income groups are most affected, and that the negative effects stay in place even in the long run.

However, Kahanec, Zaiceva and Zimmermann (2010, p. 30) do not see any negative labor market development and argue that it is rather an unjustified “fear” of unemployment, and not a real problem. Nevertheless, the same authors acknowledge that EU-8+2 migrants to a large extent tend to compete with low skilled laborers and third-country migrants in the described low wages sectors of the EU-15 economies (p. 52). In the same publication, Kahanec, Zaiceva

and Zimmermann (2010, p. 22) also find that in Germany Eastern Europeans are competing mostly with third-country immigrants in the low wage and low skill sectors and not so much with German natives. Now it is questionable how generalizable these findings are for the EU-15, however, there are numerous qualitative field researches that suggest the same at least for the UK: Eastern European migrants are competing with third-country nationals and have the tendency of being at the lowest ends of the working hierarchies (Csedő, 2008; Kurekova, 2011, p. 60; May et al., 2008).

Brain drain and remittances

After having described some effects for the destination countries' labor markets, now the consequences for the sending countries are considered, most importantly with regard to brain drain and the impact of remittances.

Starting with the latter, it can be stated that for some countries remittances play a greater role than for others. Especially for Romania and Bulgaria, they have a decisive impact on the state GDPs, but the effect is also notable for the Baltic countries and Poland (Kahanec, Zaiceva and Zimmermann, 2010, p. 36). The European Commission report (2009a, p. 163) sees not further importance of remittances for the Baltic States, but stresses the financial effect on the Polish, Romanian and Bulgarian states. In numbers this means that in 2006 about 2 percent of the Bulgarian GDP were raised through labor migrants' remittances, whereas remittances for Romania amounted to about 7 percent of the GDP (p. 163). Furthermore, it needs to be acknowledged that remittances increased with time, meaning that remittances to Poland were 60 percent higher than in 2003 (Galgóczi, Leschke and Watt, 2009, p. 19). Galgóczi, Leschke and Watt (2009) also find that Latvian remittances were three times higher in 2007 than four years before.

Apart from these trends, findings vary highly and cannot be generalized. Kahanec, Zaiceva and Zimmermann (2010, pp. 36-37) argue that remittances are providing mostly

resources for household consumption and durable goods as well as university education. On the other hand, they also argue that the actual impact of remittances on the sending country is hard to measure, an opinion that is shared by Galgóczi et al. (2009, p. 19). Nevertheless, both sources attribute a higher consumer demand and investment activity in the sending country to the influx of remittances. Another source finds that the decisions on the usage of and impacts of remittances on the sending countries vary (European Commission, 2009a, p. 163). In this context, a point by Kahanec et al. (2010, p. 36) is interesting, as it raises interest for the society that stays behind, and asks about the change in labor participation and education decisions that is happening there. Certainly, this question is not only relevant for the impact of remittances, but also for the mere fact of massive out-migration as well, but cannot be considered here in length.

Much of the debate is built around the assumption that the brain drain question is a yes/no-question. Given the fact that the labor migrants from the new member states are likely to have at least medium or high skills, and thus belong to the “brain” stratum of their home societies, a brain drain effect is likely to occur, however, rather on a regional and not necessarily on evenly distributed national scale (European Commission, 2009b, p. 130). Thus, rural areas with higher geographic distance to border areas are more targeted for brain drain than urban or border areas, since labor migration cannot be performed through commuting (p. 130).

Kahanec, Zaiceva and Zimmermann (2010, p. 36) also argue that brain drain is not an evenly distributed phenomenon, but emerges in certain sectors. Reported massive out-migration of people with health care skills is one of the examples, which is mentioned in all the publications (European Commission, 2009b, p. 94; Kahanec et al., 2010, p. 34; Kurekova, 2011). Especially Poland, Estonia and Latvia seem to experience a massive out-migration of health care personnel; however, still all of the publications do not see evidence for massive

brain drain, despite alarming reports on shortage in skilled workers in this field (European Migration Network, 2006).

Galgóczi et al. (2009, p. 25) in addition to the mentioned problems suggest that brain drain is not only a phenomenon of out-migration of the highly skilled, but also of the youngest parts of the working population, consequently, a “youth drain” is a side-effect of the already mentioned shortage of qualified labor. The reason for that development is the massive youth unemployment in some of the countries, which to some degree was eased through out-migration.

EU citizenship, revisited. Findings so far

Even with this detailed set of information, the presented picture remains fragmentary. Among the neglected but important issues so far is (1) the possible existence of a massive brain waste of highly skilled EU-8+2 migrants in low skill employment in the EU-15. It also needs to be considered that the whole argument surrounding the transitional restrictions was accompanied by a (2) fear of welfare tourism, an effect of the gap of social security between new and old EU member states. So far, (3) only quantitative data were reconstructed, but no qualitative account did play into the depiction. Finally, (4) the global financial crisis as a main driver of change in the post-enlargement migration flow was not discussed. In what is left of this chapter, each of the fields will be addressed in turn.

Brain waste occurs “when human capital depreciates during periods of low-skilled work” (Kahanec, Zaiceva and Zimmermann, 2010, p. 36). Another term for the same phenomenon is “de-skilling”, which is more frequently used in the European Commission publications (2009a, b). Most of the authors in the field do acknowledge the danger of brain waste in current migration flows from East to West Europe, given the situation of huge mismatch between qualifications and the performed work; though tend to downplay its extent. For example, Kahanec, Zaiceva and Zimmermann, imply that the language knowledge acquired

abroad and the potential living partner from the destination country as well as the long-term prospect of return migration indicates a brain circulation, and not necessarily a brain waste (p. 36). The apparent language gain is stressed in almost all publications on the topic (European Commission, 2009a, b), however, is not quite logical. If one assumes that migrants mostly work with other migrants, and non-native speakers, as suggested in earlier sections, the overall contact with natives in low skill labor is rather limited, especially since most migrants live within ethnic or co-migrants networks (Kurekova, 2011). Yet another objection to the seriousness of brain waste in current East-West migrations is voiced with regard to the “efficiency” of their employment, since at least they are in employment, which could not be guaranteed in the home society (European Commission, 2009a, p. 261-262).

The much-feared phenomenon of “welfare tourism” can be proven insignificant based on the data, since most work migrant do either not take up their right to access the social security system of their working countries, or do so to a lower extent than native residents (European Commission, 2009a, p. 176). In addition, one of the free entry countries, the UK, had also put severe restrictions on welfare access by allowing unemployment benefits only after one year of continuous employment (Canoy et al., 2010, p. 98). Some critics also argued that migrants pay little taxes in the destination country, however, this fact can be explained with the fact that they also earn less. Nevertheless, a significant share of the EU-8 migrants contributes more to the host state budget than they claim back, especially since they are less affected by unemployment and have a higher labor participation rate than other groups in the UK (European Commission, 2009a, b). Arguing with Kurekova’s (2011, p. 141) findings that suggest that the CEE welfare systems are by far not as fragmented as is feared in the West and provide mostly free healthcare and education, the whole “fear” of a race to the bottom of welfare systems seems unfounded and even misguided, and thus seems to confirm Martin,

Abella and Kuptsch's (2006, p. 23) theory on the transitional restrictions, which they mostly find to be political tools to tame xenophobic criticism.

Thirdly, with the global financial crisis whole economies have been struggling and dependent on aid. Trends regarding the situation of EU-8+2 migrants are only rarely available, and mostly not in academic sources. However, it is commonly assumed that the social pressure is rising and competition over ever scarcer job positions gets tougher. Therefore, as Kahanec, Zaiceva and Zimmermann (2010, p. 38) argue, many of the migrants decide to return to their country of origin. Kurekova (2011, 222) draws the opposite conclusion that, due to the crisis and subsequent labor market restructurings and rigid cuts in public spending in sending countries, out-migration from Hungary and Latvia has actually increased. This is a surprise, since Hungary has otherwise been a country with relatively mild out-migration, in contrast to Latvia, which has been substantially affected by labor migration during the past decade. Galgóczi et al. (2009) then do not make any specific predictions but assert that it is too early to draw definitive conclusions regarding the length of stay in the receiving countries, and the number of returnees (p. 24), especially in a time where both sending and receiving countries need to deal with the consequences of the crisis.

This last, mostly neglected field deals with the personal experience of migrants, which tell a story that in many cases differs sharply from what the optimistic EU provisions and even numbers seem to promise. Many migrants express the problem of not being able to apply their right of equal treatment when it comes to employment, health insurance and voting rights in the host country (European Commission, 2010a, p. 39). When digging into specific migration narratives, some report problems in dealing with local administration and authorities, or outright discrimination based on racism and exploitation in the working places and the local environments as well limited opportunities for upward mobility (Favell and Nebe, 2009). Also the European Commission in their report on the implementation of EU citizenship rights

acknowledges some obstacles, such as in the recognition of foreign diploma, which can take up to four months in the bureaucratic apparatus (2010a, p. 15). Also a case study on Romanian migrants in Spain (Bleahu, 2004) gives a vivid overview of strategies of networking, informality and improvisation in light of hurdled ways into the EU-15 labor market. From the personal interviews, also the fact of pendular migration becomes feasible, e.g. through seasonal work or in live-in nursery arrangements.

In conclusion to the extensive data analysis, it can already be stated that migration from the new member states much more resembles the migration schemes of third-country migration to Europe, and not, as the EU citizenship policies would make believe, the migration among EU-15 citizens. In the following chapter some of the mechanisms that prevent EU policies from providing what they promise will be reconsidered and explained in a new light.

V Neoliberalism, Postsocialism, and Oriental Europeans

In the last three chapters, several threads were introduced to the discussion, firstly, the connection of work and citizenship in both capitalism and socialism, secondly, mobility as integral part of EU citizenship status and regime as well as, thirdly, data on the characteristics of current East-West migration in the EU. In what is left of the thesis, I would like to propose an explanation how these somewhat loose – though interconnected – threads fit into a wider narrative on the state of art of integration in the European Union.

In this narrative, the mechanisms that trigger the huge mismatch between actual qualifications and the performed work by most of the migrants from Eastern Europe are revisited and woven into a pattern that is deriving its theoretical underpinnings from retrieving the “ideal citizen” of the EU and suggesting that EU citizenship is a prototypical example of neoliberalism in policy and practice. Furthermore, the interplay between this neoliberal citizenship regime with postsocialist realities will be analyzed, since this particular relationship in the form of postsocialist citizenship reveals some of the migration specificities that were reviewed and depicted in the last chapter. However, since neither these two mechanisms alone, neoliberal EU citizenship regime and postsocialist understandings of citizenship and entitlement, nor their synthesis can explain for the full picture of intra-EU migration today, the theory of European orientalism will be introduced as complementary explanatory factor.

Mechanisms of choice and context?

Before moving on to my own explanatory framework regarding the East European labor migrants’ situation in EU-15 labor markets, several other theories will be revisited and refuted as insufficiently explaining the low status of East Europeans in the integrated EU labor market, which supposedly does not treat individuals differently based on their nationality.

The first such mechanism can be subsumed as “rational choice approach”, which tends to individualize the results of labor market performance of EU-8+2 migrants in EU-15 labor markets by arguing that it is personal cost-benefit-analyses that lead to the current situation. Usually in this category, several different factors such as the temporariness of migration, the individual desire for adventure or the insufficient language knowledge are named, which supposedly limit adequate employment opportunities and trigger labor market participation in low wage sectors in spite of high educational attainment. Both these mechanisms are also displayed in the arguments of Kahanec⁴⁶ and Kurekova (2011, pp. 60-61). There are several inconsistencies in this line of argumentation, however, most prominently in the contradicting argumentation when discussing possible brain waste, and in the field of defining what the most “rational choice”-driven decision would entail.

As was pointed out in the last section of chapter IV, the potential danger of a brain waste is usually countered by the argument that despite down-skilling in the actual occupation, new human capital is acquired through language gain. However, it is part of the migrants’ reality that in the least prestigious jobs they tend to work and live together and not with natives, which implies limited possibilities to acquire foreign language knowledge. Thus, the “individual” choice of not investing in a language becomes a structural barrier to promotion in the host country because of the segmented, mostly non-native labor market, and in fact, the possibility of promotion is located more in the same sector and not in sectors that migrants are actually educated in.

Nevertheless, while it is plausible that a lack of sufficient language knowledge would limit employment opportunities in the first place, and then – through structural circumstances – also the options of getting promoted, it is hard to reconcile this finding with the overall optimistic assessment by the same authors (e.g. the European Commission reports, 2009a and

⁴⁶ Please see footnote 12 for details on the occasion of this argumentation by professor Kahanec.

b; Kahanec, Zaiceva and Zimmermann, 2010) that brain waste can be mitigated by language capital acquired in the host country.

Furthermore then, the nature of individual “rational choice” decisions needs to be addressed. As the argument commonly goes, a potential migrant with high skill levels decides to migrate and intentionally does not invest in language acquisition before and while migrating, because then more resources can be delegated towards wage earning. However, this choice is by no means “rational”, especially if one can expect that better language skills will translate into higher pays and possibly also into more social prestige in both host and home country. This finding then would imply that migrants from the new member states make intrinsically irrational decisions, or do not consider long-term perspectives. The first conclusion can be refuted without further elaboration; the second one with regard to Kurekova’s (2011) convincing typology that classifies current migrants’ decisions as explicitly future-oriented, thus language investment for higher returns in the future would be considered rational.

Another version of the same “rational choice”-argument is the claim that migration only happens as short-term experience and for improving prospects in the sending country, which does not justify extensive investment in language skills beforehand. Again, this would imply that EU-8+2 migrants are not calculating their costs and benefits rationally, since better language skills could translate into higher wages and thus a shorter stay and higher resources upon return to the home country. Overall, it can be concluded that the individual choice argument is suffering from severe inconsistencies and is thus not very convincing in explaining the pattern of East European migrants working in low skill and low wage occupations. In addition, individualizing the responsibility of the situation bears much of the same logic of what I will identify as the neoliberal quality of the EU citizenship regime. As

such, it may not lose its relevance in current policy debates, but needs to be analyzed carefully – and refuted, if the data suggest something else.

Structural or contextual explanations can therefore be considered more fruitful when explaining the high number of highly skilled Europeans in the low wage sectors of Western European labor markets. Among claims in this field is the statement that job posts are not available in the fields that migrants are trained in, or migrants are only wanted in certain sectors. Furthermore, in this section also belongs the fact that foreign diplomas and skill certificates are not easily recognized or only in lengthy bureaucratic processes (Hantrais, 2007). Among contextual explanations is the finding by Csedö (2008), who argues that skills in the absence of “reliable” domestic diplomas are a matter of social negotiation between employee and employer. And since the employer certainly is in a power position when choosing from the high number of competing applicants, skill negotiation is mostly driven by the employer’s social perceptions. Yet other mechanisms that need to be considered here are the existence of agencies that organize labor migration and match EU-8+2 migrants with positions in the EU-15 labor markets. In this situation, individual dependency upon the proper functioning of the agency is very high and leads to an increased vulnerability of the migrant. Another form of structural mechanism that channels migrants into a certain social and occupational position is the strategy by many East European migrants to declare self-employed status and thus circumvent the transitional restrictions, which do not apply for this category of workers.

The problem with these kinds of explanations is that, while they appropriately identify structural mechanisms of limiting employment opportunities for whole social groups, they do not necessarily address drivers and underlying causes for the emergence of these situations, as

well as a normative evaluation.⁴⁷ For example, why are foreign diplomas not recognized as equal despite the EU legislation that gives the same rights to every citizen? There have been attempts to do this at least since the starting of the Bologna process in academia, but already in this limited field national preferences and implementation create complications and immense delays. Thus, Geddes (2003, p. 7) makes a very relevant point when stating that it

can be more useful to conceptualize the EU as a regional bloc of rather resilient nation states that have moved towards a highly developed form of market integration that extends a (limited) package of rights to their citizens under the banner of EU citizenship while also building barriers between themselves and surrounding states and regions.

On this realist basis, can one even make valid normative assumptions about the structural mechanisms that were described as segmenting East European workers into low wage and manual sectors? The answer cannot be clear, however, a tendency can be provided: The Lisbon Treaty gave nation states the legal possibility to exit the EU, which means a strengthening of the nation state's sovereignty to decide about consenting with the union's prescriptions, or leave. Certainly, when being a member state of the EU, some perceptions of social justice are enshrined in the Charter of Fundamental Rights, which clearly hints at strengthening the position of human and social rights in the EU, and is legally binding for all member states. Thus, there are grounds to normatively assess questions of social justice as discussed in chapter III, e.g. with regard to workers' non-discrimination, unjustified dismissal and access to national welfare provisions in case of need. Clearly, also the European Court of Justice has also helped to sharpen this understanding (Joppke, 2010). Since only two member states negotiated opt-outs from the articles provided in the Charter, it can be assumed that the perception of justice codified in the Charter, however blurry it might be in terms of

⁴⁷ Admittedly, the case of EU-8+2 migrants that declare self-employed status does not qualify for this category, since the "underlying" explanation is indeed quite easily to reconstruct in the form of the transitional restrictions, which only restrict the movement of dependent wage earners.

formulation, is a common and shared perception. Interestingly, it is the UK that negotiated an opt-out from the Charter, since it was in conflict with British labor law.⁴⁸

But even if one comes to the conclusion that the EU has no shared conception of social justice, still the legislation prevails that gives EU citizens the same workers' rights as domestics. And in case of the EU-15, EU citizens from the East have a higher probability to be dismissed or end up in jobs with lower social security than native workers from the host country (Favell, 2008a).

Nevertheless, it is not the main concern here to provide a thorough argument on grounds to assess notions of justice in the EU, but to identify causes for structural mechanisms that tend to provide workers with fewer opportunities in the host society than natives, despite rights that should secure equality in this field. Even more so, since same mechanisms offer mostly very profitable returns for EU-15 economies, in the form of a mostly highly skilled, ethnically invisible and easily available work force that accepts employment for little returns and low levels of job security (Favell, 2008a, p. 710).

Ideal citizens, non-citizens and secondary citizens: The EU citizenship regime

As part of the analysis of the provided data, here questions on the characteristics of the "European citizenry" will be addressed by re-introducing the concept of citizenship regime proposed by Jenson (2007). First of all, who are these Europeans who take up their right to movement, and what can we learn about the "ideal citizen" of the EU? Are the mobile populations of Europe the ideal citizens, or, because of their low socioeconomic status in host societies, actually the "secondary citizens"? The question of non-citizens is clearly and exhaustively regulated in the EU citizenship provisions, since these exclude everyone who does not hold citizenship of one member state.

⁴⁸ Poland also obtained an opt-out in relation to the Charter, however, due to a very different concern: Since the Charter condemns discrimination based on sexual preferences, Poland especially feared the forced implementation of equality laws in this field.

Since EU citizenship, as I established in chapter III, mostly consists of the right to free movement and as such only gains relevance outside one's own nation state, the "ideal citizens of the EU" must be the East Europeans that are migrating for labor⁴⁹. This might be a counter-intuitive conclusion; however, when conceptualizing the EU citizenship regime as a neoliberal regime *par excellence*, there is logic in this evaluation. First of all, it is mostly EU-8+2 citizens that are mobile and take up their right to free movement, even despite the transitional restrictions for workers from their countries. Also the fact of rapidly increasing numbers of self-employed from the EU-8+2 as a reaction to circumvent the restrictions should be understood as the pragmatic expression of neoliberal entrepreneurship.

Secondly, it is exactly this citizenry that has not made use of the right to free movement in terms of the infamous "welfare tourism" and the idea of universal entitlement through citizenship that is still prevalent in the West, but through seeking employment, which is also fundamentally in line with the roots of European integration since its beginnings in the 1950s. In addition, this behavior also accounts for the neoliberal logic of taking care of one's own well-being without relying on state provisions. As a neoliberal regime, the EU citizenship regime is nonetheless not just promoting a "market citizenship" without any state activity or regulating policies. It does in fact entail a certain notion of social justice that does not, however, provide a societal minimum on universal grounds, but on grounds of willingness and flexibility, and national provisions that vary across EU countries. Additionally, it individualizes responsibility for choices and adequate social security, such as private health insurance and pension scheme, personal savings etc. The average wage between postsocialist states and old member states thus does not lead to security provisions for the member of these

⁴⁹ Obviously, the EU also facilitates the movement of other groups, e.g. that of students or retired, or that of workers in general. But the concept of citizenship regime implies some sort of agency from the side of the citizenry as well, which means that low movement among EU-15 workers makes them somewhat "resilient" towards EU citizenship policies, and cannot account for ideal citizens therefore.

more economically vulnerable populations of the European citizenry, but tries to provide equal opportunity based on anti-discrimination, and not on the basis of positive action.

Finally, if one understands European integration not only in the economic sphere and the efficient regulation of markets, and especially the labor market, again nationals from the new member states have achieved more than other groups in terms of identity construction. By seeking employment abroad and displaying enormous flexibility, these parts of the EU citizenry have also proven to be most active in establishing interaction with individuals from other member states. Coming back to the contact theory, which holds that increased interaction would lead to a more consolidated identity notion among Europeans (Favell, 2008b; Fligstein, 2008), this means that it is currently East European migrants that are the drivers of a European supranational identity formation. This makes even sense in light of their wish to symbolically return to Europe after the experience of state socialism and the ideological instrumentalization by the Soviet Union and domestic socialist authorities, which was discussed in chapter II. However, East Europeans being the drivers of European identity contains an ironical twist, since they are mostly understood as the fundamental “others” in Europe, and thus pave the way to dichotomous identity constructions in West.

In this narrative of ideal and secondary citizens then, EU citizenship regime creates “secondary citizens” in the way that they have no or incomplete access to the rights granted. In this logic, EU citizens that do not reside or move abroad are enjoying only partially the rights granted by the EU.⁵⁰ This group not only includes EU citizens that are economically inactive and have no financial resources to prove adequate sustenance and health insurance, but also members of the Roma minority who were in the recent past deprived of their citizens’ right to free movement, and – against EU law – expelled collectively, and consequently deported to their (East European) country of origin. A third party in the club of “secondary

⁵⁰ I call this enjoyment of rights of stayers partial, because of the fact that EU citizens from the EU polity gain the right to vote for the parliament regardless of where they stay. They are therefore not completely excluded from the citizenship rights, but can not enjoy their rights to the full.

citizens of the EU” is certainly the population that has no incentive to move, be it because of job security at home, an extensive social and social security network, and some sort of opportunities at home. This classification again might seem a counter-institutive conclusion, since poor people, members of certain ethnic minorities and people that have no incentive to change their life because of extensive welfare would not necessarily belong to the same category. However, although the exclusionary logic might differ for these groups, they all have difficulties to exercise their rights as EU citizens. Nevertheless, it is clear that, if someone from the third category decides to move, their decision would be lauded much more than the one by members of specific social or ethnic groups.

As prototypically neoliberal, the EU citizenship regime enhances geographic mobility and flexibility of the work force even across nation state borders, with a flexible time frame for mobility and little chances of getting promoted over time, but for the sake of decreased social security and downward social mobility in the host country. In this regard it is no big surprise when van Apeldoorn (2003, p. 130) names as four pillars of the European employment strategy the following: employability, entrepreneurship, adaptability, and equal opportunity. He elaborates on the fourth notion, since it might be misleading to assume that equal opportunity is meant as a de-commodification strategy, indeed he means that equal opportunity in an neoliberal citizenship regime as a prerequisite for commodification and marketability.

While it is not news that the EU has embraced neoliberal strategies to achieve global competitiveness (Bohle and Greskovits, 2006, p. 9) and efficient capital accumulation (Favell and Geddes, 1999, p. 15), this has not been spelled out in terms of a certain citizenship regime that produces a citizenry according to its needs on the European level. EU citizenship must therefore count as a citizenship that is not built around the intrinsic notion of equality of individuals, but around the idea that everyone should have equal opportunities in terms of

market access. As such, EU citizenship regime does not aspire to install equal status of all citizens, but equal terms of marketability, which is more regulation than a pure market citizenship would entail.⁵¹

One exception to the overall lack in accounts of a stratification of EU citizens due to a specific citizenship regime can be found in Favell (2009). He argues very much in line with my earlier point on the three-tiered stratification of residents in Europe, however, to him the citizens of the EU are in fact Western European elites, which I would doubt for the reason that they do not make use of their EU right. That it is these elites who are in a more convenient and resourceful position is out of question. Nevertheless, Favell also questions the presumption of “one status, one treatment” for intra-EU migrants, while naming three groups and streams of intra-European migrants, firstly the “Eurostars” that can realize real free movement, thus without limits due to “race, class, ethnicity, inequality, borders, barriers, and cultural disadvantage” (2009, p. 177). He refers to this group as the Western European elite that can actually choose their location of residence freely and without status loss or other restrictions. The second group is constituted of migrants that try to enter the EU from the outside, and that face all the hardships that accompany non-citizenship, but are not discussed here further, since exactly they are not intra-EU migrants in the strict sense. The third group, the migrants from the 2004 and 2007 accession states, to Favell, is situated between the two others, for they are migrating mostly for 3D-(dirty, dangerous, dull) jobs, but have actually cosmopolitan values, an average or high level of education and are young of age and flexible. Individuals in this category do not fit into the group of “Eurostars”, because by policy tools they are not treated as EU citizens in the host country, but as third-country immigrants. Therefore, Favell concludes, mobility is indeed taking place, but under the premise that

⁵¹ In this light, also EU campaigns fighting discrimination of women, ethnic minorities or same sex couples should be understood, as is argued in Overbeek (2003, chapter 4).

Eastern Europeans are second class citizens in a dual job market, where they are forced to work on the edge of exploitability in terms of flexibility, time periods of work, and income.

With Favell (2009), there is a valuable assessment of the situation, but which again calls for explanations of the underlying logic and not just for the functioning of segmenting mechanisms, because he does not actually contemplate reasons *why* East Europeans accept these working conditions and because it does not explain the dual labor market structure.

Postsocialist citizenship

Because even above described “thin” neoliberal conception of social order and equality is not achieved in the EU and because EU-8+2 migrants tend to work well below their skill level, and thus are subjects to brain waste even in the logics of a neoliberal citizenship regime, some other factors must be considered.

Therefore, since the EU citizenship regime is very much intertwined with national citizenship provisions of the member states, their interplay is taken into account when looking for segmentation drivers, especially in light of the systemic differences that the East and the West of Europe faced under socialism and welfare capitalism, respectively. However, it is by no means the intention to cement some sort of “bloc mentality” (Böröcz, 2006) to the historical picture of postsocialist EU states, quite the contrary, it aims at breaking exactly this dichotomous identity (or, in this case, work ethic) construction, as will be discussed in more detail in the next section. It is an underlying assumption then that ignoring that some parts of the citizenry under socialism did indeed subscribe to the values of socialism, while other parts did not belong in the same category of making Eastern Europe voiceless, or at least inferior in the EU integration project.

The exclusive focus on postsocialist citizenship can be explained in that way that it is citizens from postsocialist countries who are willing to accept job posts that are otherwise despised by national EU-15 populations, and by even naturalized ethnic “affiliates”, e.g. as in

example of ethnically Spanish Argentines who are encouraged to move back to their “homeland” after a century, but then do not take on the jobs that they were recruited for. These available posts, therefore, are taken up by less hesitant Romanians (Cook and Ciladrich, 2009). Also, when West Europeans migrate, they usually experience an overall positive return for their migration decision and gain more income than the domestic work force of the destination country. As was pointed out earlier, this is not the case for EU-8+2 migrants based on the example of the UK labor market, where this group of migrants earns on average 40 percent less than the national work force.

In some respects then, the socialist legacy of viewing work as a prerequisite to social ordering, entitlement to welfare provisions and also community participation, thus as a prerequisite to what is known in a capitalist system as “social citizenship”, corresponds well with the neoliberal logic of citizenship regimes, where citizens are encouraged towards highest possible participation in markets as enacting citizenship. This legacy is accompanied by the acute uncertainties in economic and political terms of the postsocialist decades that drove individuals into the described hardship migration (Kurekova, 2011) as well as into redefining their socialist experiences in the language of neoliberal flexibility.

As Dunn (1998) points out when referring to Polish floor workers in a food processing factory, socialism also required a certain type of “flexibility” because of the system of hoarding and shortage (Verdery, 1996) that led to unpredictable situations in terms of workload or functions to be filled in the production process. In contrast, neoliberal capitalist modes of production in (Polish) postsocialism demand, but a different type of flexibility, which can be found, according to Dunn (1998, p. 138), in an individualized framework, as a personal achievement, and not in the previous collectivist rhetoric.

Again, this argument confirms the point voiced earlier when defending socialism and capitalism not as antagonistic systems, but rather as related systems that sometimes translate

in even similar sets of social, economic and political practices. This finding would be confirmed by writers of post-modernity like Bauman (1992, p. 167-168) who sees both capitalism and socialism as dedicated to modernity and modernist goals, despite some dissimilarities in approaching these goals of efficiency, reason and materialism.

One objection with regard to the young age of migrants and the possibly not endorsed logic of socialist modes of production can be refuted, because the overwhelming majority of EU-15 migrants is indeed young, but not young enough not to be confronted with socialist ideology. Furthermore, it is at the core of the concept of legacies that they play out even in the absence of the actual event, which is reflected in slower transformation of societal structures, e.g. in education where the majority of teachers was still educated in socialism and thus hand on their socialist-infused knowledge even in its factual absence. And then, also the connection of socialism and its mirroring in the postsocialist realities should not be disregarded. Thus, what I would like to establish is the view of legacies as continuity in spite of the factual institutional, political and economic discontinuities of the postsocialist decades.

Orientalized Europeans

Since the segmentation in West European labor markets works, as was shown in chapter IV, along ethno-national lines, and cannot be exhaustively explained by a socialist work ethic of choice migrants in the post-enlargement era, yet one more underlying cause for the exclusionary mechanism should be explored and fit into the pattern of neoliberal citizenship regime and socialist legacy. The practice of orientalism is closely connected to the notion of postsocialist citizenship, since it is, among others, exactly the socialist past that has been used to depict the “East European” as the “other” in Europe. As such, Eastern European otherness should not be understood as diametric other like Muslims or Jews are commonly depicted, but as an other that is “underway” to catch up w, but still deviant in some respects, and especially

when compared to the ideal of West European goodness (Böröcz, 2006), in the form of democracy, civilization and welfare.

One might object that the practice can be considered outdated and obsolete with the accession of ten postsocialist countries to the EU, however, in public discourse the image of the “East European” is still relevant, as can be seen in the media coverage of the “European wedding” in the house of Maria Topan that was attended by Maria Margarita Barroso in February 2011.

In this specific case one can also find what Böröcz (2006) describes as distancing from one’s own source by claiming alliance with what is perceived as the moral ideal, e.g. West European assumed flawlessness in light of Romanian moral deviance. Also the wish of the “return to Europe” after socialism, which was widely displayed in the political rhetoric of the 1990s and 2000s, but also in practical terms like early EU application and taking over the structures of West European states, such as constitutional design.

However, European orientalism, a term that is without question taken over from Said and appropriated for the context here, does not only function in the direction that “West” is associated exclusively with positive attributes, whereas the “East” does not only consists of negative ascriptions (Baumann, 2004). In the story of the two European Marias, it is the Western European, Portuguese Maria who praises the “traditional beauty” and “remote peacefulness” of the Maramures region of northern Romania with doubtlessly positive connotations, whereas the opposite would be some sort of “tamed technocratism” that is attributed to the West (but not spelled out here). Thus, not only xenophobia can be understood as part of an orientalizing grammar, but also xenophilia, thus the laudation of the unknown distant.

Looking at a similar example, in the German public and informal discourse, the two-edged sword of orientalism can be attributed to the conception of the West German as

manipulative (-), but successful (+), whereas East Germans are depicted as trustworthy and authentic (+), but with little success (-). With the unification of GDR and FRG into one capitalist Germany in 1989, West Germany could strengthen its power position based on the “end of history” and technically annex East Germany ideologically and in practical terms (Baumann, 2004, pp. 27-28).⁵² The same logic can be applied to the European sphere, and finds rich examples in colloquial statements like “balkanization of politics”, which depicts a chaotic and violent mode of negotiation, or even in academic journals through titles like “‘Trouble in the East’: The new Entrants and Challenges to the European Ideal’ by Feakins and Białasiewicz (2006), which depicts the Polish state’s rationale to support the Iraq war as “savior” of the Christian European heritage (pp. 655-656).

Laitin (2000) has a more pragmatic-functional understanding of European orientalism when claiming that persons from the new member states have a bigger interest in the so proclaimed “European ideal”, since they experience higher degrees of economic and social uncertainties. Therefore, he attributes Eastern European states discourses a much clearer image of what “Europe” means than people in the West. However, this does not undermine the argument; quite to the contrary, it supports it, because it means the full endorsement of the ideal and the acknowledgement that the own side is somewhat not fitting the ideal, as depicted in the story of the beginning the thesis, but also examined in various publications (Böröcz, 2006 and 2010; Buchowski, 2006; Wolff, 1994). Certainly, the idea of “Eastern Europe” as the other underway to becoming civilized did not start with the Cold War, but has its roots already in 18th century travellers’ notes and literature (Wolff, 1994).

In sum, the point that I would like to establish here is that the two Europes, the socialist and the capitalist, were not united in terms of equality, but against a background that ascertained the moral and functional superiority of capitalism and individuals that were

⁵² One culmination of this hegemonic display of power is the fact that in the exhibition for the 60th anniversary of the German Basic Law, there was not a single cultural artefact from an Eastern German artist.

educated in capitalism. Therefore, one should question arguments that are making claims on “European values”, since it is the values of the people that have the capacities to define and shape them. Furthermore, for the overall picture of explaining the rationale behind segmenting and brain waste tendencies for labor migrants in EU-15 labor markets, the interplay of neoliberal citizenship regime, with notions of postsocialist citizenship as well as the Western European states’ tendency to hegemonize more Eastern states gives more insights than the mere fact of describing mechanisms of exclusion.

Finally, this long excursus into the sphere of non-material notions and sensitivities is as necessary as the discussion of their outcomes, such as precarious working conditions and second class citizens in a geopolitical sphere – the European Union – that builds on the ground of equality, and be it just the “thin” layer of equality of opportunity of a neoliberal kind, which in theory works against nationally exclusive patterns as it aims at market efficiency regardless of status. A side product of this discussion then is to account for the fact that neoliberalism does not, at least in the EU, produce a perfect meritocracy that is colorblind, but reproduces older patterns of hegemony that can be traced to much earlier times.

VI Conclusion

In this thesis, I tried to retrieve the interplay between systemic legacies of capitalist West and socialist East in Europe with a third citizenship regime, which is likely to have a different effect on perceptions of citizenship, because the spheres of work and access to welfare in the twentieth century states under state socialism and capitalist welfarism were linked differently. However, not in a dichotomous way as is often assumed in the political language, but often in complementary, but also in similar ways, since both systems and their welfare provisions were the results of the same macro-forces and societal movements.

In the sphere of the EU citizenship then, it becomes obvious that access to welfare is also coupled to employment status, but involves mobility. Therefore, EU citizenship regime actually involves a triad of work, migration and social citizenship. This triadic relationship is usually not well spelled out in the literature, and here I can only leave it to some schematic remarks of the topic:

Lengthy debates in the literature are already devoted to the individual concepts, because not only is “work” a contested notion, the same accounts for “migration” and “citizenship”, not to even speak of the vast literatures that have emerged to define the arenas of their interplays. Unfortunately, in almost no publication their triadic relationship is made explicit with regard to mobility. Usually EU citizenship derives its ambiguity regarding the question of the national, and not from the fact of migration, or mobility. Furthermore, there is dozens of publications that extensively explore two spheres, labor and migration, labor and citizenship, or citizenship and migration, with smaller excursions into the third realm without theorizing it with the same diligence, see for example Bosniak (2006, chapter 5) or Papademetriou (2006) for an edited book that contains works on the relevant issues, but not in one work. Literature on transnationalism has taken scholarship a decisive step forward in defining the act of mobility as expression of something, however, is mostly devoted to one of

the other spheres, either work, or citizenship and integration (confer e.g. Glick Schiller et al., 1997).

However, little effort has been spent on theorizing EU citizenship in the act of mobility and the subsequent potential to open up interpretative space by decoupling it from national citizenships as mostly static concepts. Very promising exceptions can be found in the working papers of the Enact European Citizenship project, and most prominently in the working paper by Aradau and Huysmans (2009), who understand mobility as a democratic practice of equality, and Araddaue, Huysmans and Squire (2008), who explicitly call for a “mobility turn” in EU citizenship studies.

Apart from this theoretical confinement, I have tried to grasp EU citizenship not as a static set of rights, but through the lens of citizenship regime (Jenson, 2007). With the introduction of this concept, it became able to account for changes over time, decouple it from the confinements of nation-ed interpretations, but also as active set of policies that creates options for social stratification.

By identifying the EU citizenship as prototypical neoliberal, it became possible to contextualize the often precarious working conditions of migrants from the new EU member states into West European labor markets. However, since neoliberalism as a political ideology and set of practices alone cannot account for the differences among intra-European migration patterns, the additional sphere of postsocialist and socialist legacies was taken into account as shaping a specific understanding of the world and access to entitlements. As such, the EU citizenship regime and the geopolitical space that is created through it, can be understood as a distinct entity of analysis for social research, and not only for policy makers and economists, like this is mostly the case to date (Bellier and Wilson, 2000).

With regard to the introductory story on Maria Margarita Barroso and her housekeeper Maria Topan then, a third dimension was identified that is likely to trigger exclusionary

mechanisms in employment opportunities, the still relevant European orientalism that was not extinguished under the supranational EU citizenship regime. Becoming the “ideal citizen” of the current EU citizenship regime thus seems to be not a necessarily favorable option, since it is linked intrinsically to social vulnerability, low job security and a remarkable mismatch in qualification and available occupations.

In how far this citizenry develops and will develop a distinct set of beliefs regarding the EU integration project is an open question, since as a neoliberal regime, it produces not only exclusions, but also inclusions, e.g. with regard to gender or the equality of opportunity in self-marketization and can thus also lead to enhanced life chances. Some authors have mentioned a possible feeling in the form of the cynicism of the exploited (Shore and Wright, 1997), others did not find any different form of convictions through the fact of migration (Badescu, 2004).

New developments in the field, such as the expiration of the transitional restrictions in the prior dominating migration destination, Germany and Austria, with 1 May 2011, should also have effects such as the still understudied period of the global financial crisis. A very different set of case studies and theorizing can be expected in the field of postsocialist countries becoming destination countries as well, most prominently here the Czech Republic and Hungary. For one recent case involving Romanian and Vietnamese guest workers in the Czech forest, see Scott (2011). Also with time, new data in the field of migration duration, upward social mobility over time and the brain waste-question might lead to very different interpretations than the ones presented here. One possible expansion is the question in how far the fact of labor migration becomes inherited and thus segmented labor market participation becomes a inherited feature also of future East-West migration (Castles and Davidson, 2000), or whether the status of EU-8+2 citizens experiences promotion in light of further accession rounds.

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