EUROPEAN IDENTITY AND MULTICULTURALITY IN THE CURRENT EUROPEAN UNION SOCIETY

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Abstract: Multiculturalism has become one of the most discussed topics in recent years and this has been possible due to its profound implications in a multitude of areas - especially in the legal, social sciences, politics, and last but not least of ethics - areas that allow us to understand and discuss this phenomenon under different aspects and opinions. Therefore, the notion of a "multicultural" society cannot be limited to the mere indication of the coexistence of different cultures in a given national context, but necessarily refers to a particular way to relate to each other. Thus, a society can be defined as "multicultural" insofar as, within it, all differences in customs, culture and ethnicity are equally respected.
In the present European society, this phenomenon of multiculturalism can be perceived by the fact that there is a real possibility of a peaceful coexistence between the different cultures of the countries of the old continent and the way in which it can be materialized. Thus, Goethe's assertion that true European unity gives culture and implicitly the cultures of European states, while politics and ideology can destroy[1] it becomes an essential point of view. It should be noted that, on the basis of this principle, there is, of course, the contemporary democratic state in which the recognition of fundamental rights has become the cornerstone and at the same time constitutes the premise on which the political, institutional, social and cultural pluralism of the Union states Which through today's constitutions have become the most significant expression of the idea of European unity and multicultural manifestations.
Therefore, the present study intends to illustrate the implications of the cultures of the member states of the European Union in the Cohesion Policy of the European Union[2], observing that in the evolution of the history of the idea of European unity, multiculturalism becomes an important image vector. Also, a detailed analysis of the relationship between Europe and the set of phenomena of change identified in the expression of multicultural societies will be pursued. To this end, we will begin by clarifying as much as possible the meaning of the concept of European identity as well as the much evoked multiculturalism.

Keywords: European identity, cultural diversity, multiculturalism, multicultural society, cultural pluralism, cohesion policy of the European Union

Introductory note

The subject of multiculturalism causes different debates between European institutions based on different concepts with different legal relevance but with a common legal framework: EU law. However, social reality makes us realize that normative acts, however studied and comprehensive, are never enough to be able to meet all the needs expressed by the present society.

The general theory of the adherence of the legal system to society is quite difficult to understand because it would lead us to far too broad and complex reflections in the study that we propose to achieve. Therefore, the study will mainly focus, but not exclusively, on EU legislation as well as the analysis of European identity, cultural pluralism, and cultural protection, seen through the paradigm of the concept of cultural diversity. In this context, particular attention will be paid to the theme of multiculturalism.

[1] W.Goethe, *Ombra completa*, Madrid, Aguilar, 1987.
[2] Dan Drosu Şaguna, Daniela Iuliana Radu, *Politica de Coeziune a Uniunii Europene 2014-2020, Strategia Europa 2020*, Buccharest, C.H.Beck Publishing House, 2016.

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It is true that this last expression refers to the cooperation of all EU Member States, states that come up with heterogeneous cultural heritage but who succeed in developing the concept of multiculturalism, protect and strengthen the "common cultural heritage of Europe"[3]. Multiculturalism has become a perfect symbiosis between law and culture, helping the European citizen in a rather complex social system. Therefore, the main criterion on which the legal concept of the European identity promoted in the current European society is based, refers to the definitivity of the relevance of collective identity based on the social heritage[4].

2. Preliminary considerations on the concept of European identity

In order to answer the question of whether there is a European identity[5], a brief introduction of the concept of general identity should be made. When we talk about identity, we must first address the individual dimension. Thus, according to Muchielli, identity could be defined as "an assemblage of material, social and subjective relatives"[6], the identity consisting in clarifying who is someone, both as a social person and as an individual, enrolling in a evolutionary process, progressive modeling, reorganizing according to social life events[7]. From a sociological and legal point of view, this perspective was supported by doctrines related to individualism and liberal constitutionalism.

On the other hand, there is also a collective dimension of identity, which may be national identity, indicating "the characteristics that derive from it in the subject of a group that shares certain common characteristics"[8]. Beyond provincial or group beliefs, with primacy, what is called national consciousness, but they are found in the public, political discourse, because at individual level, collective identity can be dethroned by other priorities[9]. "Recent theories argue that identity is no longer a private matter but becomes a political issue[10].

We cannot fail to notice that this definition refers, in fact, to very heterogeneous situations: to human groups formed by individuals with innate characters, biologically inherited, the catalyst element of which is culture, which is inherited socially[11]. Especially this second situation was supported by the sociological doctrines of the communities[12] that declared that "the individual is what is by virtue of the groups in which he socializes"[13].

European identity, and implicitly the national identity of each member state of the Union, means Europe, Europe of yesterday and today[14]. Europe of yesterday, in which the nations - a period of national tradition - and today, of modernity and postmodernity in which the national identity emerge with the European one, are in a continuous connection[15].

In this context, the legal doctrines that have defined as a consequence the principle of social pluralism that has become in time, the ideal instrument in recovering the historical values and the tradition[16] that a people base their national identity and why not, their own existence over the years of restraint and not only. The way to interpret collective identity as a result of social patrimony has

[3]TFUE, accessed on 19.01.2019.
[4] Mark C. Taylor, *Le radici dell'io. La costruzione dell'identità moderna*, Milano, Feltrinelli, 1993.
[5]*Iordan Gheorghe Bărbulescu, Noua Europă. Identitate şi model European, Iasi, Polirom* Publishing House, *2015, p.33.*
[6]Alex Muchielli, *Noua psihologie*, translation by Dinu Grama, Bucharest, Scientific Publishing House, 1996.
[7]Erik H.Erikson, *Identity: Youth and Crisis*, Reprinted, Revised, Revised Edition, Editor WW.Norton, 1994.
[8]Arthur Schopenhauer, *Despre împătrita rădăcină a principiului raţiunii suficiente: o disertaţie filozofică*, translation by Gabriel Radu, Bucharest, Humanitas Publishing House 2008.
[9] Lucian Boia, *România ţară de frontier a Europei*, Bucharest, Humanitas Publishing House, 2015.
[10] Zygmunt Baumann, *From Pilgrim to Tourist — or a Short History of Identity*. in Craig Calhoun (ed.). *Social Theory and Politics of Identity. Oxford:* Blackwell, 1994, p. 19-21.
[11] P. Häberle, *Costituzione e identità culturale. Tra Europa e Stati nazionali*, Milano, Giuffrè, 2006, p. 59.
[12] C. Taylor., *op.cit.*
[13] V. Angiolini., *Diritto costituzionale e società multiculturali*, in *Rivista AIC*, n. 4/2015.
[14]Identitate naţională între tradiţie şi modernitate, disponibil pe www. fift.ugal.ro/revista desociologie/…/Identitate naţională între tradiţie şi modernitate, accessed on 25.01.2019.
[15] *Ibid.*
[16] P.Häberle, *Costituzione e identità culturale. Tra Europa e Stati nazionali*, Milano, Giuffrè, 2006, p. 58.

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been quite recently synthesized in the expression of "cultural liberalism"[17] and, more clearly, in the expression of the concept of "multiculturalism"[18] that we will develop a bit later.

Through the concept of European identity along with the national identity[19] as stipulated in the current European Union (EU) legislation, we understand the satisfaction of the needs of today's multicultural society, which implies cultural pluralism and the concept of multiculturalism.

The coexistence of European identity with national identity in European Union (EU) law has been interpreted by the European doctrine in two ways: a) in an approach in which the concept of European identity and national identity will be based on the cultural heritage of the past;
b) in an approach, in which the same double concept should be seen in a future perspective[20]. After the first approach, we wondered if the European Union (EU) is addressing exclusively past culture or if, after all, it offers ideas aimed at opening up to the multicultural society today[21].

From the analysis of the EU's primary legislation, it is clear that both Article 22 of the Charter of Fundamental Rights of the European Union, according to which the Union respects cultural, religious and linguistic diversity[22], and Article 167 TFEU, does not refer to the concept of pluralism cultural, which would involve certain bottom-up cultural choices from spontaneous communities, but rather the concept of cultural diversity, which would instead make hierarchical cultural choices, top-up even by the state. Therefore, the EU's approach to cultural diversity has been (and is) "top-down"[23].

Indeed, the same article of the TFEU, referring to "European Union (EU) cooperation with third countries and international organizations competent in the field of culture" gives the concept of cultural diversity a different interpretation[24].

Cooperation between Member States in the field of culture has also been possible through the respect of the UNESCO Convention[25] on the Protection and Promotion of the Diversity of Cultural Expressions of 2005[26], endorsed by the European Union (EU) in 2006[27]. The Convention clarified that cultural diversity is not a matter of concern to local communities formed by the same individuals who practice it. In other words, the current European Union (EU) legislation allows us to preserve our cultural identity, the collective approach of the past being managed by public authorities.

This last conclusion allows us to respond to the needs of today's multicultural society that Europe cannot ignore. As regards the public actions of the EU's governing bodies, referring strictly to cultural diversity - as a fruit of the freedom of each Member State - propagate, promote and protect the cultural heritage of each Member State[28].

3. What is multiculturalism?

Multiculturalism is a difficult concept that lends itself to many interpretations and whose definition has led to countless political and philosophical debates. It can be defined as the

[17] Homi K. Bhabha, *The Location of Culture*, London:Routledge, 1994.
[18] *Ibid*
[19] Constantin Cucoș, *Educația. Dimensiuni culturale şi interculturale*, Iasi, Polirom Publishing House, 2000, p.17.
[20] Hartley Trevor, *The Foundations of European Union law*,Oxford, Oxford University Press, 2014, p.27.
[21] Salat Levante, *Multiculturalismul liberal*, Iasi, Polirom Publishing House , 2001, p.23.
[22]Article 22, Charter of Fundamental Rights of the European Union - EUR-Lex - available at https: //eur-lex.europa.eu/LexUriServ/LexUriServ.do? Uri = OJ: C: 2010: 083: 0389 ... (accessed on 22.01.2019).
[23] *Ibid.*
[24]Article 167, TFEU, accessed on 22.01.2019.
[25] UNESCO, Ministerul Culturii, disponibil pewww.cutura.ro/unesco, accessed on 21.01.2019.
[26] Convenţia asupra protecţiei şi promovării diversităţii expresiilor- disponibilă pe https:// lege5.ro/…/ Convenţia asupra protecţiei şi promovării diversităţii expresiilor cult/…/accessed on 22.01.2019.
[27] Eurlex europa.disponibil pe /https://eurlex.europa.eu/eli/dec./2006/973/oj?...eli%3 A2006%3A973AoJ1, accessed on 22.01.2019.
[28] Richard L. Wiseman, *Intercultural communication theory*, London,Sage Publications, 1995, p.25.

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expression of coexistence between different cultures. It remains proverbial Will Kymlicka's statement that "multiculturalism is as old as humanity"[29].

The term "multiculturalism" can be correlated with the expression, cultural diversity the European Union is promoting. It has proved to be an important opportunity for enrichment and, at the same time, a formidable tool for cooperation between Member States, and in this respect multiculturalism or cultural diversity characterizes contemporary liberal societies[30].

Therefore, the term multiculturalism is perceived at the level of today's European society as an effective political vector by managing cultural diversity at a given moment and space, in liberal-contemporary democracies, with particular attention to Europe. Let us make it clear that multiculturalism must not be confused with interculturality. Even though both phenomenes have to do with socio-cultural pluralism, the term multiculturalism is used to emphasize the political and social implications of contemporary cultural dynamics, while interculturality refers to the transformations to which culture is subject as a result of population migration[31].

In other words, multiculturalism refers to the social and political problems caused by the coexistence of the identity of different cultures of the same society, in our case the present European Union (EU) society, while interculturality refers to the processes of cultural change generated by the exchanges between distinct cultures, resulting in the production of new cultural objects or hybrid objects, whether these are related to symbols, artifacts, languages, religious beliefs, etc[32].

Multiculturalism has become an important political project, its specificity being designed to establish social integration through the public recognition of "foreign" identities and cultures compared to the traditional national framework[33]. It is also a source of renewal and revitalization of political and social institutions, which is essentially a political model of social coexistence worthy to be followed by all EU Member States (EU) and beyond[34].

4. "Cultural pluralism" and "cultural diversity"

In EU law, the term "pluralism" is found in the opening of the Lisbon Treaty 2009[35]. Pluralism in Europe and the way in which cultural diversity is treated in the process of European policy-making are sensitive issues. Prospects from research into social sciences and humanities are at the heart of EU legislation[36]. The question is: how can cultural diversity be hosted within European societies? A first answer would be that the European Union (EU) states[37] focus on "pluralism and religious diversity, social cohesion and integration in Europe"[38] with projects funded under the sixth[39] and the Seventh Framework Program for Research[40]. Topics of central importance for Europe are

[29] Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* Oxford Political Theory, Oxford, Clarendon Press Publishing House, 1996.
[30] *Ibid*
[31]Teodor Cozma(coord.) *O nouă provocare pentru educaţie: interculturalitatea,* Iasi, Polirom Publishing House, 2001.
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[35] TFUE, accessed on 27.01.2019.
[36] Pizzorusso, *Minoranze e maggioranze*, Torino, Einaudi, 1993, p. 71.
[37] Pluralism and religious diversity, social cohen and…Net4Society https://www,net4society.eu/.../pluralism-and-religious-divers...
[38] Pascal Fontaine, *Construcţia Europeană de la 1945 până în zilele noastre***,** Iaşi, Editura Institutul European, 1998, p.21.
[39] Horizon 2020 pe scurt- Programul –cadru pentru cercetare…-Europa https://ec.europa.eu/programmes/horizon 2020 /sites/ H2020-Ro_Ki0213413RON.p., accessed on 27.01.2019.
[40]Cel de-al Saptelea program C(pc71- European Commission https://ec.europa.eu/research/fp7/pdf7 broschure_ropdf. accessed on 27.012019.

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addressed, particularly with regard to social inclusion and innovation[41]. Given the strong emphasis on increasing inclusion and social cohesion in Europe 2020[42], the results of these projects could play an important role in bringing new knowledge and perspectives into the process of European policy making.

Key issues addressed by researchers are how different European policies can support the goal of achieving cultural life in Europe and policies that correct the needs of the individual and society as a whole, also relying on fundamental notions of equality and human rights. These ideas allow a profound rethinking that should be taken into account by European pluralistic societies. We ask whether, instead of the principle of cultural pluralism, the concept of cultural diversity is the main way of giving meaning to the collective dimension[43].

In European legislation, national states are collective entities with different beliefs and cultures, but whose difference, however, becomes a value to be protected. Today diversity is one of the three ideals (security, diversity, solidarity)[44] of constitutional policies that constitute the guiding concepts and driving forces "for reform" instead of the traditional French revolutionary triad "(liberty, equality, brotherhood) the verb used in the expression "Union respects cultural diversity" is essential. It is understood here that "respect for the Union" is limited to individual Member States (alluded to "institutional pluralism")[45] having different cultures, depending on them the recipients of "respect for the Union" are therefore local authorities, political institutions with national identities and not social formations, carriers of cultural pluralism, spontaneous multiculturalism[46].

In conclusion, from the comparison of cultural pluralism and the concept of cultural diversity, a distinct differentiation is made: while the first (cultural pluralism) evokes attention to free social groups, the second (cultural diversity) leads back to states.

Continuing to examine the impact of the cultural diversity concept of the Treaty of Lisbon, which states that "[the Union] respects the richness of its cultural and linguistic diversity and oversees the safeguarding and development of European cultural heritage"[47], it is noted that apart from the concept of cultural diversity, the other the concept introduced here is that of "linguistic diversity", which only does it anticipate the provision of art. 167 TFEU[48] entirely devoted to the topic of "culture", in a unitary reflection. Starting from the point of view of the legal rule, it really seems to present two ways of understanding "cultural diversity": the first concerns the competence of the Member States and their relationship with the European Union (EU) within its borders, the second referring to the Union's competence with its member states - beyond their borders - to the rest of the world[49].

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[41] INCLUZIUNEA SOCIALĂ, disponibilă pe https: //ec.europa.eu/…/European-semester_thematic-fact_sheet_social_inclusion_ro.pdf., accessed on 27.01.2019.

[42] EUR-Lex-52010DC2020-EN-EUR-Lex- Europa, https://eur.Lex.europa.eur/legal-content/RO/TXT?uri=Celex%3A52010DC2020, accesat on 27.01.2019.

[43]Delia Ferri, „La Convenzione UNESCO sulla diversità culturale: sviluppi e prospettive della sua attuazione nell'Unione europea", in Baruffi M.C., a cura di, *Cittadinanza e diversità culturale nello spazio giuridico europeo*,CEDAM, 2010.

[44]A. Celotto, „Nediscriminare; Diversitate culturală, religioasă și lingvistică", in Bifulco R., Cartabia M., Celotto A., editată de "*Europa drepturilor, Comentariu privind Carta Drepturilor Fundamentale a Uniunii Europene*, Bologna, il Mulino, 2001, p.176.

[45] Alessandro Pizzorusso, *Minoranze e maggioranze*,Torino, Einaudi, 1993, p.72.

[46] *Ibid*

[47]The Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, signed in Lisbon on 13 December 2007, was published in the Official Journal of the European Union (JOUE) C306 / 1 of 17.12.2007, accessed on 01/28/2019.

[48]The legal norm dates back to the 1992 Maastricht Treaty and originally corresponded to Art. 151. The diversity gap (unrelated to culture) can be found in other TFEU legal acts such as, for example, in Article 151 referring to the diversity of national practices related to social services as well as art . 152 referring to the diversity of systems national rules on the role of social partners.

[49] Lauso Zagato, *La problematica costruzione di un'identità culturale europea.Un quadro più favorevole dopo Lisbona?*,in Zagato L., Vecco M., *Le culture dell'Europa, l'Europa della cultura*, Milano, FrancoAngeli, 2011.

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As regards the first way of understanding cultural diversity within the EU's borders, in accordance with the TFEU, as stated above, "The Union shall contribute to the full development of the cultures of the Member States while respecting their national and regional diversity, while underlining common cultural heritage"[50].

It should be recalled that the subject of "culture"[51] belongs to the Member States and, therefore, the first approach to cultural diversity from the perspective of the States itself is nothing but the sign of the implementation of this competence reserved for them. Instead, the EU has a task of integrating, supporting, coordinating or completing state action. In this respect, it is worth considering a few considerations: firstly, the question of cultural diversity must be reiterated. In this regard, we can talk about the existence of many cultures, cultural diversity being a source of wealth for the Union. Therefore, each sovereign state must defend its own specificity according to its own nature[52]. It is up to each Member State to define both the concept of culture and the cultural diversity and hence of their cultural products.

By saying that the Union contributes to the full development of Member States' cultures, it can be understood that, where there is no cultural development of a single state, the authority of the European Union may feel the right to interfere in an integrated way, to support a policy the state, until it actually accomplishes the desired fullness[53]. But in addition to supporting actions, the European Union (EU) has also retained other expertise in coordinating and finalizing European policies in favor of national and regional cultural diversity[54].

Coordination is done by encouraging "cooperation between Member States"[55] and, if necessary, through support and integration[56] in the European interest. Completion is done in return by pursuing the construction of the "common cultural heritage", the expression of a kind of European cultural policy, in addition to national cultures[57]. With regard to encouraging cooperation between Member States, it is worth taking into account that the EU has chosen exactly the sectors that have just been revised, such as those that are particularly relevant, paying particular attention to its integrative cultural policy, and in this respect supports action its Member States. In conclusion, it should be noted that the European Union is pursuing a complex development of culture, compared to what individual states can do separately[58].

Conclusions

Europe choose to follow a complex path: to put cultural diversity at the heart of the European project. This has become so important that the adoption of the united syntagm in diversity is crucial in today's European society. It is a model that characterizes Europe in its depth, identifying in respecting cultural diversity the precondition for generating a sense of belonging to a common space where people interact on an equal basis.

Promoting and protecting cultural diversity is, in fact, an obligation under the Treaties and the 2005 UNESCO Convention[59] on the Protection and Promotion of the Diversity of Cultural Expressions which Europe has signed and ratified. For this reason, promoting multiculturalism and

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[49] TFUE, accessed on 27.01.2019.
[50]TFEU, accessed on 27.01.2019.
[51]Article 6, TFEU, accessed on 28.01.2019.
[52]Article 3 (3) of the TEU, accessed on 27.01.2019.
[53]Comunicarea Comisiei către Consiliul și Parlamentul European "Către un instrument internațional privind diversitatea culturală" (punctul 4) - COM (2003) 520.
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[56]Richard Baldwin, Charles Wyplosz, *Economia integrării europene*, Bucharest, Economic Publishing House, 2006.
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cultural diversity are two key principles that "inform" each of the actions undertaken in the cultural field by the European Union (EU)[60].

We are more aware that the cultural and creative sectors are the backbone of a new economy based on knowledge and content, they contribute concretely to growth and employment and are factors that promote social cohesion and a sense of belonging to a community. In this respect, it becomes imperative to eliminate the traditional frontiers of sectorial intervention, towards a horizontal policy of politics, achieved through greater interaction between different domains.

The European Union, through its programs, aims to encourage the cultural and creative sectors, to look in a new way, their role in society. In this context, mediators are able to build bridges between different communities, aggregating different disciplinary areas, creatively contaminating sectorial policies. Effects can certainly be boosted by the growth of cultural and creative sectors, and hence allows citizens and communities to "re-capitalize" on cultural resources, not just as a memory of the past, but through its fundamental elements to manage their future[61].

Concluding, European cultural policy, through multiculturalism and the concept of cultural diversity, aims to support Member States and stakeholders in managing change by recognizing and systematically integrating good practices and innovative approaches that have proven effective in guiding and the stimulation of collective intelligence and why not of European identity.

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