

EU Law: Text, Cases, and Materials (7th edn) Paul Craig and Gráinne de Búrca

p. 889 24. Citizenship of the European Union 🔓

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Abstract

All books in this flagship series contain carefully selected substantial extracts from key cases, legislation, and academic debate, providing students with a stand-alone resource. This chapter reviews EU citizenship law. It considers the rights of free movement and residence of EU citizens, political rights of citizenship, and Directive 2004/38 on the rights of free movement and residence for EU citizens and their families. The status of EU citizenship created by EU law has been criticized on various grounds, including the thinness of the rights created and their economic focus, the conditions to which they are subject, the reinforcement of the distinction between third-country nationals and EU nationals, the limited impact of the new electoral rights, and the reluctant pace of implementation. On the other hand, the legal rights of citizenship have been expanded by the European Court of Justice, even in the face of vocal Member State opposition. The case law in this area continues to develop and the chapter provides a considered evaluation of this difficult body of law. The UK version contains a further section analysing issues concerning EU conceptions of citizenship and the UK post-Brexit.

Keywords: EU law, citizenship, free movement, political rights, residence, EU citizens, Directive 2004/38

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