



*The Principle of Subsidiarity and the Multilevel Citizenship:
The Future of Social Inclusion*

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The Principle of Subsidiarity and the Multilevel Citizenship: The Future of Social Inclusion

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Abstract

The principle of subsidiarity was formally introduced in the legislation framework of the European Union in 1992 with the Treaty of Maastricht; although already in 1986, the European Single Act authorized Community action only if a specific objective could be better attained at the Community level. However, the subsidiarity principle inspiring the functionalist approach – according to which the best solution is always the most effective – can be found already in the Vedel Report (25 March 1972), aimed at examining the problem of the extension of the powers of the European Parliament. The principle of subsidiary is the reorganization of authority in the European Union (EU), an important policy-creating process where authority and policy-making influences are shared across multiple levels of government.

Keywords: Subsidiarity, Federalism, Migrations, Europe.

1. A short description of the principle of subsidiarity

One of the first conceptualizations of the principle of subsidiarity was proposed by Pope Leone XIII in 1891, in his encyclical “*Rerum Novarum*”. By arguing that public authorities should intervene only when a family or a community is unable or unwilling to fulfill its members’ rights and duties, the encyclical is not only a foundational text of the modern Catholic social teaching, but it represents a pillar of the federalist approach to the European integration, together with the principles of self-determination, participation and constitutional guarantees, which are deeply described in several textbooks of the European founding fathers (Heim, 2004; Melchionni, 2013).

The principle of subsidiarity was formally introduced in the European Union’s legislation framework in 1992 with the Treaty of Maastricht; although already in 1986, the European Single Act authorized Community action only if a specific objective could be better attained at the Community level. However, the subsidiarity principle inspiring the functionalist approach – according to which the best solution is always the most effective – can be found already in the Vedel Report (25 March 1972), aimed at examining the problem of the extension of the powers of the European Parliament.

The principle of subsidiary is the reorganization of authority in the European Union (EU), an important policy-creating process in which authority and policy-making influences are shared across multiple levels of government: subnational,

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national and supranational (Cagiano de Azevedo and Paparusso, 2019). While national governments remain predominant in the EU policy-making, control in several policy fields has slipped away from them. This distribution readjustment of the authority is supposed to be guaranteed by a consensual participation to the legislative process at different government levels; and by an adjustment of competences and responsibilities at different institutional levels (Cagiano de Azevedo, 1996; Héraud, 1968; Millon-Delsol, 1993).

Finally, the Rome Declaration (25 March 2017) of the leaders of 27 member states and the European Council, the European Parliament and the European Commission states: “We will work together at the level that makes a real difference, be it in the European Union, national, regional, or local, and in a spirit of trust and loyal cooperation, both among Member States and between them and the EU institutions, in line with the principle of subsidiarity”.

More generally, the principle of subsidiarity can be defined as the dispersion of authority away from the central government: upwards to the supranational level, downwards to subnational jurisdictions, and sideways to public/private networks (Schmuck, 2018). Within this framework, decisions should be taken at the level that allows to better pursue the intended or expected objectives. According to a federalist interpretation of the principle of subsidiarity, this level should be as close as possible to the citizens (Luchoire, 2001).

Thanks to the principle of subsidiarity, a distribution of power can be achieved which makes it possible to resolve each problem at a lower level, thus leading to decisions which are the closest possible to those of the interested parties.

The principle of subsidiarity is strongly linked to the principles of autonomy, participation and cooperation.

The application of the principle of autonomy to all the territorial communities (communes, regions etc.) make it possible for these communities to achieve self-government, so that the decisions which relate to the community as a whole are taken in keeping with individuals’ concrete needs. The system of autonomies thus makes it possible to overcome the centralized and authoritarian model of the unitary state.

Co-operations between these communities will make it possible for them not to remain isolated, but collaborate with each other to resolve common problems.

Finally, the principle of participation to the legislative process makes it possible to introduce democratic principles in that plurality of autonomous communities, arranged at various levels and co-ordinated with each other.

In conclusion, the general interest always justifies the dispersion of the authority and the exercise of the power from a center to a periphery or from the top to the bottom and vice versa. The power indivisibility is now replaced by a power dispersion at different levels, in order to guarantee more involvement for all actors and then effectiveness of policy actions.

2. The multilevel citizenship: a practical example

Today, non-state communities, both below and above the state level, are becoming important sources of rights, duties and statuses, constituting new forms of multilevel citizenship. This means that citizens may exercise all their rights and duties in the city, in the region, in the country and in the supranational organizations: the right to express their opinion by voting, the duty to pay taxes on their income, etc. As a consequence, multilevel citizenship continuously challenges the homogeneous

character of citizenship, which can be conferred only by nation-states and enjoyed within their borders. Above the state level, multilevel citizenship paves the way to the construction of a democratic community beyond national borders (Mass, 2013); below the state level, multilevel citizenship means the participation of individuals and communities to the local or regional decision-making process, as long as they participate to and benefit from that process. Forms of supra-national or sub-national citizenships can be both formal and informal, i.e. perceived.

As an example, the subsidiarity approach and the multilevel citizenship can offer an interesting approach to better understand the recent European ‘migration crisis’ (Cagiano de Azevedo and Paparusso, 2019). This should concern at supranational level the political governance of migration movements, including the relations with the migrants’ countries of origin; at national level, the planning of legal flows and admissions requirements; at local level, the integration and interculturalism issues. Therefore, migration needs a multiple answer: at the European level and at the national one, as today generally happens; but also the local governments should be included, being the first dimension exposed to the presence of migrants. Daily-life issues, such as school, jobs, health services, housing and mobility need the institutional presence of the local powers; and at the same time, the planning of national resources and the stability of accepted international relations between sending and receiving countries.

According to the multilevel citizenship framework, the rules applying to citizens should also apply to refugees and migrants (Cagiano de Azevedo and Paparusso, 2019). Although refugees initially represent a cost for host societies, in terms of integration into the educational system and the labour market, migrants contribute to the receiving countries’ economies, through an increase in labour supply and demand, and to population decline.

In order to reach this goal, some major institutional and political changes would be recommended: a) to make compulsory the participation of both European citizens and migrants to a new ‘European civil and (eventually) military service’; b) to confer active and passive electoral rights linked to the granting of a ‘citizenship of residence’ to migrants, as already happens in some EU countries, in order to push political forces to effectively take into consideration ‘their’ issues. The recognition of the passive electorate would foster migrants’ representativeness in deliberative assemblies of various levels (from the Municipal Councils to the European Parliament), with the right to actively participate in common political decisions. Granting the ‘citizenship of residence’, with the related right of circulation throughout the EU, would contribute to the overcoming of the condition of irregularity for many migrants and would allow to distribute them in countries where there are greater work and life opportunities.

Today the multilevel citizenship is formally recognized by the European countries asymmetrically: the case of migrants is a very explicit example of what is, under a theoretical point of view logic, and what is, under a political point of view, viable. The reduction of the distance between what is logic and what is viable, is the open land for deeper studies and more inclusive integration policies.

3. Education to subsidiarity: the future of social inclusion

To make this distance shorter, the multilevel citizenship should be recognized at different levels and in different places. The principle of subsidiarity is not limited to legal principles, but it is embodied in the knowledge society: knowledge that is

technology and scientific research, implemented through the academic exchange, but that is also more generally curiosity and openness towards others. To this end, school and university programs should be modified, to include such a knowledge; texts on civic education (including civic courses and texts for newcomers, who apply for residence permit or citizenship (Paparusso, 2016)) should be revised; and lifelong learning should facilitate the applicability of this principle to the labour market.

The aim of the proposed revision is to build a more educated society towards the principle of subsidiarity and aware and prepared to implement, respect and promote it in every-days actions.

Multilevel citizenship means involving citizens in the decision-making process and above all involving different kind of citizens: different statuses should operate together, therefore not only in their individual relationship with the nation-state. This interpretation of citizenship increases the rights, the sense of responsibility and the sense of belonging of everyone, improving equality and solidarity within the society, thus leading to more integration and cohesion. However, the beneficial character of the multilevel citizenship is still not fully recognized. For this reason, multilevel citizenship needs to be shared among generations and made essential part of our societies' education, culture, intimate reflection and even constitutive norms. In other words, we need a radical mindset transformation, in order to build more advanced and integrated societies, where the diversity of status and rights is not seen as a problem, but as a strong asset for social sustainability and policy effectiveness.

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