



Turun yliopisto  
University of Turku



EUROPEAN BORDERS OF JUSTICE –  
PRACTICAL REASONING ON  
FREE MOVEMENT WITHIN  
THE EUROPEAN UNION

Saila Heinikoski



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# EUROPEAN BORDERS OF JUSTICE – PRACTICAL REASONING ON FREE MOVEMENT WITHIN THE EUROPEAN UNION

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## ABSTRACT

The right to free movement is considered the right of each European Union (EU) citizen. The present study examines how European politicians justify and criticize freedom of movement in the period from November 2004 to January 2015. The analysis takes into account the discourses of the Heads of State or Government and Ministers of the Interior of six major European states (UK, Germany, France, Italy, Spain and Romania). In addition to these national leaders, the speeches of European Commissioners responsible for free movement matters are also considered. The research questions include:

- 1) How can we theorize about free movement discourses?
- 2) In what ways do EU politicians articulate and advance their views?
- 3) How do the observed countries and the European Commission approach the question of European mobility?
- 4) What do these results reveal about the prevailing moods with respect to Europeanness?

The study introduces a new conceptual framework for analysing practical reasoning (justification of actions) in political discourses. The results indicate that the politicians utilize similar types of reasoning across all countries. This means that even though certain politicians may have diametrically opposing views on issues related to free movement, they nonetheless utilize a similar type of reasoning to justify their claims. The study demonstrates that politicians predominantly refer to legal obligations as well as the costs and benefits of free movement and less to sentiment-related issues.

In addition to results related to political discourses, the study unearths wider problematics related to free movement and to the groups of “insiders” and “outsiders” in Europe. It brings to light the diversified and variegated approaches towards different groups of movers, which vary from country to country and across the political spectrum. The results reveal that people from outside the EU are categorically depicted as threatening and seem to be therefore less entitled to free movement.

**Keywords:** European Union, free movement, mobility, migration, practical reasoning, discourse analysis



## TIIVISTELMÄ

Oikeus vapaaseen liikkuvuuteen pidetään jokaisen EU-kansalaisen perusoikeutena. Tässä tutkimuksessa tarkastellaan sitä, miten vapaa liikkuvuus oikeutetaan ja miten sitä kritisoidaan eurooppalaisten poliitikojen puheissa marraskuusta 2004 tammikuuhun 2015. Analyysissä tutkitaan kuuden merkittävän EU-maan (Saksa, Iso-Britannia, Ranska, Italia, Espanja ja Romania) valtionpäämiesten ja sisäministerien vapaata liikkuvuutta koskevia lausumia. Valtionjohdon lisäksi tutkimuksessa analysoidaan vapaasta liikkuvuudesta vastaavien EU-komissarioiden puheita. Tutkimuksessa vastataan seuraaviin kysymyksiin:

- 1) Miten vapaan liikkuvuuden diskursseja voidaan teoretisoida?
  - 2) Millä tavalla eurooppalaiset poliitikot ilmaisevat ja perustelevat kantojaan?
  - 3) Millä tavalla tarkastelumaissa ja komissiossa suhtaudutaan eurooppalaiseen liikkuvuuteen?
  - 4) Mitä tulokset paljastavat vallitsevista eurooppalaisuuskäsityksistä?
- Tutkimuksessa luodaan uusi käsitteellinen viitekehys poliittisten diskursseiden analysointiin. Tulokset osoittavat, että poliitikot voivat olla asiasta täysin vastakkaista mieltä, mutta he hyödyntävät silti samanlaisia perusteita väitteidensä oikeuttamiseksi. Useimmin lausumissa vedotaan EU-sopimukseen sekä liikkuvuuden aikaansaamiin (taloudellisiin) hyötyihin ja kustannuksiin. Sen sijaan vähemmän huomiota kiinnitetään yhteisöllisyyteen ja solidaarisuuteen.

Poliittisia diskursseja koskevien tulosten lisäksi tutkimus avaa vapaan liikkuvuuden problematiikkaa, sen sisäpiiriläisiä ja ulkopuolelle jääviä. Eri liikkujaryhmiin suhtaudutaan eri tavalla eri maissa ja politiikan eri laidoilla. Tutkimuksessa osoitetaan, että EU:n ulkopuolelta tulevat kuvataan säännönmukaisesti uhkaavampina ja vähemmän oikeutettuina vapaaseen liikkuvuuteen.

**Avainsanat:** Euroopan unioni, vapaa liikkuvuus, siirtolaisuus, maahanmuutto, käytännöllinen harkinta, diskurssianalyysi



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In Turku, 8 October 2017

Saila Heinikoski

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Heinikoski, Saila (2015) Britain and the Other: Moral perceptions of the right to free movement in the European Commission and in the UK. *Journal on Ethnopolitics and Minority Issues in Europe* 14(1): 71–92.

Heinikoski, Saila (2015) European Identity Challenged. Romanian Politicians Discussing Free Movement from the Perspective of Kinship-based Morality. *Finnish Journal for Romanian Studies* (1): 57–76.

Heinikoski, Saila (2015) Economic asset or welfare tourists? Political reactions to Eastern European migrants in the UK. *Siirtolaisuus-Migration* (4): 3–10.

Heinikoski, Saila (2016) Vapaan liikkuvuuden rajat Euroopassa 2006–2010. Keskusteluista Italiassa, Ranskassa, Romaniassa ja Euroopan komissiossa. *Kulttuurintutkimus* 33(1): 3–15.

Heinikoski, Saila (2016) Who should benefit from free movement? A comparative study on British and Romanian political discourses in the pre-Brexit period. *Finnish Journal for Romanian Studies* (2): 33–52.

Heinikoski, Saila (2017) Morals and the right to free movement – Insiders, outsiders and Europe’s migration crisis. *Nordic Journal of Migration Research* 7(1), 47–55.

Heinikoski, Saila (2017) Calls of Duty: Romanian Politicians’ Deontological Discursive Strategies for Securing Free Movement in the European Union. *New Perspectives* 25(2).

# 1 INTRODUCTION

*La donna è mobile  
Qual piuma al vento,  
muta d'accento  
e di pensiero  
(Giuseppe Verdi, Rigoletto  
1851).*

## 1.1 Free movement: an endangered principle?

This study examines political discourses on free movement within the European Union from 2004 through 2015. While European politicians from across the continent hold a wide range of views with respect to the idea of free movement, the types of practical reasoning that they subscribe to seem to nonetheless follow a number of recognizable patterns. Through the analysis of free movement discourses in six major European countries – UK, Germany, France, Italy, Spain and Romania – and in the European Commission,<sup>1</sup> I seek to make sense of these patterns. To do this, I will develop a conceptual framework of practical reasoning, theoretically applicable in many a field of politics and policy; practical reasoning refers to argumentation with which people seek to justify human action, theirs and others' (Kratochwil, 1989, p. 37; cf. Searle, 2001, p. 124). The primary aim of the study is thus to provide a broad, systematized overview of free movement perceptions in Europe from the perspective of high-level politics. The actual use of the conceptual framework and the comparison between the inherent differences of the analysed countries compose the two significant sub-aims of the analysis. Along the way, the study will say a great deal about the

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<sup>1</sup> For the sake of the brevity of the text, when I speak of the “analysed countries”, I often also include the European Commission.



ways in which people across the continent understand “Europeanness” and the process of European integration.

When I began working on this study in 2013, the utterances of British politicians on Eastern European migrants were what had originally awoken my interest. The inflow of large numbers of new Member State citizens under post-2004 conditions – the UK was one of the only countries, together with Ireland and Sweden, that granted free access for Central and Eastern European workers – seemed to be highly problematic for the country’s political leaders to justify. The unquestionable economic benefits of labour mobility, however, failed to generate public support for the policy of free movement and assuage fears of “welfare tourism”.

When the right to free movement assumed a pivotal role in the British EU membership considerations overall, I became increasingly aware of the centrality of mobility for the entire process of European integration as well as of its moral and legal complexities. In addition to being a fundamental right (Roberts & Sakslin, 2009), labour mobility is also an integral part of the Single Market (Rumford, 2007); it relates to the Schengen Agreement and border control (Carrera, Guild, Merlino, & Parkin, 2011); it involves concerns related to irregular immigrants and the regularization amnesties of such immigrants in Member States (Finotelli & Arango, 2011); and it reflects approaches towards European cooperation in general (Kuhn, 2015). This also meant that my original intention to limit my approach to mobility among EU citizens proved too narrow. Free movement closely relates to who is allowed to move freely in the European Union and who is not, and which political actors can ultimately make decisions in this respect. Indeed, free movement is a fundamental question of justice on several different levels.

In light of recent (2015–2017) political developments, particularly the latest terrorist attacks and the so-called migration crisis, the complexity and internal tensions of the question of free movement have become increasingly evident – and this certainly does not decrease the relevance of this study. The deaths from terrorism have made political leaders and scholars across the continent question whether open democracies can be protected when the idea and practice of free movement prevails (Council of the European Union, 2016; Tammikko, 2017).

Nationalistic populist parties throughout Europe have been wise enough to exploit this new security risk, apparently emanating from unchecked free movement. Even more importantly, migration from outside Europe has proved to be *the* issue that most severely challenges free movement and the rationale of European integration. Not only are the EU Member States unable to implement common policies vis-à-vis migrants, but politicians across the continent face increasing difficulties in justifying why the citizens of “arbitrary” European countries can live and work anywhere they want in Europe while others, “outsiders”, cannot. The reintroduction of surveillance systems at certain internal borders highlights the lack of trust and worry about not knowing who crosses the borders. Although officially intended to maintain public order, such measures easily contribute to the alienation and presentation of people who are fleeing from war and conflict zones as potential threats. Another example of contradictions are the (unsuccessful) state-specific quotas for “sharing the burden” of asylum-seekers established by the European Council in autumn 2015, which require that the asylum-seekers *stay* in the country designated to them<sup>2</sup> – an idea that clearly undermines the free movement ideal (cf. Kmak, 2015).

The migration context links the discussion on free movement in the European Union to the global framework of mobility. With conflicts persisting in the Middle East and North Africa, and population numbers increasing in the Global South, immigration pressure on the Union seems unlikely to weaken. The question why Western “global insiders” may move around pretty much as they wish, while the stateless “global outsiders” tend to carry the label of illegal and “dangerous” people, will remain pertinent. It is morally impossible to justify the proposition that people who are the worst off need to carry the main burden of global structural failures and crises (Cetti, 2012, p. 19; see also Guild, 2005, p. 14). In many respects, this study provides an introduction to, and framework for, understanding this current state of affairs.

This book began with a quotation from Giuseppe Verdi’s opera *Rigoletto*. In the Duke of Mantua’s famous *canzone* entitled *La donna è*

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<sup>2</sup> It should be noted that the implementation of the transfers had not been properly realized at the time of writing (autumn 2017).

*mobile*, “mobile” refers to fickle or flighty: the voice and thoughts of a woman are constantly and confusingly changing. In the Europe of today, “mobility” is mainly discussed with regard to the EU’s free movement policies, but as I will show in this study, these policies also encompass the sense of mobility intended by Verdi: political attitudes are complex and contradictory, and no unified European voice can be found.

## 1.2 Research questions and the structure of the study

In the empirical analysis, I analyse a wide array of political documents – statements, addresses and speeches given by the Heads of State and Ministers of the Interior of six large EU Member States and by selected European Commissioners.<sup>3</sup> By tracing the ways in which these politicians seek to regulate, promote and/or restrict free movement, with the help of a conceptual framework based on four philosophical approaches to reasoning. I shed light on the politically significant European perceptions of who should be entitled to free movement, on which grounds and through what kind of administrative mechanisms. The study also reveals people’s underlying conceptions of Europeanness, of Europe’s insiders and outsiders. Despite the philosophical-moral implications inherent in any analysis of justificatory argumentation, it is worth noting that in this study, philosophical ideas are used as a source of inspiration rather than as an object of scrutiny in and of themselves. A philosopher may find the manner in which I use philosophical terms in my conceptual framework somewhat unrefined. However, the framework I develop is simply intended to assist in the discourse analytical interpretation of the empirical world in the field of free movement discourses.

In the discourse analysis, I postulate a discursive space of free movement (and perhaps of many other political phenomena as well) composed of two axes: rational thinking vs. sentiments of identification and

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<sup>3</sup> I utilize the original language versions of these documents, all available on the Internet.

value-based vs. instrumental mindsets. These two axes provide us with a four-fold categorization of the basic approaches to the justifications for the current European discourses on free movement (see Chapter 3.1). I have labelled these four classifications with the concepts of *agreement, community, utility and solidarity*. The four categories thus represent four elementary types of practical reasoning employed in the European free movement debates. While agreement discourses refer to commonly agreed upon formal duties and rules as the basis of action, community discourses focus on the identity of a certain community and reflect the perception of what is ultimately good for that community. Utility discourses focus on the consequences of an action, particularly on the most efficient ways of solving a problem, whereas solidarity discourses relate to maximizing mutual solidarity between different groups of people. I have classified all the free movement utterances that I have found in the document material under these four categories, in spite of the problems that this categorization /simplification necessarily entails in the complex real world.

Given the general context and the framework described above, the study tries to answer the following four mutually-related questions:

- 1) How can we theorize about free movement discourses in terms of practical reasoning? What are the implications of the conceptual framework and what kinds of sub-categories does it require?
- 2) In what ways do EU politicians articulate and advance their views with respect to each of the four forms of practical reasoning? What types of argumentation prove particularly important?
- 3) How do the observed countries and the European Commission approach the question of European mobility and how can we explain the differences between their views?
- 4) What do these results reveal about the prevailing moods with respect to Europeanness, and the distinction between insiders and outsiders in Europe?

The second chapter deals with the research context: the evolution and the relevant aspects of the right to free movement and relevant research fields. The chapter is divided into four sections. In Chapter 2.1, the right

to free movement is shown to have originally evolved in terms of economic concerns but later encompassed features of a fundamental right. Chapter 2.2, in turn, introduces the issue of how security and rights-related concerns are intertwined in the history of the Schengen Area. The aim of the brief historical overview is to familiarize the reader with the general evolution of free movement to assist the reviewer in contextualizing relevant political discourses. Chapter 2.3 discusses the position of this study within mobility research, whereas Chapter 2.4 focuses on normative social science as an impactful and inspirational field to which the thesis also contributes to.

In Chapter 3, I present the discourse analytical methodology and the empirical material. Chapter 3.1 introduces the theoretical framework based on four prominent categories of practical reasoning (encapsulated in the concepts of agreement, community, utility and solidarity). The chapter also introduces the classification criteria for the analysis and the discourse analytical method that I employ in examining free movement utterances given by 1) Heads of States and Ministers of the Interior from Germany, UK, France, Italy and Spain; 2) Prime Ministers and Presidents from Romania, as well as; 3) European Commissioners responsible for free movement-related matters.

In Chapters 4 through 7, I employ the conceptual framework of the justificatory discourses of free movement. Each chapter is based on one of the four categories of practical reasoning. I try to identify the contexts that possibly inform the differences and specificities in the form of the articulation of the analysed utterances. I mainly conduct my exploration at the all-European level, although the country differences are to some extent visible throughout the analyses. It is worth noting that I primarily treat the politicians as representatives of their respective countries (e.g. Berlusconi=Italy), but it is self-evident that these politicians equally importantly represent wider, European-level perceptions. The presence of both country and European levels occasionally causes sudden changes of perspectives between the levels, which the reader needs to be aware of.

In Chapter 4, I demonstrate how the European discourses of free movement emphasized the duty to comply with rules, the duty of bal-

ancing between rules and security and the duty of better implementation. Many utterances highlighted the right to free movement as an inviolable fundamental right. Others, however, focused on the problems posed by people abusing that right. Although appealing to similar premises of practical reasoning, speakers may consequently arrive at diametrically opposed positions.

Chapter 5 discusses the typical manifestations of discourses springing from a sense of community. A significant number of utterances presented free movement as a fundamental part of the European community and a duty of younger generations, whilst other utterances took into account the alleged existence of a 'deep diversity' between nations. Again, community utterances can both promote and restrict free movement.

Integration and instrumental benefits are the focus of the utility dimension discussed in Chapter 6. I demonstrate how many European discourses, especially concerned with immigration across the Mediterranean, focused on the optimization of free movement with a common immigration policy. Other utterances emphasized the material benefits and costs of free movement. The overall line of practical reasoning was clear: free movement should serve the European and national interests and thereby the populations at large.

Chapter 7 analyses how politicians sought to advance a sense of solidarity in Europe and in their respective countries through free movement. A few utterances emphasized solidarity as burden-sharing, whereas others focused on building deeper Europeanness or promoting "negative transactionalism". There was a consensus that solidarity between European countries is a positive issue, but what that actually means for free movement remained undefined.

In Chapter 8, I focus on the relative importance of the utterances and the specific aspects of each country and the Commission. I also draw some tentative conclusions with respect to the factors that possibly inform the changes observed both within and between different countries.

The final chapter of the book provides further analysis of the overall discourses. It outlines which groups are encouraged to exercise their right to free movement and which are not. It also draws conclusions on

the implications of the analysed discourses for European integration and practical reasoning discourses.

Before moving on to the presentation of the conceptual framework, the next chapter specifies the context of the free movement debates in Europe, analysing the political problematics observed in both the legal evolution of free movement as well as in scholarly discourses related to what I call (EU) “mobility research” and “normative social science”.

## **9 FREE MOVEMENT DISCOURSES AS PRACTICAL REASONING**

In this concluding chapter, I place the results of the analysis in the larger picture. I illustrate how selectively the politicians encouraged and discouraged people's mobility and speculate about the future of European integration before making tentative theoretical generalizations. In Chapter 9.1, I discuss, on the basis of the analysed approaches, the distinctions that politicians tended to make between different groups of people who employed their right to free movement. In the second subchapter, I reflect on the future of the integration of Europe through the "weak signals" underlying the free movement discourses. The two final subchapters focus on contradictions in the discourses and the question of "Europeanness", respectively. Although all of the selected countries displayed a range of different discourses, one general – and not too surprising – pattern of reasoning became clear: people who constitute a burden on the host country should leave, while those who potentially provide gains should stay.

### **9.1 Who should stay and who should go?**

Given the findings of the preceding chapters, provided that we can generalize them, there is a crucial question to be asked: in the opinion of European politicians, who should and who should not exercise the right to free movement? There was, as we have seen, much variation in the discourses, but some common tendencies were also apparent.

Even in the case of the superficially equal right to free movement within the EU, we can observe hierarchies regarding the people who move, which makes it important to examine the groups in more detail. In the following table, I present the most wanted and unwanted mobile



groups and the types of reasoning that usually backed up the discourses related to these groups. The approaches towards those who leave and those who enter were usually very different. Therefore, I have divided the table into groups of people who were encouraged/discouraged to leave/ from leaving and those encouraged/discouraged to enter/from entering the country. Politicians discussed European mobility as a two-way matter in all of the analysed countries. This not only concerns those who enter but also those who leave; the principle of free movement appears, in a sense, reciprocal. In general, the “underdogs” (such as the Roma or Moldovans) were mainly addressed in a value-based tone, while utilitarian arguments mainly justified (skilled) workers’ mobility. Unexpectedly, the free movement of people genuinely contributing to societal development is connected to benefits, whilst the mobility of the underprivileged is a question of the duty of equal treatment.

Table 10. Most encouraged and discouraged free movers.

<b>Leaving</b>		<b>Entering</b>	
+ High-skilled workers should be able to leave and return (utility)	- High-skilled workers should not leave permanently (utility)	+ Low- and high-skilled workers should come (utility)	- Criminals should not come (agreement)
+ EU youth should have the possibility (community)	- National citizens should not leave permanently (community and solidarity)	+ EU students should come (utility)	- Welfare tourists should not come (utility and agreement)
+ resident refugees should be able to leave (solidarity)	- Welfare tourists should not leave (utility)	+ Unemployed people should come to work (community)	- Irregular migrants should not come (utility)

The most obvious issue in the discourses was that practically all of the analysed leaders supported the free movement of workers as it was perceived to be economically beneficial for their countries. This is, of course, historically understandable: the original aim of the principle of free movement was to encourage labour mobility. However, the politicians utilized different discursive patterns with which they encouraged or discouraged workers' movement, depending on whether they considered labour mobility a win-win or a zero-sum situation. In the former group, the leavers and comers corresponded well; those encouraged to leave were seen as welcome guests in other countries. In an optimal win-win (-win, see e.g. Schäuble, 2009) situation, (the movers,) the host countries and the countries of origin benefit from the movement, whereas in a zero-sum situation, one's gain is another one's loss – e.g. an individual's gain may, in the end, lead to damage to the host country (cf. British discourses, in particular). In the zero-sum vein, the Romanian politicians displayed the most apprehensive positions regarding workers' movement; they were worried about the potential for a brain drain of its high-skilled labour force and thus argued that these valuable workers should not leave in such large numbers, since it is costly for the Romanian state but beneficial for the target country. Overall, the discourses appeared, however, contradictory in the sense that while workers constituted the group most strongly encouraged to utilize their right to movement, recruiting workers from third countries was more or less actively discouraged.

Workers' mobility has also been analysed in scholarly literature. Free movement can, in theory, be seen as a type of employment insurance correcting labour market imbalance in Europe, as a productivity enhancer improving the balance between supply and demand, or as an innovation trigger allowing talented people to move freely (Recchi, 2015, pp. 43–47). While all these theories are certainly highly relevant, there is some empirical evidence that the corrective function of free movement vis-à-vis the labour market has been weaker than often thought, even during the financial crisis (Recchi & Salamonska, 2014). Instead, it has been claimed that the main function of free movement is that of a legitimacy tool that makes people appreciate the European Union (Recchi, 2015, pp. 43–47). The discourses scrutinized in this study

illustrate how the mobility of workers is believed to justify the current nature of free movement policies and thereby the entire process of integration, in line with the legitimacy thesis. The only documented patterns of reasoning that attached negative sentiments to workers' movement were the aforementioned Romanian fears of brain drain and the British fear of other Europeans taking British people's jobs.

Another positively approached group, albeit a less cited one, were young people. The young were discussed as circular migrants who study or work for some time in another country without incurring excessive costs to that country and potentially contributing to brain gain in the host nation. It should be noted that the group often consisted of university students or highly-educated (young) workers. In this context, it did not appear difficult to affirm both leavers and comers, although one needed to utilize different types of reasoning. The possibility to leave appeared as a community-type duty to cultivate the sense of freedom for the younger generation. In contrast, politicians discussed incoming students with some sorts of utilitarian benefits in mind. The question of youth movement seemed the only one in which the possibility of free movement appeared as a self-evident right that should be expanded rather than restricted (see e.g. 5.3). Further, no politicians expressed negative viewpoints with respect to the willingness of young people to learn the habits and customs of other European states.

The question of national citizens leaving and (possibly) returning proved more complicated in the analysed material. There were Romanian and German politicians who openly hoped that those who left would eventually return. The discourses were somewhat contradictory in both cases. In the Romanian utterances, the complete right to free movement had to self-evidently encompass all Romanians, but *the* place to be for them all was eventually in Romania (see 5.4). In Germany, politicians considered free movement an essential part of the European unification process, but hoped that qualified Germans would one day return; circular migration was seen as optimal (see 7.2). In both Germany and Romania, circularity has also more generally been characteristic of the migration systems of these countries: Romanians have left in great numbers since 1990s but they have also often returned

(Finotelli & Arango, 2011, p. 511), whilst the idea of circular migration – in the opposite direction, though – is characteristic of the previous German *Gastarbeiter* policy (Klekowski von Koppenfels & Höhne, 2017).

The attitudes towards third-country nationals in general varied a great deal in the material. Politicians sometimes depicted those who try to (illegally) enter the Union as criminals. There were also less negative approaches towards the movement of third-country nationals: Italian politicians, in particular, wanted to extend the right to free movement to legally residing people who were granted international protection (see Chapter 7.3), thereby relying on European solidarity in terms of burden-sharing. None of the politicians explicitly welcomed refugees and providing refugees the right to leave and enter thus proved asymmetrical. Instead of expressing concern for the human security of people fleeing for their lives, many politicians condemned the border-crossers' search for a safe place as illegal. This relates to the overall exclusive attitude towards immigrants from third countries: they have been seen as a burden or a security threat (see also Kmak, 2015). This attitude has also occasionally, and in some countries, led to the criminalization of irregular migration. Between 2009 and 2014, as a result of the Security Package, Italy even punished immigrants for the crime of "illegal entry" (see also di Martino et al., 2013).

In the free movement discourses, the most alienated people were "criminals", irrespective of their backgrounds, i.e. they may have been both third-country nationals and EU citizens. The aim of limiting criminal movement was purposefully used to legitimize border controls, other surveillance measures and police cooperation. Italian politicians sometimes saw Romanians *in toto* as criminals, but most leaders argued that criminality mainly stemmed from outside the Union; hence the external borders should have more effective controls. It is noteworthy here that in the context of the European free movement discourse that up until 2015, "terrorists" did not appear to be a major concern.

There seemed to be a shared concern that some EU citizens move to another EU country only to claim benefits. Only British and German politicians, however, explicitly addressed the abuse of their national social security by EU citizens (see 4.4 and 6.4). This proved to be, as we

know, one of the central points of criticism in the pro-Brexit campaign in the UK. In the analysed material, British politicians justified the ban on “welfare tourists” mainly through utility and agreement utterances. The UK and Germany have been popular destinations for EU migrants, however, there is no evidence that EU migration has been economically costly for member countries, quite the contrary in fact. Such discourses may also be directed at domestic citizens who voice concern about the large numbers of EU migrants. By acknowledging this concern, politicians admit that social security for the sake of the original population is something to be preserved. This further strengthens the patterns of welfare chauvinism (Huysmans, 2000b, pp. 751–777), which has been an effective tool for attracting voters in recent elections across the European continent (Kriesi et al., 2012, p. 19).

Overall, the hierarchies and asymmetries attached to the groups of movers reveal how intricate and multidimensional the question of free movement is. As Delanty et al. have pointed out, mobility means different issues for different groups. For some, mobility means the accumulation of cultural capital while others come to face discrimination and exclusion (Delanty, Jones, & Wodak, 2008, p. 75). Those who leave a country are often thought to gain in terms of diversified cultural understanding, which they bring with them when they return, whilst those who enter a county are often seen as potential criminals or welfare tourists. In Western Europe at least, these hierarchies also seem to relate to the differentiation between the old and new Member States: people from the new Member States are treated more negatively, which may simply reflect the fact that the number of migrants from these countries is larger. Notwithstanding, the restrictions and discrimination that third-country nationals come to encounter is typically greater than what EU citizens experience. The differentiation between these migrant groups persists and it is also discursively encouraged: the label “immigrant” is no longer attached to mobile EU citizens (see also Hansen, 2008).

## 9.2 European political discourses – a few weak signals

This book has pointed to several crucial issues regarding people's political attitudes towards fellow Europeans and non-Europeans and, by extension, the future of the European Union. The study has provided an analysis of the discourses in the most powerful EU Member States and in the European Commission. Looking at the overall picture, the analysis revealed a few weak signals – understood as possible, still primarily underlying, future trends (Holopainen & Toivonen, 2012, p. 199) – concerning European politics, which deserve further attention.

First, there seems to be a strong sense of trust in the European Union as the most appropriate decision-making level both in general and, above all, with respect to a variety of free movement issues. Some politicians promoted the establishment of a common European immigration policy, while others considered that there should be clearer European rules, specifically in the field of free movement. The politicians appealed to the Union and its rules in their national debates, i.e. they sought to justify their policy proposals by way of the EU's viewpoints, through the Union's approval or disapproval.

To a keen observer of EU affairs, it seems that this trust in the European Union as an appropriate arena has further strengthened with the intensification of the British criticism of free movement policies and the referendum that resulted in the decision to leave the Union. A new willingness to deepen integration has emerged, for example in the field of defence. In the post-Brexit debate, many politicians across the continent insisted that Britain remain part of the free movement regime in order to guarantee the country's access to the Internal Market. They saw free movement as a *concession* that one must make in order to receive certain benefits. However, this is *not* the general impression conveyed by this study. In contrast, free movement appeared as a positive issue *per se*; it is beneficial, it is a fundamental right and it is a core value of the European Union. It indeed seems that the right to free movement holds a secure position in the mental landscape of European political elites.

Another positive and closely related weak signal suggests that European politicians are prepared to defend European principles when those tenets are contested. Free movement discourses, in fact, fairly

strongly support this thesis. When David Cameron's government began to criticize the right to free movement and the social benefits attached to it, leaders of other countries promptly announced that this right is a principle that should not be questioned. The limits of free movement are sometimes stretched, such as in the French Roma expulsion case in the summer of 2010, but it does seem inviolable in principle – the French were immediately criticized. Indeed, even though immigration rhetoric is often tough and restrictive measures have been introduced, the general respect for the principle of free movement has not really ever been threatened (see e.g. Czaika, Haas, & De Haas, 2013; Thielemann & Schade, 2016). Many politicians seem to understand free movement as a central symbol of European integration.

A worrying (and currently strengthening?) weak signal relates to how strongly national, or even nationalistic, self-images determine the understandings of mobility. The politicians did not seem to consider that those leaving their own country might cause a problem in the country they moved to. This outlook seems to reflect a positively loaded image of the own nation: the country's citizens are considered valuable wherever they reside, whereas those coming from elsewhere are seen as too costly. Even if national politicians generally acknowledge that migrants are beneficial for the host country, it still seems to be easier for them to blame outsiders than insiders for using the state's money.

There is the obvious risk that this national pride of belonging leads to the unjustified exclusion of some people. However, would it, in fact, be any better to construct a European version of national pride? Not necessarily. For example, the removal of the label "immigrant" from EU citizens – as referred to above – only shifts the exclusion problem to another level; "immigrants" from outside Europe will be branded as the costly movers. On the other hand, hierarchies related to people's mobility seem to persist, even at the sub-national level. Further, different types of prejudices are attached to people on the basis of which cities, towns or rural regions they come from, or on which level of education, for example, they possess. Mechanisms of exclusion caused by the pride of belonging thus exist at all levels; being aware of these mechanisms may relativize the national focus.

The main challenge for free movement, and even for the entire process of European integration, seems to stem from outside the European Union. Offering special rights to EU citizens seems to work fine until outsiders question this practice. This was visible in the material throughout the analysed period, but the so-called migration crisis (2015) clearly accentuated it. Indeed, many of the free movement disagreements between EU countries have sprung from some wish to grant free movement rights to people who are not EU citizens. Best-known is perhaps the 2011 dispute between Italy and France over the mobility of migrants who hold temporary residence permits that Italy granted under Directive 2001/55/EC (Carrera et al., 2011). In summer 2017, an Italian senator proposed that Italy should appeal to the same Directive in order to grant EU visas for the huge number of migrants that had entered the country from across the sea,<sup>159</sup> however, other EU members strongly opposed this.

Overall, we observed both positive and negative weak signals in terms of European integration. The leading politicians seem to accept the Union as the appropriate arena for creating rules that the Member States can follow and even defend; in this respect, the blessings of free movement are often nationally cherished. However, the hierarchies between different nationalities at both intra- and extra-European levels seem to persist. The trend of moving towards welfare chauvinism at the European level may not, in the end, be any better than the existing emphasis on the national sphere.

This brings us to the next theme: that of the contradictions and illogicalities prevailing in contemporary European free movement debates.

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<sup>159</sup> In his blog, Italian senator Luigi Manconi proposed to the Italian edition of the Huffington Post that it would be necessary to make a recourse to the same directive that Berlusconi's government did in 2011, which would have a strong impact without risking the safety of the refugees (*"avrebbe un impatto forte, senza mettere a rischio l'incolumità delle persone in fuga"*) (Manconi, 2017).



### 9.3 Practical reasoning – contradictions in the free movement discourses

The utterances of the leading politicians are obviously carefully drafted and thought over, but the analysis revealed a number of internal *contradictions*, inconsistencies in the argumentation, which deserve to be mentioned. These contradictions primarily were visible, above all, at the national level, from which I found more or less explicit contradictions in all the selected countries. The discourses were often incoherent and the same politician could sometimes employ different types of utterances carelessly. A contradiction does not indicate that the presented arguments would be logically incoherent or even untrue *per se*, but the argument stands in opposition to some other arguments or external phenomena. In many cases, we can talk of “institutional” contradictions that spring from different understandings of the role of institutions, the EU, in particular.

Understanding the nature of contradictions is important because discourses do not always comply with the logical ideal of practical reasoning (Walton, 2007, p. 36). It is obvious, as Thomas Gil put it, that ‘sometimes we have reasons to act in ways that contradict each other’ (Gil, 2012, p. 98). Ideally, however, all these contradictions should, at some stage, be revealed and can thereby be critically examined (by the speaker and by the listener). Does the existence of contradictions mean that the politicians have not critically examined their reasons for action? Perhaps not. They may also consciously express contradictory utterances due to underlying reasons that make it, in some sense, reasonable to contradict oneself. Outsiders can, of course, only guess what those underlying reasons are.

One particular economic contradiction related to the discussion on the costs and benefits of free movement in general. Both Commissioners and German politicians saw free movement both as an economic benefit and as a fundamental right. However, one could assume that the status of a fundamental right makes utilitarian calculation unnecessary; if free movement were an acknowledged fundamental right, why would it have to be legitimized with economic utterances? The fact that the status of a fundamental right does not seem to suffice, implies that

free movement is not as self-evident a principle as many European leaders tend to claim.

In the Italian discourses, it became apparent that the inability of the Commission to address violations of people's rights provided a justification for the politicians to continue their policies and claim that the ensuing measures were legitimized by the Commission. More generally, it seems that when the Commission did *not* intervene in Italy's free movement policy implementation, it represented the entire European Union for the country's politicians. However, when there was a disagreement, the European Union was expected to convince the Commission of the right opinion. The politicians thus seemed to consider that the Commission should always side with Italy. They appeared to employ the belief that all actions supported by the European Union are issues that the public ought not to question. In Spain too, a common immigration policy was supported because it was seen to enable the drafting of national immigration policies (see also Zapata-Barrero & Witte 2007). This is a phenomenon that has also been observed in previous scholarly works: appealing to the European Union can be utilized, for example, as a justification for taking or not being able to take certain actions, and in scapegoating and credit-claiming (e.g. Eder & Trenz, 2003, p. 122).

Another institutional contradiction related to the relationship between the EU and national levels. Many political leaders promoted deeper integration while simultaneously trying to justify state-specific immigration measures. Particularly in Spain, politicians argued for a common immigration policy while implementing the much-criticized national regularizations of irregular immigrants. For French UMP politicians, in turn, a common immigration policy appeared contradictorily as a measure with which France could intervene in the actions taken by other states. These politicians did not seem to be happy with the Commission or other states meddling in their affairs, but meddling in other states' businesses seemed justified via the common immigration policy. A common immigration policy should restrict migrants' access to other countries, however, France reserved the right to make her decisions herself. This French attitude may of course reflect the fact that France has historically been the leading EU power.

The British discussion on social security can also be seen to include a contradiction. British politicians saw it as unjust that non-British EU citizens can receive more benefits than they pay taxes. In this way of reasoning, there should, in other words, be guarantees that these EU citizens pay more than they get, whereas this requirement would not apply to the UK citizens themselves. Why is this so? The implication is, in other words, that people living outside their home countries always need to benefit the host society. The EU Treaties do state that EU citizens should not burden other states, but does this mean that they should somehow prove to be some type of “win” for the host country? To avoid this question, the optimal solution may be to become aware of the multiple ways in which an outsider can be beneficial in his/her new environment.

The final noteworthy contradiction played a particularly significant role in the Romanian discourses. While the politicians insisted that Romanian citizens have the complete right to free movement, they simultaneously declared that Romanians should not leave in such large numbers; the right to free movement was seen to belong to a “proper” European Union Member State. According to Romanian politicians, people should not be forced to stay in Romania; rather they should choose to stay there. A positive aspect of emigration, remittances, were also completely ignored in the analysed discourses, although the remittances sent to Romania have made up to approximately 2.5 billion euros annually (World Bank 2015). The silence about remittances may also be related to the view that Romanian politicians do not want to be seen as being dependent on remittances, although they may actually constitute a significant reason to not address the problem of brain drain.

In terms of practical reasoning, the discussions above suggest that reasoning may not always be as rational as it first appears. Even if the politicians appealed to “reason-based” premises of agreement and utility, their discourses were not consistent when observed in their institutional context. It, in fact, seemed that reason-based utterance types were selected due to their seemingly neutral and objective basis, whilst the actual reason for action may have been a sentiment-based one. For example, it is easy to hide behind the Commission’s back when problems

arise (agreement), and European mobility is easier to oppose if it is arguably costly for the host state (utility); in both cases, the speaker may simply fear that his/her local community will become too multicultural. Indeed, taking into account the potential underlying reasons, the argument that all practical reasoning is ultimately based on desires (Searle, 2010, p. 131) does not sound too far-fetched. This study is obviously unable to reveal the real motivations of the politicians, but it has showed that these can indeed be important.

#### **9.4 “L’Europa è mobile”, or the existence of “European” discourses**

In the beginning of this study, I considered whether European free movement discourses could be called “mobile” in a capricious sense. The findings of the preceding chapters indicate that the characterization was indeed appropriate. My intention was to draw a general picture of the EU discourses, but national and party-political differences remained unavoidably present. The analysis of the roles of the four types of practical reasoning has revealed a more nuanced picture of political discourses than the traditional division into instrumental and value-based reasoning could have provided (e.g. Walton, 2007, pp. 30–37). Values and instrumental interests have different characteristics, and this study has offered one perspective on how these traditional divisions can be made sense of in a more sophisticated manner.

The extent to which the national and European (epitomised by the Commission) views overlapped, varied a great deal. Utterances in the largest Member State, Germany, appeared to be closest to those of the Commissioners: German emphasis was on the economic value of workers’ movement and on a principled commitment to European rules. This possibly reflects the nature of the current European Union, where the Germans are safely at the helm, to the extent that Angela Merkel has even sometimes been called the “Chancellor of Europe”. It is more difficult to say which of the countries moved the furthest away from the Commission’s viewpoints, although the British were certainly the most negative Europeans here.

The study has illustrated that all four approaches can be utilized in justifying free movement and that public support for European policy measures could become higher if all decisions gathered their legitimacy from all these four dimensions. The analysis of these dimensions revealed that there is not one single tension dividing the EU countries on the issue of free movement. Several different tensions inform the political discourses, including: collective order vs citizens' rights, community-based integration vs. utilitarian materialism, well-defined community vs. multicultural diversity, insiders vs. outsiders (intra-EU/extra-EU), states vs. citizens and sending country vs. receiving country. The tensions are unavoidable, but better awareness of them can alleviate their potentially problematic implications. I cannot propose clear recipes for solving the ever-present difficulties regularly attached to free movement, but perhaps the analyses above provide some hints as to what kinds of negative consequences different types of reasoning can lead to. The most important and obvious of such consequences is possibly the strong sentiment-based attachment to the national community that seeks to restrict free movement and, eventually, to even get rid of the European Union.

In spite of the more or less clear overlap between the national and European views, it still remains a moot question whether or to what extent we can talk of a properly functioning European public sphere (Drewski, 2015; cf. Risse, 2010, 2014). Based on the results of this study, I would argue that national and local viewpoints continue to matter to a significant extent; the leaders tend to emphasize national interest and peculiarities. This certainly does not prevent, however, the development of common European views in many a policy field and the selected politicians strongly acknowledged the importance of European rules values.

Be that as it may, on the basis of the free movement debates analysed in this study, European integration is far from doomed. In the empirical material, there were no utterances mentioning the F-word – federalism – that politicians often exploit to paint a worst-case scenario for European politics. Although European integration, to some extent, resembles a bicycle that needs to move forward in order not to fall over, federalism does not appear to be a desired destination. In the foreseeable

future, European integration will not move forward without the consent of the Member States. In order to survive, however, what is understood as “Europeanness” has to be or become sufficiently inclusive in order to encompass the (remaining) 27 “nationhoods”.



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