

Constitutional patriotism as a form of citizenship for the European Union – recognizing minorities

By Predrag Zenovic

Synthesis

Main research problem

This research is a normative enquiry into the citizenship of the EU from a specific perspective. The citizenship in question is the one formed at the supranational level of the EU as *sui generis* polity, while the perspective I am taking considers minorities and a way to accommodate their needs in a just way. Europe is integrating, both horizontally and vertically, and adjusts, among others, its legal and political norms and practices.¹ Today, the question of its future citizenship is more important than when it was first legally formulated in the Maastricht treaty. Furthermore, the external power of globalization and economic interdependence, migration and immigration, internal revivals of ethnic and national identities, social movements of various identity groups, put the question of citizenship on the top of the EU agenda. The problems that arise from immigration, national minorities, subaltern and disadvantaged groups

¹ In *Ruling the void*, Mair explains why “the point is not how to come to terms with something that is exceptional and *sui generis* – the issue of Europe as an n of 1 – but rather how to understand why the EU has been made that way.” v. Peter Mair, *Ruling the Void: The Hollowing of Western Democracy* (Verso, 2013). Thus, instead of putting the EU into the already existing terminological and conceptual apparatus of political science we should rather take an etiological and explanatory approach to this new political entity.

are ‘the greatest challenge facing democracies today.’²There are certainly many ways to look at this issue, the one taken here is based on normative arguments of philosophical philosophy.

The European Union citizenship was introduced by the Maastricht Treaty, which was signed in 1992, and came into force in 1993. European citizenship is complementary (additional) to national citizenship as Treaty on the European Union Article 9 stipulates: “Every national of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to and not replace national citizenship”. In the Preamble of the Charter of Fundamental Rights of the European Union, which came into force with the Treaty of Lisbon, it is stated that the EU “places the individual at the heart of its activities, by establishing the citizenship of the Union and by creating an area of freedom, security and justice”. These legal provisions say little about possibilities in which we might use the broaden the notion of the EU citizenship.

The notion of citizenship will be used in this research as a set of legal and political rules, practices and discourses encompassing the issues of membership within a political community as well as rights, obligation and allegiance towards that community. It will enable me to address the normative dimensions of the EU citizenship and theorize its prospects. The main normative perspective will be the one which tackles the issue of minorities, misrecognition and injustice that member of minorities face in the context of national states. In other words, the task of the research is to test whether constitutional patriotism, as an overall model of citizenship, would be the best solution for a polity in *statu nascendi*. Obviously it is a question of *should* and not *is*, it is a theoretical enquiry of the possible policy reformulations according to certain normative criteria, not the description of the *status quo*.

The idea of universal citizenship has been strongly challenged by the communitarian and multiculturalism scholarship, always in the name of minority groups. That is why it seemed a logical starting point to consider the nature and normative questions that lie within a specific minority condition. In other words, what sort of citizenship should be embraced, given all the circumstances, in order to give a just answer to the needs of minorities? This question becomes more complex once minorities are defined. Minorities in this study will be taken in a constructivist and relational sense. Instead of limiting the notion of minority only to certain groups, this concept should be understood as a reflection of the interplay between individual and

²Kymlicka, Will. *The Rights of Minority Cultures*, (Oxford: Oxford University Press, 1995), 1

groups self-perception and the recognition they might invoke in a public, political sphere. Minorities are a fluid concept, but still contain the features that allow us to put them in a theoretical inquiry. Thus, when considering the definitional scope of minorities, I refrain from setting one a priori but put forth a minimal set of condition that allow for any group significantly affected by the said interplay to be defined as minority.

Identity has indeed become a buzzword of contemporary political theory. As a boundless concept it is often an obstacle for precise theoretical use. Nevertheless, the importance of identity is often in the heart of the claims by which the contemporary social movements contest the legitimacy of the nation state. Identity of a citizen in the postmodern era is often fluid and elusive, sometimes radicalized and in quest of its authentic true forms, contradictory and complementary depending on the subject who evaluates it in the particular historical and social context. Minority identity cannot be defined *in abstracto*. It is necessarily a relational contextual concept. The values, world-views and practices of identity minorities are different to majoritarian ones. It is a particular good, worldview and lifestyle that minorities are trying to preserve, protect and uphold. If we look at a random European constitution, among nominally liberal democratic states, we would identify many visions of a good life and principles that some citizens cannot adhere to. In some cases, these provisions go even further, disabling the possibility of these minorities to identify with the political community or to lead the life they want.

There are two methodological and theoretical frameworks from which I analyze the issue of identity minorities: intersectionality and recognition theory. I believe that the research should reflect the difference between identity as a concept in theoretical assessment and identity as a personal and group self-identification and its use in political life³. It is important to engage with the notion of identity in a way which will reflect its nature in the contemporary world where identity became highly politicized. Intersectionality⁴ grasps contemporary identity in its fluidness and complexity without reifying it. It comprehends the complexity of human existence and its plurality of identifications. Finally, recognition theory is beneficial for the intersubjective nature of its approach which reflects the relation between majority and minority.

³ v. Rogers Brubaker and Frederick Cooper. "Beyond 'Identity'" *Theory and Society* 29 (2000): 1-47

⁴ v. Anthias, F. and N. Yuval-Davis 'Contextualizing feminism: Gender, ethnic and class divisions'. *Feminist Review*, 15, 62-75, 1983, and Crenshaw, K. *Demarginalizing the Intersection of Race and Sex*, (Chicago, IL:University of Chicago Press, 1989)

The project affirms the idea that constitutional patriotism is a legitimate and normatively desirable form of governance and citizenship, capable of accommodating minorities' perspective and as such it should be embraced by the EU in the course of its incremental constitutionalization. Its argumentation is based on a concept of political that acknowledges the fact of human diversity under the conditions of liberty and the importance of deliberation and compromise in the quest for a polity that allows its citizens, in the full spectrum of their diversity, to enjoy the maximum of freedom as long as the freedom of others is duly respected. This concept encompasses the Janus face of human beings both as rational and emotional individual beings but also as agents embedded within particular groups. Not only do these aspects define us as political beings but they also influence the way we negotiate and cooperate with others.

Constitutional patriotism represents post-national and post-conventional political identification and allegiance to the set of normative components of a constitution, broadly understand as a political and legal order within a certain polity. As such, constitutional patriotism leaves the public sphere open for the dynamic development of various identities putting the otherness, based on color, race, nation, religion, sex, sexuality, ideology etc., in the context of a common citizenship. It is focused on fostering political participation, public discussion and the exchange of worldviews under the determined set of legitimate principles.

Contextually speaking, EU constitutional patriotism is not only the guarantee of the protection of minorities' rights but a step toward genuine equality of EU citizens - legal and political, but also ethical. The political project of constitutional patriotism is not, as it was criticized, determined by particular identities, histories, constitutional patterns and ethics. Constitutional patriotism is rather a different form of understanding politics, political community and citizenship. It was ideally developed in a particular setting of plural Western societies and, as it will be shown, provides answers to the questions posed by globalization and decline of nation-states. Its focus are basic political and legal principles rather than particular national or cultural discourses, metanarratives and conceptions of the good.

That constitutional form in the globalized post-national should abandon the framework of national state and focus of universal principles of democracy, human dignity, peaceful coexistence and diversity. For that constitutional form I use the notion of constitutional patriotism, Dolf Sternberger's syntagm, that proved to be a good denominator of a form of

citizenship and loyalty to political community other than national liberalism, republicanism or cosmopolitanism. After elaborating my own theory of constitutional patriotism I will apply that theoretical framework to the case of EU and once again, now in practical level, tie the idea of justice for minorities with constitutional patriotism. The development of the EU as a plural, heterogeneous entity – aimed at peace on the continent, as well as at economic prosperity and protection of human and minority rights, is a robust reason for the EU to embrace this model of citizenship.

Constitutional patriotism can be perceived as statist and centralist⁵. This is especially true for the way in which Sternberger elaborated it and the way the critiques of this concept understood it. However, the reinterpretation of this concept by Habermas and Muller and the way it will be developed in my theory sheds a different light on constitutional patriotism. I will show that, despite its aspiration towards universal consolidation of the common political principles, it offers a normatively acceptable discourse for minorities. There are two heuristic contributions of this dissertation. Firstly, it will be shown that constitutional patriotism is theory of citizenship and not only a form of patriotic loyalty. Secondly, this thesis stresses the normative potential of constitutional patriotism for the accommodation of minorities and their need for recognition.

To conclude, constitutional patriotism in the EU is a new answer to an old puzzle in a new setting. That old puzzle is how to synchronize the different comprehensive ethics, especially those of minorities' which are misrecognized, into a unique post national political community. New setting refers to the change of the role of national state and the exterior factors of globalization, economic interdependence and, more specifically, the historical emergence of the EU citizenship.

Research questions and hypothetical framework

This research tries to tackle the relation between identity on one side and basic forms of 'social contract' and citizenship on the other. When minorities and their needs become question that needs normative answer? When due to their identity they feel perpetuated forms of injustice?

⁵v. e.g. Müller, Jan-Werner, *Constitutional patriotism* (Princeton Univ. Press, 2007)

There is a certain type of identity that needs a special attention – the one that puts our worldviews and lifestyle in a direct contrast to main constitutional norms and principles. This identity makes us think about the originating moment of a society in a form of social contract in order to see what kind of issues we are not reluctant to leave to democratic proceduralism. Besides, a citizenship as a form of belonging should not include ideas and paradigms that stand in contrast or denigrate our lifestyle, provided that these are in accordance with the basic postulates of mutual recognition.

The main theoretical research question is: *What kind of political and legal arrangement of citizenship would bring the least injustice to the arbitrary nature of personal and group identity in multi-identical and deeply diversified societies?* It might be divided into several research subquestions:

1. What kind of political recognition is needed and just for identity minorities and what are the elements of that recognition? 1.a. Why and under what circumstances can identity become a matter of justice? In other words, what are the spheres of injustices for identity minorities?
2. Which theory of minority rights recognition would be normatively the most acceptable to correct this injustice? 2.a. Why answers given by liberal multiculturalism and liberal nationalism seem to be inadequate?
3. How globalization, proliferation of identity politics and recognition claims, intensive migration and the erosion of state sovereignty in post-national and post-modern era influence the change in the core elements of the citizenship theories?
4. What could be a theoretical alternative for a type of universal citizenship that accounts for minorities' recognition?
5. Finally, in the application of this theoretical question at empirical level of a polity in *statonascendi*, can we apply this normative theoretical model to the case of the European Union? Why is this case particular in the light of the research puzzle?

The main research question is how to re-actualize the notion of universal citizenship which would still account for the recognition of minorities. Liberal universal citizenship⁶ has been discredited as biased by feminist⁷, multicultural⁸ and postmodern theories⁹. What form and

⁶v. e.g. Rawls, John, *A theory of justice* (Cambridge, MA: Belknap Press of Harvard University Press, 1971.) and Barry, Brian, *Culture and equality: an egalitarian critique of multiculturalism*. (Cambridge, Mass.: Harvard University Press, 2001)

⁷e.g. Davis, Nira. *Woman-nation-state* (New York: St. Martin's Press, 1989)

content of universal citizenship would enable minorities to fully participate, give legitimacy and identify themselves with a polity?

Multiculturalism, on one hand, has proposed multicultural citizenship based on the respect of cultural differences. It determines national culture as a fundamental element for a functioning democracy (Tamir 1993, Raz 1994, Kymlicka 1995). There are, in my view, many normative and empirical flaws within this framework that a competing theory should readdress. Liberal culturalism has given superior position to the notion of culture over other types of identity with detrimental normative implications for the problem in question (Gianni 2001, 228-230). We must rethink the idea of injustice based on individual's identity, defined in broader terms, in the context of contemporary national state. Differentiated citizenship, on the other hand, proposed by postmodern authors, questioned the very idea of citizenship and its capacity to answer to the issues of social cohesion and participation of minorities¹⁰.

The main hypothesis of the thesis is that constitutional patriotism is a normatively desirable and feasible form of governance and citizenship, capable of accommodating minorities' perspective and as such it should be embraced by the EU in the course of its emerging citizenship. Constitutional patriotism gives an answer to both desirability and feasibility criterion. The criterion of normativity is concerned with the question how one community *should* be organized in order to satisfy given ethical criteria while feasibility criterion assesses practical possibilities of such enterprise. There are two sub hypotheses.

The first is that universal citizenship can satisfy the need for recognition of various minority groups better than competing theoretical frameworks if it is based on the accepted minimum of political and legal principles. We must be recognized as *equal citizens* despite our differences, though difference will dictate *a different implementation* of the universally binding legal and political norms. We should be free to assemble in various groups but still be free to exit from that group if our personal worldviews differ. The only way to apply this in practice is to guarantee mutually accepted minimal constitutional rights that allow us to freely enjoy our particular concept of good life as long as we respect the liberty of others.

⁸e.g. Kymlicka, Will, *Multicultural citizenship: a liberal theory of minority rights* (Oxford: Clarendon Press, 1995. Print.)

⁹e.g. Young, Iris Marion, *Justice and the politics of difference* (Princeton, N.J.: Princeton University Press, 1990.)

¹⁰see Gianni, Matteo, "Taking Multiculturalism Seriously: Political Claims of Differentiated Citizenship." In *Citizenship After Liberalism*, edited by Karen Slawner and Mark E. Denham. (New York: Peter Lang, 1998.)

The second is that both stability and legitimacy of a polity depends on its ability to adopt a form of citizenship that corresponds to contemporary social dynamics. Globalization, economic interdependence, migration and the decline of sovereignty as a paramount value of national state indicate a need for a different allegiance to political community. This new social momentum needs different types of patriotism and solidarity which must be theoretically reformulated. Constitutional patriotism is a possible and, in my view, normatively superior option that presents an acceptable form of allegiance and identification for minorities in the post-national context of the European Union.

Two main argumentation lines and three levels of analysis

Contextually speaking, EU citizenship inspired by the principles of constitutional patriotism is not only the guarantee of the protection of minorities rights but a step toward genuine equality of EU citizens - legal and political, but also ethical. The political project of constitutional patriotism is not determined by particular identities, histories, constitutional patterns and ethics. Thus, though the theoretical inquiry starts with a problem of rights violation I will deal with it as a reflection of recognition issue in a more philosophical sense. Once I define what political recognition implies, I will argue that there ought to be a citizenship form which responds to this recognition. That political and legal framework should define us as equal members of society, with neutral attitude towards our identity, and should not advocate any majoritarian discourse or particular concept of good. For me that constitutional form in the globalized post-national should abandon the framework of national state and focus of universal principles of democracy, human dignity, peaceful coexistence and diversity. After elaborating my own theory of constitutional patriotism I will apply that theoretical framework to the case of EU and once again, now in practical level, tie the idea of justice for minorities with constitutional patriotism. The development of the EU as a plural, heterogeneous entity – aimed at peace on the continent, as well as at economic prosperity and protection of human and minority rights, is a robust reason for the EU to embrace this model of citizenship.

Constitutional patriotism, as the focal point of the research, offers a new theory of citizenship and civic allegiance for today's culturally diverse liberal democracies. It rejects conventional accounts of republicanism, liberal nationalism and cosmopolitanism. It gives a different conception of an allegiance to the polity, its axiological value and the principles upon which the rights are provided within a political community. That is why it is very applicable to the case of the EU, which is not neither a national state as we know them neither it can have universal, cosmopolitan aspirations. Being 'in-between', the EU has to find an adequate theoretical framework which would concede to its multicultural character and supranational, *sui generis* nature. The literature, however, does not show clear cut differences between the substrate of constitutional patriotism and liberal nationalism, for example. What is the normative content of constitutional patriotism, which together with the universality of its political claim makes it different to other concepts of civic allegiance? Are there particularities (e.g. 'militancy and memory',) that Muller defended as normative components of constitutional patriotism? Given the theoretical importance of constitutional patriotism as a new theory of citizenship and patriotic allegiance, it is puzzling why this concept has not already been conceptually and theoretically differentiated from republicanism, liberal nationalism, cosmopolitanism etc. A thesis succeeding in such an endeavor would already be a valuable heuristic contribution. That theory should include the elaboration of the theoretical assumptions and political principles of constitutional patriotism. My conception of constitutional patriotism is an ideal type, a normatively galvanized theoretical model.

There are two crucial ways to refer to injustice that go in favor of proposing constitutional patriotism as a superior form of citizenship in contemporary plural societies. The first is based on the theory of recognition and the idea that we want to be recognized as equal participants in political life of certain community, in the same time having the equal rights and being able to identify with that *patria* on the bases of minimum principles in its constitution that we can all share. The second one stems from a contractual theory and democratic theories that equate sovereignty and rights and have a rather simple argument: we legitimize the political community by investing our own body and rights and in return we can only legitimize the rules we can justify¹¹. One might say that the former is focused on *good* while the latter deal with *right*.

¹¹The difference between legitimacy and justification was precisely captured by A. John Simmons. As he explains, 'legitimacy is the exclusive moral right of an institution to impose on some group of persons binding duties, to be

Recognition argument. The first way to perceive injustice is deeply ethical and touches upon our worldviews and self-understanding. Considering a common ethical point of view, generated by plurality and incommensurability of ethical standings, it is politically more acceptable and legitimate, though not necessarily in accordance with principles of democracy, to opt for a form of citizenship that will allow for different conceptions of the good. In other words it would be unjust to impose a common form of citizenship that excludes, internally or externally, certain individuals and misrecognizes them as equal participants of a political process on an arbitrary, subjective basis. Arbitrary might be a problematic formulation here. The citizenship rules must be such not to misrecognize the citizens' conception of the good, thus allowing for a political community based on consensus and mutual recognition.

Recognition functions on both individual and collective level. This concept corresponds to the definition of minorities advocated in this research: as a relation of an individual or collective towards a greater dominant entity. Recognition functions on both private and public level it considers us both as members of particular identity groups and citizens of a certain polity.

In the first part I explain why I do not agree with the basic premises of multiculturalism as a political solution for plural societies. Though multiculturalism is a social fact, it should not be however transformed into a normative perspective and reflect on political and institutional arrangements within a society. Once it is employed as a normative theory it seems to go against the principle ideas around which citizenship is construed as a social theory. I put forward an argument that if we want to pay due respect to the numerous groups and their respective worldviews and lifestyles we must provide a universal level of recognition that guarantees equal rights and freedom to them.

Citizenship by definition involves a form of closure, that necessarily leaves some individuals outside. While cosmopolitan citizenship may dissolve this closure it excludes the concept of political rights and obligation, and these are foundational elements of a citizenship as such. Constitutional patriotism admits that citizenship is a necessary closure of certain individuals with respect to others but at the same time makes sure that this exclusion is not

obeyed by those persons, and to enforce those duties coercively'. Justification assesses goodness of the state, to what extent its actions and rules present certain values. I follow Simpson when he says that 'proper grounds for claims of legitimacy concern the transactional components of the specific relationship between individual and institution' and that legitimacy is a logical correlate of individual duty to comply with imposed norms. Here, I use legitimacy both as a concept that includes consent and justification, though this distinction will be stressed when needed. v. Simmons, A. John, *Justification and Legitimacy: Essays on Rights and Obligations* (Cambridge: Cambridge University Press. 2001).

biased and arbitrary. Basing the focus of patriotic loyalty to commonly accepted universal principles legitimized by all members of political community constitutional patriotism reduces the possibility for particular and biased objects of allegiance. Arbitrary exclusion is the one that excludes even those who have the legitimate right to be included in citizenship. For this, however, I will use the concept of constitutional patriotism to clarify the sphere of legitimate inclusion/exclusion.

The argument of political liberalism. The other way to think of justice is not less ethical in its consequences, but it primarily considers political injustice - injustice that stems from every illegitimate rule. Legitimate is only the rule to which we can give our consent, and every majoritarian rule in a plural society over the questions that cannot be left to pure democratic procedure is deeply illegitimate. Political liberalism thus comes as a *modus vivendi* for plural societies that citizenship must reflect.

Namely, every society must be based on a minimum of principles that protect individual rights and freedoms and mutual relation between individuals, groups and state. These principles are the main criteria of legitimacy of any act or practice. Therefore only in the political order which does not infringe upon perception and auto-perception of us as equal citizens and our worldviews and lifestyles can we allow the democratic proceduralism to take place.

This argument is based on a theory of constitutional democracy and the idea of autonomy, broadly speaking. It understands constitution, as the basic set of principles, as *charter of liberty* (Dimitrijevic, 2007). Those who are governed must accept the rules by which they are governed as legitimate. No set of rules can be imposed on us, unless we can accept them – reasonably so in Rawlsian or discursively so in Habermasian terms. By the autonomy that we possess as the creators of the social contract we agree on the regulations that will protect us from illiberal rule. Furthermore, we want to be sure that all the rules within a polity we belong to stem from a set of principles we have already agreed upon. Constitutional patriotism should in its procedural dimension be read in that way: we can accept only those rules that are in accordance with constitutional principles that are rooted in our private and public autonomy.¹² These two dimensions of individual's liberty to act and create, one confined to his private domain and other based on the principles of common intersubjective political life, are in accordance with common

¹² Habermas, Jurgen, *Between facts and norms: contributions to a discourse theory of law and democracy* (Cambridge, Mass.: MI Press, 1996. Print.)

norms of a political community (constitutional order) in different ways. Just like negative and positive freedom, one is based on limitation of intrusion of the others (keeping the liberty of private life), while the other one is a matter of publicly achieved endeavors (active participation in political life).

There are three level of analysis of this problem. These levels are differentiated by the scope and the level of theoretical inquiry. Although it is important to keep them analytically separate, all these levels are intertwined in the course of argumentation. The research problem of the thesis requires various layers of argumentation and one could roughly identify three of them:

- a) ***Philosophical level.*** This level answers the foundational normative questions of the thesis. The relation between right and good, the source of the values, the nature of recognition and its importance for autonomy and self-realization. What is the nature of particular good and is there a universal need of *homo politicus* to belong to a political community?
- b) ***Social theory level.*** At this level I put citizenship in a global context of globalization, market economy and immigration. The change of the national state, its sovereignty and welfarism, also influences the concept of citizenship. Many of the concepts in this research are historical and relational. These changes must have their reflection in theoretical analysis.
- c) ***Political analysis.*** This level of the thesis deals with the politics of multiculturalism and looks for the best constitutional arrangement. Once we analyze the philosophical problems and put them in a macro historical context, what is the input for creating a concrete policy? This level entails an empirical perspective about the given concepts and pays particular attention to the development of EU citizenship.

The structure of the dissertation

The division of chapters should reflect different levels of argumentation concerning this multifaceted issue put forth above. In the first part, I deal with the notion of citizenship and theories of recognition. I try to identify the main spheres of injustice that minorities face in modern national states. The structural injustices caused by the form of citizenship existing in liberal national states, within the particular political and legal forms. In other words I focus on

political injustice that falls to identity minorities due to the normative implications of national citizenship. In this chapter I also address liberal culturalism as the most prominent theoretical framework that deals with minorities' issue. Multicultural citizenship as a dominant set of related theoretical approaches and policies that tackles the issue of minorities, has shown certain flaws, both theoretically and empirically. The crucial reason for this might be the prevalence of particularistic, communitarian perspective in these theories and the minimization of the importance of concepts like active citizenship and civic virtue. In this chapter I engage with a general normative critique of multicultural approach. Though I agree with liberal egalitarians that multicultural world brings new forms of injustice, especially to internal minorities, I do not endorse the claim that contemporary liberal states are neutral. While liberal culturalist indirectly legitimize the encroachment of the state by majoritarian culture (since culture is so essential for our autonomy and wellbeing) and look for similar sublevel spaces for minorities, liberal egalitarians seem to neglect that encroachment by claiming that Western liberal democracies are neutral. I claim that there are many oppressive discourses entangled in the very concept of nation formation that produce injustice and misrecognition.

In the second part, chapters IV and V, I proceed with the elaboration of constitutional patriotism as a distinct form of post-national citizenship, tracing its historical roots and critically assessing the relevant literature. In fifth chapter I analyze this concept with reference to the other similar concepts and ideas within political theory. I elaborate theoretical assumptions (anthropological, ethical and historical) and practical principles of a general theory of constitutional patriotism. In the final part of this chapter I explain why this form of citizenship would be acceptable from the standpoint of minorities and their identities. Zooming in from the preceding general comparative analysis, therein I also give a comparison of constitutional patriotism to other theoretical frameworks of citizenship.

In the last part, chapters VI and VII, I will try to apply the theoretical framework to the case of the EU as a special type of post-national postmodern citizenship *in statu nascendi*. I embark on a reason-giving exercise and try to provide reasons in favor of constitutional patriotism in a specific historical and political context of the EU. In this part, I try to apply the previously developed normative and theoretical findings in the concrete empirical setting of an emerging citizenship form. This part should indicate the flaws of the ideal theory and open additional normative questions that a citizenship theory should address before it can be of

practical consequence. Here I will apply the concept of constitutional patriotism developed in the second part to the emerging EU citizenship. Combining and cross-examining theoretical thresholds and empirical evidence from the EU will bring me to three main arguments in favor of constitutional patriotism as an optimal concept of citizenship for the EU, particularly from the perspective of minorities.